NATIONAL SOUTH AFRICAN MOOT FOUNDATION

VERITAS • JUSTITIA • EXCELENTIA

NATIONAL SOUTH AFRICAN MOOT FOUNDATION

(NSAMF)

CONSTITUTION

BUILDING LEGAL LEADERS
FOR A JUST AND EQUITABLE
SOUTH AFRICA



VERITAS • JUSTITIA • EXCELLENTIA

NATIONAL SOUTH AFRICAN MOOT FOUNDATION (NSAMF)

CONSTITUTION

Motto: *Veritas • Justitia • Excellentia*

Tagline: *Advancing Legal Education. Developing Future Legal Professionals.*

Jurisdiction: Republic of South Africa

PREAMBLE

We, the founders, leaders, office-bearers, members, volunteers and affiliated structures of the National South African Moot Foundation (NSAMF), recognising the importance of legal education, advocacy, legal research, ethical leadership, academic excellence and access to justice, hereby establish this Constitution as the supreme internal governing instrument of the Foundation.

Acknowledging the importance of moot court education in developing legal reasoning, research, oral advocacy, written submissions, professional ethics and an understanding of judicial processes, we commit ourselves to providing educational opportunities for school learners, university students, aspiring legal professionals and members of the broader community.

Recognising the need for an effective national institution supported by strong Provincial Chapters, specialised national portfolios, continental partnerships and sustainable educational programmes, we establish a governance framework that promotes accountability, operational efficiency, institutional continuity and responsible leadership.

We further recognise the importance of legal scholarship, the development of young legal leaders, the expansion of African moot court opportunities and the establishment of meaningful partnerships with educational institutions, legal practitioners, professional bodies and other stakeholders.

We commit ourselves to the principles of integrity, transparency, fairness, professionalism, inclusivity, independence, accountability, respect for the rule of law and responsible stewardship of institutional resources.

Accordingly, this Constitution is adopted to govern the structure, leadership, administration, programmes, publications, Provincial Chapters, finances, property and affairs of the National South African Moot Foundation.

CHAPTER 1: PRELIMINARY PROVISIONS

Article 1: Name

1.1. The name of the organisation shall be the National South African Moot Foundation, hereinafter referred to as “NSAMF” or “the Foundation”.

1.2. NSAMF may use its full name, approved abbreviation, official logo, motto and other authorised institutional identifiers.

1.3. All national departments, Provincial Chapters, programmes, publications, initiatives and affiliated structures established under NSAMF shall operate under this Constitution.

1.4. No structure may represent itself as an independent legal entity merely because it has a separate name, leadership structure, portfolio or operational mandate.

1.5. The establishment of a separate legal entity shall require the approval of the National Executive and compliance with applicable law.

Article 2: Legal status

2.1. NSAMF shall operate as a non-profit educational organisation dedicated to the advancement of legal education, advocacy, research, leadership development and related lawful objectives.

2.2. The Foundation shall conduct its affairs in accordance with the laws of the Republic of South Africa and the laws of any other jurisdiction in which it lawfully operates.

2.3. Where NSAMF is registered or incorporated under applicable law, its legal status, powers and obligations shall be determined by that law and its registered founding documents.

2.4. The Foundation shall maintain an institutional identity distinct from its individual members and office-bearers to the extent recognised by applicable law.

2.5. The Foundation's existence shall not depend on the continued service of any particular office-bearer.

2.6. No office-bearer shall acquire personal ownership of the Foundation's assets, records, funds, intellectual property or institutional identity by virtue of holding office.

2.7. The Foundation shall not distribute its income or assets to members or office-bearers except for lawful, properly authorised payments, including reasonable remuneration for legitimate services and reimbursement of properly incurred expenses.

Article 3: Motto and tagline

3.1. The official motto of NSAMF shall be:

Veritas • Justitia • Excellentia

3.2. The official tagline shall be:

Advancing Legal Education. Developing Future Legal Professionals.

3.3. The motto represents truth, justice and excellence as the Foundation's guiding principles.

3.4. The National Executive may approve official branding, logos, colours, seals, publication styles and other institutional identifiers.

3.5. All office-bearers and affiliated structures shall use the Foundation's branding responsibly and in accordance with approved guidelines.

Article 4: Definitions

For purposes of this Constitution:

4.1. “AMN” means the African Moot Network, a continental initiative operating under NSAMF.

4.2. “Chief-Director” means a senior national executive official responsible for a designated strategic or operational portfolio.

4.3. “Constitution” means this Constitution, as amended from time to time in accordance with its provisions.

4.4. “National Executive” means the central executive governance structure of NSAMF.

4.5. “National Executive Director” means an official responsible for an approved national portfolio.

4.6. “Office-bearer” means a person formally appointed, elected or designated to a leadership or governance position within NSAMF.

4.7. “President” means the principal executive leader and institutional head of NSAMF.

4.8. “Provincial Chapter” means an administrative and operational structure established by NSAMF within a South African province.

4.9. “Programme” means an educational, research, leadership, advocacy or other initiative established or recognised by NSAMF.

4.10. “Publication” means the NSAMF Legal Review Publication and any approved edition, supplement or associated scholarly output.

4.11. “Member” means a person or institution formally admitted to an approved category of NSAMF membership.

4.12. “Participant” means a learner, student, competitor, volunteer, delegate or other person participating in an NSAMF activity without necessarily holding membership status.

4.13. “National Secretariat” means the central administrative office responsible for records, correspondence and other authorised administrative functions.

4.14. “Five-year term” means a period of five years calculated from the effective date of appointment or election, subject to this Constitution.

4.15. References to one gender include all genders, and the singular includes the plural where the context permits.

4.16. Headings are included for convenience and shall not override the substantive provisions of this Constitution.

CHAPTER 2: VISION, MISSION AND OBJECTIVES

Article 5: Vision

The vision of NSAMF shall be to become a leading national and continental institution for moot court education, legal scholarship, advocacy development, ethical leadership and the preparation of future legal professionals.

Article 6: Mission

The mission of NSAMF shall be to advance legal education and professional development through structured moot court programmes, research, publications, leadership initiatives, mentorship, partnerships and opportunities for academic excellence.

Article 7: Principal objectives

The objectives of NSAMF shall include:

7.1. Promoting moot court education among school learners, university students and aspiring legal professionals.

7.2. Developing legal reasoning, research, oral advocacy, written submissions and courtroom presentation skills.

7.3. Organising provincial, national, continental and international moot court competitions.

7.4. Establishing and administering the NSAMF Veritas Cup National Moot Court Championship.

7.5. Promoting legal literacy, constitutional awareness, access to justice and public legal education.

7.6. Developing the Grade 11 and 12 Legal Leaders Programme.

7.7. Establishing opportunities for mentorship, leadership development and legal career exposure.

7.8. Promoting legal scholarship, case analysis, case notes, legal commentary and academic research through the NSAMF Legal Review Publication.

7.9. Establishing and developing the African Moot Network to facilitate continental collaboration and international legal education initiatives.

7.10. Developing partnerships with schools, universities, law faculties, law clinics, legal practitioners, professional bodies, courts where appropriate, civil society organisations and other relevant institutions.

7.11. Promoting professional ethics, fairness, integrity and respect for the rule of law.

7.12. Developing training resources, digital learning platforms, membership systems and educational technology.

7.13. Supporting the development of adjudicators, coaches, researchers, mentors and programme administrators.

7.14. Promoting equitable access to legal education and opportunities for participation.

7.15. Encouraging academic exchange and collaboration between South African institutions and appropriate African and international counterparts.

7.16. Undertaking other lawful activities reasonably connected with these objectives.

Article 8: Powers of the Foundation

To achieve its objectives, NSAMF may:

8.1. Establish departments, directorates, Provincial Chapters, programmes, committees, panels and working groups.

8.2. Appoint, elect, designate, suspend or remove office-bearers in accordance with this Constitution.

8.3. Conduct competitions, conferences, seminars, workshops, training programmes and educational events.

8.4. Publish journals, legal commentary, case notes, research papers and educational materials.

8.5. Enter into lawful partnerships, sponsorship arrangements, memoranda of understanding and institutional agreements.

8.6. Receive lawful donations, grants, sponsorships, membership fees and other approved funding.

8.7. Open and operate bank accounts in the Foundation's name.

8.8. Acquire, lease, maintain and dispose of property in furtherance of its objectives.

8.9. Employ staff, engage contractors and appoint volunteers or advisers.

8.10. Develop digital platforms, membership portals and administrative systems.

8.11. Protect its name, branding, publications and other intellectual property.

8.12. Adopt policies, regulations and operational manuals consistent with this Constitution.

8.13. Institute or defend legal proceedings through duly authorised representatives.

8.14. Perform any other lawful act necessary to advance the Foundation's objectives.

CHAPTER 3: GOVERNING PRINCIPLES

Article 9: Institutional principles

9.1. NSAMF shall be governed by integrity, accountability, transparency, fairness, professionalism and responsible leadership.

