

CONSTITUTION
of
STREETNET INTERNATIONAL
("StreetNet")

*As amended at the First International Congress on 17 March 2004,
Second International Congress on 22 August 2007, Fifth International Congress on
6 October 2016 and Sixth International Congress on 10 April 2019.*

1. **NAME**

The NAME of the organisation shall be **StreetNet International**.

2. **SCOPE**

2.1 StreetNet shall be open to the following types of organizations, provided that they represent not less than 500 members:

2.1.1 National alliances of membership-based organisations of market vendors, street vendors and/or hawkers such as unions, co-operatives, and any other type of associations;

2.1.2 Regional alliances of membership-based organisations of market vendors, street vendors and/or hawkers such as unions, co-operatives, and any other type of associations;

2.1.3 City-based alliances of membership-based organisations of market vendors, street vendors and/or hawkers such as unions, co-operatives, and any other type of associations;

2.1.4 National trade unions organising market vendors, street vendors and/or hawkers among their members.

2.2 Where StreetNet has more than one member organisation from the same country, region or city, such member organisations will be encouraged to merge with each other where appropriate, in order to work towards one united alliance per country.

2.3 Individual membership-based organizations of market vendors, street vendors and/or hawkers wanting to join StreetNet will be encouraged and/or assisted to group together with other similar organisations into national alliances or city alliances which can affiliate directly to StreetNet.

3. **AIMS AND OBJECTS**

The aims and objects of StreetNet shall be:

3.1 to expand and strengthen market and street vendor networks at the international, regional and national levels;

3.2 to build and strengthen the capacity and leadership of women market vendors, street vendors and mobile hawkers at all levels of organization;

3.3 to build an information base on the numbers and situation of market vendors, street vendors and mobile hawkers in different parts of the world, disaggregated by gender;

3.4 to document and disseminate information on effective organising strategies for promoting and protecting the rights of market vendors, street vendors and mobile hawkers;

- 3.5 in recognition of the class differences which exist between market vendors, street vendors and mobile hawkers, StreetNet should prioritise the upliftment of the poorest market vendors, street vendors and mobile hawkers;
- 3.6 to prioritise the interests of low-income market vendors, street vendors and mobile hawkers, StreetNet should focus on stopping exploitation of such vendors by high-income vendors, intermediaries and wholesalers;
- 3.7 to encourage street vendors, informal market vendors and hawkers living with disabilities to join StreetNet affiliates organisations and to participate actively in activities and leadership at all levels of the organisation;
- 3.8 to promote correctional policies aimed at rectifying the environment that denies equality of opportunity to market vendors, street vendors and mobile hawkers and wastes their productive potential;
- 3.9 to encourage young street vendors, informal market vendors and hawkers between the ages of 18 and 35, especially young women, to participate actively in activities and leadership at all levels of the organisation;
- 3.10 to encourage all StreetNet affiliates who do not already have established youth structures, to establish youth structures in their own organisations;
- 3.11 to bring market vendors, street vendors and mobile hawkers into the mainstream of policies and laws which affect their livelihoods, such as urban policies;
- 3.12 to represent street vendors, market vendors and mobile hawkers in the international arena;
- 3.13 to help StreetNet member organizations to represent street vendors, market vendors and mobile hawkers at national and regional levels;
- 3.14 to develop and take forward an International Street Vendors' Manifesto;
- 3.15 members should gain an understanding of common problems of market vendors, street vendors and mobile hawkers, develop new ideas for strengthening their organising and advocacy efforts, and join in international campaigns to promote policies and actions that can contribute to improving the lives and opportunities of market vendors, street vendors and mobile hawkers;
- 3.16 to work in partnership with international federations and centres of trade unions;
- 3.17 to work in social partnership with NGOs, Universities and research institutions who work with and in support of market vendors, street vendors and/or mobile hawkers and who support the goals and constitution of StreetNet.

4. INTERNATIONAL OFFICE

The international office of StreetNet shall be located in Durban, South Africa, or at such place as the International Council shall determine from time to time.

5. MEMBERSHIP

- 5.1 All organisations as envisaged in Clause 2 above shall be eligible for membership of StreetNet.
- 5.2 The number of votes of a member organisation will be determined by the principle of proportional representation, based on the number of paid-up market vendor, street vendor and/or hawker members belonging to the organization or its affiliates (paid-up according to the practices and policies of the respective organizations).
- 5.3 Application for admission or re-admission to membership shall be lodged in writing on a prescribed form with the International Council, which shall have

authority to accept or refuse any application for any reason deemed to be necessary.

- 5.4 An organisation which has disaffiliated or been suspended or expelled from StreetNet but which is still engaged in the interests set forth in Clause 2 may be re-admitted to membership on such conditions as the International Council may determine.
- 5.5 An organisation to whom admission to membership is refused shall be entitled to a refund of any monies paid by the organisation on application.
- 5.6 Every organisation shall notify the International Co-ordinator of its address and contact details and changes thereto, within fourteen days on which the change took place.

6. TERMINATION OF MEMBERSHIP

- 6.1 A member organization may resign by giving four (4) weeks notice to the International Secretary or Co-ordinator, which shall be committed to writing.
- 6.2 A member organization may be suspended or expelled, according to due process, by the decision of International Council for acting against the aims and objects of StreetNet, but this should be endorsed later by the International Congress.
- 6.3 A member organization which has been expelled from StreetNet shall not be entitled to participate in the affairs of StreetNet and shall have no claim to any benefits provided by StreetNet. Such organization shall further have no claim on the general funds of StreetNet nor be entitled to a refund of any monies or affiliation fees paid to StreetNet.
- 6.4 Notwithstanding anything to the contrary contained in this Constitution, any member organization whose situation changes to the extent that it no longer falls under StreetNet's scope as defined in Clause 2, shall relinquish membership of StreetNet and shall forfeit any entitlement to benefits provided by StreetNet.

