



**A WING OF THE ESWATINI
CONTRACTORS ASSOCIATION
(ECA)**

BYLAWS

**COMMENCEMENT
DATE: FEBRUARY 15, 2024**



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Preamble | Umsungulo

We, the members of the Balingani Women in Construction Wing, established under the auspices of the Eswatini Contractors Association (ECA), affirm our commitment to advancing the role of women in the construction industry.

Recognising the historical underrepresentation of women in the sector, and the growing number of women-led enterprises, we unite to promote equity, inclusion, and empowerment. We are guided by the principles of the ECA Constitution and driven by the shared vision of a construction industry that reflects the full potential of all its members.

Through these Bylaws, we seek to:

- Strengthen the voice and visibility of women in construction;
- Create opportunities for mentorship, training, and leadership;
- Advocate for policies that support gender equality and inclusive economic growth;
- Foster collaboration, innovation, and professional excellence among women contractors.

In pursuit of these goals, we commit to uphold the values of integrity, accountability, and solidarity, and to work in partnership with the ECA and all stakeholders to build a more just and sustainable industry.

Tsine, emalunga e-Balingani Women in Construction Wing, lesungulwe ngaphansi kwe-ECA (Eswatini Contractors Association), siyavuma kutsi sitibophezele ekuphakamiseni indzima yabomake embonini yekwakha.

Siyawubona kutsi bomake bebebangekho ngendlela lefanako kule mboni, kepha inani lamabhizinisi aholwa ngabo selikhula. Ngako-ke, siyahlangana ngephimbo linye kutsi sikhulise kufinyeleleka, kufakwa, nekugunyatwa kwabo. Siholwa imigomo yeSigcoko se-ECA, siphakanyiswa ngumcabango wekuba nemboni yekwakha lehlanganisa wonkhe umtimba wayo.

Ngale-Mitsetfo, sifuna:

- Kukhulisa livi nekubonakala kwabo Make embonini yekwakha;
- Kwakha emathuba ekufundzisana, ekuqeqesheni, nasekuphatselweni;
- Kumela imitsetfo lesekelo kufanana kwemacansi nekukhula kwemnofo lokahlelelekile;
- Kukhulisa kusebenta ndawonye, kwenta intfo entsha, nekuphumelela kwelizinga lelisetulu kubakhi labasikati.

Ekulandzelaneni nalemigomo, sitibophezele ekugcineni tigugu tekwetsemba, kubika, nekubambisana, futsi sisebente ne-ECA kanye nabo bonkhe labanye kutsi sakhe imboni lelinganako, lehlala njalo.

SECTION 2: SUPREMACY OF THE ECA CONSTITUTION

2.1 The ECA Constitution shall be the supreme governing document of the Association. Subject to applicable laws in force at any given time, its provisions shall be binding on all members, divisions, and structures of the Association.

2.2 All units, divisions, and structures established by the Association shall operate autonomously but under the auspices of the Association. Their activities must align with the mission and objectives of the Association. No division or structure may represent or speak on behalf of the Association without prior written authorization from the ECA Executive Committee.

2.3 Each division may adopt its own rules and regulations to govern its operations, including procedures for convening special meetings and electing officers. These rules must not conflict with the ECA Constitution.

2.4 In the event that any rule, regulation, guideline, or enactment issued by a division or structure is found to be inconsistent with the ECA Constitution, such provision shall be deemed null and void to the extent of the inconsistency.

2.5 Divisions and structures shall develop and implement policies and procedures to ensure compliance with both Association-wide and division-specific rules and regulations.

2.6 The Association shall monitor and ensure that all members and structures adhere to the principles and provisions of the ECA Constitution.

SECTION 2: SUPREMACY OF THE ECA CONSTITUTION

3.1 Recognizing the steady growth of women-owned construction businesses in recent years, the Association established and constituted a Women Wing within the ECA. This initiative acknowledges both the multifaceted roles of women and their collective contribution to various dimensions of national development.