9.2. Office-bearers shall act in the best interests of the Foundation and shall not use their positions for improper personal gain.

9.3. The Foundation shall respect the independence of courts and the professional obligations applicable to legal practitioners and adjudicators.

9.4. The Foundation shall not unlawfully discriminate against any person.

9.5. Decisions concerning appointments, competitions, membership, funding and disciplinary matters shall be made fairly and consistently.

9.6. No office-bearer may use the Foundation's name, resources, records or authority for an unauthorised private purpose.

9.7. The Foundation shall maintain appropriate separation between institutional funds and the personal finances of office-bearers.

9.8. The Foundation shall promote continuity, succession planning, documented procedures and effective institutional administration.

Article 10: Non-partisanship and independence

10.1. NSAMF shall operate as an educational organisation and shall not function as a political party.

10.2. Individual office-bearers retain their lawful personal rights but may not present personal political positions as official Foundation positions without authorisation.

10.3. The Foundation may engage with public institutions and policymakers on matters related to legal education, access to justice, constitutionalism and its objectives.

10.4. Such engagement shall remain consistent with the Foundation's educational mandate and applicable law.

CHAPTER 4: ORGANISATIONAL STRUCTURE

Article 11: Principal structures

The structures of NSAMF shall comprise:

11.1. The President.

11.2. Deputy President: Operations.

11.3. Deputy President: Strategy & Development.

11.4. The National Executive.

11.5. The National Secretariat.

11.6. National departments and specialised portfolios.

11.7. Provincial Chapters.

11.8. The African Moot Network.

11.9. The NSAMF Legal Review Publication.

11.10. The Grade 11 and 12 Legal Leaders Programme and Legal Leaders Council.

11.11. The Veritas Cup National Moot Court Championship and other approved competitions.

11.12. Such additional structures as may be established in accordance with this Constitution.

Article 12: Relationship between structures

12.1. All structures shall operate under this Constitution and the lawful authority of the National Executive.

12.2. Provincial Chapters, AMN, the Legal Review Publication and the Grade 11 and 12 Legal Leaders Programme shall not adopt separate constitutions that conflict with this Constitution.

12.3. Subsidiary structures may develop terms of reference, operational manuals, regulations and guidelines, subject to approval by the authorised national structure.

12.4. No subsidiary instrument may override this Constitution.

12.5. The National Executive may review, amend, suspend or withdraw any subsidiary policy that conflicts with this Constitution, subject to procedural fairness and applicable legal obligations.

12.6. All structures shall maintain appropriate records, submit reports and comply with approved budgets, deadlines and national directives.

12.7. The establishment of a structure shall not automatically create a separate legal entity or confer independent contracting authority.

CHAPTER 5: THE PRESIDENT

Article 13: Office of the President

13.1. The President shall be the principal executive leader and institutional head of NSAMF.

13.2. The President shall provide overall strategic direction, leadership, supervision and representation.

13.3. The President shall safeguard the Constitution, objectives, reputation, assets and long-term sustainability of the Foundation.

13.4. The President shall exercise authority in accordance with this Constitution, applicable law and valid decisions of authorised structures.

Article 14: Functions and powers

The President shall:

14.1. Provide strategic leadership and determine broad institutional priorities.

14.2. Preside over National Executive meetings, subject to lawful delegation.

14.3. Coordinate the work of both Deputy Presidents.

14.4. Supervise national office-bearers and ensure that responsibilities are properly allocated.

14.5. Approve national programmes in accordance with governance and financial procedures.

14.6. Represent NSAMF before institutions, sponsors, partners and the wider legal community.

14.7. Authorise official institutional communications, subject to approved delegation.

14.8. Oversee the implementation of national policies and programmes.

14.9. Recommend appointments, restructuring and succession arrangements in accordance with this Constitution.

14.10. Ensure that appropriate financial, administrative and performance systems are maintained.

14.11. Exercise financial authority within approved budgets and delegations.

14.12. Ensure that the National Executive receives regular reports.

14.13. Initiate strategic reviews and organisational reforms.

14.14. Exercise additional powers conferred by this Constitution or validly delegated.

Article 15: Limits on presidential authority

15.1. The President shall not act contrary to this Constitution or applicable law.

15.2. The President may not unilaterally amend this Constitution, dissolve the Foundation or override a mandatory decision-making procedure.

15.3. Matters reserved for the National Executive or another authorised body must be decided by that body.

15.4. Emergency action may be taken where reasonably necessary to protect the Foundation, its participants, assets or legal interests, but must be reported to the National Executive as soon as practicable.

CHAPTER 6: THE TWO DEPUTY PRESIDENTS

Article 16: Establishment

16.1. NSAMF shall have two Deputy Presidents.

16.2. Their official titles shall be:

a. **Deputy President: Operations.**

b. **Deputy President: Strategy & Development.**

16.3. Both Deputy Presidents shall assist the President in providing executive leadership and ensuring the effective administration of the Foundation.

16.4. Each Deputy President shall have a distinct written portfolio, performance objectives and reporting obligations.

16.5. The two offices shall not create competing centres of executive authority.

16.6. Both Deputy Presidents shall report to the President and collaborate on matters affecting their respective portfolios.

Article 17: Deputy President: Operations

17.1. The Deputy President: Operations shall oversee the operational functioning and internal coordination of NSAMF.

17.2. Responsibilities shall include:

a. Coordinating the implementation of approved national programmes.

b. Monitoring operational performance across national portfolios.

c. Coordinating and supervising Provincial Chapters in accordance with national directives.

d. Monitoring provincial reports, programme timelines and implementation plans.

e. Supporting national competition administration.

f. Ensuring that operational plans are prepared and implemented.

g. Identifying administrative weaknesses and recommending corrective measures.

h. Coordinating operational meetings and progress reviews.

i. Supporting membership administration and internal communication.

j. Monitoring implementation of National Executive resolutions.

k. Facilitating cooperation between national departments and Provincial Chapters.

l. Preparing periodic operational reports.

17.3. The Deputy President may recommend administrative interventions where a Chapter or portfolio fails to fulfil its duties.

17.4. Serious interventions shall comply with the applicable procedures and principles of procedural fairness.

Article 18: Deputy President: Strategy & Development

18.1. The Deputy President: Strategy & Development shall lead strategic planning, institutional growth and long-term development initiatives.

18.2. Responsibilities shall include:

a. Developing and monitoring strategic plans.

b. Identifying opportunities for institutional growth.

c. Supporting partnerships with universities, legal institutions and relevant organisations.

d. Coordinating strategic projects.

e. Supporting the expansion of AMN.

f. Supporting the development of the Legal Review Publication.

g. Supporting the growth of the Grade 11 and 12 Legal Leaders Programme.

h. Identifying funding and resource-development opportunities with the authorised financial portfolio.

i. Supporting national and international cooperation.

j. Monitoring strategic risks.

k. Encouraging innovation and digital transformation.

l. Preparing strategic progress reports.

18.3. The Deputy President shall work with the Deputy President: Operations to ensure that strategic plans are implemented effectively.

Article 19: Coordination and delegation

19.1. The President shall provide overall direction to both Deputy Presidents.

19.2. The Deputy Presidents shall consult one another on matters affecting both operations and strategy.

19.3. Neither Deputy President may unilaterally reverse a lawful decision of the other within an approved portfolio without proper authority.

19.4. Disputes between the Deputy Presidents shall first be referred to the President.

19.5. Where the President is temporarily unavailable, the Deputy Presidents may agree on temporary operational arrangements, provided that they do not exercise powers reserved to the President or National Executive.

19.6. A Deputy President may act for the President during a temporary absence where written authority has been granted.

19.7. Where both Deputy Presidents are unavailable, the National Executive may designate an acting office-bearer by recorded resolution.

19.8. Acting appointments shall specify their duration, authority and reporting obligations.

Article 20: Accountability of Deputy Presidents

20.1. Each Deputy President shall remain actively involved in the affairs of NSAMF.

20.2. Each shall attend required meetings, fulfil assigned duties, respond to official communications within a reasonable period and submit required reports.

20.3. Persistent non-performance, unexplained absence or abandonment of responsibilities may trigger a formal performance review.

20.4. The affected office-bearer shall ordinarily receive written notice of the concerns and a reasonable opportunity to respond and remedy shortcomings.

