

Constitution of Masimanyane Amampinga Association



*AMAMPINGA ARE ONE OF THE
XHOSA SPEAKING NATIONS IN
THE EASTERN CAPE PROVINCE OF
SOUTH AFRICA AND ARE
SPECIFICALLY A GENERATION OF
AMAMPONDOMISE NATION*

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WITH MEMBERS MAKING INPUTS AND COMMENTS



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PREAMBLE

Whereas AMampondomise nation generally and AMampinga clan in particular, suffered severe human rights violations and abuses through deprivations and dispossessions in the hands of the colonial masters and the apartheid regime leading to the nation and the clan's disintegration, disjointedness and scattering all over the country.

Whereas the clan in particular through its natural born leaders, visionaries, intellectuals and elders such as the late **Majikija** who initiated the renaissance and unification of AMampinga and left this legacy to **Messrs. Ndude, Mbiza, Nqevu, Mbawuli and Dr Noqamza** to mention the few who carried forward this baton and passed it on to AMampinga traditional leaders such as **Inkosi Dungulu, AAHH!!!! Zwelenqaba, inkosi Ndzambule, Inkosi Jongintaba Ah: Dubeni, AAHH!!!! Jongisizwe and inkosi Ngoni, AAHH!!!! Ngubengwe** as well as many others who played a pivotal role and also deemed it justified and appropriate to keep alive the dream and the legacy left by this great Impinge, uMajikija. In fulfillment of the late Majikija's dream, AMampinga have in their determination and resolve to revive and keep alive this legacy, embarked upon on a rediscovery journey to revive this great clan by reintegrating and uniting all of AMampinga across the country and the entire world and take all legal possible steps to ensure that this clan is properly recognized, placed in its rightful place and compensated for the gross human rights violations and abuses perpetrated against it and also claim whatever it is rightfully theirs either under the custom/ tradition or available legal precincts.

AMAMPINGA have already organized themselves and formed Masimanyane AMampinga Association whose primary task is to fetch the spirit of the great iqhawe laMampinga **uMbhalaka-Nkqoshe** from the **Ngxingxolo river in Mooiplaas** within the **Buffalo City Municipality** and proceed to ensure that all known AMampinga heroes and intellectuals such as the great **MPINGA** himself, the one who solitary killed a lion(ibhubesi) at EMbalisweni in a place called today eBhubesini, **SENZWA, ENOCK MANKAYI SONTONGA (SONTONGA), MAJIKIJA** (the late), **inkosi UDUNGULU**, the founder and leader of **Amampinge akwa Vetyu**, place named after one of his sons, **MBHOKODI, ROBERT NGQOBE, AHHH!!! NDIKUBHEKILE, MATAKANE NGCEZA, CHRISTIAN THANDUXOLO NGQOBE, HAPPYBOY MGXAJI** and many more still to be discovered, are properly recognized with their names engraved on the AMampinga stone of remembrance and heritage site situated **kwa Vetyu location, Engcobo, Eastern Cape**.

This association shall have full powers to do anything that will serve the best interest of AMampinga including lodging land claims and other legitimate and legally justified claims on behalf of the clan and its subjects. Although not a profit making association, the association shall have the right to raise funds, acquire assets and ask for donations and so on.



1. BACKGROUND

The name Mpinga is the clan name for one of the biggest clans that exist in the Republic of South Africa, whose founding father Mpinga is confirmed to have settled at Embalisweni. AmaMpinga are one of the Xhosa speaking nations in the Eastern Cape Province of South Africa and are specifically a generation of AmaMpondomise nation. Even though the Mpinga clan is mainly found and concentrated in the Eastern Cape Province of the Republic of South Africa, they are also found distributed throughout South Africa and even outside the borders of South Africa. As a caring nation, members of this clan met and decided to form an association of this clan whose objectives and aims appear in the following subheadings:

2. NAME

*The name of this association shall be **MASIMANYANE AMAMPINGA ASSOCIATION.***

3. AIMS AND OBJECTIVES

3.1 The association shall be a non-profit organisation established for the following aims:

- To preserve our history and generational clan/family-tree for the benefit of our children and many more of our generations to come.*
- To educate our children to respect one another and the name as well as the importance of our clan name.*
- To educate ourselves to respect one another as one clan and help one another when one of us is in need.*
- To correct previous mistakes that led to the division of our clan and lowered our dignity.*
- To correct previous mistakes that sometimes had led to unacceptable and anti-social acts and behaviours such as incest (umbulo).*
- To create some common understanding and some kind of behaviour ethic that is expected of any person who belongs to Mpinga clan.*
- To restore and preserve the dignity of our clan.*
- To be able to claim and protect our rights as a specific clan and citizens in South African society.*
- To build and develop our clan so that it could play a leadership role and provide a good example for being good citizens of our country.*
- To play a leading role in matters of moral regeneration and be exemplary to the entire country.*
- To ensure that AMampinga heroes and heroines are properly recognised with their names preserved for the benefit of future generations of the clan.*



