

# **SOUTH AFRICAN RADIO LEAGUE**

## **CONSTITUTION**

### **1 NAME**

The name of the association is the South African Radio League, also known as the SARL, and, hereinafter referred to as The League.

The Head Office of the League shall be in Gauteng Province or at such place within South Africa as its members in general meeting may from time to time decide.

### **2 INTERPRETATION**

In the interpretation of this constitution and its rules, the words listed hereunder shall have the meanings set out, unless inconsistent with the subject or context:

2.1 Words importing the singular shall include the plural and vice versa; words importing the masculine gender shall include the feminine gender.

2.2 "In writing" shall mean written or printed, or partly written and partly printed.

2.3 The "League" or "SARL" means the South African Radio League.

2.4 "Member" means a duly elected member of the South African Radio League.

2.5 "Council" means the council of the League as constituted in the rules.

2.6 "Headquarters" means the Head Office of the League and venue of Council.

### **3 OBJECTIVES**

The objectives of the League are:

3.1 To encourage, develop and promote all activities, matters and studies connected with amateur radio, television, computer technology, and radio science generally throughout Southern Africa.

3.2 To provide the members of the League a recognised channel for negotiation with the Government and in particular the Radio Regulator, broadcasters and authorities.

3.3 To give the members of the League the advantage of collective representation and control in all matters affecting amateur radio.

3.4 To promote international goodwill and understanding between South Africa and other countries by means of international amateur radio communication.

3.5 To promote and obtain recognition for amateur radio in all spheres of South African society.

3.6 To provide emergency communications facilities, through its members by means of amateur radio, to the government and people of the country in times of disaster or emergency.

3.7 To provide radio communications in support of community activities.

3.8 To undertake any other matters which may arise and which concern the interests of the League, its members or Amateur Radio.

3.9 To invest and apply any monies not immediately required for the purposes of the League in such manner as the League may from time to time think fit.

3.10 To Purchase, take on lease or exchange, hire or otherwise acquire any real or personal property, moveable or immovable, or interest therein or any other rights and privileges which the League may think necessary or convenient for its purposes.

3.11 To raise, receive, control and administer funds by levy of subscriptions from its members and by contributions, gifts and bequests by its members and others; with the power to borrow or provide or secure payment of monies in such manner as may be thought fit and in particular mortgage or charge on all or any part of the property of the League (both present and future) and to repay and redeem such loan, mortgage or charge.

3.12 To associate, affiliate, or amalgamate with , or incorporate, such similar bodies as the League may from time to time consider advisable.

#### **4 MEMBERSHIP**

4.1 The League shall consist of, Members, Honorary Life Members and Associate members as defined in the rules. Members will belong directly to the League and will be under no obligation to join a club in order to exercise their rights or vote.

4.2 No candidate shall be accorded membership unless he complies with all the conditions attached to such membership as provided for in the Rules.

4.3 Any member of the League may be expelled if found guilty of any willful contravention of the Rules or of conduct rendering his continued membership undesirable. The procedures for expulsion and appeal are contained in the Rules.

4.4 A member is free to join any other club or association provided that the other club or association is not in conflict with the aims and objectives of the League.

#### **5 GOVERNMENT OF THE LEAGUE**

The Government of the League shall be in accordance with its Constitution and Rules which shall be binding upon all members and officers of the League.

5.1 The affairs of the League shall be administered, controlled and conducted by a body which shall be known as "Council". Council may, subject to any conditions or limitations imposed by the Rules, delegate any of its powers or functions to any body or committee constituted in terms of the Rules.

5.2 Council shall consist of 15 (fifteen) members referred to as "the full number of Council".

#### **6. AMENDMENTS TO THE CONSTITUTION AND RULES**

This Constitution may only be amended by a total number of votes cast at a Special

General Meeting (SGM) or Annual General Meeting (AGM) of the League, provided that the notice convening the meeting shall contain a copy of every proposed alteration, rescission or addition. No alteration, rescission or addition shall be made by General Postal Ballot unless such proposal has been referred to an AGM or SGM of the League in the first instance. A quorum shall consist of not less than fifteen (15) percent of the Members in person or by proxy. (Note: All Members of the League excluding associate members are entitled to vote in person or by proxy). A Special General Meeting may be combined with an Annual General Meeting.

6.1 The Rules of the League may be amended by either:

6.1.1 A simple majority of Members in favour of the resolution present at an Annual General Meeting of the League, or;

6.1.2 By a simple majority of votes in favour of the resolution, returned by the members entitled to vote, in a Postal Ballot.

## **7 AFFILIATES**

7.1 The League may approve the affiliation of clubs or other organisations that have similar interests and aims in common with the League. The conditions of affiliation are as laid down in the Rules.

7.2 On application to the Council of the SARL by 10 members in good standing Council may approve the formation of a branch. The constitution and rules of the SARL shall apply to Branches.

## **8 INCOME**

The income and property of the League whensoever derived shall be applied solely towards the promotion of the objects of the League as set forth in this Constitution and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus, or otherwise howsoever by way of profit, to the members of the League; provided that nothing therein shall prevent the payment in good faith of remuneration to any officer or servant of the League in return for any service actually rendered to it.

