



CONSTITUTION of the INDEPENDENT CANDIDATES ALLIANCE

Also referred to as **ICAlliance**

A Democratic Federation of Community Representatives

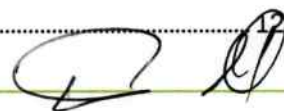
Established for Local Government in South Africa

Western Cape, South Africa – 2026

This Constitution is the founding governance document of the Independent Candidate Alliance, adopted by its founding members and submitted in support of the Alliance's registration as a political party with the Electoral Commission of South Africa (IEC).

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PREAMBLE

We, the founding members of the Independent Candidate Alliance (ICA), trading as ICAlliance, recognising that local government exists to serve communities and not political interests, and believing that residents have the right to choose their own representatives free from party control, hereby establish this Alliance as a *democratic federation of community representatives*.

We commit to accountable, transparent, and service-focused local governance. We reject the capture of local government by centralised party structures. We affirm that power resides in communities, not in leadership structures.



CHAPTER 1: ESTABLISHMENT

Article 1.1 – Name

The name of the party is the Independent Candidate Alliance, abbreviated as the ICA, and trading and communicating publicly as “ICAlliance”. The tagline “I-CAN” may be used in campaign and communication material but does not form part of the registered name.

Article 1.2 – Nature

The ICA is a political party operating as a democratic federation of community-elected representatives. It is not a traditional centralised political party. It exists to support, coordinate, and give collective electoral strength to independent, community-mandated candidates.

Article 1.3 – Area of Operation

The ICA is founded to contest local government elections in the Western Cape, with its initial organising focus in the Overberg region, including but not limited to Cape Agulhas Municipality and Overstrand Municipality. The Alliance may establish structures and contest elections in any other municipality or province by resolution of the National Convention. Nothing in this Article limits the Alliance’s capacity to register and operate nationally.

Article 1.4 – Seat

The principal seat of the Alliance shall be determined by the Executive Committee and registered with the Electoral Commission of South Africa (IEC).

Article 1.5 – Founding Principle

Power resides with communities and elected representatives, not with the party structure.



CHAPTER 2: OBJECTIVES

Article 2.1 – Primary Objectives

The objectives of the Independent Candidate Alliance are:

- To support community-selected candidates in local government elections.
- To provide collective proportional representation (PR) for independent candidates.
- To promote accountable, transparent, and service-delivery-focused local governance.
- To enable communities to hold their elected representatives directly accountable.
- To protect the constitutional rights of all residents within its areas of operation.
- To foster active public participation in local government decision-making.

Article 2.2 – Prohibited Activities

The ICA shall not:

- Impose candidates on communities.
- Direct councillors to vote contrary to their ward mandate, save as provided in Chapter 7.
- Accept funding that creates obligations to donors.
- Operate as a vehicle for any individual's personal political ambitions.



CHAPTER 3: MEMBERSHIP

Article 3.1 – Eligibility

Any South African citizen who is 18 years or older, is a registered voter, supports the founding principles of the ICA, and has no conviction for an offence involving dishonesty, corruption, or violence within the past ten years, may apply for membership of the Independent Candidate Alliance.

Article 3.2 – Membership Application

Applications for membership shall be submitted on the official membership form, signed, and submitted to the relevant Municipal Chapter Secretary. Applications shall be processed within 30 days.

Article 3.3 – Membership Fee

A nominal annual membership fee shall be determined by the Executive Committee. No person shall be excluded from membership solely on financial grounds. The Executive Committee may waive fees in cases of genuine hardship.

Article 3.4 – Members' Rights

Every member in good standing shall have the right to:

- Vote in internal elections and community primaries.
- Stand for election as a ward candidate, subject to the Candidate Selection Policy.
- Attend and participate in chapter meetings.
- Access financial reports and voting records of Alliance representatives.
- Submit motions for consideration at chapter meetings.

Article 3.5 – Termination of Membership

Membership may be terminated by written resignation, non-payment of membership fees for more than 12 months without an approved exemption, disciplinary removal following a fair hearing under Chapter 9, or death.

Article 3.6 – Associate Membership

The Alliance may, by resolution of the Executive Committee, admit a civic organisation, ratepayers' association, or other local community movement as an Associate Member. Associate Members retain their own name, identity, and internal governance, and affiliate to the Alliance for the limited purposes of coordination, shared voter education, and electoral cooperation set out in an affiliation agreement. Associate membership does not entitle an organisation to vote at the National Convention unless individual members of that organisation are also members of the ICA in their personal capacity under Article 3.1.