3.2 OBJECTIVES

To achieve our aims we intend:

- *To organise meetings of all people who have the clan name Mpinga.*
- *To collect some funds in order to develop and maintain our unity as one clan.*
- *To fundraise and open a bank account in the name of our association with a registered bank or a building society.*
- *To elect leaders and various subcommittees that will serve and perform specific duties in order to achieve our aims.*
- *To collect the spirits of any of our ancestors and deliver them to a place that will remain as our place of remembrance and heritage site.*
- *To take all reasonable steps including roping all relevant government departments and willing internal and foreign funders in order to ensure that a state of the art and world class heritage site for Amampinga clan is constructed.*
- *To assist each other with skills development, exchange knowledge, capacity building and uniform approaches.*

4. LEGAL STATUS

The association shall be a body with its own legal identity which is distinct and separate from its individual members. The association will continue to exist even if the current members who formed it change or disappear. The association shall be eligible to own property, raise funds, and lodge land claims sue or be sued in its own name.

5. NON-PROFIT CHARACTER AND INCOME

The association is a non-profit organisation in the sense that:

- *For its income, this association will depend on voluntary contributions by AMampinga, using any accepted ways of fundraising and donations from public or private companies.*
- *Its income and property shall be used solely for the promotion of its stated aims and objectives.*
- *Individual members and office-bearers shall have no rights and claims of whatever nature to the property or other assets of the association solely by virtue of them being individual members or office-bearers.*
- *No portion of the income or property of the association shall be paid or distributed directly or indirectly to any person or to any member of the association or management committee, except, as:*



- *Fair and reasonable compensation for services actually rendered for the benefit of the association where on good cause shown the issue of compensation was predetermined and agreed upon, otherwise members render services voluntarily.*
- *Reimbursement of actual costs or expenses reasonably incurred on behalf of the association.*

6. POWERS

The association, acting through its management committee or at a general meeting, shall have all powers necessary for it to carry out its stated aims and objectives. Such powers shall include, but not limited to, raising funds through relevant sub-committees, administrative powers and any other such powers as implied by law and applicable to associations of this nature, etc.

7. MEMBERSHIP

Membership shall be open to all people whose clan is Mpinga, Mawawa, Senzwa, Mbhalaka-Nkqoshe, Nto'mntwana, Sineka etc.

- *There will be no joining fee*
- *AMampinga people will contribute freely to the Amampinga trust fund.*
- *In case of financial assistance, further requirements shall be considered and these will include recognition by district committees as a person who belongs to Mpinga clan who is also destitute and qualifies for such assistance.*

8. STRUCTURE OF THE ASSOCIATION

- 8.1 The affairs of the association shall be controlled and managed by a management committee which shall report any decisions taken by it to the general meeting which is the supreme governing body of the association.*
- 8.2 In a general meeting, the association may review, vary, approve or amend any decision taken by the management committee.*
- 8.3 The management committee shall be led by the chairperson of Masimanyane AmaMpinga Association in general, his or her deputy, the secretary, deputy secretary, the treasurer, office bearers of the sub-committees and additional members.*
- 8.4 There shall be sub-committees that will be elected in a general meeting or in a special meeting mandated by the general meeting.*



- 8.5 Each sub-committee shall be composed of the Chairperson, Vice-Chairperson, Secretary and at least three additional persons. In addition, the financial committee will have a deputy secretary and treasurer.

9. FINANCIAL MATTERS

9.1 BANK ACCOUNT

- Mandated by the general meeting or by the management committee, the Financial Committee shall open a bank account in the name of the association with a registered Bank.
- Mandated by the general meeting or by the management committee, the Financial Committee shall ensure that all monies received by the association are deposited in the abovementioned bank account as soon as possible after receipt.

9.2 SIGNATORIES

- Mandated by the general meeting or by the management committee, three members of the Financial Committee shall submit their signatures to the bank where the monies will be kept.
- Only two (2) of the three signatories will be required to sign in all cheques or for monies withdrawn.
- The Financial Committee shall be required to give full financial reports as it will be required by general meeting or by special general meeting or by management committee from time to time.