20.5. Suspension or removal shall follow this Constitution and applicable appointment terms.

20.6. A change of portfolio shall not be used to unlawfully circumvent the prescribed removal procedure.

20.7. Material performance concerns and resulting decisions shall be documented.

CHAPTER 7: THE NATIONAL EXECUTIVE

Article 21: Establishment and status

21.1. The National Executive shall be the principal national governance and executive administration structure of NSAMF.

21.2. It shall implement strategy, supervise national portfolios, coordinate Provincial Chapters and oversee programmes and resources.

21.3. It shall act collectively on matters reserved for it under this Constitution.

21.4. No office-bearer may bind NSAMF beyond their portfolio or a valid delegation.

Article 22: Composition

22.1. The National Executive shall comprise the following offices, subject to appointment, election or confirmation under this Constitution:

a. President.

b. Deputy President: Operations.

c. Deputy President: Strategy & Development.

d. National Chairperson.

e. Secretary-General.

f. Chief Executive Officer, where the office is established.

g. National Chief-Director: Moot Court Administration.

h. National Chief-Director: International Legal Affairs and Partnerships.

i. National Executive Directors responsible for approved portfolios.

j. Other national officials approved in accordance with this Constitution.

22.2. The National Executive may establish additional portfolios when organisational needs justify them.

22.3. The prefix **“National”** shall be used before the titles of National Executive Directors in official appointment letters, organisational charts, correspondence and records.

22.4. The former Director of Competitions title is discontinued and replaced by **National Chief-Director: Moot Court Administration**.

22.5. The National Executive shall maintain an approved organisational chart identifying portfolios, reporting lines and delegations.

Article 23: Powers of the National Executive

The National Executive shall:

23.1. Implement this Constitution and adopted policies.

23.2. Approve annual operational plans and monitor institutional performance.

23.3. Establish and supervise departments, programmes and internal structures.

23.4. Establish and oversee Provincial Chapters.

23.5. Approve national competition regulations.

23.6. Oversee AMN, the Legal Review Publication and the Grade 11 and 12 Legal Leaders Programme.

23.7. Approve budgets and financial controls.

23.8. Review national and provincial reports.

23.9. Authorise partnerships and sponsorship agreements within its authority.

23.10. Appoint or confirm office-bearers where authorised by this Constitution.

23.11. Investigate material administrative failures and implement corrective measures.

23.12. Approve policies concerning membership, safeguarding, conflicts of interest, data protection and conduct.

23.13. Protect institutional assets, reputation and intellectual property.

23.14. Consider governance complaints and appeals assigned to it.

23.15. Recommend and adopt constitutional amendments in accordance with the prescribed procedure.

23.16. Perform any other lawful function necessary for the administration of the Foundation.

Article 24: National Chairperson

24.1. The National Chairperson shall support governance discipline, institutional coordination and orderly meetings.

24.2. The National Chairperson shall:

a. Chair meetings when authorised or when the President is unavailable and the applicable procedure permits.

b. Promote compliance with meeting procedures.

c. Support communication between national leadership and recognised structures.

d. Monitor implementation of resolutions assigned to the office.

e. Assist with governance reviews and internal coordination.

24.3. The National Chairperson shall not displace the President's executive authority.

Article 25: Secretary-General

25.1. The Secretary-General shall oversee central governance records and secretariat functions.

25.2. Responsibilities shall include:

a. Issuing meeting notices.

b. Preparing agendas with the presiding officer.

c. Recording and preserving minutes and resolutions.

d. Maintaining registers of office-bearers.

e. Maintaining constitutional and policy records.

f. Receiving and circulating formal correspondence and reports.

g. Tracking actions arising from meetings.

h. Maintaining records of amendments and adopted policies.

i. Coordinating required governance filings where authorised.

j. Ensuring secure storage of official records.

25.3. The Secretary-General shall not alter adopted resolutions or represent proposals as approved decisions.

Article 26: Chief Executive Officer

26.1. The National Executive may establish the office of Chief Executive Officer.

26.2. Where appointed, the CEO shall coordinate the administrative implementation of authorised decisions.

26.3. Responsibilities may include staff coordination, project delivery, administration, operational schedules and performance reporting.

26.4. The CEO shall exercise only the authority delegated by the President and National Executive.

26.5. The CEO's relationship with other executive office-bearers shall be documented in writing.

Article 27: National Executive Directors

27.1. National Executive Directors shall lead designated national portfolios.

27.2. Each Director shall have written terms of reference specifying responsibilities, authority, reporting lines and performance expectations.

27.3. Portfolios may include:

a. National Director: Policy and Governance.

b. National Director: Legal Education and Training.

c. National Director: Research and Academic Development.

d. National Director: Communications and Public Relations.

e. National Director: Membership and Institutional Administration.

f. National Director: Finance and Resource Management.

g. National Director: School and University Relations.

h. National Director: Digital Systems and Technology.

i. National Director: Monitoring, Evaluation and Quality Assurance.

27.4. These are illustrative portfolios and need not all be filled immediately.

27.5. Additional portfolios may be approved by the National Executive.

27.6. Directors shall submit reports and comply with approved work plans.

27.7. Directors shall not create unauthorised structures, incur unauthorised expenditure or enter into binding agreements on behalf of NSAMF.

Article 28: National Chief-Director: Moot Court Administration

28.1. The National Chief-Director: Moot Court Administration shall be the senior national official responsible for the administration, coordination and operational management of NSAMF moot court activities.

28.2. The office replaces the former Director of Competitions title.

28.3. Responsibilities shall include:

a. Planning and coordinating national moot court competitions.

b. Administering the Veritas Cup National Moot Court Championship.

c. Developing competition calendars and operational plans.

d. Coordinating provincial qualifying rounds and national finals.

e. Developing standardised competition rules for approval.

f. Coordinating registration, eligibility checks and memorial submissions.

g. Supporting recruitment, briefing and allocation of adjudicators.

h. Maintaining fair and consistent competition administration.

i. Coordinating scoring systems and verification of results.

j. Training coaches, adjudicators, competitors and competition administrators.

k. Monitoring compliance with competition regulations.

l. Coordinating school and university divisions.

m. Preparing competition reports and recommendations.

n. Working with Provincial Chapters to facilitate progression to national competitions.

28.4. The office shall not determine disputes outside its authorised jurisdiction.

28.5. Adjudicators shall retain their independent responsibility to decide matters submitted to them.

Article 29: National Chief-Director: International Legal Affairs and Partnerships

29.1. The National Chief-Director: International Legal Affairs and Partnerships shall lead NSAMF's international institutional engagement and cross-border partnership development.

29.2. Responsibilities shall include:

a. Developing international partnerships with universities, moot court organisations and legal education institutions.

b. Supporting the expansion and coordination of AMN.

c. Identifying international competitions, exchanges and academic collaboration opportunities.

d. Coordinating memoranda of understanding and partnership proposals.

e. Supporting cross-border legal education initiatives.

f. Identifying legal and regulatory issues arising from proposed international agreements.

g. Coordinating with qualified legal advisers where formal legal advice is required.

h. Supporting international sponsorship and institutional support.

i. Maintaining records of international partnerships and commitments.

j. Monitoring compliance with relevant laws and agreements.

k. Preparing international engagement reports.

29.3. The office shall not undertake professional activities reserved by law for authorised practitioners unless legally entitled to do so.

29.4. No international agreement may bind NSAMF unless properly approved and executed.

29.5. The office shall coordinate with the Deputy President: Strategy & Development to ensure alignment with institutional priorities.

Article 30: National Executive meetings

30.1. The National Executive shall meet at least once every quarter.

30.2. Meetings may be held in person or electronically.

30.3. Ordinary meeting notices should ordinarily be circulated at least seven calendar days in advance.

30.4. Urgent meetings may be convened on shorter notice where reasonably necessary.

30.5. A quorum shall consist of more than half of the currently serving voting members, including the President or an authorised presiding officer.

30.6. A meeting without a quorum may discuss matters but shall not adopt binding substantive resolutions.

30.7. Decisions shall ordinarily be taken by a majority of votes cast by eligible voting members present.

30.8. In the event of a tie, the presiding officer shall have a casting vote, except in matters concerning their own appointment, removal, disciplinary proceedings or personal interests.

30.9. Members shall disclose material conflicts of interest and abstain where required.

30.10. Minutes shall record attendance, declarations of interest, resolutions, voting outcomes and assigned actions.

30.11. Written or electronic resolutions may be adopted where voting members have a reasonable opportunity to consider the matter and the prescribed decision threshold is met.

30.12. Such resolutions shall be recorded and included in the minutes of the next meeting.

CHAPTER 8: APPOINTMENTS AND FIVE-YEAR TERMS OF OFFICE

Article 31: Appointment of office-bearers

31.1. National and provincial office-bearers shall be appointed, elected or confirmed according to this Constitution and approved appointment procedures.