## **9 WINDING UP AND DISSOLUTION**

9.1 The League may be wound up, dissolved or amalgamated with another body with similar objectives, by resolution submitted for decision at a Special General Meeting called for that purpose. Postal Ballots as provided for in the Rules shall be considered legal at such a meeting. Adoption of such a resolution shall require that not less than 25 percent of all members entitled to vote shall cast their votes, and not less than two-thirds of these votes shall be in favour of the resolution.

9.2 Upon winding up or dissolution of the League, and after settlement of all debts and liabilities, if any property whatsoever remains, such property shall not be paid or distributed among the members, but shall be given or transferred to such other institution having objectives similar to those of the League. This is to be determined by the members of the League at the time of dissolution.

## **10 INDEMNITY**

Every member of Council or any sub-committee and every officer, agent or servant of the League, shall be indemnified by the League and it shall be the duty of Council,

out of funds of the League, to pay all costs, losses and expenses which any such member, officer, agent or servant aforesaid may incur or become liable to, by reason of any contract entered into or deed done by him in discharge of his duties.

## 11 VICARIOUS LIABILITY

No member of Council, or of any sub-committee or other officer of the League shall be liable for the acts, receipts, neglects or defaults of any other member of Council, or of any sub-committee or any other officer, or for any loss, damage or misfortune which happens in the execution of his duty, unless it happens through his own willful act or default.

# THE SOUTH AFRICAN RADIO LEAGUE

## RULES

### 1. MEMBERSHIP

1.1 There shall be ten classes of Members

- (i) Ordinary Member
- (ii) Senior Member
- (iii) Spouse Member
- (iv) Incapacitated Member
- (v) Non Transmitting Member (Listener)
- (vi) Affiliated Club Member
- (vii) Sponsor Member
- (viii) Associate Member outside RSA
- (ix) Student Member
- (x) Honorary Life Member

1.2 Any member of the League under its superseded Constitution shall be a member under this Constitution and shall automatically fall under the appropriate class above-mentioned.

1.3 The League may, upon recommendation of Council, create additional classes of members and may determine the rights and privileges of such classes.

1.4 Only persons normally resident within South Africa shall be eligible for Honorary Life Membership.

1.5 The qualifications for membership shall be as follows:

- (a) Honorary Life Member:  
That he shall have rendered exceptional or outstanding service to:
  - (i) The South African Radio League
  - (ii) South Africa by means of Radio Science, or,
  - (iii) To radio science itself, or,
  - (iv) To amateur radio generally, or
  - (v) That he or she shall have been a member of the League for an unbroken period of 20 years and during that time shall have rendered long and meritorious service to the South African Radio League.
  - (vi) Shall at all times have fully supported the South African Radio League in matters pertaining to it.

Being a good operator, or excellent DX operator, or member of a local affiliated Club Committee for any period, shall not be grounds for election as an Honorary Life Member.

(b) Ordinary Member:

That he shall be a licensed Radio Amateur and subscribes to the aims and objectives of the League.

(c) Student Member:

That he shall be 25 years of age or less and be a full time student at a recognised educational institution, and have an active interest in Amateur Radio.

(d) Senior Member:

That he be over the age of 65 and have been a member of the League for at least one year.

(e) Incapacitated Member:

Will be admitted to membership of the SARL on special application and approval by Council.

(f) Spouse:

That he or she is the husband or wife of a Member or Associate Member.

(g) Affiliated Member:

That the group or club that has an interest in Amateur Radio or electronics and subscribes to the aims and objectives of the League may have their application be approved by Council upon conditions and benefits agreed by Council from time to time.

(h) Sponsor Member:

(i) Membership to be open to companies and individuals who sponsor amateur Radio.

(ii) Will have no voting rights.

(iii) Will be levied a subscription Fee as decided upon by Council from time to time.

(iv) Will receive special Membership Certificates and a periodic copy of RADIO ZS.

(i) Non Transmitting Member:

That he is not a licensed Radio Amateur but has an interest in Amateur Radio or electronics and subscribes to the aims and objectives of the League. He shall not be entitled to vote. In the event that he becomes a licensed Radio Amateur, he will be required to transfer to Ordinary Member.

1.6 Save as in these Rules otherwise provided, a Member shall be entitled to all the rights and privileges and be subject to all the duties of membership of the League, including the right to be elected to Council and as an officer of the League, and to attend at any general meeting of the League.

1.7 (i) A member who is:

(a) An Associate Member outside the Republic of South Africa, an Affiliated Club or Sponsor member;

(b) in arrears with his membership subscription; or

(c) under suspension as provided in these Rules,

shall not be eligible for election to any office nor to Council nor shall he be entitled to vote or ballot on any matter or thing concerning the League.

(ii) An Associate shall not be entitled to receive notice of any meetings.

1.8 Membership shall commence as from the date upon which a candidate is either elected or reinstated, as the case may be.

1.9 No candidate shall be accorded membership unless he complies with all the conditions attaching to such membership as provided in these Rules.

- 1.10 Membership shall terminate:
- (i) if a member resigns; or
  - (ii) if a member's subscription remains unpaid for a period of more than two months after due date; or
  - (iii) if a member is expelled or his name removed from the register as hereinafter provided;

## 2. **ELECTION**

### 2.1 Honorary Life Members

(a) Honorary Life Membership may be bestowed upon a Member of the South African Radio League, who qualifies for such an honour, upon a motion from:

- (i) Council, or
- (ii) Two (2) Members of the League, one as the Proposer and the other as Seconder, or,
- (iii) A branch or Affiliated Club of the League

(b) Upon such election, he/she shall enjoy the rights and privileges of an ordinary Member and in addition shall be exempt from the payment of any membership subscriptions during such membership.