3.2 The Wing shall act as a catalyst to investigate unfair practices affecting women, eliminate barriers to their advancement, and address related matters incidental to their development.

3.3 As an integral structure of the ECA, the Wing forms part of the Association's broader mechanism to increase the visibility and participation of marginalised groups. It provides a platform for women to collectively identify and address issues, policies, and priorities that affect them.

SECTION 4: NAME

4.1 The official name of the Wing shall be **BALINGANI WOMEN IN CONSTRUCTION**, hereinafter referred to as “the Wing”.

4.2 The Wing shall maintain a distinct identity and logo, while retaining the official colours of the ECA to reflect its affiliation with the Association.

SECTION 5: AIMS AND OBJECTIVES

5.1 The aims and objectives of the Wing are to, at all times and in all respects, conform to the Constitution of ECA. To this end, the Wing shall:

5.1.1 Strengthen the visibility and voice of women within the ECA and the broader industry.

5.1.2 Advocate and encourage reforms for gender equity, diversity, and inclusion in all aspects of the construction sector;

5.1.3 Influence policy and regulatory frameworks to support women-owned enterprises;

5.1.4 Facilitate access to resources that enable women-owned companies to actively participate in the construction industry.

5.1.5 Collaborate with stakeholders to address barriers facing women in construction;

5.1.6 Empower and develop women through mentorship, training, networking, access to capital, and technical assistance to support business growth.

5.1.7 Spearhead and contribute to the formulation, adoption, and implementation of national policies and action plans that support women in construction.

5.1.8 Facilitate and coordinate women’s socio-economic development programmes at both the Association and national levels.

5.1.9 Advocate for inclusive environments, including preferential procurement and quota systems in public projects, to support the holistic development of women in the sector.

5.1.10 Create pathways for women’s representation in business leadership within the construction industry.

5.1.11 Build, maintain, and strengthen relationships with the ECA and other allied associations to support the comprehensive development of women in construction.

5.1.12 Undertake any other actions necessary or expedient to achieve the above aims and objectives, provided such actions are not inconsistent with the ECA Constitution.

SECTION 6: CHARACTER OF THE WOMEN'S WING

The Women's Wing shall be founded on the principles and values of the ECA and shall operate under the auspices of the Association.

6.1 At no time shall the work or activities of the Wing be inconsistent with the mission, vision, or goals of the Association.

6.2 The policies of the Wing shall be determined by its membership, in accordance with the procedures outlined in the ECA Constitution and the Membership Rules and Regulations (MRR) of the Association.

SECTION 7: MEMBERSHIP- ELIGIBILITY CRITERIA

In accordance with the provisions of the ECA Constitution, a registered member of the ECA shall be

eligible for membership in the Women's Wing if the following criteria are met:

7.1 The member is fully paid up and in good standing with the ECA;

- The member company is owned by a woman who holds shares or a significant stake in the company;
- Membership in the Wing is open to all women within the ECA and shall be automatic for all eligible women members.

7.2 Members who fail to renew their ECA membership subscription, and who have been duly reminded of their lapse, shall not be considered in good standing until all outstanding fees are paid.

7.3 Failure to renew membership within one calendar year shall result in the expiration of membership. Such individuals shall be treated as new applicants in any subsequent membership application process.

7.4 The Wing shall maintain an up-to-date membership register and shall regularly transmit membership records to the ECA Secretariat for alignment and verification.

SECTION 8: DUTIES OF MEMBERS

A member of the Women's Wing shall:

8.1 Take all necessary steps to understand, uphold, and actively promote the aims, objectives, policies, and programmes of the Women's Wing.

8.2 Strive to deepen their understanding of the legal, political, and economic challenges affecting the construction industry, particularly as they relate to women.

8.3 Advance the interests of the ECA and defend the policies and programmes of both the ECA and the Women's Wing.

8.4 Uphold discipline and fiduciary responsibilities, and respect the decisions of the majority and the leadership of the Wing.

8.5 Refrain from publishing or distributing any media content—whether in print, digital, or social media formats—that purports to represent the views of any organised group, faction, or tendency within the ECA, without prior authorisation.