7. AFFILIATION FEES

- 7.1 All members shall pay an affiliation fee on joining StreetNet and annual fees thereafter. The amounts of this joining fee and these annual fees to be determined from time to time by two-thirds majority ballot of the International Council.
- 7.2 Any member who falls behind in respect of two (2) years' annual fees shall not be in good standing as a member of StreetNet, and their membership will be regarded as having lapsed.

8. ORGANISATIONAL STRUCTURES

StreetNet consists of the following structures:

- **International Congress**: meets at least once every four years, consisting of representation by delegates from International Council and all member organisations, based on membership size.
- **International Council**: meets annually, consisting of representation by eleven (11) elected members in addition to the International President, Vice-President, Secretary and Treasurer, of whom at least (50%) must be women.
- **Executive Committee**: a sub-committee of the International Council consisting of seven, which meets quarterly.

- **Regional Structures:** in each region established by StreetNet, autonomous structures coordinated by Regional Focal Point organisations appointed by the International Congress or the International Council.

8.1 The organization shall:

- 8.1.1 exist in its own right, separately from its members;
- 8.1.2 be able to own property and other possessions;
- 8.1.3 be able to sue and be sued in its own name.

8.2 The organization shall continue to exist even when its membership changes and there are different office bearers.

9. **INTERNATIONAL CONGRESS**

The supreme governing body of StreetNet shall be the International Congress.

9.1 **Composition**

(a) The International Congress shall consist of the following delegates:

- (i) the members of the International Council;
- (ii) delegates elected by each member organization which shall be entitled to the following number of delegates based on the number of paid-up members the organization (and its affiliates, where applicable) represents:

500 - 1000 members:	1 delegate
1001 – 10 000 members:	3 delegates (at least 1 woman)
10 001 – 50 000 members:	5 delegates (at least 2 women)
50 001 members or more:	10 delegates (at least 5 women)

(iii) Only those delegates present at the International Congress will have a vote, on the basis of one vote per delegate present.

(b) The number of delegates per member organisation shall be fixed, in accordance with Clause 9.1(a) above, and their credentials approved, by decision of the Executive Committee prior to an International Congress. Only delegates whose credentials have been so approved shall be entitled to vote at an International Congress.

9.2 **Meetings**

(a) The International Congresses shall ordinarily meet at least once every four years on a date fixed by the International Council. Special meetings of the International Congress may be called by decision of the International Council.

(b) Members shall be invited in writing and informed of the time and place of the International Congress by the Secretary and/or the International Co-ordinator at least ninety (90) days before the date of the International Congress provided that shorter notice may in the discretion of the International Council be given in respect of Special International Congresses.

(c) The business of the International Congresses shall be:

- (i) to consider and decide on reports presented;

- (ii) to formulate policy for StreetNet and decide on resolutions submitted to the International Congress by members and by the International Council;
- (iii) to consider and approve amendments to StreetNet's Constitution;
- (iv) to review and decide on the financial position and progress of StreetNet;
- (v) to deal with any matter which in the opinion of the International Congress is in StreetNet's interest and which merits the consideration of the Congress, including establishing working groups and sub-committees (which would report to the International Council) to work on particular issues of relevance and interest to members of StreetNet;
- (vi) to formulate strategic plans.

9.3 **Quorum**

The quorum for International Congresses shall be 50% + 1 of the total number of delegates who have completed all requirements for representation in the International Congress. If within twenty-four (24) hours of the time fixed for an International Congress, a quorum is not present, the Congress shall stand adjourned to such place and time as the International Council shall decide.

9.4 **Election of office-bearers**

- 9.4.1 Ordinary International Congresses shall elect from their member organizations from the sector of street vendors, informal market vendors and hawkers, or organizers of street vendors, informal market vendors and hawkers, an International President, Vice-President, Treasurer and Secretary, whose terms of office shall, subject to Clause 9.10 below, expire upon election of the succeeding incumbents to office at every ordinary International Congress. Incumbents shall be eligible for re-election for up to three terms.
- 9.4.2 Two or more of the four International office-bearers elected must be women.
- 9.4.3 No two international office-bearers elected may come from the same region.
- 9.4.4 A nominated candidate may be elected in absentia. Elections shall be by secret ballot except that if no more than the required number of nominations is received, the candidates so nominated shall be declared duly elected without a ballot being taken.
- 9.4.5 In the event that no candidate receives a majority of the votes cast, further rounds of balloting shall be held until one candidate receives a majority of the ballots cast. In each round of balloting the candidate who received the least votes shall be eliminated from the next round of balloting. The results of each round of balloting shall be disclosed to the Congress before the following round is commenced.

9.5 **International President**

The President shall preside at the International Congress, International Council and Executive Committee meetings at which s/he is present, enforce observance of this Constitution, sign minutes of such meetings after confirmation thereof and generally exercise supervision of the affairs of StreetNet between such meetings and perform such other duties as by custom and usage pertain to the office.

9.6 **International Vice-President**

In the absence of the President, the Vice-President shall perform the functions of the President.

9.7 International Secretary

The Secretary shall receive requests for meetings of the International Council and prepare agendas for meetings in consultation with the President. S/he should also take the necessary steps to ensure that a register of members is maintained, all correspondence of StreetNet is properly conducted, minutes of the proceedings of all meetings are recorded, and perform such other duties as be custom and usage pertain to the office. S/he is also responsible for publicity and dissemination of information about StreetNet.