(c) The Council shall ensure that the nominee is fully qualified in terms of these rules, and that no nomination will be accepted if the election of another Honorary Life Member will result in a total of more than (50) Honorary Life Members. No more than five (5) Honorary Life Members may be elected in any one year.

(d) Council may accept or reject such nomination, at its discretion.

(e) Upon having been elected to Honorary Life Membership by Council, the award shall be announced and presented at the next League AGM.

2.2 An application for membership, shall be in writing and in such form as Council may from time to time determine and shall be lodged with the League Secretary accompanied by the annual subscription fee for the relevant class of membership.

2.3 A candidate for Student membership shall submit satisfactory evidence of his date of birth and student status, if so requested by the League Secretary.

2.4 Council shall have full discretion to accept, postpone or reject an application or to call for any additional information. The League Secretary shall notify the applicant of the Council's decision.

2.5 If the applicant is not elected, the League Secretary shall, forthwith, refund the applicant's subscription fee.

2.6 A Student Member on attaining the age of 26 years shall be deemed to have become an Ordinary Member.

2.7 When a Student Member becomes an Ordinary Member it will not be necessary to pay any additional fees until such time as his subscription becomes renewable at the appropriate rate.

## 3. **RESIGNATION**

3.1 A member may resign from the League upon written notice to the League Secretary. If

a fully paid-up member resigns from the League he will not be entitled to a refund of the subscription or a part thereof.

#### **4. REMOVAL FROM REGISTER**

4.1 Any member who fails to pay his annual subscription within two months after due date shall be removed from the register of members whereupon he shall cease to be a member.

If during the said period of two months such member shall state his reasons and apply in writing to the League Secretary for permission to pay his subscription by installments within six (6) months from the due date thereof, Council may grant such application upon good cause being shown.

4.2 The name of any member shall be removed from the register of members if such action is unanimously recommended by Council after a ballot and decided upon by a general meeting of the League.

#### **5. EXPULSION**

5.1 Any complaint against a member for contravention of the rules or for misconduct shall be referred to the League Secretary, who shall table the complaint at a full Council meeting.

5.2 The proceedings before a Council meeting shall be subject to the following provisions:

(i) Council shall give the member at least thirty (30) days written notice of its meeting and outline briefly therein the nature of the complaint.

(ii) The member may present his case before Council personally, in writing, or by representation by another member.

(iii) A recommendation or decision to expel shall only be valid if passed by at least two-thirds majority of all Council members, who are eligible to vote at such a meeting.

(iv) If such member is a member of Council or an officer of the League he shall not be entitled to vote at any such meeting, nor to take part in the deliberations thereof other than as stated in condition (ii) above.

(v) If the member holds any office in the League, Council may suspend him from office pending the final decision upon the complaint. Written notice of suspension with immediate effect may be included in the notice to the member of the complaint to be investigated.

5.3 Any member who has been suspended by Council as in these Rules provided, shall, until further notice, forego all rights and privileges enjoyed by him. He shall be deemed to have vacated any office held by him as from the date of such suspension and Council may appoint another member to hold such office temporarily, pending the election of a member to such office.

#### **6. REINSTATEMENT**

6.1 Any person whose membership was previously terminated by resignation, expulsion or the removal of his name from the register of members, for any reason whatsoever, may apply to be reinstated as a member.

6.2 The provision of these Rules relating to the election of new members shall apply to such application for reinstatement; provided, however, that in the case of removal owing to default in the payment of his annual subscription fee, such defaulting member shall, in addition, be required to pay all arrears or so much thereof as Council in its discretion may determine.

## **7. SUBSCRIPTIONS AND FEES**

7.1 Subscriptions shall, on recommendation of Council, be adjusted by an AGM as and when it is necessary.

7.2 All subscriptions shall be payable in advance on the first day of July in each and every year and shall expire on the 30th day of the following June provided, however, that any person who is elected as a member during the first six months of the financial year, shall pay the full subscription rate; members joining at any time after six months shall pay a reduced subscription as determined by Council from time to time.

7.3 All subscriptions shall be paid in South African currency without deduction to the League Treasurer, who shall be responsible to Council for collection and receipt of all monies due to the League.

7.4 On payment of his annual subscription a member shall be entitled to request an official League receipt, issued by the League Treasurer.

## **8. FINANCE**

8.1 Council shall be responsible to the members of the League for the due and proper administration of the funds that may accrue or may be due to and/or received by Headquarters and of any other monies that may be received by Headquarters from any source whatsoever on behalf of the League generally.

8.2 The Treasurer shall prepare and present to the AGM a budget for the current financial year, as well as a proposed budget for the next financial year; these shall be distributed to members at least six (6) weeks before the AGM. After adoption at the AGM, Council shall operate according to these budgets in that no un-budgeted expenditure shall be incurred, expenditure on any line item shall not exceed budget by more than 10 percent and in total expenditure shall not exceed budget in aggregate. Should Council wish to incur expenditure not provided for in the budget, then Council must inform the members of this in writing with the necessary motivation. Members shall have four weeks after receipt of such notification in which to respond in writing and Council may only proceed with the proposed expenditure if supported by the majority of the responding members.