8.6 Not hold office in more than one structure of the ECA simultaneously, to ensure focused and effective leadership.

8.7 Conduct themselves with integrity, professionalism, and respect in all dealings related to the Wing and the Association. Members shall avoid any conduct that may bring the Wing or the ECA into disrepute.

8.8 Disclose any actual or potential conflicts of interest that may arise in the course of their duties and recuse themselves from decision-making processes where such conflicts exist.

8.9 Be subject to disciplinary action in the event of a breach of these duties. Disciplinary procedures shall be guided by the ECA Constitution and Membership Rules and Regulations, and may include warnings, suspension, or termination of membership, depending on the severity of the breach.

SECTION 9: DISCIPLINARY PROCEDURES

The disciplinary process shall follow these steps:

- i. **Complaint Submission:** Any member may submit a written complaint to the Wing's leadership.
- ii. **Preliminary Review:** The Wing's leadership shall conduct an initial review to determine if the complaint warrants formal investigation.
- iii. **Investigation:** A disciplinary panel, appointed by the Wing in consultation with the ECA Executive Committee, shall investigate the matter and allow the member in question to respond.
- iv. **Hearing and Decision:** The panel shall conduct a hearing, if necessary, and issue a decision with recommended actions.
- v. **Right to Appeal:** The member shall have the right to appeal the decision to the ECA Executive Committee, whose decision shall be final.

All disciplinary proceedings shall be conducted fairly, confidentially, and in accordance with the principles of natural justice.

SECTION 10: REINSTATEMENT OF MEMBERSHIP

10.1 A member who has been suspended or removed from the Women's Wing may apply for reinstatement, provided that a minimum period of six (6) months has elapsed since the disciplinary action was taken.

10.2 The application for reinstatement must be submitted in writing to the leadership of the Women's Wing and must include:

- i. A formal request for reinstatement
- ii. A statement outlining the reasons for the request
- iii. Evidence of corrective actions taken or changes in conduct
- iv. A renewed commitment to uphold the Constitution, values, and responsibilities of the Wing and the ECA

10.3 The application shall be reviewed by the disciplinary panel in consultation with the ECA Executive Committee. The panel may request additional information or conduct an interview with the applicant.

10.4 Reinstatement may be granted if the panel is satisfied that the applicant has demonstrated genuine reform and is fit to resume membership.

10.5 A reinstated member may be placed on a probationary period of up to six (6) months, during which their conduct and participation will be monitored.

10.6 The decision of the ECA Executive Committee on reinstatement shall be final and binding.

SECTION 11: ORGANISATIONAL STRUCTURE OF THE WOMEN'S WING

11.1 The Women's Wing shall be governed by a Working Committee composed of five (5) elected members, responsible for:

- i. Providing strategic leadership and direction for the Wing;
- ii. Implementing the policies of the Wing and the ECA, and administering the affairs of the Women's Wing;
- iii. Reviewing matters of interest to the Wing and making recommendations to the ECA

Executive Committee.

11.2 The Working Committee shall consist of the following positions:

- a) Chairperson
 - i. Committed to the advancement of women in construction and responsible for leading the Committee;
 - ii. Presides over meetings of the Committee;
 - iii. Presents reports to the ECA Executive Committee;
 - iv. Serves as the official representative of the Committee.
- b) Secretary General
- c) Treasurer
- d) Two (2) Additional Members

11.3 Prior to the first elections of the Working Committee, the ECA Executive Committee shall appoint an Interim Committee.

11.4 The Interim Committee shall be responsible for:

- i. Managing the transition and establishment of the Wing;
- ii. Developing clear operational guidelines and processes;
- iii. Establishing procedures for the electoral process;
- iv. Defining budgetary and financial frameworks.

11.5 The Interim Committee shall also assist the ECA Executive Committee in the formulation, review, and enactment of rules, bylaws, and policies necessary for the effective functioning of the Wing.

