

THE CONSTITUTION

OF THE

SERVICE DELIVERY PARTY

(SDP)

*A national political party registered in terms of Section 15 of the Electoral Commission Act, 1996
(Act No. 51 of 1996)*

"The people shall govern"

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1. PREAMBLE

Whereas the Service Delivery Party (SDP) was founded in 2024 in Mpumalanga to protect and promote the rights and privileges of disadvantaged communities suffering from inadequate service delivery by government institutions;

And whereas, quite independently and without prior interaction, a similar formation arose in the Western Cape in 2025, motivated to sharpen the focus on techno-democracy in order to enhance service delivery through expertise on the one hand and, on the other, ensure that the people have a greater voice in governance, in honour of the iconic phrase: "The people shall govern";

And whereas the congruence of vision and purpose between these two formations was so profound that it was agreed they should merge, thereby becoming united champions of democratic rights and ardent promoters of effective service delivery;

Therefore, the SDP undertakes to advocate for and empower the people throughout the Republic of South Africa, with particular commitment to the forgotten and underprivileged communities, so that service delivery, guided by the National Development Plan (NDP) and the respective Integrated Development Plans (IDPs), may be realised in practice and brought to full fruition.

2. NAME, NATURE, AND SYMBOLS

2.1 The name of the organisation shall be the Service Delivery Party (SDP), pronounced *SeDePa*, with an elongated "e" to constitute the acronym.

2.2 The SDP is a national political party registered in terms of Section 15 of the Electoral Commission Act, 1996 (Act No. 51 of 1996), and the Regulations for the Registration of Political Parties, 1998. It shall operate at national, provincial, district, and metropolitan levels as permitted by law.

2.3 The party's emblem shall be a stylised gear icon, symbolising efficiency and delivery. The emblem shall incorporate the colours green, yellow, black, blue, and red, representing national unity, trust, openness, and growth. The emblem shall be submitted to the Independent Electoral Commission (IEC) in high-resolution PNG/JPG format for official registration.

2.4 The official party colours shall be brown, green, yellow, blue, and red, representing diversity, resilience, renewal, trust, and sacrifice. These colours shall be used consistently across all party materials, regalia, and communications to reinforce identity and unity.

3. AIMS AND OBJECTIVES

3.1 The primary aim of the SDP is to promote visible, effective, efficient, proactive, and equitable service delivery across all spheres of government, as envisaged in section 41(1)(c) and section 195(1) of the Constitution of the Republic of South Africa, 1996, and in accordance with applicable national and provincial legislation.

3.2 Consistent with its founding values and the constitutional principles of human dignity, equality, and non-discrimination as set out in sections 1(a), 7(1), and 9 of the Constitution, the party commits to respecting, protecting, promoting, and fulfilling the inherent rights and legitimate interests of all persons, with particular regard to marginalised and vulnerable communities, irrespective of colour, race, ethnicity, creed, gender, or social status.

3.3 In pursuit of its primary aim, and in furtherance of the objects of democratic government as contemplated in section 152(1) of the Constitution, the SDP shall pursue the following objectives:

(a) **Autonomy and implementation capacity.** To ensure that elected representatives are empowered, subject to the Constitution and the law, to exercise appropriate autonomy in implementing voter-mandated programmes and policies, utilising National Development Plans (NDP), Integrated Development Plans (IDP), and other lawful planning, governance, and service-delivery instruments, in a manner that is responsive to local conditions and community priorities, consistent with sections 151(3), 153(a), and 154(1) of the Constitution.

(b) **Participatory governance and community engagement.** To promote meaningful, continuous, and structured public participation in governance, as required by sections 59(1)(a), 72(1)(a), 118(1)(a), and 152(1)(e) of the Constitution, by fostering collaboration with community-based platforms, including digital and WhatsApp-based supporter groups, for purposes of consultation, planning, budgeting, project development, monitoring, and oversight of service delivery.

(c) **Electoral and governance reform.** To advocate for electoral and governance reforms aimed at enhancing efficiency, accountability, and responsiveness in government, consistent with the founding values of accountability, responsiveness, and openness set out in section 1(d) of the Constitution, including measures to rationalise the size and cost of government, strengthen the relationship between the electorate and elected representatives, and ensure the prudent, transparent, and effective use of public resources, in line with section 195(1)(b), (f), and (g).