8.3 Council shall decide upon a commercial bank of standing at which an account, hereinafter referred to as "Headquarters Account", shall be opened in the name of the League and save as in these Rules otherwise provided, all moneys received by Headquarters shall be deposited to such account.

8.4 Council shall have the right to change the bankers of the League at its discretion from time to time.

8.5 The League Treasurer shall administer the Headquarters Account in accordance with the direction of Council.

8.6 Council shall have the authority to determine from time to time the manner in which deposits to and withdrawals from such Headquarters Account be made, provided however, that all withdrawals therefrom shall be approved and confirmed by Council.

8.7 The treasurer shall as soon as possible after the end of each and every month prepare, in such form and manner as Council may decide, a statement of receipts and payments in respect of that month, which statement shall be examined and considered at the first meeting of Council (or any committee thereof, as in these Rules provided) held subsequent to the end of the aforementioned month.

8.8 The financial year of the League shall expire on the 30th day of June in each and every year, at which date Council shall cause to be prepared an account of the income and expenditure and a balance sheet relating to the Headquarters Account, in respect of such year. Copies of audited accounts, ending 30th June annually, shall be posted to all members not later than six (6) weeks before the AGM. The half-yearly draft accounts, ending 31st December of each year, shall be posted to all members at least six (6) weeks before the AGM.

8.9 The correctness of the annual account and balance sheet shall be ascertained and certified by the auditor, appointed in accordance with these Rules, and shall in addition be signed by the President and the League Treasurer.

8.10 Council shall also have prepared a general balance sheet as at the 30th June each year, incorporating all the assets and liabilities as disclosed in the balance sheet of the League.

8.11 Council may require any one or more members or officers of the League, having custody or control of money belonging to the League, to furnish security for the due performance of his duties. The security shall take such form as Council may approve.

8.12 No person shall have the right to pledge the credit of the League without the prior written permission of Council.

## 9. **AUDITOR**

9.1 An auditor shall be appointed at each AGM to hold office until the next AGM, provided that the first auditor shall be appointed by Council.

9.2 The retiring auditor shall be eligible for re-appointment without being nominated.

9.3 Any member wishing to nominate a person other than the retiring auditor shall lodge his written nomination with the League Secretary not later than the 31st day of January immediately preceding the next AGM.

9.4 Only a person permitted to practice as an accountant or auditor may be appointed auditor Provided that he is not a member of Council nor shall he be the League Secretary or Treasurer.

9.5 Subject to the provisions of the foregoing Rule, Council may, until the next AGM, fill any casual vacancy that may arise in the office of auditor.

9.6 The auditor shall examine and verify the correctness of all accounts relating to the income and expenditure of the Headquarters Account for the financial year and of the relevant Headquarters balance sheet and shall furthermore either duly certify as to the correctness of such account and balance sheet or report to the members of the League as to the correctness thereof.

9.7 The auditor shall have the right of access to the securities, books, accounts, vouchers and other documents of the League and, in addition, may require from the members of the Council and other officers of the League, such information as may be necessary for the due performance of his duties as an auditor.

## 10. **GENERAL MEETINGS**

10.1 General meetings of members of the League shall consist of the Annual General Meeting and Special General Meetings.

10.2 At a general meeting of the League, whether annual or special, the President, or in his absence the Vice- President, shall be entitled to take the chair or failing both of them the meeting shall, from its own number, elect a member as chairman but in the event of a special general meeting convened upon requisition by members, the delegates so assembled shall elect from their own number a chairman for that meeting and any adjournment thereof.

## 11. ANNUAL GENERAL MEETINGS

11.1 The AGM shall be held in each and every year at such date, time and place as determined by Council from time to time.

11.2 The business of the AGM shall be:

- (i) (a) declaration of proxies;
- (b) to approve the rules of debate;
- (c) to approve or otherwise amend the minutes of any previous general meeting;
- (ii) to receive the annual report of the Council;
- (iii) to receive and consider the audited account of income and expenditure and balance sheet of the League as at the end of the financial year and the auditor's report if any, together with un-audited interim accounts of income and expenditure and balance sheet as at 31st December following;
- (iv) to receive a budget for the ensuing year
- (v) to declare the election of members of the Council
- (vi) to elect an auditor for the ensuing year.
- (vii) to adopt the subscriptions for the following year
- (viii) To consider and vote on any *intra vires* motion of which due notice shall have been given. Such an *intra vires* motion may be withdrawn by the proposer only with the approval of the meeting without dissenting vote. Any motion considered to be ultra vires shall be returned to the proposer for amendment or withdrawal. Should Council and/or the Legal Adviser deem it necessary to append an explanatory note or notes, the proposer's approval therefor and of the wording of such note/s should first be obtained in writing. The substance and wording of any note/s thus appended shall be such that they cannot reasonably be construed as argument in support of or against the contents of the motion or likely to marshal opinion for or against the motion in advance of the meeting.
- (ix) to consider any matter arising out of the foregoing and generally such other business which may be transacted, or ought to be transacted, at an AGM.
- (x) to ratify the date, time and place for the following AGM.