11.6 The Committee shall prepare and present reports at the ECA Annual General Meeting.

11.7 A quorum, consisting of a majority of Committee members, shall be required for the Committee to conduct official business.

SECTION 12: VACANCIES AND REMOVAL FROM OFFICE

12.1 A member of the Working Committee may be recommended for removal by a majority vote of the Committee on the grounds of:

- a) Persistent non-participation in Committee activities;
- b) Absence from three (3) consecutive meetings without a valid written apology;
- c) Conduct deemed detrimental to the objectives or reputation of the Women's

Wing or the ECA.

12.2 The recommendation for removal shall be submitted in writing to the ECA Executive Committee for final approval.

12.3 In the event of a vacancy arising due to removal, resignation, or death of a Committee member, the Secretariat shall formally notify the ECA Executive Committee.

12.4 The Committee shall convene a meeting within one (1) month of receiving such notification to appoint a suitable replacement.

12.5 The appointed member shall serve for the remainder of the term of the member being replaced and shall be eligible for re-election in accordance with the nomination and appointment guidelines of the Wing.

SECTION 13: RELATIONSHIP WITH THE ECA

13.1 The legal relationship between the ECA and the Women's Wing shall be governed by the ECA Constitution and the Membership Rules and Regulations (MRR).

13.2 The Wing shall operate with a degree of autonomy—including the right to establish its own rules, programmes, activities, and campaigns—it remains an integral part of the ECA and shall not act in contradiction to the Association's principles.

13.3 The Wing shall be recognised as a legal persona for the purpose of fulfilling its mandate. The Women's Wing shall organise and mobilise women under the banner of the ECA and shall be primarily guided by the ECA Constitution, policies, and resolutions.

13.4 The Wing shall have a specific mandate to empower women, advocate for diversity, equality, and inclusion, and promote the development of women in construction business and leadership.

13.5 Accordingly, the Wing shall remain firmly committed to and aligned with the policies, programmes, and strategic direction of the ECA

SECTION 14: ACCOUNTABILITY AND REPORTING

14.1 The Women's Wing shall maintain full accountability to the ECA Executive Committee and operate in alignment with the strategic direction, policies, and governance standards of the Association.

14.2 The Chairperson of the Working Committee shall submit quarterly written reports to the ECA Executive Committee, which shall include:

- i. An overview of ongoing and proposed programmes, projects, and initiatives;
- ii. A financial report, including fiscal year budget status, monthly and year-to-date results, and any proposed budget modifications;
- iii. Updates on staff recruitment, training, and professional development;
- iv. Proposed laws, regulations, or policies relevant to the Wing's mandate;
- v. Draft contracts, agreements, Memorandums of Understanding (MoUs), or Memorandums of Agreement (MoAs);
- vi. Legislative or policy developments that may impact the Wing's operations or services;
- vii. A calendar of upcoming events and activities;
- viii. Any additional matters as requested by the ECA Executive Committee.

14.3 In addition to quarterly reports, the Working Committee shall:

- i. Submit an Annual Plan and Budget for review and approval by the ECA Executive Committee;
- ii. Present an Annual Performance Report at the ECA Annual General Meeting;
- iii. Participate in scheduled coordination and strategy meetings with ECA leadership to ensure alignment and integration of efforts.

14.4 The Working Committee shall also provide regular updates to the members of the Women's Wing, ensuring transparency and inclusivity in decision-making and programme implementation.

14.5 All reports and presentations shall be submitted in writing and, where applicable, accompanied by supporting documentation and data.

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SECTION 15: THE WING FUNDS AND ACCOUNTS

15.1 The Women's Wing may be funded through allocations from the ECA or through independently raised funds, including sponsorships, grants, and financial or technical assistance.

15.2 Funds allocated by the ECA shall be based on annual expenditure estimates submitted by the Wing to the ECA Executive Committee no later than the 1st of March each year.

15.3 The ECA Executive Committee reserves the right to approve, amend, or adjust the submitted estimates, either by increasing or decreasing the proposed budget.