9.8 International Treasurer

The Treasurer shall generally exercise supervision over the financial affairs of StreetNet, take all necessary steps to ensure that proper books of account of StreetNet are kept, to have such books audited and to prepare consolidated annual balance sheets and statements of income and expenditure, to submit or make available such information to members and perform such other duties as by custom and usage pertain to the office.

9.9 International Co-ordinator

The International Co-ordinator will be engaged by and accountable to the International Council for the purposes of management, and have the following duties:

- 9.9.1 to receive requests for meetings of the International Council, to issue notices of such meetings in consultation with the President and the Secretary, to conduct all correspondence of StreetNet in consultation with the Secretary, to keep originals of letters received, copies of those despatched and at each meeting of the International Council and Executive Committee to table such correspondence as has ensued since the previous meetings; to attend all meetings of the International Congress, International Council and Executive Committee and record minutes of the proceedings; to ensure the issuing of official receipts for all monies received by StreetNet; to prepare and present a half-yearly financial report to meetings of the International Council and Executive Committee; to ensure that a register of members is maintained; to enter into lease and other agreements on behalf of StreetNet and to perform such other duties as are imposed by the Constitution or as the International Council or Executive Committee may direct. S/he shall attend all meetings of the International Congress, International Council and Executive Committee but shall have no voting powers at such meetings.
- 9.9.2 to take all necessary steps, in consultation with the Treasurer, to ensure that proper books of account of StreetNet are kept, to have such books audited, and to prepare a consolidated annual balance sheet and statement of income and expenditure, and to submit or make available such information to the office-bearers and members.
- 9.9.3 to encourage and assist organizations with mergers, and to carry out activities of StreetNet as decided by the International Congress and the International Council.

9.9.4 The International Co-ordinator may resign on giving two (2) months' notice in writing to the International Council, and her/his services may be terminated on a similar period of notice being given to her/him by the International Council. If there is no possibility of a meeting of the International Council within two months, the Executive Committee will exercise the power on behalf of the International Council but it is to be endorsed later by the International Council. S/he may be summarily discharged by the International Council or Executive Committee for a serious neglect of duty or misconduct. In the event of the office becoming vacant, the International Council shall appoint a new incumbent.

9.10 Removal from office of Office-Bearers

The International President, Vice-President, Secretary and Treasurer shall vacate office in any of the following circumstances:

- 9.10.1 on resignation, suspension or expulsion from membership of StreetNet or any of its member organizations, or on suspension or expulsion from office for misconduct on a two-thirds majority of the International Council;
- 9.10.2 on absencing her/himself without the permission of the International Council from three (3) consecutive meetings of the International Council;

9.11 Provisional Office-Bearers

- 9.11.1 In the event the office of an International Office-Bearer becomes vacant in between International Congresses, the International Council shall elect, by ballot, by two-thirds majority vote, from among the members of the International Council, a person in an acting capacity until the next ordinary International Congress.
- 9.11.2 A member elected to fill such vacancy shall hold office for the unexpired portion of the period of office of her/his predecessor.
- 9.11.3 All such elections shall be on nomination proposed, seconded and voted on by majority ballot.

10. INTERNATIONAL COUNCIL

Management of StreetNet shall be vested in the International Council between meetings of the International Congresses.

10.1 Composition

The International Council shall consist of an International President, Vice-President, Secretary, Treasurer and delegates and alternates as follows:

- (a) Eleven (11) representatives elected from among member organisations from the sector of street vendors, informal market vendors and hawkers, or organizers of street vendors, informal market vendors and hawkers (as envisaged in Clause 2 above) at the International Congress, of whom at least six (6) shall be women.
- (b) No affiliated organisation shall have more than one member on the International Council.
- (c) In the event of principal delegates being permanently or temporarily unavailable to attend meetings of the International Council, alternates from the elected organisations will be recognised provided that they are elected and presented to the International Council by the organisation concerned.

- (d) Delegates (*and alternates*) shall, subject to Clause 10.2, hold office for four years and they shall be eligible for re-election on termination of their period of office.
- (e) International Council members must declare any conflict of interest in regard to being a funding recipient, on a salary or payment, or having a relationship with a national government or any political party that may cause them to influence or have a negative effect on another StreetNet member or an organisational decision. Failure to declare a conflict of interest may result in suspension of membership, right to attend meetings and/or vote on issues.

10.2 A member of the International Council shall vacate her/his seat in any of the following circumstances:

- (a) on resignation, suspension or expulsion of him/herself or her/his member organisation from membership of StreetNet;
- (b) on absenting him/herself without the permission of the International Council from three (3) consecutive meetings of the International Council;
- (c) on the member organisation of which s/he is a member ceasing to be a member in good standing.

10.3 The International Council shall ordinarily meet at least once every year on a date to be fixed by the President in conjunction with the Secretary and International Co-ordinator insofar as this is possible. Special meetings (physical meetings or teleconferences) of the International Council shall be called by the President whenever s/he deems it advisable or by a requisition signed by not less than eight (8) of the members of the International Council in which event the meeting shall be called within one (1) month of the receipt of the requisition by the President.

10.4 Members of the International Council shall be notified in writing of the time and place of the meetings by the Secretary or International Co-ordinator at least one (1) month before the dates of such meetings, provided that shorter notice being not less than seven (7) days' notice may in the discretion of the President be given in respect of extraordinary meetings. The Agenda of the meeting shall be attached to the notice of the meeting, failing which it shall be circulated to delegates in writing not less than two (2) weeks before the meeting, except in case of an extraordinary meeting.

10.5 The quorum for meetings of the International Council shall be 50% + 1 (i.e. 8 members). If within twenty-four (24) hours of the time fixed for any meeting a quorum is not present, the meeting shall stand adjourned indefinitely and may be resumed only after due notice has been given to all members of the International Council.