11.3 A member who desires to give notice of an matter or business which is to be considered or transacted at the AGM shall, not later than two (2) calendar months immediately preceding the AGM, lodge with the League Secretary, in writing a resolution in the form to be proposed at the meeting. Such notice shall be signed by the member, as Proposer, and by another member as Secunder.

11.4 The AGM shall be convened by the League Secretary by notice which shall be published on the SARL website, posted or sent by e-mail to the addresses of all members of the League at least 6 weeks before the AGM and shall specify the date, place and hour of the meeting and the nature of the business to be transacted. Such notice shall be accompanied by a copy of the general balance sheet of the League. The publication of the notice mentioned above, to be mailed or e-mailed at least 6 weeks before the AGM, shall be considered to be in compliance with the requirements of this rule.

11.5 Any Member or Associate may attend the AGM but only Members may vote. Participants in any discussion shall be confined to Members, members of Council, the honorary legal adviser and honorary technical advisor.

11.6 Any Member who is not able to personally attend an AGM is entitled to appoint any

member of the League, entitled to vote, to attend the AGM and vote on his behalf. Any vote so cast shall be binding as if cast by the member. The provisions of Rule 1.8 shall apply to any person selected as a proxy holder.

11.7 For the purpose of transacting any business at the AGM a quorum at the time of voting on a resolution shall consist not less than 10%, in person or by proxy of the total number of League members entitled to vote.

11.8 All decisions taken at the meeting shall require a majority of the votes cast by the Members present thereat and shall be decided in the first instance by a show of hands but any 10 members may request that the question at issue be decided by ballot in lieu of a show of hands.

11.9 In the event of a ballot the members shall appoint three ordinary members, other than members of Council, as scrutineers to compute the votes and report to the Chairman.

11.10 In the event of an equality of votes the chairman shall have a casting vote but he shall have no deliberate vote.

11.11 Not less than one third of members present, either before or immediately after any vote upon a motion has been taken, may call for a general ballot of all members of the League in which event, in so far as the question at issue only is concerned, it shall be dealt with as hereinafter provided.

11.12 Before the conclusion of the AGM the members shall, for the purpose of the aforesaid ballot, appoint scrutineers, other than members of Council and the League Secretary and treasurer, to count and check the votes cast in the general ballot, as hereinafter provided. Should the members omit or fail to appoint the said scrutineers, Council shall do so.

11.13 Council shall, within 4 weeks from the date upon which the aforementioned ballot was demanded, cause voting papers to be prepared and posted to every member of the League entitled to vote, together with a pre-addressed envelope directed to the scrutineers of the ballot.

11.14 Such voting paper shall:

- (i) clearly indicate the question at issue;
- (ii) provide for an affirmative or negative vote;
- (iii) enquire the name, signature and callsign, if any, of the voter; and furthermore require the return of the voting paper to the scrutineers by 4:00pm on the closing date. Such closing date shall not be earlier than four, nor later than eight, weeks after the conclusion of the AGM.

11.15 At the close of the ballot the scrutineers appointed shall count the votes, rejecting the doubtful and spoiled papers, and report to the chairman of the AGM the result of the voting and such report shall be recorded in the minutes of the meeting as the decision of the members of the League upon the question at issue.

11.16 The decision as to the eligibility of the member to vote and/or the validity of the voting paper shall rest entirely with the scrutineers who, if necessary, shall have full access to all the books and records of the League for this purpose and may call upon the League Secretary and/or treasurer for such assistance as may be required.

## 12. **SPECIAL GENERAL MEETINGS**

12.1 A Special General Meeting may be convened at any time:

- (a) by Council;
- (b) upon requisition lodged with the League Secretary and signed:
  - (i) by at least four members of Council; or

(ii) by not less than twenty members of the League entitled to vote.

12.2 The purpose of the SGM shall be clearly stated by Council or in the requisition.

12.3 Upon receipt of Council's instructions or the requisition, the League secretary shall call the SGM for a date within six weeks thereafter and shall, within seven days, post notices to every member entitled to vote. The notice shall state the date, time and place of the SGM and shall indicate at whose instance the meeting is convened and the purpose thereof.

12.4 The relevant Rules governing an AGM shall *mutatis mutandis* apply to an SGM with regard to:

- (a) the place where the meeting shall be held;
- (b) the quorum;
- (c) the right to call for a general ballot;  
the right of any member to take part in the discussion and to vote upon a resolution submitted by him to the SGM in terms of Rule 11.3;
- (d) the chairman's vote;
- (e) any matter not inconsistent with these Rules, except that:
  - (i) the SGM shall elect its own chairman if the meeting has been convened by requisition of twenty or more members;
  - (ii) the League Secretary shall hand to the chairman of the SGM at the commencement of the meeting a list showing the number of qualified voters and proxies attending the meeting;
  - (iii) the business of the meeting shall be restricted to the purpose thereof;
  - (iv) if, at the time appointed for the meeting or within thirty minutes thereafter, there be no quorum, the meeting shall be adjourned to a date and time not sooner than 2 weeks and not later than 4 weeks hence, at which time provided there are no fewer than 20 members present, those present shall be considered a quorum.

### 13. MINUTES

Minutes of the proceedings at all general meetings of the League shall be kept by the League Secretary and shall be ratified by the Council not later than at its second meeting after the AGM or SGM, as the case may be, and confirmed at the next general meeting of the League and shall be signed by the chairman of such meeting. A copy of the minutes shall be forwarded to the Honorary Legal Advisor within 60 days. A synopsis of the minutes shall be circulated to the members in the first newsletter following the ratification.