15.4 If actual expenditure exceeds the approved estimates, the Wing may submit a supplementary budget request to the ECA Executive Committee for consideration.

15.5 At least one calendar month before the ECA Annual General Meeting, the Treasurer of the Wing shall prepare and submit to the appointed Auditors a full statement of receipts, expenditures, and a balance sheet up to the 31st of March.

15.6 An audited copy of the Wing's accounts and balance sheet shall be submitted to the ECA at least three (3) weeks prior to the Annual General Meeting.

15.7 The books of account shall be open for inspection by members of the Wing, the appointed Auditor, or a registered Accountant, upon reasonable request.

15.8 At each ECA Annual General Meeting, the Wing's financial statements and Auditor's report shall be presented and formally received.

15.9 All funds received by the Wing shall be used exclusively to advance the objectives of the Wing and to cover its operational expenses.

15.10 The Wing shall maintain a dedicated bank account, to be operated in accordance with directives issued by the ECA.

15.11 The Wing shall work towards establishing a sustainable funding model, with the long-term goal of becoming a fully self-funded and financially independent entity.

15.12 Projects and initiatives of the Wing may be financed independently through sponsorships, grants, and other forms of external support, provided such funding aligns with the values and objectives of the ECA.

SECTION 16: MEMBERSHIP FEES

16.1 Membership dues shall be paid annually in accordance with the provisions of the ECA Constitution. Membership is non-transferable.

16.2 The timing and method of fee collection shall be determined by the ECA and communicated to all members accordingly.

16.3 There shall be no separate membership fee required for participation in the Women's Wing. Eligibility is included as part of ECA membership for qualifying women.

16.4 The financial year of the Wing shall commence on the 1st of April and conclude on the 31st of March of the following year.

16.5 The Women's Wing may, with the approval of its members and in consultation with the ECA Executive Committee, levy special assessments or contributions. These funds shall be allocated to the Wing's budget and used exclusively for its programmes and activities.

SECTION 17: WINDING UP OR DISSOLUTION OF THE WING

17.1 In the event that the Women's Wing is dissolved or ceases to exist, the Working Committee shall ensure that all outstanding liabilities and obligations are settled or provisions are made for their settlement.

17.2 After satisfying all debts and liabilities, any remaining funds or assets of the Wing shall revert to the central funds of the ECA.

17.3 Under no circumstances shall any portion of the Wing's funds or assets be distributed to, or used for the personal benefit of, any individual member or office bearer.

17.4 The process of dissolution shall be conducted in consultation with the ECA Executive Committee and in accordance with the ECA Constitution and applicable laws.

SECTION 18: AMENDMENTS

18.1 Permissible Changes

18.1.1 These Bylaws may be amended, repealed, or suspended. Proposals for amendment may be submitted in writing by members of the Women's Wing in good standing to the ECA Executive Committee.

18.1.2 The ECA Executive Committee reserves the right to accept, modify, or reject any proposed amendments, particularly if they are inconsistent with the mission, objectives, Constitution, or policies of the ECA. 18.1.3 Unless otherwise specified by resolution of the Association, approved amendments shall take effect immediately upon approval.

18.2 Adoption of Changes

18.2.1 Amendments to the Bylaws shall be adopted by a majority vote of voting members present at a General Executive Committee Meeting, in accordance with the procedures outlined in the ECA Constitution.

18.2.2 All changes must be recorded and communicated to the members of the Women's Wing and the ECA Secretariat.

SECTION 19: ADOPTION

These Bylaws were formally approved and adopted by the ECA Executive Committee on 11 October 2023, and shall remain in effect unless amended in accordance with the provisions outlined in Section 18.

ENDORSED BY: On behalf of the ECA Executive Committee

Name	Position	Signature	Date
Reuben Msibi	Chairman	-----	----/----/2025
Percy Mazibuko	Secretary General	-----	----/----/2025
Gugu Dlamini	Treasurer	-----	----/----/2025
Jockey Ferreira	Member	-----	----/----/2025
Vusie Mngomezulu	Member	-----	----/----/2025



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