10.6 **Powers and duties**

Subject to the provisions of this Constitution, the International Council shall have the power:

- (a) to plan, authorise and monitor activities of StreetNet;
- (b) to authorise and ensure direct representation of StreetNet members at international forums;

- (c) to engage and dismiss, except where otherwise provided for in this Constitution, any employees of StreetNet, including the International Co-ordinator, to fix their remuneration and to define their duties;
- (d) to appoint from time to time such sub-committees as it may deem necessary or for the purpose of investigating and reporting on any matter referred to such sub-committee by the International Council;
- (e) to institute or defend legal proceedings by or on behalf of or against StreetNet or individual member organisations in relation to their work or in furtherance of any of the objects set out in Clause 3 provided same is not inconsistent with any matter specifically provided for in this Constitution.
- (f) to invest assets of StreetNet and to acquire by purchase, lease or otherwise, any movable or immovable property and to hold same on behalf of StreetNet and to sell, let, mortgage or otherwise deal with or dispose of any movable or immovable belongings of StreetNet, provided that no immovable property shall be acquired or sold, nor shall it be mortgaged, let or leased for a period of longer than five (5) years unless six (6) weeks of notice of intention to do this has been given to each member organisation. If during this period any member or region objects, the matter has to be determined by a meeting of the International Council, where a two-thirds (2/3) majority vote will be required to ratify the proposed action;
- (g) to open and operate banking accounts in the name of StreetNet, and to appoint auditors to complete financial audits in terms of 12.5 below;
- (h) to initiate, authorise and undertake activities which lead to financial self-sufficiency of StreetNet;
- (i) to establish regional offices and regional secretariat structures of StreetNet in order to facilitate greater co-operation between member organizations in any region (and to close down such offices and secretariat structures) and to define the areas of jurisdiction of regional offices;
- (j) to convene when deemed necessary, a Special International Congress, which shall perform such functions and duties as may be referred to it by the International Council;
- (k) to appoint from among the members and staff of StreetNet those authorised to sign agreements on behalf of StreetNet. Such authority shall be restricted to those aforementioned persons;
- (l) to establish and fund projects and activities in accordance with the aims and objects of StreetNet;
- (m) to approve the annual audited financial statement and balance sheets of StreetNet;
- (n) to decide on matters of procedure on which this Constitution is silent;
- (o) to do such things as may in the opinion of the International Council appear to be in the interests of StreetNet and which are not inconsistent with the objects or any matter specifically provided for in this Constitution.

10.7 Executive Committee

- (a) The Executive Committee shall be an implementing body of the International Council consisting of the following:

- President
 - Vice-President
 - Treasurer
 - Secretary
 - Co-ordinator (*ex-officio* with no vote)
 - the two Members' Auditors from two different StreetNet regions, elected in terms of Clause 12.1(e) below.
- (b) The Executive Committee shall meet quarterly in order to consider the following:
- (i) financial statements;
 - (ii) correspondence;
 - (iii) review strategic plans;
 - (iv) other pressing and urgent matters involved in the management of StreetNet, between meetings of the International Council.
- (c) Decisions and recommendations of the Executive Committee will be subject to ratification by the International Council or the International Congress.

10.8 **Youth Committee**

- 10.8.1 The Youth Committee is a sub-committee which reports to the StreetNet International Council and the Executive Committee, composed of two members from each StreetNet Region (one woman and one man) to be elected by the young members between the ages of 18 and 35 years in each region for a term of no longer than three years.
- 10.8.2 Only youth between the ages of 18 and 32 years old are eligible for election to the Youth Committee.
- 10.8.3 The Youth Committee shall meet once per year, contingent upon the availability of the necessary funds.
- 10.8.4 The Terms of Reference of the Youth Committee shall be determined by the International Council from time to time..

11. **REGIONAL STRUCTURES**

- 11.1 Regional structures shall be established by StreetNet as conditions permit and as may be determined by the International Congress or the International Council.
- 11.2 One focal point country per StreetNet region identified in accordance with Clause 11.1 above, will be identified by the International Congress or the International Council, and the StreetNet affiliate(s) in that country will house the regional structure of StreetNet and co-ordinate the communication between affiliates in the region.
- 11.3 Only organisations affiliated with StreetNet shall be eligible for membership in a StreetNet regional structure.
- 11.4 The relationship between StreetNet and its regional structures shall be determined by the International Council in accordance with decisions of the International Congress.
- 11.5 The regional structures shall be answerable for their actions to the International Council and shall submit annual reports on their activities to the International

Council. All questions affecting the general policy of StreetNet shall be referred to the International Council.

- 11.6 The regional focal point organisations will report to the International Council, and to the Executive Committee and the StreetNet office between International Council meetings.
- 11.7 Regional focal point organisations will be bound by the provisions of Clause 12.2 of the StreetNet International constitution with respect to fundraising and financial management.

12. **FINANCE**

12.1 **Accounts**

- (a) All fees from member organisations shall be remitted to the Co-ordinator on behalf of the Treasurer, and shall be deposited within fourteen (14) days of receipt at a bank decided on by the International Council. This bank account shall be called the StreetNet International Account.
- (b) All donations to StreetNet shall be remitted to the Co-ordinator on behalf of the Treasurer, and shall be deposited within seven (7) days of receipt at a bank decided on by the International Council. This bank account shall be called the Donations Account.
- (c) Funds allocated from the StreetNet International or Donations Accounts for the purpose of administering any office of StreetNet shall be deposited to its credit at a bank decided upon by the International Council. Such account shall be called an Office Account.
- (d) The signatories of the accounts of StreetNet shall be the International President, Treasurer, Co-ordinator and two other individuals easily accessible to the head office appointed for the purpose by the International Council, any two of whom shall jointly sign each transaction.
- (e) The financial transactions of StreetNet shall also be supervised and checked by two Members' Auditors. These auditors shall be elected by Congress from amongst the delegates of affiliated organisations located within a reasonable distance of the head office. If an Auditor resigns this position between two Congresses, the International Council shall designate an acting Members' Auditor.
- (f) The Members' Auditors, acting together or individually, shall have constant access to the books, and to all financial documents, deeds and certificates of StreetNet. They shall satisfy themselves that all expenditures are reasonable and in accordance with the decisions of the International Council of StreetNet or were made with its approval. The Members' Auditors shall submit yearly a report on their findings which shall be sent to all affiliated organisations. The Co-ordinator shall submit these reports to the International Council of StreetNet for its consideration.
- (g) The financial year of the organization ends on 31 December each year.