### 14. GENERAL POSTAL BALLOTS

14.1 A General Postal Ballot on any matter affecting the interest of the League shall be taken:

- (i) at the request of Council; or
- (ii) upon the signed requisition of four Council members;
- (iii) upon the requisition signed by at least twenty members of the League, entitled to vote; or
- (iv) otherwise demanded by these Rules.

14.2 The request for the GPB shall clearly state the subject matter of the ballot and shall be lodged with the League Secretary.

14.3 The League Secretary shall fix a closing date for the ballot which shall not be earlier than four nor later than eight weeks from the date of receipt of such request, provided that if the request is at the instance of Council, such date shall be as determined by Council, but not earlier than four weeks.

14.4 Within one calendar month after receipt of the request, the League Secretary shall post ballot forms to every member entitled to vote. The ballot form shall, inter alia:

- (i) state clearly the question at issue and indicate at whose instance the ballot is being held;
- (ii) provide for an affirmative or negative vote;
- (iii) require the name and signature of the voter, together with his callsign, if any;
- (iv) state the closing date of the ballot;
- (iv) notify the voter that he must transmit his ballot form to reach the scrutineers before 4 p.m. on the closing date.

14.5 Thereafter the provisions of Rule 11.15 shall be followed, save that Council shall appoint the three scrutineers from ordinary members, who shall not be Council members.

14.6 The GPB shall be subject to the following provisions:

- (i) only a member who has been on the Register of Members prior to the notice of the GPB shall be eligible to vote, provided he is otherwise entitled to vote;
- (ii) the eligibility of a member to vote and/or the validity of his voting paper shall rest entirely with the scrutineers who, if necessary, shall have full access to all the books and records of the League for this purpose;
- (iii) the result of the ballot, as declared by the scrutineers, shall be in the form of a certificate signed by the scrutineers and League Secretary and shall state:
  - (a) the total number of votes for and against;
  - (b) the total number of voting papers rejected for any valid reason;
- (iv) the majority result of the total number of votes for and against shall be the decision of the GPB on the question at issue and such decision shall thereupon be duly minuted, whereupon it shall be binding on the League and effect thereto shall be given as soon as practicable.

14.7 The League Secretary shall transmit true copies of the certificate by the scrutineers to Council.

#### 14. **OMISSIONS**

The accidental omission to transmit a notice of any general meeting of the League or a general postal ballot form to any member or the non-receipt of such notice or form by any member shall not vitiate any decision made by such meeting or ballot.

#### 16. **COUNCIL**

16.1 Candidates for membership of Council shall only be nominated by members of the League who are entitled to vote.

16.2 No nomination shall be valid unless:

- (i) it is submitted in writing, duly signed by the proposer and seconder, together with a statement containing details of the specific qualifications, abilities and membership of any related Amateur Radio organisations of their candidate;
- (ii) it discloses the candidate's name and address;
- (iii) it is accompanied by a written statement signed by the candidate whereby he consents to serve as a member of Council;
- (iv) and it is lodged with the League Secretary not later than the 30th of November in any year.

16.3 No person shall be eligible for election to Council who:

- i. is in arrears with his membership subscription at the date of his nomination;
- ii. is otherwise disqualified in terms of these Rules or whose name has been removed from, and not restored to, the Register of members;

iii. is an immediate family member of a paid employee of the SARL

16.4 The members of Council shall be elected every year by the ordinary members of the League entitled to vote and such election shall be conducted by way of a General Postal Ballot. See Rule 16.12(l).

The voting paper used in connection with such ballot shall bear a serial number and shall, *inter alia*, clearly state;

- (i) the names of those retiring Council members who offer themselves for reelection, and who have been duly nominated;
- (ii) the names of those members who have been nominated together with a summary of their qualifications for the post;
- (iii) the number of vacancies in respect of which a member is required to record his vote.

16.5 The provisions of Rule 14.6(ii) notwithstanding, no voting paper used in connection with an election of members to Council shall be valid unless the member so voting casts only one vote in respect of any one candidate. The provisions of Rule 14.4(iii) notwithstanding, no voter shall be required to disclose his name and call sign, if any, in the case of a ballot for the election of members to Council.

16.6 In the event of the nominees for election not being greater than the number of members to be elected, such nominees and retiring members shall be declared by the chairman of the relevant AGM to be duly elected, and in which event the aforementioned ballot shall not be necessary insofar as such members are concerned.

16.7 If two or more candidates obtain an equal number of votes, the candidate or candidates to be elected, shall be determined by lot at such AGM

16.8 The members of Council for the ensuing year shall be declared by the chairman at the AGM.

16.9 The League Secretary shall, immediately after the AGM, notify a member of his election to Council.

16.10 Save as in these Rules otherwise provided, no member of Council shall hold office for a period exceeding three years, unless he is from time to time so elected.

16.11 A retiring member may offer himself for re-election only if he is proposed and seconded as provided for in these Rules.