9.3 FINANCIAL YEAR

"The Association's financial year shall commence on the 1 of July and ending on the 30 June."

10. AMENDMENTS TO THE CONSTITUTION

- Terms of this constitution may be amended in a general meeting. The task team may be mandated to investigate the implications of a proposed and or intended amendment and recommend to the general meeting which shall have a final say.
- Amendment could include the changing of the name of the association and reviewing and accommodating any aspect the association may deem needs to be reviewed or be added.

11. DISTRICT STRUCTURES

- For ease of communication and organisation, different districts or regions shall have to form their own organised structures at local level.



- *that are commonly used in identifying Amampinga and willing to participate in the organisation of Amampinga clan and subscribe to this constitution.*

12. GENERAL MEETINGS AND QUORUM

- *There shall always be an annual general meeting (AGM) each year and also special general meetings shall be held when there is an urgent need.*
- *The management committee, through its coordinator shall call a general meeting or special general meeting or task team meetings by contacting various representatives of districts using one or more of the available fast methods such as phone calls, sms or email or announcing through the media such as radio.*
- *A notice of a general meeting shall be issued at least fourteen days prior to such meeting including non-working days, but excluding the day of issuing notice and the day of the meeting. A shorter notice of special general meeting will be issued depending on the reason for such a meeting, but the notice shall not be less than five days prior to such meeting. It will be the duty of the contacted district committee members to contact other district family members.*
- *Fifty percent (50%) of the district representatives shall be taken as enough quorum to carry on with the meeting and to make binding decisions. That is, if fifty percent of the districts are represented even if a district is represented by one person.*

13. PROHIBITED CONDUCT AND CORRECTIVE MEASURES.

13.1 PROHIBITED CONDUCT.

- *No member shall engage in any unbecoming conduct that may put the name of the association into disrepute.*
- *No member shall use the property and information of the association for personal gain or for any other purpose other than in pursuance of the interest, aims and objectives of the Association.*
- *No member shall conduct him or herself in a manner that positions him or her as an opposition to the association by making media or public utterances that are against a decision, anything done, said or being discussed and considered by the association.*
- *No member shall make any press release or statement on behalf of the association without having been duly authorised by the association.*
- *Members shall not do anything or make any utterances that are intended to undermine the association; members must always act for and in defence of the association.*
- *Under no circumstances the association shall involve itself in petty family squabbles.*



13.2 CORRECTIVE MEASURES.

- Any member who embarks on any of the prohibited conducts as referred to in **13.1** above shall be deemed to have disassociated him or herself from the association.
- There shall be a corrective committee that will be chaired by the chairperson of the association or his duly appointed representative. The committee may be constituted as and when there is a matter that needs attention.
- The committee shall have the power to hear representations made by the affected employee and make recommendations regarding sanction which may range from a verbal warning, written warning, and suspension for a period and termination of membership.
- During suspension, the member loses all the benefits that accrue to a member of the association, cannot participate on any of the activities of the association and cannot enjoy financial support and or assistance given to destitute members in times of need.
- Termination of membership shall only be resorted to in cases of repeated offence, lack of remorse and defiance including failure to appear before a corrective committee.

14. GENERAL CONDUCT EXPECTED FROM THE MEMBERS OF THE ASSOCIATION.

- ❖ Members are expected to uphold and adhere to the principles and objectives set out in this constitution.
- ❖ To treat each other with utmost respect, politeness and gentleness.
- ❖ To always act in the best interest of the Association.
- ❖ To participate in the affairs of the Association and respect the majority decisions of the Association.
- ❖ To preach the Association's gospel to all members of the clan.
- ❖ To share with the Association any information that may assist with the upliftment of the association.
- ❖ To report to the Association any conduct that may have negative and detrimental effect to the Association.
- ❖ To act with honesty and integrity.

15. NATIONAL MEETINGS AND HEAD OFFICE

All General meetings (national meetings) of the association shall be held in one of the following districts, **Engcobo, Kwa Vetyu** locality under inkosi **Zwelenqaba Dungulu**, being the unanimously agreed upon National Heritage site of AMampinga or at **Libode**,



*Embalisweni, under inkosi u Ngoni, being the place where all AMampinge originated being the place where **Chief Mpinga** reigned, solitary killed ibhubesi (lion) at a place that was named **eBhubesini**, lost his leg and his chieftainship robe. The meetings can be held at any other places deemed appropriate by the general membership or on request by one of the Amampinga traditional leaders. The head office of the association shall be at Engcobo being where the heritage site is situated. Embalisweni is a place of great historical importance and significance to all AMampinga, so, some of important AMampinga events shall be held there.*

16. DISTRICT, REGIONAL AND LOCAL MEETINGS.

Districts, regions and locations are permitted to hold meetings in order to communicate decisions of the association and also come up with plans of implementation. Where they see the need, they may invite members of the national executive.