31.2. The President may nominate candidates for designated executive positions, subject to any confirmation, consultation or approval requirement applicable to the position.

31.3. The National Executive shall maintain a register of appointments, commencement dates, terms, portfolios and reporting lines.

31.4. Every appointment shall be communicated in writing and shall specify the title, responsibilities, reporting line and applicable conditions.

31.5. No appointment shall confer powers beyond those authorised by this Constitution or a valid delegation.

31.6. Office-bearers shall undertake to comply with this Constitution and applicable policies.

Article 32: Qualifications and suitability

32.1. Appointees shall demonstrate integrity, availability, commitment and suitability for their positions.

32.2. Specialist legal, financial, academic or technical positions should be filled by individuals with appropriate qualifications, experience or demonstrated competence.

32.3. No person shall be appointed on the basis of material misrepresentation or false qualifications.

32.4. Relevant qualifications and references may be verified subject to applicable law.

Article 33: Five-year terms of office

33.1. The term of office for the National Executive members, National Executive Directors, Chief-Directors and Provincial Chapter office-bearers shall be five (5) years.

33.2. The five-year term shall apply to appointed and elected office-bearers unless a specific constitutional provision or legally required arrangement expressly provides otherwise.

33.3. An office-bearer's term shall commence on the effective date of appointment or election, as applicable.

33.4. An office-bearer may be reappointed or re-elected for a further five-year term, subject to the applicable appointment or election procedure and satisfactory performance.

33.5. The expiry of a term shall not automatically entitle an office-bearer to another term. Renewal or reappointment must be formally approved and documented.

33.6. Where necessary to maintain institutional continuity, the National Executive may approve a temporary extension or designate an acting office-bearer, provided that the arrangement complies with this Constitution and does not circumvent the prescribed appointment procedure.

33.7. The Secretary-General shall maintain an official register recording commencement dates, expiry dates, renewals and vacancies.

33.8. The five-year term shall not prevent the lawful suspension or removal of an office-bearer before expiry of the term in accordance with this Constitution.

33.9. Where an office becomes vacant before expiry of its term, a replacement shall be appointed or elected in accordance with the applicable procedure. Unless otherwise resolved through a valid constitutional process, the replacement shall serve the remainder of the vacant term.

33.10. Provincial leadership shall ordinarily serve five-year terms consistent with this Article.

33.11. Programme leadership positions shall be subject to the five-year principle, provided that the Foundation may establish shorter participation or representative periods where necessary because of educational eligibility, age, school grade, programme completion or the nature of the role.

33.12. Any exception to the five-year term shall be recorded in the applicable appointment framework or programme regulations and shall not be used to undermine an office-bearer's constitutional rights.

33.13. An office-bearer whose term expires shall hand over institutional records, property, responsibilities and access credentials to their successor or another authorised representative.

Article 34: Performance management

34.1. Every office-bearer shall have written responsibilities and reasonable performance expectations.

34.2. Performance may be assessed against attendance, implementation of duties, reporting, responsiveness, conduct, collaboration and achievement of agreed objectives.

34.3. Performance reviews shall be fair and should ordinarily include an opportunity to discuss progress and obstacles.

34.4. Where concerns arise, the Foundation may issue guidance, establish corrective objectives, provide a reasonable improvement period or reallocate duties where authorised.

34.5. Serious misconduct, persistent non-performance or abandonment of responsibilities may lead to disciplinary action or removal under this Constitution.

Article 35: Resignation, suspension and removal

35.1. An office-bearer may resign by written notice to the appropriate authority.

35.2. An office-bearer may be temporarily suspended where reasonably necessary to protect participants, assets, records, investigations or institutional integrity.

35.3. Suspension shall not automatically constitute a finding of misconduct.

35.4. The affected office-bearer shall ordinarily receive written notice of the concerns and a reasonable opportunity to respond.

35.5. Grounds for removal may include:

a. Serious misconduct.

b. Persistent failure to perform assigned duties.

c. Repeated unexplained absence from required meetings.

d. Abuse of office or authority.

e. Fraud, dishonesty or deliberate misuse of resources.

f. Material breach of this Constitution or an approved policy.

g. Serious misconduct materially affecting the Foundation's reputation.

h. Loss of a qualification essential to the office, where relevant.

i. Incapacity to perform the functions of the position.

j. An unmanaged material conflict of interest.

k. Unauthorised representation or binding of the Foundation.

35.6. The decision-maker shall consider the evidence, the affected person's response and relevant mitigating circumstances.

35.7. Removal decisions shall be recorded in writing with reasons.

35.8. An appeal may be made to an appropriate body or panel not materially involved in the original decision, where an appeal is available under this Constitution or an approved policy.

35.9. The President shall not use performance management to bypass constitutional procedures applicable to a Deputy President or another office-bearer whose appointment requires National Executive confirmation.

Article 36: Vacancies and acting appointments

36.1. A vacancy arises upon resignation, death, removal, expiry of term without renewal or another event lawfully terminating an appointment.

36.2. The President and National Executive shall take reasonable steps to maintain continuity of the affected portfolio.

36.3. An acting appointment shall specify the acting title, authority, reporting line and expected duration.

36.4. An acting appointment shall not automatically confer permanent appointment or entitlement to another term.

36.5. A vacant Deputy President position shall be filled in accordance with the applicable constitutional procedure.

36.6. If the President's office becomes vacant, the National Executive shall designate an acting President pending the appointment or election of a successor under the applicable procedure.

CHAPTER 9: NATIONAL SECRETARIAT AND ADMINISTRATION

Article 37: National Secretariat

37.1. NSAMF may maintain a National Secretariat to provide administrative support to the President, Deputy Presidents and National Executive.

37.2. The Secretariat may coordinate correspondence, records, membership administration, scheduling, digital systems and reporting.

37.3. The Secretariat shall operate under authority delegated by the President and National Executive.

37.4. Official records shall be preserved securely and made accessible to authorised persons for legitimate governance purposes.

37.5. The National Executive may adopt policies governing retention, confidentiality, access controls, data security and the transfer of records.

Article 38: Official communications

38.1. Official communications shall use approved institutional channels.

38.2. No office-bearer may issue a statement in the Foundation's name outside their portfolio without authority.

38.3. Appointment announcements, circulars, policy notices and resolutions shall be issued by authorised representatives.

38.4. The Foundation may establish official email addresses, websites, social media accounts and other communication platforms.

38.5. Access credentials and administrative rights to official platforms belong to the Foundation and shall be transferred to authorised successors when required.

CHAPTER 10: PROVINCIAL CHAPTERS

Article 39: Establishment

39.1. NSAMF may establish a Provincial Chapter in each province of the Republic of South Africa.

39.2. Each Provincial Chapter shall be an operational and administrative structure of the Foundation.

39.3. Provincial Chapters shall operate under this Constitution and the policies, regulations and directives approved by the National Executive.

39.4. A Provincial Chapter may adopt operational guidelines and work plans, provided that they are consistent with this Constitution.

39.5. The National Executive shall determine the establishment, recognition, boundaries, operational status and administrative arrangements of Provincial Chapters.

39.6. A Provincial Chapter shall not have separate legal personality or independent contracting authority unless a separate legal arrangement is lawfully established and approved.

Article 40: Objectives of Provincial Chapters

Provincial Chapters shall:

40.1. Implement NSAMF programmes within their provinces.

40.2. Recruit and support participating schools, universities, learners, students and volunteers.

40.3. Coordinate provincial moot court activities and qualifying competitions.

40.4. Support the Grade 11 and 12 Legal Leaders Programme.

40.5. Identify opportunities for legal literacy, advocacy training, mentorship and academic engagement.

40.6. Promote the Legal Review Publication and encourage appropriate scholarly contributions.

40.7. Support AMN initiatives where authorised.

40.8. Develop relationships with provincial institutions, schools, universities and legal practitioners.

40.9. Submit administrative, programme, membership and financial reports.

40.10. Maintain ethical standards and protect the reputation of NSAMF.

Article 41: Provincial leadership structure

41.1. Each Provincial Chapter shall ordinarily comprise:

a. Provincial Chairperson.

b. Provincial Deputy Chairperson, where established.

c. Provincial Secretary.

d. Provincial Treasurer, where established.

e. Provincial Directors responsible for approved portfolios.

f. Other provincial officials or programme coordinators authorised by the National Executive.