12.2 **Regional finances**

- 12.2.1 Regional offices of StreetNet shall manage their own fundraising and finances. However, funds raised by StreetNet for such regional offices shall be managed by means of written contracts to be determined by the International Council and signed between designated representatives of the International Council and the recognised regional secretariat structures.
- 12.2.2 Regional offices shall be required to have their accounts audited annually, and to make their audited reports available to StreetNet.
- 12.2.3 If any regional office of StreetNet is disestablished while still holding funds from StreetNet, such funds shall devolve back to StreetNet.
- 12.3 The funds of all accounts of StreetNet shall be applied to the payment of expenses connected with the administration of the affairs of StreetNet, the acquisition of property and/or towards the attainment of the objects specified in Clause 3 of this Constitution and such other lawful purposes as may be decided upon by the International Council or by the member organisations of StreetNet voting by ballot.
- 12.4 Statements of income and expenditure and the financial position of StreetNet are to be prepared half-yearly by the International Co-ordinator and submitted to the Executive Committee, who shall in turn submit them to the International Council.
- 12.5 All accounts of StreetNet shall be audited annually by a person/company registered as an accountant and auditor in terms of the relevant national and international legislation, appointed by the International Council. True copies of the consolidated audited accounts of StreetNet together with the auditor's report shall be made available to members of StreetNet.
- 12.6 The consolidated audited financial statements, balance sheets and auditor's reports for StreetNet shall be confirmed by the International Council and presented to member organisations.
- 12.7 The auditor's report contemplated in Clauses 12.4 and 12.5 above shall state whether:
- (i) she/he has satisfied herself/himself of the existence of the securities and has examined the books of account and records of StreetNet;
 - (ii) proper books of accounts have been kept;
 - (iii) she/he has obtained all the information and explanation required;
 - (iv) in her/his opinion the statement of income and expenditure and the balance sheet audited by her/him have been properly drawn up so as to exhibit a true and correct reflection of the state of affairs of StreetNet according to the best of her/his knowledge and according to the explanations given to her/him and as shown by the books of StreetNet as at the date of the balance sheet;

(v) in her/his opinion, the provisions of the Constitution of StreetNet in so far as they relate to financial affairs, have been complied with.

12.8 A member organisation which resigns or is expelled from StreetNet shall have no claim on the funds of StreetNet.

12.9 Members or office bearers of the organization do not have a right over things that belong to the organization.

12.10 The organization may not give any of its money or property to its members of office bearers, except as payment for work that a member or office bearer has done for the organization. In such cases, the payment must be a reasonable amount for the work that has been done.

13. INTERPRETATION OF CONSTITUTION

13.1 The responsibility for the interpretation of the terms of this Constitution or any matter arising in connection therewith shall be vested in the International Congress, and its decision shall be final and binding provided that between International Congresses the International Council shall be empowered to make an interim ruling subject to a final decision by the International Congress.

13.2 In the event of any difference of meaning between different versions of this Constitution, the English version shall prevail.

14. AMENDMENTS

The International Congress may repeal, amend or add to the provisions of this Constitution by a two-thirds (2/3) majority provided that at least sixty (60) days' notice of any proposed alteration shall have first been given to members by notice.

15. INDEMNIFICATION OF OFFICE-BEARERS, COUNCIL MEMBERS AND EMPLOYEES

The office-bearers, Council members and employees of StreetNet, provided that they have acted in good faith in a manner which furthers the interests of StreetNet, shall be indemnified by StreetNet against all proceedings, costs and expenses incurred by reason of any omission, negligence or other act done in performance of their duties on behalf of StreetNet or its members, and they shall not be personally liable for any of the liabilities of StreetNet or any of its members.

16. DISSOLUTION

16.1 StreetNet may be dissolved at any time by resolution carried by two-thirds (2/3) majority of a International Congress or (only in extreme situations) by resolution carried by two-thirds (2/3) majority of the International Council, if for any reason StreetNet is unable to continue functioning, provided that no such resolution shall be taken unless a (postal and/or electronic) ballot of members of StreetNet shall have been conducted and more than sixty per cent (60%) of the members in good standing and participating in the ballot so approve.

16.2 If a resolution for the dissolution of StreetNet has been passed as provided for in Clause 16.1 above, the following provisions shall apply:

- (a) The available members of the last appointed International Council of StreetNet shall appoint a liquidator to carry out the dissolution. The liquidator shall not be a member of StreetNet and shall be paid such fees as may be agreed upon between her/him and the aforementioned available members.
- (b) The liquidator so appointed shall call upon the last office-bearers and officials of StreetNet to deliver to her/him the books of account, showing the assets and liabilities of StreetNet together with the register of members showing for twelve (12) months prior to date as from which StreetNet was unable to continue functioning, hereinafter referred to as date of dissolution, the fees paid by each member as at date of dissolution. The liquidator shall also call upon the said office-bearers and employees of StreetNet to hand her/him all unexpended funds of StreetNet and to deliver to her/him the assets of StreetNet and the documents necessary in order to liquidate the assets of StreetNet.
- (c) The liquidator shall take the necessary steps to liquidate StreetNet's debts from its unexpended funds and any other monies realised from StreetNet's assets.
- (d) After the payment of all debts in accordance with Clause 16.2(c) above, the remaining funds, if any, shall be disposed of by transfer of all or part of the assets to any other named organisation with similar aims and objectives, or to be kept in trust until such time as another organisation is established embracing all or part of the area and scope of the one dissolved and open to all organisations working in such area and scope.