CHAPTER 4: STRUCTURE

The ICA operates on a bottom-up federated model. Chapters at ward and municipal level are the foundation; national structures exist only to coordinate and support.

Article 4.1 – Ward Structures

Each ward in which the ICA operates shall establish a Ward Community Assembly consisting of the Ward Candidate or elected representative, a minimum of five and maximum of fifteen community representatives elected by members in that ward, and a Ward Secretary elected by the Assembly. The Ward Community Assembly shall oversee the performance of the ward councillor, provide the ward mandate on issues coming before the council, coordinate ward-level public participation, and manage the recall process where necessary.

Article 4.2 – Municipal Chapter

Each municipality shall have a Municipal Chapter consisting of all Ward Community Assembly representatives, the Municipal Convenor, the Municipal Secretary, the Municipal Treasurer, the Campaign Coordinator, all elected ward councillors under the ICA banner, and all PR councillors elected under the ICA list. The Municipal Chapter is the primary governing body for all local government matters within that municipality.

Article 4.3 – Executive Committee

The Executive Committee shall consist of the Convenor, the Deputy Convenor, the Secretary General, the Treasurer, the Governance and Ethics Chair, and one representative from each Municipal Chapter. The Executive Committee manages the day-to-day affairs of the ICA between National Conventions, subject to Chapter 11 (Delegation of Authority).

Article 4.4 – National Convention

The National Convention is the supreme decision-making body of the ICA. It shall meet at least annually, consist of representatives from all Municipal Chapters and the Executive Committee, elect the national office bearers every three years, approve constitutional amendments by 75% supermajority, and determine the national direction of the Alliance.

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CHAPTER 5: LEADERSHIP SELECTION

Article 5.1 – Principle

All leadership positions within the ICA shall be filled by election, not appointment. No individual may assume any leadership role without a transparent democratic process.

Article 5.2 – Municipal Convenor

The Municipal Convenor shall be elected by ward candidates registered in that municipality and community representatives from each Ward Community Assembly. The term of office is three years, and a Convenor may serve a maximum of two consecutive terms.

Article 5.3 – National Office Bearers

The Convenor, Deputy Convenor, Secretary General, Treasurer, and Governance and Ethics Chair shall be elected by delegates at the National Convention. The term of office is three years, with a maximum of two consecutive terms per position.

Article 5.4 – Titles

The national leadership titles are Convenor (not 'Leader', emphasising that authority rests with communities), Deputy Convenor, Secretary General, Treasurer, and Governance and Ethics Chair.



CHAPTER 6: CANDIDATE SELECTION

Candidate selection is governed in detail by the Alliance's Candidate Selection Policy, adopted as an internal policy document. The following constitutional principles apply and may not be overridden by policy:

Article 6.1 – Community Mandate

No candidate for public office may be appointed by any individual, executive committee, or leadership structure. All candidates shall be selected through democratic processes involving the residents they seek to represent.

Article 6.2 – Ward Candidates

Ward candidates shall be selected through a Community Primary Election open to all registered voters in that ward. The Alliance's role is to facilitate, verify, and administer the process, not to determine its outcome.

Article 6.3 – PR Candidates

PR candidates shall be ranked by a Municipal Candidate Convention through a community vote. Rankings shall be determined solely by support received. No leadership structure may alter, override, or supplement the community-determined ranking.

Article 6.4 – Eligibility

All candidates must sign the Alliance Charter and Code of Conduct before standing for selection.



CHAPTER 7: COUNCIL VOTING POLICY

The Alliance's full Council Voting Policy is adopted as a separate internal policy document. The following constitutional provisions apply:

Article 7.1 – Independence Preserved

An elected representative of the ICA is accountable first to the residents of their ward. They may vote contrary to a caucus position provided they have consulted their Ward Community Assembly and publicly disclosed the reason.

Article 7.2 – Binding Votes

Alliance caucus resolutions shall be binding on all ICA councillors in matters of municipal budget adoption, Integrated Development Plan approval, major tariff increases affecting all residents, borrowing and long-term contracts and major financial commitments, Municipal Manager and senior management appointments, and coalition agreements and intergovernmental arrangements.

Article 7.3 – Free Votes

Councillors retain full discretion on ward-specific planning and development matters, local service prioritisation decisions, and by-laws affecting only a specific area.