41.2. The precise composition may be adjusted according to the Chapter's size, workload and operational capacity.

41.3. All provincial appointments shall be documented and recorded centrally.

41.4. Provincial office-bearers shall report through designated provincial and national reporting lines.

41.5. Provincial titles shall not confer authority beyond the office or a valid delegation.

Article 42: Provincial Chairperson

The Provincial Chairperson shall:

42.1. Lead and coordinate the Provincial Chapter.

42.2. Implement national directives and approved provincial work plans.

42.3. Convene provincial meetings and coordinate reporting.

42.4. Monitor the performance of provincial office-bearers.

42.5. Represent NSAMF at provincial level within the authority granted.

42.6. Coordinate provincial programmes and stakeholder engagement.

42.7. Escalate material operational concerns to the appropriate national authority.

42.8. Ensure compliance with this Constitution.

Article 43: Provincial Deputy Chairperson

43.1. The Provincial Deputy Chairperson shall assist the Provincial Chairperson.

43.2. The Deputy Chairperson may coordinate assigned portfolios, monitor implementation and assist with provincial administration.

43.3. The Deputy Chairperson may act for the Provincial Chairperson during a temporary absence where authorised.

43.4. The Deputy Chairperson shall not automatically possess authority to reverse decisions of the Provincial Chairperson or National Executive.

Article 44: Provincial Secretary

The Provincial Secretary shall:

44.1. Maintain provincial meeting records, minutes and resolutions.

44.2. Coordinate official provincial correspondence.

44.3. Maintain records of office-bearers, participating institutions and approved activities.

44.4. Submit reports and required documentation to the National Secretariat.

44.5. Track provincial resolutions and action items.

44.6. Ensure orderly storage and transfer of records.

Article 45: Provincial Treasurer

Where appointed, the Provincial Treasurer shall:

45.1. Maintain accurate records of authorised provincial income and expenditure.

45.2. Prepare provincial budgets and financial reports.

45.3. Ensure that funds are handled through approved financial arrangements.

45.4. Retain receipts and supporting documents.

45.5. Submit financial reports in accordance with national requirements.

45.6. Refrain from opening accounts, borrowing money or making financial commitments without authorisation.

45.7. Comply with national financial management and procurement policies.

Article 46: Provincial Directors

46.1. Provincial Directors shall manage portfolios assigned by the National Executive or authorised provincial leadership.

46.2. Each Director shall have written responsibilities and reporting obligations.

46.3. Provincial Directors shall implement national policies and approved work plans.

46.4. They may coordinate volunteers or working groups within their portfolios.

46.5. They may not create conflicting constitutional rules or establish independent provincial constitutions.

Article 47: Specialised portfolios of the Western Cape Chapter

47.1. The Western Cape Provincial Chapter shall include the following specialised portfolios in addition to its general provincial leadership structure:

a. **Provincial Director: Legal Affairs, Advocacy and Professional Standard.**

b. **Provincial Deputy Director: Legal Affairs, Advocacy and Professional Standards.**

c. **Provincial Director: Partnerships and External Relations.**

47.2. These titles are recognised specialised offices within the Western Cape Provincial Chapter.

47.3. The Provincial Director: Legal Affairs, Advocacy and Professional Standard shall coordinate provincial initiatives concerning legal education, advocacy development, professional standards, legal literacy and approved guidance on legal and ethical matters.

47.4. The Provincial Deputy Director: Legal Affairs, Advocacy and Professional Standards shall support the Provincial Director, assist with programme implementation, coordinate assigned projects and undertake delegated responsibilities.

47.5. The Provincial Deputy Director shall report to the Provincial Director on matters within the delegated portfolio while remaining subject to the overall authority of the Provincial Chairperson and national governance structure.

47.6. The Provincial Director: Partnerships and External Relations shall identify and coordinate provincial partnerships, institutional relationships, stakeholder engagement and external collaboration.

47.7. The Partnerships and External Relations portfolio shall maintain records of engagements, proposals, commitments and outcomes.

47.8. The three specialised offices shall coordinate their activities with the Provincial Chairperson and relevant National Executive portfolios.

47.9. These offices shall not undertake regulated legal activities beyond the authority and qualifications of the individuals concerned.

47.10. The National Executive may establish comparable specialised portfolios in other provinces where justified by operational needs.

Article 48: Provincial reporting and compliance

48.1. Every Provincial Chapter shall submit reports at intervals prescribed by the National Executive.

48.2. Reports may cover activities, competitions, membership, partnerships, finances, safeguarding, risks and implementation of directives.

48.3. Provincial Chapters shall comply with national deadlines, programme standards and reporting requirements.

48.4. Failure to report or comply shall ordinarily result in a written request for correction and a reasonable opportunity to remedy the failure.

48.5. Persistent or serious non-compliance may lead to a review, corrective action plan, closer supervision or restriction of delegated authority.

48.6. Suspension or replacement of provincial leadership shall follow the applicable appointment procedures and principles of procedural fairness.

48.7. A Provincial Chapter shall not independently commit NSAMF to expenditure, contractual obligations or public positions without authority.

Article 49: Provincial competitions

49.1. Provincial Chapters shall coordinate qualifying activities in accordance with the national competition calendar and regulations.

49.2. Unless the approved rules provide otherwise, the winning team from each recognised provincial qualifying competition shall progress to the national competition.

49.3. The National Chief-Director: Moot Court Administration shall coordinate national progression, eligibility verification and scheduling.

49.4. Provincial Chapters shall submit verified results and supporting records within the prescribed period.

49.5. Disputes concerning eligibility, scoring or progression shall be resolved under the applicable competition rules.

49.6. No Provincial Chapter may independently alter national competition rules.

CHAPTER 11: AFRICAN MOOT NETWORK (AMN)

Article 50: Establishment and status

50.1. The African Moot Network (AMN) is hereby recognised as a continental initiative and branch of NSAMF.

50.2. AMN shall operate under this Constitution, NSAMF policies and authority delegated by the National Executive.

50.3. AMN shall not be treated as a separate legal person merely because it operates across national borders.

50.4. Any proposal to establish AMN as a separate legal entity shall require a formal National Executive resolution and compliance with applicable law.

50.5. AMN shall promote collaboration between African schools, universities, moot societies, legal education institutions and appropriate partners.

Article 51: Objectives

AMN shall:

51.1. Expand access to moot court education across Africa.

51.2. Develop oral advocacy, legal research and written legal argument.

51.3. Promote continental moot court competitions and academic exchanges.

51.4. Facilitate collaboration among universities, law faculties and moot societies.

51.5. Support mentorship, adjudicator development and advocacy training.

51.6. Promote comparative legal study and cross-border academic engagement.

51.7. Facilitate exchanges between learners, students, coaches, researchers and legal professionals.

51.8. Develop partnerships with African and international legal education institutions.

51.9. Encourage participation by countries and institutions under approved eligibility rules.

51.10. Support collaborative publications and educational projects.

Article 52: AMN governance

52.1. AMN shall be coordinated by a Continental Coordinator or another title approved by the National Executive.

52.2. AMN may include regional divisions, Country Chairs, Country Coordinators, university representatives and recognised institutional partners.

52.3. The National Executive shall approve the governance framework, appointment procedure and reporting requirements.

52.4. Country Coordinators shall operate within their assigned geographical and institutional responsibilities.

52.5. No representative may claim to represent NSAMF or AMN beyond their formally granted authority.

52.6. Representatives shall comply with applicable local laws, national policies and approved partnership arrangements.

52.7. The National Chief-Director: International Legal Affairs and Partnerships shall coordinate international institutional engagement with AMN leadership.

52.8. The Deputy President: Strategy & Development shall support strategic expansion and sustainability.

52.9. The Deputy President: Operations shall support implementation, reporting and administrative coordination where appropriate.

52.10. The National Executive may approve additional AMN regulations.

Article 53: International partnerships and accountability

53.1. AMN may pursue partnerships, competitions, training initiatives and exchanges approved under NSAMF's governance framework.

53.2. Commitments involving money, intellectual property or institutional obligations must be properly authorised.

53.3. AMN shall maintain records of participating institutions, representatives, activities, funding and partnerships.

53.4. AMN shall submit periodic reports to the National Executive.

53.5. No AMN representative may open a bank account, incur debt or bind NSAMF to an agreement without written authority.

53.6. Activities outside South Africa shall comply with applicable legal and regulatory requirements.

CHAPTER 12: NSAMF LEGAL REVIEW PUBLICATION

Article 54: Establishment and purpose

54.1. The NSAMF Legal Review Publication is hereby recognised as the official legal scholarship and commentary publication of NSAMF.

54.2. The Publication shall promote legal research, critical analysis, academic writing, case commentary and informed discussion of legal developments.

54.3. It shall operate under this Constitution and an approved editorial policy.

54.4. The Publication shall not constitute a separate legal entity merely because it has its own editorial structure.

54.5. It may include print editions, digital editions, online articles, case notes, research papers, legal commentary, interviews and other approved scholarly outputs.