16.12 Whenever a casual vacancy occurs on Council, the remaining members may appoint any qualified member of the League to fill that vacancy until the next AGM;

- (i) Where a casual vacancy occurs after the close of the annual nominations, and before the Notice of the AGM has been posted, Council shall call for nominations to be submitted to the SARL Secretary on the morning of the AGM. The members present shall vote for the nominees per the procedure set in rules 11.7,11.8, 11.9, and 11.10.
- (ii) The candidate elected under (i) above, shall hold office for the unexpired period of office of the vacating member.

16.13 Any member of Council or any office-bearer may at any time resign his office upon giving thirty days written notice of his intention to do so, to the League Secretary and such resignation shall take effect upon expiration of such notice or upon its earlier acceptance by Council.

16.14 A member of Council shall, ipso facto, cease to hold office if, *inter alia*:

- (i) he, without obtaining permission from Council, absents himself from three consecutive meetings thereof, except where he can prove to the satisfaction of Council that his absence was due to circumstances beyond his control and which precluded him from obtaining leave of absence;

- (ii) he ceases to be, or is suspended as, a member of the League, as in these Rules provided;
- (iii) upon a resolution adopted by not less than two-thirds majority of the full number of Council, he be requested to resign;
- (iv) he be requested to resign upon a resolution - of which due notice has been given – adopted by the members of the League, or their delegates, as the case may be, assembled in general meeting as in these Rules provided.

16.15 The person who held office as League Secretary prior to the last AGM, or failing him any member of Council, shall within thirty days after such AGM convene the first meeting of the incoming Council. Council must budget for an annual sum to be used for travel assistance or assistance for transmission of documents ( see section 16.20.2 below) for Councillors participating at each meeting. This amount is to be administered by an administration committee.

16.16 Thereafter Council shall meet as often as necessary for the transaction of business of the League, provided, however, that a full meeting be held at least twice a year where a quorum of Councillors are physically present

16.17 Council shall also meet whenever summoned by the League Secretary, who may convene a meeting at any time.

16.18 Any two members of Council may, upon a requisition signed by them, require the League Secretary to convene a meeting of Council.

16.19 Any League member may attend any meeting of the Council; but at any such meeting he shall not be entitled to take part in the discussion on any subject, nor be privileged to cast a vote.

## **QUORUM**

16.20 Not less than 51% of council members shall form a quorum at Council meetings and all matters shall be decided by a majority of the members participating either in person or remotely via telephone conference.

16.20.1 Councillors from areas more than 100km from the National Amateur Radio centre should as often as possible participate by telephone conference.

16.20.2 Councillors participating by telephone conference shall make available all documents relevant to their participation in the meeting, to the SARL office and all councillors by e-mail or fax. This is to be done at least 72 hours before the commencement of the meeting.

16.21 Each member shall have one vote only, and in the case of equality of votes, the chairman of the meeting shall have a casting vote as well as a deliberative vote.

## **NOTICE**

16.22 At least seven days written notice shall be given to each member in the case of the first meeting after the AGM, but subsequent meetings shall be convened in such manner and form as Council may from time to time decide.

## **OFFICE BEARERS**

16.23 At every first meeting held after the AGM the Council members shall, from among their number, elect a chairman and a vice-chairman who shall also be the President and

Vice-President of the League, respectively.

16.24 Council shall also at such first meeting, or as soon as possible thereafter, appoint in either an honorary or paid capacity a Secretary and a Treasurer provided that Council may, in its discretion, combine the office of Secretary and Treasurer.

16.25 An Honorary Secretary and Honorary Treasurer shall attend all meetings of Council but shall not be entitled to vote thereat unless they have been elected to Council as in these Rules provided.

16.26 Council may also, in its discretion, from time to time appoint in an honorary capacity any other office bearers, including an editor, advertising and/or business manager, technical adviser and a legal adviser.

16.27 The honorary legal adviser (and the honorary technical adviser) shall be entitled:

- (i) to receive the notice and agenda of every Council meeting and the minutes thereof;
- (ii) to attend any meeting of Council;
- (iii) to take part in the deliberations of Council meetings, but he shall have no vote thereat unless he be an elected member of Council;
- (iv) to submit, in person or in writing, for consideration at any meeting of Council, AGM or SGM, his views or opinion upon any matter concerning the interests of the League.

16.28 All honorary office bearers shall hold office until the AGM immediately following the date of their appointments whereupon they shall retire, provided that Council, in its discretion, may extend the date of such retirement for a period not exceeding three months from the date of the aforementioned AGM.

16.29 Any of the office bearers, not being members of Council, shall at the request of Council attend any or all of its meetings but shall not be entitled to vote thereat.

16.30 Save as otherwise in these Rules provided, all members of Council and/or office bearers shall act in an honorary capacity, but nothing therein contained shall be deemed to prohibit the payment by Council to any office bearer, not being a member of Council, of any sum of money for services rendered and to a member of Council of any sum of money for special services rendered, but such payment shall be subject to the funds of the League permitting, and provided further that such payment shall first have received the approval of members assembled in A.G.M. as in these Rules provided.

## **MINUTES**

16.31 Council shall cause minutes to be kept of the proceedings of all its meetings and of the resolutions passed thereat, and such minutes shall, after approval, be signed by the chairman of the next succeeding Council meeting.

16.32 Copies of the minutes of every Council meeting shall, within thirty days after confirmation of the minutes, be sent to the honorary legal adviser, and to any member on his written request.

