



CONSTITUTION

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PREAMBLE

Whereas the judicial officers in South Africa play a vital role in upholding the Constitution of the Republic of South Africa and ensuring the administration of justice in a fair, impartial and independent manner.

Whereas there is a need for a structured and stable Association that advocates for the rights, welfare and professional development of judicial officers while engaging with all stakeholders affecting the judiciary.

We the Founding members hereby adopt this Constitution to establish the Judges Action Group as a body corporate with perpetual succession, committed to the principles of transparency, stability, accountability and the rule of law and ensuring effective leadership to protect judicial integrity and advance its objectives through guided decision making.

1. NAME AND OFFICE

- 1.1.** The name of the Association shall be: Judges Action Group, abbreviated to 'JAG'.
- 1.2.** The Office of the Association shall be located at the address where the Chairperson of the Association is based unless the Executive decides otherwise.

2. OBJECTIVES OF THE ASSOCIATION

2.1. The objectives of the Association are to:

- 2.1.1.** Advance Constitutional values and Rule of Law;
- 2.1.2.** Advance section 165 of the Constitution and establish channels of communication with the Chief Justice in matters of Norms and Standards to ensure that judges at all levels of the judiciary are given equal access to the judiciary's resources;
- 2.1.3.** Advance the cause of a single judiciary to ensure equality of access to courts is realized for the benefit of all court users, particularly the disadvantaged and indigent users of courts whose primary point of access to justice is through the lower courts.
- 2.1.4.** Support and protect judges who are subjected to improper pressure, prejudice, influence or intimidation as a result of exercising his/her right to freedom of expression as provided in the Constitution by any person or entity.
- 2.1.5.** Advance the right of equality of judicial remuneration and service benefits and to prevent future discrimination against judges of lower courts in respect of fair remuneration and benefits.
- 2.1.6.** Advance the lower court's independence, impartiality, dignity, accessibility and effectiveness as provided for in section 165(4) of the Constitution; and
- 2.1.7.** Achieve any other objective conforming with constitutional values especially the need for all courts to function independently and impartially within a constitutional democracy.

2.2. The objectives in 2.1 may be achieved in any of the following ways:

- 2.2.1.** Advocating for and advancing legislative reform, including but not limited to repealing the Magistrates Courts Act and Magistrates Act and the amendment of the Judicial Service Benefits Act to include lower court judges;
- 2.2.2.** Challenging through litigation, or other appropriate means, any provision, action, omission or position that bears relevance to the achievement of the stated objectives;
- 2.2.3.** Engaging with the Chief of Justice, organs of state, the Magistrates' Commission, the IRC, the LCRC, the JSC, other relevant Committees, NGO's, stakeholders, media or any other relevant body regarding the protection and support of the lower courts and its judicial officers; and
- 2.2.4.** Any other reasonable actions aimed at promoting the achievement of the objectives stated in 2.1 above.

3. MEMBERSHIP

The Association consists of the following:

- 3.1.** All serving Judicial Officers as appointed under the Constitution ,Superior Courts Act or Magistrates Act, including all permanent and acting Judges, Regional Court Magistrates and District Magistrates; and
- 3.2.** Former Judicial Officers (limited voting rights)

4. ADMISSION OF MEMBERS

- 4.1.** Admission requires payment of the prescribed fees.
- 4.2.** Application shall be submitted in writing and submission of credentials to ensure that there is no conflict of interest or potential conflict of interest to the Executive Committee which may approve or refuse an Application based on alignment with the objectives of the association.

5. RIGHTS AND DUTIES OF MEMBERS

- 5.1.** Members have the right to attend meetings, participate in activities and receive support from the Judges Action Group.
- 5.2.** Duties include adherence to and upholding the Constitution and promoting the objectives of the Association.

6. TERMINATION OF MEMBERSHIP

- 6.1.** By resignation in writing; or
- 6.2.** By expulsion for misconduct after a fair hearing.

7. GOVERNANCE STRUCTURE

- 7.1.** The founding members shall operate as an interim committee and shall vote on all decisions, providing that the meeting has 60% quorum, the majority vote carries the decision. In the event of a tie, the founding members with limited voting rights will cast their votes to break the tie. The founding members shall have the discretion to co-opt members into the interim committee.
- 7.2.** A Special General Meeting shall be convened by the interim committee within one year from 1st June 2026 and within 15 days' notice to all members, where an Executive Committee shall be nominated and elected.

7.3. The Executive Committee must include a:

- 7.3.1.** Chairperson;
- 7.3.2.** Deputy Chairperson;
- 7.3.3.** Secretary;
- 7.3.4.** Treasurer; and
- 7.3.5.** 3 Additional members;

7.4. In addition the Executive Committee may include up to 7 additional members, appointed in deputy or other positions as determined from time to time by the Executive Committee.

7.5. All subsequent members of the Executive Committee shall be nominated and elected at a General Meeting.

7.6. All meetings shall be attended by all members of the Executive Committee except in circumstances beyond the control of the member. All meetings shall be attended virtually.

7.7. The duties of the Executive are to manage the daily affairs of the association, create sub-committees to promote the goals of the association and attend to all matters incidental thereto in attaining the objectives of the association.

7.8. Executive members shall serve their full term unless discharged from the association before the term ends.

7.9. Executive members shall resign their membership within 21 days after Application for vacancies in the judiciary at any level. This is to ensure that this association is not used as a vehicle for self-promotion.

7.10. The term of office for members of the Executive is three years.

8. QUORUM

A quorum in respect of the Annual General Meeting or Special General Meeting shall be 60% of all registered members.

9. VOTING

9.1. Majority decision on all matters prevails.

9.2. All members shall be entitled to vote at any Annual General Meeting or Special General Meeting of the Association by way of proxy.

9.3. Such proxy shall be given by a member in writing to another member in good standing.

- 9.4. Any such member who has not revoked a proxy shall be precluded from voting at the relevant meeting.

10. MINUTES

Records of all meetings shall be kept and available to all members.

11. FINANCE

- 11.1. The financial year shall be 1st April to 31st March.
- 11.2. All transactions shall be in a banking account at a registered banking institution.
- 11.3. Accounts shall be audited annually by an independent auditor appointed by the Executive committee.

12. AMENDMENTS TO THE CONSTITUTION

- 12.1. Amendments by resolution of at least two-thirds of full members present at an Annual General Meeting or Special General Meeting.
- 12.2. Notice of proposed amendment shall be done within at least 21 days' notice prior to the Annual General Meeting or Special General Meeting.

13. DISSOLUTION

By resolution of at least two thirds of members at a Special General Meeting called for that purpose and at least 21 days' notice.

14. ADOPTION

This Constitution was adopted at a founding meeting held virtually on 9 April 2026.

15. SIGNATURES OF FOUNDING MEMBERS

1. Rohan Roopnarian

2. Tebogo Mokagtle

3. Dr Betty Rawheath

4. Michelle Henderson

5. Cherise Mooloo

6. Ezra Morrison

7. Mxolisi Bebula