Article 55: Editorial objectives

The Publication shall:

55.1. Promote high-quality legal scholarship.

55.2. Encourage analysis of judgments, legislation and legal developments.

55.3. Provide a platform for students, researchers, practitioners and academics.

55.4. Encourage accurate legal citation and responsible academic debate.

55.5. Support legal literacy and research skills.

55.6. Maintain editorial integrity, accuracy, fairness and quality control.

55.7. Encourage engagement with South African, African, comparative and international legal developments.

Article 56: Editorial structure

56.1. The Publication may comprise:

a. Editor-in-Chief.

b. Deputy Editor.

c. Managing Editor.

d. Senior Editor.

e. Editor: Research and Editorial Review.

f. Editor: Case Law and Legal Commentary.

g. Associate Editors.

h. Editorial Researchers.

i. Other specialist editorial positions approved by the National Executive.

56.2. The National Executive may establish additional editorial roles where necessary.

56.3. All editorial appointments shall be documented in writing.

56.4. The Editor-in-Chief shall have overall editorial responsibility, subject to the approved editorial policy.

56.5. The Deputy Editor shall assist the Editor-in-Chief and may act in that capacity when authorised.

56.6. The Managing Editor shall coordinate production schedules, submissions, editing workflows and publication administration.

56.7. The Senior Editor shall support quality assurance and editorial consistency.

56.8. The Editor: Research and Editorial Review shall coordinate research quality, editorial review and verification of scholarly submissions.

56.9. The Editor: Case Law and Legal Commentary shall specialise in judgments, case notes, legal developments and scholarly commentary.

56.10. Associate Editors and Editorial Researchers shall perform functions assigned under the editorial policy.

Article 57: Editorial independence

57.1. Editorial decisions shall be made according to the approved editorial policy and appropriate scholarly standards.

57.2. Authors shall be assessed on the quality, relevance, originality, accuracy and suitability of their submissions.

57.3. No office-bearer may require the Publication to publish materially inaccurate, plagiarised, unlawful or otherwise improper content.

57.4. The President and National Executive may determine the institutional mandate and budget but shall not improperly interfere with individual editorial assessments.

57.5. Editorial independence shall not exempt the Publication from applicable law, financial accountability, branding requirements or safeguarding obligations.

57.6. Editorial concerns shall be handled through the procedure established by the editorial policy.

Article 58: Editorial standards

58.1. The Publication shall adopt clear submission requirements, citation standards and review procedures.

58.2. Material may be subject to substantive editing, fact-checking, citation verification, originality checks and expert or peer review.

58.3. Authors shall disclose relevant conflicts and acknowledge sources appropriately.

58.4. Plagiarism, fabricated citations and deliberate distortion of legal authorities shall not be permitted.

58.5. Corrections, expressions of concern, retractions or withdrawals may be issued under the editorial policy.

58.6. The Publication shall maintain appropriate records of submissions, editorial decisions and permissions.

58.7. Contributors shall be informed of the terms governing copyright, licensing, attribution and reuse.

58.8. The Publication shall not be represented as an official court publication unless expressly authorised.

Article 59: Intellectual property

59.1. Intellectual property rights in material submitted to or published by the Publication shall be governed by applicable law and written agreements.

59.2. Publication shall not automatically transfer ownership of an author's work to NSAMF unless a valid agreement provides otherwise.

59.3. NSAMF shall retain ownership or authorised usage rights in its own branding, templates, original educational resources and institutional material, subject to applicable law.

59.4. Contributors shall obtain required permissions for third-party material.

CHAPTER 13: GRADE 11 AND 12 LEGAL LEADERS PROGRAMME

Article 60: Establishment

60.1. The Grade 11 and 12 Legal Leaders Programme is hereby recognised as a national educational and leadership development programme of NSAMF.

60.2. The Programme shall serve learners in Grades 11 and 12 who have an interest in law, advocacy, leadership, research, public service and related fields.

60.3. It may operate through Provincial Chapters, schools, educational partners and approved digital platforms.

60.4. The Programme shall operate under this Constitution and policies approved by the National Executive.

60.5. The Programme may use the designation Legal Leaders Council (LLC) for its learner leadership and representative structure.

60.6. The Legal Leaders Council shall not constitute a separate legal entity or independent constitutional body.

Article 61: Objectives

The Programme shall:

61.1. Introduce learners to legal education and legal careers.

61.2. Develop leadership, public speaking, research and critical thinking.

61.3. Promote constitutional literacy and responsible citizenship.

61.4. Provide exposure to moot court, debate, legal writing and advocacy.

61.5. Encourage exploration of legal career pathways and tertiary study.

61.6. Provide mentorship and educational support.

61.7. Promote ethical leadership, teamwork and respect for differing viewpoints.

61.8. Facilitate collaboration between learners, schools, universities and legal education partners.

61.9. Encourage participation in approved NSAMF competitions and educational activities.

61.10. Support the development of future legal researchers, advocates, adjudicators and legal professionals.

Article 62: Legal Leaders Council

62.1. NSAMF may establish a Legal Leaders Council to facilitate learner representation, peer leadership and programme participation.

62.2. The Council may include learner representatives, programme leaders and other authorised participants.

62.3. The Council may provide feedback, recommend activities and assist with approved initiatives.

62.4. The Council shall not exercise the powers of the National Executive or independently make commitments on behalf of NSAMF.

62.5. Learner leadership appointments shall follow a transparent procedure appropriate to the participants' ages and circumstances.

62.6. Council members shall comply with the code of conduct, safeguarding rules and applicable school requirements.

62.7. The National Executive may approve terms of reference governing Council membership, meetings and reporting.

Article 63: Programme administration

63.1. The National Executive may appoint a National Programme Lead or another designated official.

63.2. Provincial Chapters shall support local recruitment, school engagement and programme delivery.

63.3. The Programme shall maintain appropriate participant registers, attendance records, reports and consent documentation.

63.4. Participation shall be subject to approved eligibility, conduct and safeguarding requirements.

63.5. Activities may include mentorship, leadership workshops, legal career sessions, research, competitions and educational visits.

63.6. NSAMF shall not promise admission to a university, professional qualification, legal employment or another outcome outside its control.

Article 64: Safeguarding

64.1. NSAMF shall prioritise the safety, dignity and welfare of learners.

64.2. Where participants are minors, parental or guardian consent shall be obtained where required by law or policy.

64.3. The Foundation shall adopt safeguarding procedures for mentorship, events, digital communication, travel, photography and interaction between adults and minors.

64.4. Personal information and images of learners shall be collected, stored and used lawfully.

64.5. Safeguarding concerns shall be referred promptly to the designated safeguarding authority and, where required, the appropriate authorities.

64.6. No person may retaliate against a learner who raises a safeguarding concern in good faith.

CHAPTER 14: MEMBERSHIP AND PARTICIPATION

Article 65: Membership categories

65.1. NSAMF may establish membership categories appropriate to its objectives.

65.2. Categories may include:

a. Individual members.

b. Student or learner members.

c. Institutional members.

d. Academic or professional members.

e. Honorary members.

f. Volunteer members.

65.3. The National Executive shall approve eligibility, rights, duties and administrative arrangements for each category.

65.4. Participation in a programme, competition or publication shall not automatically confer voting membership unless the applicable rules expressly provide otherwise.

65.5. Separate records may be maintained for members, participants, partners and volunteers.

Article 66: Admission to membership

66.1. Applications shall be assessed according to approved eligibility criteria.

66.2. Applications may be submitted electronically or through another authorised procedure.

66.3. The Foundation may request information reasonably necessary to verify eligibility and administer membership.

66.4. Applications shall be decided by the designated membership authority.

66.5. Refusal of membership shall be communicated appropriately and may be reviewed under an approved appeal procedure.

66.6. Institutional membership shall not confer automatic control over NSAMF.

Article 67: Rights of members

Subject to their membership category, members may:

67.1. Participate in approved activities.

67.2. Receive relevant information about programmes and opportunities.

67.3. Access resources available to their category.

67.4. Submit proposals or feedback through recognised channels.

67.5. Be considered for eligible leadership or volunteer opportunities.

67.6. Exercise voting rights only where expressly granted by this Constitution or an approved membership framework.

67.7. Raise concerns through established procedures.

Article 68: Duties of members

Members shall:

68.1. Comply with this Constitution and applicable policies.

68.2. Conduct themselves respectfully and ethically.

68.3. Protect confidential information and personal data.

68.4. Refrain from misrepresenting their authority or affiliation.

68.5. Use NSAMF resources and branding responsibly.

68.6. Disclose material conflicts of interest where required.

68.7. Pay approved membership fees, where applicable.

68.8. Respect the integrity of competitions, research, publications and programme activities.

Article 69: Suspension and termination of membership

69.1. Membership may be suspended or terminated for serious or persistent breach of this Constitution, applicable policy or membership conditions.