Article 7.4 – No Whip System

There is no whip system. Departures from caucus positions shall not automatically trigger disciplinary proceedings. Councillors are expected to publicly explain departures. Repeated unexplained departures may be referred to the Governance and Ethics Chair.



CHAPTER 8: FINANCES

The Alliance's full Financial Management Policy is adopted as a separate internal policy document. The following constitutional provisions apply:

Article 8.1 – Bank Account

The ICA shall maintain a dedicated bank account in the name of the Independent Candidate Alliance.

Article 8.2 – Signatories

All payments require the signature of two authorised signatories, one of whom must be the Treasurer.

Article 8.3 – Annual Audit

Annual financial statements shall be prepared and audited by an independent auditor registered with SAICA or IRBA.

Article 8.4 – Donor Transparency

All donations above the statutory disclosure threshold shall be publicly disclosed in terms of the Political Party Funding Act. No donation shall create any obligation to any donor. Donors may not direct how funds are spent.

Article 8.5 – Election Deposits

Election deposits and registration fees shall be approved by the Executive Committee and sourced from the Alliance's general funds.



CHAPTER 9: DISCIPLINE, ETHICS AND DISPUTE RESOLUTION

This Chapter sets out the constitutional principles governing discipline, ethics, and internal dispute resolution within the Alliance. The detailed procedures giving effect to this Chapter – including the composition and appointment of hearing panels, notice periods, evidentiary process, the length of suspensions and other sanctions, and the mechanics of mediation and appeal – are set out in the Alliance's Disciplinary Code, adopted and amended by the Executive Committee as a supporting policy document. No provision of the Disciplinary Code may reduce, remove, or conflict with a protection guaranteed by this Chapter.

Article 9.1 – Governance and Ethics Chair

The Governance and Ethics Chair is responsible for receiving complaints, overseeing investigations, and presiding over disciplinary hearings, in accordance with the Disciplinary Code.

Article 9.2 – Grounds for Disciplinary Action

Disciplinary proceedings may be initiated where a member or candidate has been convicted of an offence involving dishonesty, corruption, fraud, or violence; has materially misrepresented themselves to the Alliance or to voters; has violated the Code of Conduct; has brought the Alliance into serious disrepute; or has accepted personal benefit in exchange for a vote or decision.

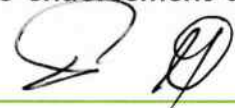
Article 9.3 – Principles of Natural Justice

All disciplinary and dispute resolution processes conducted under this Constitution shall be guided by the principles of natural justice and, as far as reasonably applicable to a voluntary association, by standards consistent with the Labour Relations Act 66 of 1995. In particular, every member or candidate facing a disciplinary process is entitled to:

- Written notice of the allegation, in sufficient detail to allow a response.
- A reasonable opportunity to be heard and to respond, including the right to call relevant evidence.
- An impartial hearing before a person or panel not directly involved in the allegation.
- A decision based on the evidence presented, with reasons provided in writing.
- The right to appeal an adverse decision, as provided in Article 9.5.

Article 9.4 – Sanctions

A disciplinary panel constituted under the Disciplinary Code may, on finding a member or candidate guilty of a ground listed in Article 9.2, impose one or more of the following categories of sanction, in ascending order of severity: a written warning; suspension from participation in Alliance activities for a period determined in accordance with the Disciplinary Code; removal from any leadership position held; removal of Alliance endorsement as a



candidate; or termination of membership. The specific duration of any suspension, and the procedure for determining an appropriate sanction, are set out in the Disciplinary Code.

Article 9.5 – Appeals

Any member subject to a sanction involving removal from a leadership position, removal of candidate endorsement, or termination of membership has the right to appeal to the National Convention, or to an appeal panel constituted by the National Convention for this purpose. The time period and procedure for lodging an appeal are set out in the Disciplinary Code. The appeal body's decision shall be final.

Article 9.6 – Disputes Between Structures

Disputes between a Ward Community Assembly, a Municipal Chapter, and the Executive Committee that cannot be resolved by discussion shall be referred to the Governance and Ethics Chair for mediation and, if unresolved, to the National Convention for final determination.



CHAPTER 10: RECALL

Article 10.1 – Community Recall

The Alliance recognises the right of communities to withdraw support from elected representatives who fail to serve them. This Chapter exists to hold ICA representatives accountable to the ICA members and residents they serve, and may not be used as a vehicle for another political party or organisation to interfere with an ICA representative's mandate.