(d) **Merit-based public administration.** To build and sustain a meritocratic institutional framework within public administration that promotes and rewards competence, integrity, ethical conduct, accountability, and innovation, consistent with the basic values and principles governing public administration set out in section 195(1)(a), (d), (e), and (h) of the Constitution.

(e) **Civic and constitutional education.** To promote ongoing civic and constitutional education aimed at enhancing public awareness of democratic rights and responsibilities, including the constitutional obligation on all organs of state to be “accountable, responsive and open” as contemplated in sections 1(d) and 41(1)(c) of the Constitution, and to encourage informed and active citizen participation — particularly through voting and lawful civic engagement — in order to advance inclusive development, democratic governance, and social transformation.

4. MEMBERSHIP

4.1 Membership of the SDP is open to all South African citizens and permanent residents aged sixteen years and older, irrespective of gender, colour, race, or religious affiliation, provided they subscribe to the party's programme and agree to abide by this Constitution and the Constitution of the Republic of South Africa, the supreme law of the land.

4.2 Categories of membership:

4.2.1 **Supporters:** Register online or via WhatsApp; attend events; no voting rights.

4.2.2 **Volunteers:** Active contributors (e.g., project ideation); eligible to vote in branch elections.

4.2.3 **Organisers:** Appointed coordinators for local initiatives (e.g., NDPG projects); may receive stipends for service-delivery tasks.

4.2.4 **SDP Champions:** Honorary title for exemplary contributions, nominated by branches.

4.3 Rights and duties scale with category. For example, Organisers may propose policies, while Volunteers participate in branch elections. All members are expected to uphold party values and report

activities via digital platforms.

4.4 Termination of membership may occur by resignation, expulsion for cause (e.g., corruption, misconduct, or bringing the party into disrepute), or non-payment of dues agreed to at a congress. Expulsion requires a fair hearing before the Advisory Council of Retired Representatives (ACRR).

5. RIGHTS AND DUTIES OF MEMBERS

5.1 Members shall abide by the terms, rules, regulations, policies, and contents of this Constitution.

5.2 Members are encouraged to participate in all activities organised by the party.

5.3 Members shall be actively involved in policy formulation and general debates within party structures.

5.4 Members shall take the lead in educating their communities about the policies of the party.

5.5 Members shall be at the forefront where community issues are at stake.

5.6 Members shall conduct themselves in a disciplined manner, refraining from violent activities or any conduct that may bring the party into disrepute.

5.7 Members shall operate under the guidance of party policies and discipline.

5.8 Members shall abide by the decisions and directives of the party leadership and respect the majority decisions taken in meetings.

6. ORGANIZATIONAL STRUCTURES

6.1 The Federal Executive will include all of the key office bearers listed below and will be the highest authority, dealing with all day-to-day issues using the best digital means available at any given time.

6.2 The Federal Council will deal with all policy issues between congresses.

6.3 Only those who were former members of a national, provincial or local government legislature in the Republic of South Africa, or are present members of any legislature, can hold permanent positions in the Executive Structures of the Party, provided that in the initial period, suitably qualified individuals can serve as pro tempore (pro tem) members.

6.4 Key Office Bearers

6.4.1 Federal Leader, who will be annually elected to allow for the principle of rotational leadership to be implemented.

6.4.2 Federal Chairperson, who will also be annually elected, with the principle of rotation applying.

6.4.3 Federal General Secretary.

6.4.5 Federal Chairperson of Finance, who will also be annually elected, with the principle of rotation applying.

6.4.6 One Deputy Federal Chairperson in each province that has public representatives, each of whom will also be annually elected, with the principle of rotation applying.

6.4.7 One provincial secretary.

6.4.8 Election Procedure for Executive Key Positions

6.4.9 All key office bearers will be elected directly by Federal Congress members every year via WhatsApp or any other secure digital medium.

6.4.10 Meetings can be physical if delegates can fund their own expenses, but preference will be given to virtual meetings using the best time and technology available to allow smooth and uninterrupted proceedings.

6.4.11 Decision-Making Process and Functions of Office Bearers

6.4.12 Majority voting via a secure digital means will be the preferred method of voting.

6.4.13 Federal Congress will set guidelines and flexible policy, and recommend how decisions should be implemented to achieve high levels of service delivery, and participate in coalitions with a view to enhancing service delivery.