69.2. Grounds may include fraud, serious misconduct, misuse of institutional resources, harassment, deliberate misrepresentation or conduct materially harmful to the Foundation.

69.3. Except where an urgent temporary restriction is reasonably necessary, the affected person shall receive notice of the concern and a reasonable opportunity to respond.

69.4. Decisions shall be recorded with reasons.

69.5. The affected person may appeal in accordance with the applicable procedure.

69.6. Termination shall not automatically extinguish lawful contractual rights or obligations already accrued.

Article 70: Membership fees

70.1. The National Executive may approve membership fees.

70.2. Fees shall be reasonable, transparent and consistent with the Foundation's non-profit objectives.

70.3. Exemptions, reduced fees or payment arrangements may be approved.

70.4. Payment of a fee shall not entitle a person to improper influence over appointments, competition results, editorial decisions or other institutional matters.

CHAPTER 15: COMPETITIONS AND EDUCATIONAL PROGRAMMES

Article 71: National programmes

71.1. NSAMF may establish national and provincial programmes consistent with its objectives.

71.2. Each programme shall operate under an approved framework identifying its purpose, participants, governance, responsibilities, budget and reporting requirements.

71.3. Additional initiatives may be approved as the Foundation develops.

71.4. Programmes may include moot court competitions, legal education workshops, advocacy training, mentorship, research, publications, leadership development and institutional exchanges.

Article 72: Veritas Cup National Moot Court Championship

72.1. NSAMF may organise the Veritas Cup National Moot Court Championship as its flagship national moot court competition.

72.2. The Championship may operate separate divisions for schools and universities.

72.3. The National Executive shall approve regulations governing eligibility, registration, memorials, oral arguments, scoring, adjudication, progression, disputes and awards.

72.4. The National Chief-Director: Moot Court Administration shall coordinate the administration of the Championship.

72.5. Provincial Chapters shall conduct qualifying activities in accordance with the national framework.

72.6. The National Executive may authorise pilot editions, limited provincial participation or phased expansion according to capacity and financial sustainability.

72.7. Competition regulations shall be applied consistently and fairly.

72.8. Adjudicators shall act independently and disclose conflicts of interest.

72.9. Results shall be verified before official publication.

72.10. Appeals and protests shall be determined under the applicable regulations.

Article 73: Training and academic activities

73.1. NSAMF may conduct training for competitors, coaches, adjudicators, researchers, programme leaders and volunteers.

73.2. Training materials shall be accurate, appropriately sourced and consistent with the Foundation's educational purpose.

73.3. NSAMF may issue certificates of participation or completion where applicable criteria have been met.

73.4. Certificates shall not be represented as professional qualifications or accreditations unless the relevant status has lawfully been obtained.

73.5. The Foundation may collaborate with educational institutions and qualified professionals.

CHAPTER 16: FINANCIAL MANAGEMENT AND PROPERTY

Article 74: Financial principles

74.1. The funds and property of NSAMF shall be used to advance its lawful objectives and meet legitimate obligations.

74.2. No member or office-bearer shall have a proprietary claim to institutional assets solely by virtue of membership or office.

74.3. The Foundation shall maintain accurate financial records and appropriate internal controls.

74.4. Financial transactions shall be conducted through authorised banking arrangements in the Foundation's name, subject to applicable law.

74.5. The Foundation shall not use funds for unlawful purposes or unauthorised personal benefit.

74.6. Reasonable compensation may be paid for legitimate services, subject to proper authorisation, conflict disclosure and applicable law.

Article 75: Banking and financial authority

75.1. The National Executive shall approve the opening and operation of bank accounts.

75.2. Authorised signatories shall be appointed by recorded resolution.

75.3. Financial transactions shall comply with approved signing rules and expenditure controls.

75.4. No individual shall have unrestricted authority to withdraw, transfer or commit institutional funds.

75.5. The National Executive shall establish approval thresholds for expenditure, contracts, procurement and reimbursements.

75.6. Electronic banking access shall be restricted to authorised individuals and reviewed when office-bearers change.

75.7. Personal accounts shall not be used as substitutes for institutional banking arrangements except in a lawful, properly documented and authorised emergency.

Article 76: Budgeting and expenditure

76.1. The National Executive shall approve an annual budget.

76.2. National departments, Provincial Chapters and programmes shall operate within approved budget allocations.

76.3. Unbudgeted expenditure shall require approval under the financial policy.

76.4. Expenditure must be supported by appropriate documentation.

76.5. Procurement shall be fair and transparent, with due regard to value for money and conflicts of interest.

76.6. No office-bearer may manipulate procurement procedures to avoid approval thresholds.

76.7. Reimbursements shall be supported by proof of expenditure and comply with approved rules.

Article 77: Financial records and reporting

77.1. The Foundation shall maintain records of income, expenditure, assets, liabilities, donations and sponsorships.

77.2. The National Executive shall receive periodic financial reports.

77.3. Provincial Chapters and programmes shall submit financial information as required.

77.4. Financial records shall be retained for the period required by law and applicable policy.

77.5. The Foundation shall prepare financial statements and reports required by law.

77.6. Where an accounting officer, auditor or independent reviewer is required by law or a funding agreement, the Foundation shall make the appropriate appointment.

77.7. Financial reports shall accurately reflect the Foundation's financial position.

Article 78: Financial year

78.1. The financial year of NSAMF shall end on 31 March each year.

78.2. The National Executive may recommend a change where operational or legal requirements justify it.

78.3. Any change shall be approved through the applicable governance process and implemented in compliance with law.

Article 79: Funding and donations

79.1. NSAMF may receive lawful donations, sponsorships, grants, membership fees and other approved funding.

79.2. Funding shall be accepted only where its terms are consistent with the Foundation's objectives and independence.

79.3. A donor or sponsor shall not acquire improper control over governance, competition results, appointments or editorial decisions.

79.4. Material funding agreements shall be documented and approved by an authorised representative.

79.5. Restricted donations shall be applied according to their lawful terms.

79.6. The Foundation shall maintain records sufficient to account for the receipt and use of funds.

Article 80: Assets and property

80.1. Assets acquired by or on behalf of NSAMF shall be recorded as institutional property.

80.2. Assets shall be managed and disposed of only by authorised persons acting in the Foundation's interests.

80.3. No office-bearer may transfer institutional assets for personal use without lawful authority.

80.4. The Foundation may maintain an asset register and procedures governing custody, use and disposal.

80.5. Office-bearers shall return institutional property, records, devices, keys and access credentials when leaving office.

CHAPTER 17: ETHICS, CONFLICTS OF INTEREST AND DISCIPLINE

Article 81: Code of conduct

81.1. Office-bearers, members, volunteers and programme participants shall comply with the applicable code of conduct.

81.2. Conduct standards shall promote respect, integrity, fairness, professionalism and participant protection.

81.3. Harassment, intimidation, discrimination, bullying, fraud, deliberate dishonesty and misuse of authority shall not be tolerated.

81.4. Competition participants shall comply with rules governing plagiarism, collusion, improper assistance and interference with adjudicators.

81.5. Editors and contributors shall comply with research and editorial standards.

81.6. Office-bearers shall not use institutional authority to secure improper personal or commercial advantage.

Article 82: Conflicts of interest

82.1. A conflict of interest arises where personal, financial, professional or other interests could improperly influence, or reasonably appear to influence, official duties.

82.2. Office-bearers shall promptly disclose material conflicts.

82.3. A person with a material conflict shall not participate in a decision where recusal is required.

82.4. Material disclosures and decisions shall be recorded.

82.5. A conflict may be managed through disclosure, recusal, reassignment or another proportionate measure.

82.6. Failure to disclose a material conflict may constitute misconduct.

Article 83: Complaints and disciplinary procedures

83.1. The National Executive shall adopt a written complaints and disciplinary policy.

83.2. Complaints shall be assessed fairly and promptly.

83.3. Investigations should, where reasonably possible, be conducted by persons independent of the alleged conduct.

83.4. A person affected by disciplinary allegations shall ordinarily receive sufficient information to understand and answer them.

83.5. Decisions shall be based on relevant evidence and made by an authorised decision-maker.

83.6. Outcomes may include dismissal of a complaint, guidance, warning, corrective action, suspension, removal from a role or termination of membership, depending on the authority and seriousness of the matter.