17. PREPARATIONS FOR THE GENERAL MEETINGS, FINANCIAL CONTRIBUTIONS AND SO ON.

17.1 PREPARATIONS.

By their very nature, general meetings are the responsibility of all regional areas and not for the hosting region or head office. This means, regions are required to play a vital role to ensure that they assist as much as possible in ensuring that general meetings are well prepared for. It is also important to limit general meetings as much as possible, except where circumstances beyond control dictate otherwise.

17.2 FINANCIAL CONTRIBUTIONS.

*It is an indisputable fact that preparations for general meetings also places severe financial burden and strain on the hosting region as well as the organisers. To ensure that the head office or the hosting region is relieved of this financial burden, districts shall contribute **R250.00** each towards preparations for the general meetings. Whenever a date of a general meeting is announced, districts shall immediately devise ways and means of collecting the amount for onward transmission to the hosting region a week before the meeting. This shall only be changed by the agreement of the general meeting or by the amendment of the constitution and only if there are enough funds from the association's account.*



17.3 OTHER CONTRIBUTIONS.

Other than financial contributions, members who so wish may contribute in any manner that they may deem appropriate after consulting the organisers. This may include, but not limited to, offer of providing drinks, fruit, meat, and sound system and so on.

18. RELIGIOUS RECOGNITION.

The association, embraces, accommodates and open its doors to all religions that are recognised in the country whose norms, practices, values and ethics are in line with the acceptable social cohesion standards, practices, norms, values, and ethics. Satanism and any other forms of religion practising anti-social activities or whose standards, norms, practices, values and ethics are contrary to socially acceptable standards and habitual practices will not be accepted.

19. AMAMPINGA ANNUAL NATIONAL HERITAGE DAY.

History tells all of us that on the 10th of October 1778, Mbhala –Ka- Nkqoshe together with King Gcaleka drowned and lost their lives at Ngxingxolo River, Mooiplaas within the Buffalo City municipal area. In remembrance of this date, AMampinge have unanimously resolved to set aside this date as date to be remembered annually as an annual AMampinge National Heritage day. On the 10 of October every year, AMampinge shall converge at Kwa Vetyu locality in Engcobo and commemorate this day. In order to afford everybody an opportunity to attend, whenever the 10 of October be during the week, the commemoration shall be held on the weekend of that particular week. The convergence and commemoration shall start on Friday with the main event held on Saturday and end on Sunday. During the week various events to ignite the occasion can be held, such as knowledge sharing, history and origin of AMampinge, capacitating each other on health, legal, economical, farming and any matters that may be of interest in capacitating AMampinge and so on. Sporting events can also be considered. Those who will be unable to go to Engcobo on those days shall be allowed to do any accepted form of celebration such as small dinner at their homes, prayer, or sending well-wishing messages to amaMpinga far away from themselves etc. Home celebrations shall be funded by individuals themselves.



20. TRADITIONAL REGALIA OR ATTIRE.

During the annual heritage day of AMampinge and any other commemorable events, for the purpose of identification, symbol of proud heritage, dedication, unity, oneness as well as commitment to the AMampinge renaissance, AMampinge shall wear their unique traditional regalia or attire. It is recommended that AMampinge devise means to acquire this traditional attire. Although it is in the interest of the Association and desirable to have AMampinge clad in their traditional regalia as referred to above, failure to wear the same shall be no ground to bar any Mpinga from participating in those events. This simple means that the traditional regalia or attire shall not be compulsory, but a recommendation. People shall be free to wear according to their interests or religion as indicated in section 18 of this constitution.

21. OFFICIAL WEBSITE

The Association shall have, maintain and keep updated at all material times its own official website (www.mpingqasenzwa.co.za). The website shall be used to distribute and disseminate information such as the historical background and origin, current events and planned events, photographic material recordings produced and recorded during the Association's major and minor events as well as any other events which the website committee shall from time to time deem appropriate. The website shall at all material time remain the property of the Association.

20.1. WEBSITE EDITING AND MONITORING COMMITTEE.

There shall be a website committee composed of no less than three members whose primary task shall be to edit all information and material to be posted on the website and shall monitor the site accordingly to ensure that no hacking into is taking place.