6.4.14 Coordination will be conducted via frequent discussions through virtual meetings.

6.4.15 Spokespersons will clarify whether they are making statements supported by a national, provincial or local structure of the party, or on the basis of discussions with their respective WhatsApp group.

7. REQUIREMENTS FOR AUDITED FINANCIAL STATEMENTS

7.1 The Federal Finance Committee will be responsible for tabling an annual independent audit required for national, provincial, or regional structures handling funds. Audited statements must be tabled thirty days before the end of each calendar year.

7.2 Quarterly reports must be furnished to all members of the Federal Council.

7.3 It is imperative that all records reflect openness, integrity, and truthfulness.

7.4 Funds must be utilised strictly in conformity with all laws and regulations.

8. PROVINCIAL, REGIONAL AND LOCAL STRUCTURE

8.1 Provincial Executive Committee (PEC), mirroring the Federal Executive Structure, will function with autonomy in provincial matters, considering that the central focus will at all times be on service delivery.

8.2 Regional or District Level Executive Committees (DECs) for coordination within districts and metropolitans.

8.3 Branch Level branches in wards and municipalities, led by Branch Executive Committees (BECs), focused on local government service delivery and grassroots mobilisation via WhatsApp groups.

8.4 All structures shall comply with the Promotion of Administrative Justice Act, 2000, ensuring transparent, just and reasoned decisions.

9. ADVISORY COUNCIL OF RETIRED REPRESENTATIVES (ACRR)

9.1 **Composition:** Five to seven permanently retired public representatives (former elected officials no longer seeking office), appointed by the Federal Congress for five-year terms (renewable once), assisted by a practising lawyer where necessary, appointed by the FEC on a contractual basis, with expertise in constitutional and administrative law.

9.2 The ACRR will provide guidance, draw attention to the Constitution of the RSA and plans of government, hold seminars, and highlight community grievances so that supportive action is taken, and assess how elected officials are upholding their solemn undertaking to help improve service

delivery and ensure that every sphere of government is operating with utmost fidelity to the Constitution of the RSA.

9.3 The ACRR will arbitrate internal disputes between members, structures, or representatives, ensuring fair and expeditious resolution in the following manner:

9.3.1 Handle disciplinary matters, including investigations, hearings, and recommendations for sanctions (e.g., warnings, suspensions, expulsions).

9.3.2 Provide persuasive guidance on policy matters and urgent decisions to maintain party cohesion, while respecting the autonomy of elected representatives regarding the advancement of service delivery.

9.3.3 Advise on legal compliance, ethical standards, and strategic alignment to foster a semblance of central cohesion amid decentralised operations.

9.3.4 **Operations:** Meet as needed, with decisions appealable to the Federal Congress with the lawyer in attendance to ensure procedural fairness and legality.

9.3.5 Members must declare conflicts of interest and adhere to confidentiality.

10. REVOLVING LEADERSHIP

10.1 To embody renewal and prevent power concentration, each key position shall rotate every twelve months. Incumbents may not serve consecutive terms or more than two times in a five-year cycle.

10.2 Election of all leadership positions will be by secret ballot or via WhatsApp, requiring a simple majority.

10.3 Candidates must demonstrate at least five years' managerial experience and pass a merit assessment.

10.4 Leaders will be designated, via internal consultation, to determine who will represent the party externally and for what duration.

10.5 Strategic direction can be collectively determined, provided that no autonomous decisions regarding the advancement of service delivery by elected representatives can be vetoed.

10.6 In the absence of any leader, a discussion must ensue on WhatsApp to determine who will assume duties and for what period.

11. AUTONOMY OF ELECTED REPRESENTATIVES

11.1 Elected SDP representatives (councillors, MPLs, MPs) shall enjoy substantial autonomy to:

11.1.1 Propose and execute service delivery projects using NDP, IDP and NDPG toolkits as necessity and relevance dictate, in consultation with national, provincial or local WhatsApp supporter groups as would be appropriate.

11.1.2 Make inputs on legislation, budgets, and motions without prior party approval, provided alignment with the Founding Principles and legal compliance (e.g., PFMA/MFMA budgeting rules).

11.1.3 Form ad-hoc alliances for delivery-focused initiatives, subject to post-action reporting.

11.1.4 **Limits:** Actions must not contravene the Constitution, the Electoral Act, the Political Party Funding Act, or party ethics.

11.1.5 Representatives must submit quarterly reports to constituents on their respective websites, and separately to the relevant Executive Committee, including project metrics and WhatsApp feedback summaries.