DATE ADOPTED: 10 April 2019

SIGNED:

INTERNATIONAL PRESIDENT:

INTERNATIONAL SECRETARY:

Regulations

1. Standing Orders for conducting meetings
2. Standing Orders for conducting congresses
3. Nominations procedure for elections for International Council members at StreetNet International Congresses
4. Election procedure at StreetNet international Congress
5. Terms of Reference for Regional Focal Point organisations
6. Terms of Reference for Youth Committee
7. Terms of Reference for Worker Education Committee

1. Standing Orders for conducting meetings

1.1 Presiding officer (chairperson)

Presiding officers chairing all StreetNet meetings will be responsible for the following, to ensure the productive outcome of each meeting:

- Ask the meeting to adopt the agenda at the outset of the meeting;
- Stick to the agenda which has been adopted;
- Prevent the meeting being side-tracked onto other matters;
- Ensure delegates are free to express their opinions on all matters under discussion;
- Encourage less self-confident delegates, particularly women, youth, and those disadvantaged through language, disability, or lower levels of formal education, to express their views freely in the meeting;
- Discourage the domination of meetings by individuals;
- Ensure that clear decisions are reached on each matter discussed before proceeding to the next item on the agenda;
- Each motion under consideration needs to be proposed, seconded, and opportunity given for amendment or counter-motion, before adoption.
- Ensure that all agenda items are dealt with, either in the meeting or referred to another structure with the agreement of the meeting.

1.2 Speakers and Time Limits

- Guests may be allowed speaking rights in meetings by official invitation or by arrangement with the Standing Orders Committee where applicable;
- Speaking time shall be at the discretion of the person chairing the meeting. All other speakers shall be limited to five minutes. With approval of the meeting, the chairperson may fix a shorter speaking time than 5 minutes.

1.3 Motions concerning Procedure or Order

- Motions concerning procedure or order of business may be moved by any delegate without notice and at any time other than when a speech is in process. Such motions shall have precedence over other business. The President may allow one delegate to speak for and one to speak against the motion and then put the motion to the vote. Motions falling under this category include proposals to adjourn the discussion or the session, motions to take the vote and challenges to the chairperson's ruling.
- A point of order, other than a procedural motion, shall be taken immediately. The chairperson shall then give a ruling on the point of order, which, unless successfully challenged, shall be final.

1.4 Voting Procedures

- Only accredited delegates shall have the right to vote. Voting shall normally be done by show of hands.
- Decisions on votes shall be on the basis of a simple majority of those voting, except in the case of proposals to delete, add to or amend the Constitution or Regulations, proposals to suspend one or more of the Standing Orders or in respect of challenges to the chairperson's rulings, when there shall be not less than two-thirds majority of those present and voting, for the proposal/challenge to be carried.

2. Standing Orders for conducting Congresses

2.1 Standing Orders Committee

The StreetNet Executive Committee shall act as the Standing Orders Committee and subject to Clauses 9.2 – 9.4 of the Constitution, shall issue a report dealing with the arrangements for the International Congress including proposals for the order of business and debates, and any other matter requiring a decision for the proper conduct of business.

2.2 Conference President and Vice-President

2.2.1 The President and Vice-President for the International Congress shall be the President and Vice-President of StreetNet.

2.2.2 The President shall declare the opening and close of the International Congress and direct its proceedings in accordance with the StreetNet Constitution and Standing Orders for conducting congresses.

2.2.3 In the absence of the President, International Congress shall be presided over by the Vice-President as directed by the Standing Orders Committee.

2.2.4 The Vice-President while acting as President shall assume the same rights and responsibilities as the President.

2.2.5 In the absence of the President and the Vice-President, the Standing Orders Committee shall propose another person for Congress to designate to preside over the International Congress and assume the same rights and responsibilities as the President while so doing.

2.3 Election of Congress Committees

At its first working session International Congress shall elect a Credentials Committee consisting of three members, and a Resolutions Committee, the membership of which shall not exceed five. The International Coordinator shall appoint a Secretary for each Committee.

2.4 Credentials Committee

2.4.1 The Credentials Committee shall examine the credentials of all delegates to the International Congress.

2.4.2 There shall be no substantive vote taken until the report of the Credentials Committee has been approved by International Congress.

2.4.3 No delegate whose credentials are under question by the Credentials Committee shall participate in the vote upon the Credentials Committee report.

2.4.4 The decisions of the International Congress in regard to delegates' credentials shall be final.

2.5 Resolutions Committee

2.5.1 The Resolutions Committee shall be responsible for examining motions and amendments submitted in accordance with the provisions of Clause 9 and Clause 13 of the StreetNet Constitution, including any motions received which are considered by the Standing Orders Committee to be of an emergency nature.

2.5.2 The Resolutions Committee shall, where necessary, composite, re-draft and/or delete part or all of motions and amendments (but shall not introduce any new subject matter which was not originally present) with the aim of expediting the business of the International Congress.

2.5.3 Subject to any advice received from the Standing Orders Committee, it shall be the responsibility of the Resolutions Committee to present to the International Congress a written report in respect of all motions and amendments and the Committee may also recommend that certain motions/amendments be remitted to the International Council. Where practicable, a brief indication of the reasons for each decision will be given.