83.7. An appeal mechanism shall be provided in the applicable policy.

83.8. Nothing in this Article prevents referral of suspected criminal conduct or safeguarding concerns to appropriate authorities where required or appropriate.

CHAPTER 18: DATA PROTECTION, CONFIDENTIALITY AND INTELLECTUAL PROPERTY

Article 84: Data protection

84.1. NSAMF shall handle personal information in accordance with applicable data protection law, including the Protection of Personal Information Act 4 of 2013 where applicable.

84.2. Personal information shall be collected and used for legitimate, specified and lawful purposes.

84.3. Access to membership records, learner information, financial records and confidential documents shall be restricted to authorised persons.

84.4. Appropriate security measures shall protect electronic and physical records.

84.5. Personal information shall not be disclosed without lawful authority or another valid legal basis.

84.6. The Foundation shall establish procedures for access requests, correction of inaccurate information, retention, secure disposal and data incidents.

84.7. Special care shall be taken when processing information about minors.

Article 85: Confidentiality

85.1. Office-bearers and volunteers shall protect confidential information obtained through their roles.

85.2. Confidential information may be disclosed where authorised, required by law or necessary for a legitimate institutional purpose.

85.3. Confidentiality obligations shall continue after a person leaves office, subject to applicable law.

85.4. No person may use confidential information to secure improper advantage or harm the Foundation or another person.

Article 86: Intellectual property

86.1. NSAMF may own or hold lawful rights in its name, logos, branding, original educational materials, competition resources, databases, publications and institutional works.

86.2. Ownership of works created by employees, contractors, volunteers, members or contributors shall be determined by applicable law and relevant agreements.

86.3. No person may reproduce, commercially exploit or licence institutional intellectual property without appropriate authorisation.

86.4. Contributors to the Legal Review Publication shall retain such rights as are provided by law and their publication agreements.

86.5. The Foundation may enter into licensing arrangements consistent with its objectives.

CHAPTER 19: MEETINGS AND DECISION-MAKING

Article 87: General institutional meetings

87.1. The National Executive may convene an annual institutional meeting to review performance, programmes, finances and strategic priorities.

87.2. The meeting shall receive reports from the President, relevant national portfolios and authorised programme leaders.

87.3. Where a formal membership assembly with voting rights is established, its composition and powers shall be specified in an approved governance framework consistent with this Constitution.

87.4. No general meeting may exercise powers expressly reserved to another body unless this Constitution or a valid resolution authorises it.

Article 88: Meeting procedure

88.1. Meetings may be conducted in person or electronically.

88.2. Notice shall specify the date, time, method and principal business.

88.3. The presiding officer shall ensure orderly participation and fair consideration of matters.

88.4. Decisions shall be recorded in minutes or written resolutions.

88.5. The presiding officer may regulate speaking order, time limits and procedural matters, provided participants are treated fairly.

88.6. A meeting may adjourn where necessary because of insufficient participation, technical difficulties or other reasonable circumstances.

Article 89: Electronic decision-making

89.1. The National Executive may adopt resolutions electronically where voting members can receive the proposal and express their decisions.

89.2. The procedure shall specify the voting period and required majority.

89.3. The Secretary-General shall preserve the decision and voting record.

89.4. Electronic approval shall not be used to evade requirements for a formal meeting, special notice or enhanced majority.

CHAPTER 20: POLICIES AND DELEGATED AUTHORITY

Article 90: Subsidiary policies

90.1. The National Executive may adopt policies, manuals, codes, regulations and standard operating procedures to implement this Constitution.

90.2. These instruments may govern:

a. National and provincial administration.

b. Membership and participation.

c. Competitions and adjudication.

d. The Legal Review Publication.

e. AMN.

f. The Grade 11 and 12 Legal Leaders Programme.

g. Safeguarding and child protection.

h. Finance, procurement and fundraising.

i. Human resources and volunteer management.

j. Data protection and digital systems.

k. Complaints, discipline and appeals.

l. Partnerships and international activities.

m. Communications and institutional branding.

90.3. Subsidiary instruments shall not amend, contradict or override this Constitution.

90.4. Where a conflict arises, this Constitution shall prevail unless applicable law requires otherwise.

Article 91: Delegation of authority

91.1. The President and National Executive may delegate specific functions to office-bearers, departments or authorised representatives.

91.2. Delegations shall identify the powers granted, applicable limits, reporting requirements and duration.

91.3. A delegation shall not transfer a power expressly reserved to another structure unless this Constitution permits it.

91.4. A delegation may be amended or withdrawn in writing by the delegating authority.

91.5. A person exercising delegated authority shall remain accountable to the delegating authority.

CHAPTER 21: DISPUTE RESOLUTION AND APPEALS

Article 92: Internal dispute resolution

92.1. NSAMF shall seek to resolve internal disputes fairly, promptly and in a manner that preserves institutional integrity.

92.2. A dispute shall ordinarily be referred first to the relevant supervisor or portfolio authority.

92.3. Where informal resolution is unsuccessful or inappropriate, the matter may be referred to the National Executive or a designated impartial panel.

92.4. A person directly involved in a dispute shall not determine it where their involvement creates a material conflict of interest.

92.5. The parties shall be given a reasonable opportunity to present relevant information.

92.6. Decisions shall be recorded with appropriate reasons.

Article 93: Appeals

93.1. Appeals shall be available where expressly provided by this Constitution or an approved policy.

93.2. An appeal should identify the decision challenged and the grounds relied upon.

93.3. Grounds may include a material procedural irregularity, factual error, conflict of interest, unreasonable application of policy or another recognised ground under the applicable rules.

93.4. An appeal shall, where reasonably possible, be determined by a person or panel not materially involved in the original decision.

93.5. The appeal decision shall be communicated to the parties and recorded.

93.6. Nothing in this Chapter excludes rights or remedies available under applicable law.

CHAPTER 22: AMENDMENT OF THE CONSTITUTION

Article 94: Proposals for amendment

94.1. An amendment may be proposed by the President or by a written resolution supported by at least one-third of the serving voting members of the National Executive.

94.2. The proposal shall identify the provision to be amended and the proposed replacement wording.

94.3. The Secretary-General shall circulate the proposal within a reasonable period before the meeting at which it is to be considered.

94.4. Amendments affecting the powers, composition or tenure of an office shall be clearly identified in the notice.

Article 95: Adoption of amendments

95.1. A constitutional amendment shall require approval by at least two-thirds of the voting members present and entitled to vote at a properly convened National Executive meeting at which a quorum is present.

95.2. The meeting notice shall expressly state that a constitutional amendment is proposed.

95.3. The adopted wording shall be recorded in the minutes and incorporated into the official constitutional text.

95.4. An amendment shall not be treated as adopted merely because it appears in a draft, appointment letter, organisational chart or informal communication.

95.5. Where applicable law or the Foundation's registration status requires additional approval, notification or filing, the amendment shall be processed accordingly.

95.6. An amendment shall take effect on the date specified in the resolution, subject to applicable legal requirements.

95.7. The Secretary-General shall maintain the current authoritative text and a record of previous versions and amendment resolutions.

CHAPTER 23: INTERPRETATION AND TRANSITIONAL ARRANGEMENTS

Article 96: Interpretation

96.1. The National Executive shall be responsible for the initial interpretation of this Constitution in administering the Foundation.

96.2. Any interpretation must be consistent with the wording, objectives and structure of this Constitution and applicable law.

96.3. Independent legal advice may be obtained where a material legal or governance issue arises.

96.4. No interpretation may override an express constitutional provision or unlawfully deprive an office-bearer or member of an applicable procedural right.

Article 97: Transitional arrangements

97.1. Upon adoption, existing structures shall continue to operate to the extent that they are consistent with this Constitution until validly replaced or restructured.

97.2. Existing office-bearers shall not automatically lose their positions solely because this Constitution is adopted, unless the adoption resolution lawfully provides otherwise and the required procedure is followed.

97.3. The National Executive shall review appointment letters, organisational charts, policies and reporting lines for consistency with this Constitution.

97.4. The former Director of Competitions title shall be replaced by National Chief-Director: Moot Court Administration in the approved national organisational structure.

97.5. The office of National Chief-Director: International Legal Affairs and Partnerships shall be established through the applicable appointment procedure.

97.6. The two Deputy President portfolios shall be implemented through formal appointment or confirmation and written terms of reference.

97.7. The Western Cape specialised portfolios shall be incorporated into the approved provincial organisational chart.

97.8. The governance documents of AMN, the Legal Review Publication and the Grade 11 and 12 Legal Leaders Programme shall be aligned with this Constitution.

97.9. Any existing policy that conflicts with this Constitution shall be reviewed and amended or withdrawn.

97.10. Transitional arrangements shall preserve continuity, fairness and institutional accountability.