Article 10.2 – Trigger

A performance review shall be triggered if 20% of the members of the ICA registered in that ward as at the most recent membership audit, and who have held membership in good standing for at least three months prior to the petition, sign a petition requesting review of their representative's performance. A petition may not be signed by a person who is, at the time of signing, a member or office bearer of another political party.

Article 10.3 – Verification

A petition under Article 10.2 must be lodged with the Governance and Ethics Chair, who must verify each signatory against the ward membership roll, confirm compliance with the good-standing and dual-membership requirements of Article 10.2, and certify the outcome in writing before a review meeting may be convened. A petition that does not meet the 20% threshold once invalid or ineligible signatures are excluded shall be dismissed. The detailed procedure for lodging, verifying, and resolving disputes over a recall petition is set out in the Alliance's Recall and Petition Policy, which may not lower the threshold or eligibility requirements set out in Article 10.2.

Article 10.4 – Process

1. The Ward Community Assembly convenes a public meeting within 30 days of certification under Article 10.3.
2. The councillor presents an account of their performance.
3. Residents may question the councillor.
4. The Ward Community Assembly votes by secret ballot.

Article 10.5 – Loss of Endorsement

If 40% or more of the Ward Community Assembly votes to withdraw endorsement, the Alliance shall immediately withdraw its endorsement of the councillor.

Within 14 days of the recall vote, the National Executive Committee shall consider the outcome of the recall. Unless there are exceptional procedural irregularities affecting the validity of the recall, the National Executive Committee shall terminate the councillor's membership of the Alliance in accordance with this Constitution.



Upon the councillor ceasing to be a member of the Alliance, the Alliance shall notify the relevant authorities and take all steps required under applicable electoral legislation to give effect to the resulting vacancy in the office of councillor.

Nothing in this Article authorises the Alliance to remove a councillor directly from office. Any vacancy in the office of councillor shall arise only in accordance with the Constitution of the Republic of South Africa and applicable electoral legislation.

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CHAPTER 11: DELEGATION OF AUTHORITY

Article 11.1 – Principle

The National Convention is the supreme authority of the Alliance, but cannot be in continuous session. To avoid operational gridlock, this Chapter defines who may exercise authority on the Alliance's behalf between Conventions and in emergencies.

Article 11.2 – Standing Delegation to the Executive Committee

Between sittings of the National Convention, the Executive Committee holds delegated authority to conduct the day-to-day administration of the Alliance, including routine correspondence, routine expenditure within an annually approved budget, coordination of Municipal Chapters, and implementation of Convention resolutions. The Executive Committee may not use this delegated authority to amend the Constitution, alter a community-determined candidate ranking, or bind ICA councillors on any matter not listed in Article 7.2.

Article 11.3 – Further Delegation

The Executive Committee may, by resolution, delegate specific administrative functions to the Convenor, to a named office bearer, or to a committee it establishes, provided that any such delegation is recorded in writing, is limited in scope and duration, and remains reportable to the Executive Committee and, at the next National Convention, to the delegates.

Article 11.4 – Emergency Powers

Where a decision cannot reasonably wait for the next scheduled meeting of the Executive Committee and failure to act would materially prejudice the Alliance, the Convenor, acting jointly with the Deputy Convenor and the Secretary General, may take an interim decision within the bounds of this Constitution. Any interim decision taken under this Article must be reported to the full Executive Committee within seven days and ratified, amended, or reversed at its next meeting.

Article 11.5 – Limits on Delegation

No delegation under this Chapter may be used to override the community mandate principles in Article 6.1, the recall provisions in Chapter 10, or the disciplinary safeguards in Chapter 9.



CHAPTER 12: SEPARATION OF PARTY AND STATE

Article 12.1 – Principle

The Alliance affirms a clear distinction between the Alliance as a political organisation and the municipal institutions in which its representatives serve. A councillor or public representative elected under the ICA banner is elected to serve the residents of the municipality as a whole, in accordance with their oath of office and the law, and not merely as an agent of the Alliance.

Article 12.2 – Primacy of Public Duty

Where a lawful obligation of public office conflicts with an instruction, resolution, or expectation of the Alliance, the representative's statutory and constitutional duties to the municipality and its residents take precedence, subject to the accountability and disclosure obligations set out in Article 7.1.