11.1.6 The ACRR may provide guidance on urgent matters to ensure cohesion.

11.1.7 **Recall Mechanism:** Constituents (via petition of 30% of branch members) may initiate recall for gross and disgraceful misconduct, ratified by the ACRR.

12. CANDIDATE SELECTION AND RANKING

12.1 SDP candidates for public office shall be selected through a merit-based process, ensuring compliance with Electoral Act candidate nomination rules (e.g., party list submissions).

12.2 **Ranking Criteria:** A Candidate Evaluation Panel (CEP), appointed by the Federal or relevant Provincial Executive Committee, shall score applicants on a 100-point scale.

12.4 **Process:** Open call for applications; CEP scoring; top-ranked candidates form the party list. Ties are broken by interview. Diversity quotas (gender, youth, disability) must apply per the Electoral Act.

12.5 Annual training on criteria will need to be undertaken to build internal capacity, in a manner agreed upon by the relevant groups.

13. SERVICE DELIVERY PARTY — WOMEN'S LEAGUE

13.1 The Women's League shall be open to all women above fifteen years who are members of the party. The Women's League is established to advance and defend the rights and interests of women in the party and in society in general. It is intended to fight all oppressive tendencies, gender segregation, and all other social ills against women.

13.2 The Women's League shall be an autonomous body within the overall structure and an integral part of the party, having its own constitution, rules and regulations, which shall not be incompatible with the Constitution of the party, its policies and regulations.

13.3 The Women's League may be established at branch, regional, and national level throughout the country, and shall elect its leaders every four years.

14. SERVICE DELIVERY PARTY — YOUTH LEAGUE

14.1 The Youth League shall be an autonomous structure forming an integral part of the party and having its own constitution, which shall not be incompatible with the Constitution, policies and regulations of the party.

14.2 The Youth League will be constituted by young members of the party whose ages range between eighteen and thirty-five years.

14.3 The objectives of the Youth League are to unite and consolidate young men and women in dealing with all the challenges facing the youth in the country, acting within the parameters of the Constitution of the party.

14.4 The Youth League, like the Women's League, will have its governing structures elected every four years at branch, regional, and national level.

14.5 The Secretary and the Chairperson of all leagues at regional and national levels shall serve as ex officio members of the National Executive Committee.

15. THE ELECTORAL COMMISSION

15.1 The National Executive Committee shall appoint three independent individuals who are not party members, tasked with the mandate to prepare, conduct, and announce the outcomes of elections held for the National Executive Committee and the Regional Executive Committee respectively.

15.2 The Electoral Commission shall have two additional members, one from the NEC and another from the REC, who will jointly with the independent members compile a report on any party elections conducted.

15.3 The branch executive election shall be conducted by and under the supervision of two Regional Executive delegates, who will exercise the role of the Electoral Commission.

15.4 All voting delegates shall vote once on the ballot. Voting in respect of all elections shall be by secret ballot.

15.5 The Electoral Commission is empowered to formulate rules and guidelines with regard to the processes and procedures of conducting elections, and methods of resolving any dispute or contestation among voting delegates and candidates.

15.6 The Electoral Commission shall at all times observe transparency, fairness, and equality among all members of the party.

15.7 In the event of any dispute relating to elections that cannot be resolved by the Electoral Commission, such dispute shall be referred to an independent arbitrator appointed by the Electoral Commission. The decision of the arbitrator shall be final, unless taken on review to the High Court of South Africa.

16. CODE OF CONDUCT PRINCIPLES

The National Executive Committee is empowered to develop and adopt a code of conduct for all party members, and such code of conduct shall be distributed to all branches of the party. All disciplinary processes shall flow from such code of conduct.

17. RULES AND REGULATIONS

The National Executive Committee is empowered to make rules and regulations aimed at the smooth running of the party's administration and the conduct of its employees.

18. DISCIPLINARY PROCEDURES, PROCEDURAL FAIRNESS, AND APPEALS

18.1 Application of Constitutional and Administrative Justice Principles

All disciplinary, corrective, or adverse decisions taken by the SDP or any of its structures that materially and adversely affect the rights, status, or legitimate expectations of a member shall be lawful, reasonable, and procedurally fair, in accordance with section 33 of the Constitution and the principles reflected in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) ("PAJA"), insofar as such principles are applicable to voluntary associations.