2.5.4 The report shall be put before the International Congress for approval.

3. Nominations procedure for elections for International Council members at StreetNet International Congress

3.1.1 Nominations for Congress elections are sent to the StreetNet office by affiliate organisations one month prior to the Congress, on standard StreetNet Nomination Forms signed by two authorised representatives duly mandated by the organisation. The deadline to send nominations is clearly specified in writing, and all affiliates are informed of such well in advance of the specified deadline.

3.1.2 No more than two nominations per organisation will be accepted, and in the case of two nominations from the same organisation these will have to be different genders. This will require affiliated organisations to spend sufficient time in advance gaining consensus among their members in democratically selecting the one or two leaders they wish to put forward as international leaders for the next four-year constitutional mandate in StreetNet.

3.2 Standing Orders for withdrawal of nominations:

- Nominations for Congress elections may be withdrawn up to one week before the date on which the Congress begins
- Withdrawal of nominations must be in writing and signed by an authorised officer of the nominee's organisation.
- Withdrawal of nominations after that date must also be in writing and will only be permitted by a resolution of the Congress.

4. Election procedure to be followed at StreetNet International Congress

- 4.1 A credentials list of delegates will be compiled at the outset of the conference. These will be the delegates who will be entitled to vote, in accordance with Clause 9.1 (a)(iii) of the StreetNet constitution.
- 4.2 The person(s) conducting the election (Electoral Commission) will receive a copy of the credentials list when they arrive to conduct the elections.
- 4.3 It is the responsibility of nominating organisations to obtain a seconder for their nominations, and to notify the Electoral Commission of such.
- 4.4 Objections to any of the nominations on grounds of perceived contravention of the StreetNet constitution must be lodged in writing with the Elections Commission, stating the reason(s) for the objection and specifying the constitutional Clauses allegedly breached.
- 4.5 Prior to the commencement of voting by congress delegates, there will be an agenda item for plenary consideration of any resolutions for the withdrawal of any nominations, after which no further withdrawals will be considered.
- 4.6 The elections will be conducted in plenary. Prior to the commencement of voting by congress delegates, the Electoral Commission shall announce their rulings in respect of any objections lodged with them as per 4.4 above.
- 4.7 The votes will be counted in plenary, and the results will be announced in plenary immediately thereafter.
- 4.8 The following fifteen (15) positions are to be elected, in accordance with Clauses 9.4 and 10.1 of the StreetNet constitution:
- President
 - Vice-President
 - Secretary
 - Treasurer
 - + eleven (11) additional members
- 4.9 A quota of a minimum of 50% of women members of the International Council will apply, as per Clauses 8/9/10 of the Constitution. This means a minimum of **eight** (8) women.
- 4.10 Each candidate should be nominated and seconded by two different organisations. Nominations are motivated by means of nominee profile sent by nominating organisation and circulated in advance to all affiliates. If there is no seconder, the nomination falls away. If only one candidate is nominated for any position, (s)he shall be considered duly elected.
- 4.11 As nominations are made by affiliate organisations in advance, with a mandate from their members who are not able to attend the congress, only nominations received in advance can be considered. Nominations of individuals who are not present are permissible in terms of Clause 9.4.4 of the StreetNet constitution.

4.12 The elections should be conducted by secret ballot. Empty ballot forms will be prepared in advance by the person(s) conducting the elections.

4.13 The President should be elected first, followed by the Vice-President, Treasurer and Secretary (in that order) and then the eleven additional members are elected simultaneously.

4.14 The procedure to be followed shall be:

- the position of **President** shall be voted freely without regard to the candidate's gender;
- if the person voted to be President is a man, then all male nominations for the position of **Vice-President** will be automatically disqualified as the Vice-President will then have to be a woman – if the person voted to be President is a woman, the Vice-President shall be voted freely without regard to the candidate's gender;
- any nomination for Vice-President coming from the same organisation or the same region as the elected President shall also be disqualified in accordance with Clause 9.4.3 of the StreetNet constitution;
- the position of **Treasurer** shall be voted freely without regard to the candidate's gender – however any nomination for Treasurer coming from the same organisation as the elected President or Vice-President shall be disqualified in accordance with Clause 9.4.3;
- if there are not already two women elected in the three afore-mentioned positions, then all male nominations for the position of **Secretary** will be automatically disqualified as the Secretary will then have to be a woman in accordance with Clause 9.4.2 – if there are already two women elected in the three afore-mentioned positions, the Secretary shall be voted freely without regard to the candidate's gender;
- any nomination for Secretary coming from the same organisation as the elected President, Vice-President or Treasurer shall also be disqualified in accordance with Clause 9.4.3 of the StreetNet constitution;
- the minimum number of women required from the eleven positions for **additional members** is 6 (six) in accordance with Clause 10.1(a) of the StreetNet constitution;
- **each ballot paper** (which will be for eleven positions) completed will have to comply with the required minimum – i.e. every voter will have to vote for six or more women and five men or less – and the eleven persons with the highest number of votes will be selected (with this method the required quota will then automatically be fulfilled)

- **any ballot papers which do not fulfil the required quota of at least 6 (six) women nominees for the eleven additional members will be regarded as a spoilt paper;**
- if only 6 (six) women or less are nominated, they will be regarded as elected unopposed, and only the remaining 5 (five) will be elected if there are more than 5 male nominations;
- if LESS than 6 (six) women are nominated, then the balance of positions for women will **remain vacant** until they are filled by women by the International Council, as required by the constitution.

4.15 For each position, the number of votes received by each candidate shall be read out and the successful candidate announced.

4.16 The elected office bearers and council members of StreetNet International shall be awarded with a StreetNet certificate signifying their positions in the Council. The International Coordinator and Electoral Presiding Officer shall append their signatures on the certificate.