20.2. ACCESS TO THE WEBSITE.

Access to the website shall be unrestricted and shall be free of charge. However, adding and or posting any information and removing information from the site shall be strictly restricted and shall be done through the permission of the website editing and monitoring committee. All the information to be posted must meet all decency standards and must not be offensive, derogatory, discriminatory and divisive.



21.3. ADVERTISEMENT AND MARKETING OF AMAMPINGE BUSINESSES.

Advertisement and marketing of AMampinge operated businesses shall be permitted at an agreed upon nominal contribution referred to as a subscription fee to be determined by the management committee aimed at assisting towards maintenance and operational costs for the site.

22. AMAMPINGE NATIONAL PRAYER.

NKOSI SIKELELA AMAMPINGE KWENZAME NEMIGUDU YAWO YOKUQOKELELANA ABUMBANE NGENJONGO YOKUMANYA OLUHLANGA. WANGA UQAMATA ANGAWAVIKELA AWAKHUSELE KUBAPROFETHI BOKUNGENDAWO NABACHASI BENKQUBELA PHAMBILI, YANGA IMITHANDAZO YAWO NEZICELO ZAWO ZINGAYIMPUMELELO. YANGA IMIZAMO YAWO INGAYIMPUMELELO KHONUKUZE IBENGUMZEKELO KWIZIZWE NGEZIZWE KHONUKUZE LIPHILE IHLABATHI LONKE. LONG LIVE AMAMPINGA LONG LIVE!!!

GOD BLESS THE AMAMPINGA CLAN IN THEIR ENDEAVOURS AND RESOLVE TO REACH OUT TO ALL KNOWN MEMBERS OF THIS CLAN WITH THE SOLE AIM OF UNITING IT. MAY THE ALMIGHTY PROTECT THE CLAN FROM THE PROPHETS OF DOOM AND THE ANTIPROGRESS GROUPINGS AND MASTERS OF PULL DOWN SYNDROME. MAY THEIR PRAYERS AND REQUESTS BE ANSWERED. MAY THEIR ENDEAVOURS BE A HUGE SUCCESS SO THAT IT CAN BE EXEMPLARY AND IMITATED BY THE NATIONS OF THE WORLD SO THAT THE ENTIRE UNIVERSE CAN GET HEALED. LONG LIVE AMAMPINGA LONG LIVE!!!

23. PROCEDURE FOR WINDING UP

Although the association is meant to exist indefinitely with generations after generations carrying out its objectives, one has to cater for the unforeseen circumstances.

The Association shall be wound up in accordance with the laws of the Republic of South Africa once the legally recognised circumstances justifying such crop up. The Association as a clan or family affair. Members of the Association or Mpinga Clan are prohibited from moving winding up proceeding, unless mandated by the Association.

In the event of any future generations showing no interest in continuing with the Association, the Association may be wound up at the joint instance of the reigning inkosi YaMampinga akwa Vetyu, Engcobo and Embalisweni, Qumbu.

23.1 ASSETS OF THE ASSOCIATION AFTER WINDING UP.

The Assets shall be managed by the inkosi as mentioned above and shall be kept and maintained as far as possible as the heritage resources for future generations. The assets shall be kept intact at the AMampinga heritage site situated kwa Vetyu locality, Engcobo. The inkosi as referred to above shall manage the assets in the best interest of the AMampinga heritage, depending on the circumstances that prevail at a particular point after the winding, shall take such decisions as they may deem appropriate.

**24. ADOPTION**

The interim constitution was unanimously accepted and adopted in a general meeting that was held at Kwa Vetyu locality, Engcobo, Eastern Cape on the **25/10/ 2014** with a provision that newly joined members shall be afforded an opportunity to make inputs and the chairperson of the Constitution committee was also granted permission to collect all the inputs he deems to be adding new terms that are relevant, and then consolidate those to the existing document for a final approval. A final Constitution as contained in this document was unanimously accepted and.

25. SIGNING.

THUS DONE AND SIGNED BY THE ASSOCIATION'S DULY AUTHORISED SIGNATORIES AT ENGCOBO ON THIS
DAY OF 2015 IN THE YEAR OF OUR LORD TWO THOUSAND AND FIFTEEN

NAME AND SURNAME	POSITION	SIGNATURE
1.	CHAIRPERSON	
<i>L. M. NIDCIDE</i>	<i>Chairperson</i>	<i>[Signature]</i>
2.	DEPUTY CHAIRPERSON	
<i>Dunpula Zuekenqaba</i>		<i>[Signature]</i>
3.	SECRETARY	
<i>NOMTSIATO MANTAMBO</i>	<i>SECRETARY</i>	<i>[Signature]</i>