18.2 Notice and Charges

A member subject to disciplinary action shall:

- (a) receive written notice of the allegations or charges, stated with sufficient particularity;
- (b) be informed of the rules or provisions allegedly contravened; and
- (c) be afforded a reasonable period to prepare a response.

18.3 Right to be Heard

The member shall have the right to:

- (a) present evidence and make representations, orally or in writing;
- (b) call witnesses, where reasonably practicable; and
- (c) be assisted by a fellow member or representative, subject to reasonable limitations determined by the presiding body.

18.4 Impartial Adjudication and Reasons

Disciplinary proceedings shall be conducted by an impartial and properly constituted body, which shall:

- (a) consider all relevant information;
- (b) disregard irrelevant considerations; and
- (c) provide written reasons for any adverse decision, including the sanction imposed.

18.5 Proportionality and Consistency

Any disciplinary sanction shall be proportionate to the nature and gravity of the misconduct and shall be applied consistently, having regard to precedent, mitigating factors, and the objectives of corrective discipline.

19. APPEAL MECHANISM

19.1 Right of Appeal

Any member aggrieved by a final disciplinary decision, including expulsion, suspension, or removal from office, shall have the right to appeal such decision.

19.2 Appeal Authority

An appeal shall lie to:

- (a) the National Appeals Committee, where such a body exists; or
- (b) failing that, the Advisory Council of Retired Representatives (ACRR) sitting as an appeal body distinct from its original decision-making role.

19.3 Grounds of Appeal

An appeal may be lodged on one or more of the following grounds:

- (a) procedural unfairness;

- (b) material error of fact or law;
- (c) disproportionality or inconsistency of sanction; or
- (d) new and material evidence that was not reasonably available at the time of the original hearing.

19.4 Appeal Procedure

- (a) An appeal shall be lodged in writing within fourteen (14) days of receipt of the written decision, or such extended period as may be allowed on good cause shown.
- (b) The appeal body may confirm, vary, or set aside the original decision, or remit the matter for reconsideration.
- (c) The appeal body shall provide written reasons for its decision.

19.5 Finality

The decision of the appeal body shall be final within the internal structures of the party, without prejudice to a member's right to seek appropriate external remedies where permitted by law.

20. CODE OF CONDUCT

20.1 All members at every level and every structure of the Service Delivery Party shall give effect to constitutional values, ethical values, ubuntu, and party principles.

20.2 Core Standards of Conduct

Without limiting the generality of the Code, members shall:

- (a) uphold the values of human dignity, equality, non-racialism, non-sexism, accountability, and democratic participation;
- (b) act honestly, ethically, and in good faith in all party and community activities;
- (c) respect the rights, dignity, and lawful authority of fellow members and community members;
- (d) avoid conflicts of interest and disclose any personal or financial interest that may reasonably give rise to a conflict;
- (e) refrain from corruption, nepotism, intimidation, violence, or misuse of party resources; and
- (f) conduct political activities in a peaceful and lawful manner.

20.3 Financial and Resource Integrity

Members entrusted with party or project resources shall:

- (a) use such resources solely for authorised purposes;
- (b) maintain accurate records; and
- (c) submit to oversight, auditing, and reporting requirements as determined by party policy and applicable law.

20.4 Accountability and Enforcement

- (a) Breaches of the Branch-Level Code of Conduct shall constitute misconduct and may give rise to disciplinary action.
- (b) Minor breaches may be addressed through corrective or remedial measures, while serious breaches shall be dealt with in accordance with the disciplinary and appeal procedures set out in this Constitution.

21. EDUCATION AND AWARENESS

The party shall ensure that all members receive reasonable access to education and training on the Code of Conduct, disciplinary procedures, constitutional values, and the Constitution of the Republic of South Africa, 1996.

22. GENERAL

The party shall have a perpetual lifespan, unless the National General Conference passes a resolution to dissolve with a 65% (sixty-five percent) vote by the voting delegates. In such event, all the assets of the party shall devolve to a non-profit organisation with similar objectives.

The party, apart from its individual members, shall have power to acquire, hold, and alienate property, conclude any agreements, and do any other thing necessary in carrying out its aims and objectives.

23. AMENDMENT OF THE CONSTITUTION

The Constitution of the party may only be amended by the National General Conference on the vote of 50% plus one percent (50%+1) of the voting delegates attending the conference.