5. Terms of Reference for Regional Focal Point organisations

These Terms of Reference apply in conjunction with proposed new Clause 11 of the StreetNet Constitution on Regional Structures.

5.1 Regional Focal Point organisations are responsible to do the following:

- 5.1.1 Maintain a bank account into which all funds raised for the regional structure should be deposited, and into which funds from StreetNet International for specific purposes/projects shall be deposited;
- 5.1.2 Keep an updated list of the StreetNet affiliates in the region and all their contact details;
- 5.1.3 Establish a suitable co-ordinating structure to support the focal point organisation in the function of regional co-ordination, and keep StreetNet International Council informed regarding the composition, function and activities of such structure;
- 5.1.4 Take responsibility for communicating with all StreetNet affiliates in the region and ensuring that they are kept informed about developments in StreetNet International – in additional to the normal communications from the StreetNet office to all the affiliates;
- 5.1.5 Take responsibility, with StreetNet affiliates in the region, for organising regional initiatives (in accordance with StreetNet principles and policies);
- 5.1.6 Forward recommendations on behalf of the region, after consultation with all the affiliates in the region, to the StreetNet International Council and International Congress for consideration and/or adoption;
- 5.1.7 Forward requests on behalf of the region, after consultation with all the affiliates in the region, to the StreetNet International Council and/or Executive Committee for financial or non-financial support for regional activities;
- 5.1.8 When StreetNet International requests feedback or input from the region on any matter, communicate directly with the region's affiliates to solicit their views, compile a consolidated regional response and relay this to StreetNet International;
- 5.1.9 Convene regional activities of StreetNet in that region, in accordance with workplans and decisions of the StreetNet International Congress and the StreetNet International Council, and submit narrative and financial reports of all regional activities within 2 weeks of each activity;
- 5.1.10 Keep StreetNet International informed of progress in the region through regular written reports to the StreetNet office.

- 5.2 The regional structures coordinated by the Regional Focal Point organisations do not have decision-making powers for StreetNet International as a whole. Therefore, when the affiliates in the region wish to propose a policy change or a new policy, it will be the responsibility of the Regional Focal Point organisation to forward such proposal to the StreetNet International Council or the International Congress for consideration and/or adoption.
- 5.3 The regional structures coordinated by the Regional Focal Point organisations may operate autonomously, but not independently of StreetNet International. Therefore they may take decisions for their region – and these should be forwarded to the StreetNet International Council for ratification.
- 5.4 The regional structures coordinated by the Regional Focal Point organisations are not entitled to establish themselves as parallel centres of power to the constitutional decision-making structures of StreetNet International, and are discouraged from creating inter-regional divisions between street vendors, informal market vendors and hawkers, in contravention of StreetNet’s commitment to working class unity.

6. Terms of Reference for Youth Committee

These Terms of Reference apply in conjunction with proposed new Clause 10.8 of the StreetNet Constitution on the Youth Committee.

6.1 The Youth Committee is responsible to do the following:

- 6.1.1 Communicating with the youth in all StreetNet's affiliates and ensuring that they are kept informed about developments in StreetNet International – in addition to the normal communications from the StreetNet office to all the affiliates;
- 6.1.2 Forward recommendations to the StreetNet International Council and International Congress for consideration and/or adoption;
- 6.1.3 Forward requests to the StreetNet International Council and/or Executive Committee for financial or non-financial support for youth activities;
- 6.1.4 Convene youth activities of StreetNet, in accordance with workplans and decisions of the StreetNet international Congress and International Council, and submit narrative and financial reports of all activities within 2 weeks of each activity;
- 6.1.5 Submit annual written reports to StreetNet International Council meetings.

6.2 The Youth Committee should endeavour to add value to the work of StreetNet in the following ways:

- 6.2.1 Develop organisational strategies that are appropriate to the situation of young street vendors, informal market vendors and hawkers;
- 6.2.2 Encourage young workers to develop their leadership skills and self-confidence and encourage members of StreetNet affiliates to nominate and elect youth into the leadership of the organisation at all levels, in order to strengthen the leadership of youth (especially young women) in the informal economy;
- 6.2.3 Organise educational and recreational events for young street vendors, informal market vendors and hawkers;
- 6.2.4 Develop policy proposals for the work of StreetNet International with the youth;
- 6.2.5 Develop national and international strategies with the purpose of strengthening the influence of the youth of our sector in the broader society, nationally and globally;
- 6.2.6 Manage the creation of cultural groups, sports teams and StreetNet events for enhanced participation by young members in StreetNet's affiliates.

7. Terms of Reference for Worker Education Committee

- 7.1 The Worker Education Committee is a sub-committee of the StreetNet International Council in accordance with Clause 10.6(d) of the StreetNet constitution.
- 7.2 The Worker Education Committee chairperson has to report to the StreetNet International Council every 6 months.
- 7.3 Worker Education Committee recommendations have to be ratified (or overturned where applicable) by the International Council.
- 7.4 The tasks of the Worker Education Committee are to guide and work with the relevant staff members responsible for worker education to ensure that the following are done:
 - 7.4.1 Come up with modules on different trainings for affiliates, e.g. business training, advocacy & dealing with authorities
 - 7.4.2 Develop training materials
 - 7.4.3 Developing way of framing issues to governments
 - 7.4.4 Identify national & international organisations which provide training to workers, for affiliates
 - 7.4.5 Publish & print innovative training materials, put up on StreetNet website
 - 7.4.6 Record best practices among affiliates
 - 7.4.7 Exposure programmes & exchange visits
 - 7.4.8 Assess gaps in capacity-building
 - 7.4.9 Build data-base from materials from affiliates