Article 12.3 – No Capture of State Resources

No structure or office bearer of the Alliance may direct, instruct, or pressure an ICA representative to use municipal resources, staff, information, or processes for the benefit of the Alliance, any candidate, or any private interest.

Article 12.4 – Distinct Identities

Alliance structures (Ward Community Assemblies, Municipal Chapters, the Executive Committee, and the National Convention) are internal party structures and are distinct from, and have no formal standing within, municipal council structures, committees, or administration, save through the lawful participation of duly elected ICA representatives.



CHAPTER 13: POLICY DEVELOPMENT FRAMEWORK

Article 13.1 – Purpose

This Chapter sets out how the Alliance adopts National Policy positions on matters of general application, while preserving the autonomy of Ward Community Assemblies over local, ward-specific matters.

Article 13.2 – Ward Autonomy

Each Ward Community Assembly retains full autonomy to determine its position on ward-specific planning, service prioritisation, and local by-law matters, as provided in Article 7.3. National Policy adopted under this Chapter may not override a Ward Community Assembly's free-vote discretion on those matters.

Article 13.3 – Adoption of National Policy

A National Policy position on a matter of general application may be proposed by the Executive Committee, a Municipal Chapter, or a petition of at least ten members from more than one Municipal Chapter. Proposed National Policy shall be circulated to all Municipal Chapters for comment at least 21 days before consideration, and shall be adopted by a simple majority of delegates at a National Convention or a properly constituted Policy Conference called for that purpose.

Article 13.4 – Conflicts Between Wards

Where two or more Ward Community Assemblies or Municipal Chapters hold conflicting positions on a matter of general application, either may refer the matter to the Executive Committee for facilitation. If facilitation does not resolve the disagreement, the matter shall be placed before the next National Convention for a binding resolution under Article 13.3.

Article 13.5 – Status of National Policy

Adopted National Policy binds Alliance structures and informs, but does not replace, the community mandate principles in Article 6.1 or the independence of individual representatives under Article 7.1.



CHAPTER 14: DISSOLUTION

Article 14.1 – Trigger

A proposal to dissolve the Alliance may be made by the Executive Committee or by petition of 30% of all registered members.

Article 14.2 – Resolution

Dissolution requires approval by 75% of delegates at a Special National Convention called specifically for this purpose. A minimum of 60 days' notice must be given to all members.

Article 14.3 – Assets

Upon dissolution, all assets of the Alliance, after settlement of liabilities, shall be transferred to a registered public benefit organisation approved by the National Convention. No assets shall be distributed to members or office bearers.



CHAPTER 15: AMENDMENT

Article 15.1 – Procedure

This Constitution may be amended only by a resolution supported by 75% of delegates at the National Convention. Proposed amendments must be circulated to all members at least 30 days before the Convention at which they are to be considered.

Article 15.2 – Entrenched Provisions

The following provisions may not be amended without a 90% supermajority: Article 1.5 (Founding Principle), Article 6.1 (Community Mandate in candidate selection), Article 7.4 (No Whip System), Article 9.3 (Principles of Natural Justice), Article 10.2 (Recall Trigger and Eligibility), and Chapter 14 (Dissolution).



CHAPTER 16: GENERAL PROVISIONS

Article 16.1 – Governing Law

This Constitution is governed by the laws of the Republic of South Africa, including the Constitution of the Republic, the Electoral Act, the Electoral Commission Act, the Local Government: Municipal Structures Act, the Local Government: Municipal Systems Act, and the Political Party Funding Act.

Article 16.2 – Language

This Constitution is executed in English. Translations into Afrikaans and isiXhosa shall be prepared for distribution. In the event of a conflict between versions, the English version prevails.

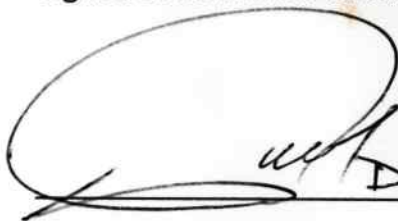
Article 16.3 – Non-Discrimination

The ICA shall not discriminate in membership, candidate selection, or governance on grounds of race, gender, age, disability, religion, language, sexual orientation, or any other ground protected by the Constitution of the Republic.

Article 16.4 – Adoption

This Constitution was adopted by the founding members of the Independent Candidate Alliance and takes effect on the date recorded in the Alliance's Deed of Foundation.

Signed at Hermanus on the 10th day of July 2026



D. RA S

Party Leader



S.J. OBERHOLZER

Party Secretary