16.33 No resolution of Council shall be altered, or rescinded, unless prior notice be given of the intention to bring forward a resolution to this effect at a subsequent meeting and at least two-thirds of the full number of Council members vote in favour of such alteration or rescission.

## POWERS

16.34 Subject to the provision of these Rules, Council may, in addition to the powers and authorities expressly conferred upon it by these Rules, exercise all such powers and do all such acts and things as may be exercised or done by the League and are not by themselves expressed or directed to be done only by the members of the League, assembled in general meeting.

16.35 Without prejudice to the general powers conferred upon Council by these Rules, it is hereby expressly declared that Council shall have the following additional powers, that is to say, power:

- (i) to appoint and, in its discretion, remove or suspend such managers, secretaries, officers, clerks, agents and servants for permanent, temporary or special services as it may think fit and to determine their powers and duties and fix their salaries or emoluments and to require security in such instances and to such amount as it may think fit;
- (ii) to appoint from time to time and upon such conditions as it may think fit, and to remove honorary officials and, from available funds of the League, recommend that their services be rewarded;
- (iii) to determine who shall be entitled to sign on behalf of the League bills, notes, receipts, endorsements, cheques, releases, contracts and documents;
- (iv) to make and give receipts, releases and other discharges for monies payable to the League and for the claims and demands of the League;
- (v) to enter into such negotiations and contracts and rescind and vary any or all such contracts and execute and do all such acts, deeds and things in the name and on behalf of the League as it may consider expedient for, or in relation to, any of the matters aforesaid or otherwise for the purpose of the League;
- (vi) to secure the fulfillment of any contracts or agreements entered into by the League, by mortgage or charge, of all or any of the property of the League, for the time being, or in such manner as it may think fit;
- (vii) at its discretion to raise or borrow or secure payment of any sum or sums of money for the purpose of the League;
- (viii) to purchase or otherwise acquire for the League any property rights or privileges which the League is authorised to acquire, at such price and generally on such terms and conditions as it may deem fit, and to nominate the officers or trustees of the League in whom by law such property shall require to be vested, with the power to vary same;
- (ix) to institute, conduct, defend, compound or abandon any legal proceedings by or against the League, or its officers, or otherwise concerning the affairs of the League, and also to compound and allow time for payment or satisfaction of any debts due and any claims or demands by or against the League; (x) to refer any claims or demands by or against the League to arbitration and observe and perform the awards;
- (xi) to invest and deal with any of the monies of the League not immediately required for purposes thereof upon such securities and in such manner as it may deem fit and from time to time to vary or release such investments;
- (xii) to arrange with any other club or association for reciprocal concession or otherwise;
- (xiii) To appoint sub-committees from its own number or from members of the League for such purposes and with such powers as it may deem fit, and to dissolve them. The Chairman of Council or, in his absence the vice-chairman, shall be ex officio a member and the chairman thereof, failing whom the sub- committee shall elect one of its members to be chairman;
- (xiv) on recommendation of the AGM or SGM:
  - (a) to appoint a patron or patrons of the League;
  - (b) to confer special recognition in suitable form upon any member of the League for outstanding services to his country, radio science, amateur radio, or other ideal;
- (xv) to take any urgent measures that may be necessary to carry out the objects of the League where delay would be to the detriment of the League or its members;

(xvi) to establish:

(a) a Technical Committee, responsible to Council, under the chairmanship of the technical adviser to Council;

(b) The President, or in his absence the vice-chairman of Council, shall be ex -Officio member of the technical committee and the President may elect to lead any official delegation of the committee, by arrangement with the chairman.

(c) Council may delegate to the technical committee such as its powers as an AGM or SGM may by resolution request.

## **VALIDITY OF ACTS**

16.36 Every act of Council purporting to be done on behalf of the League shall be deemed the act of the League and no omission or defect in the qualification or election of any member of Council shall invalidate any such act, provided that such omission or defect was not known at the time when the said act was done.

## **17. PROXY**

17.1 Every member entitled to vote shall be entitled to be represented by proxy, provided that no person shall act as a proxy unless he is entitled on his own behalf to be present and vote at the meeting at which he acts as proxy.

17.2 The instrument appointing a proxy shall be in writing under the hand of the grantor and shall be in such form as Council may from time to time decide, provided that Council shall accept any other form of proxy which clearly and adequately indicates the intention of the person granting it and provided further that it is duly signed in accordance with law.

17.3 Unless specifically otherwise stated therein no instrument of proxy shall be valid for more than one meeting and any adjournment thereof, and no such instrument shall be used at an adjourned meeting which could not have been used at the original meeting.

17.4 The form of proxy shall be lodged with the League Secretary at least half-an-hour before the meeting, at which it is to be used and Council's decision, as the case may be, as to whether the form so received is in order or not, shall be final.

## **18. RULES BINDING**

18.1 These Rules shall be binding upon the League and all members and officials thereof.

## **19. CONSTITUTION AND RULES**

Council shall cause copies of the Constitution and Rules, and any amendment from time to time made thereto, to be sent to League Auditor and honorary Legal Adviser of the League and to any member on request.

## **20. INTERPRETATION**

Should any question arise as to the interpretation or meaning of these Rules, or the procedure to be adopted thereunder, as to the action to be taken in respect of any matter affecting the League and not provided for, Council shall decide such question in consultation with the honorary Legal Adviser and such decision shall be final and binding upon the League, its officers and members; unless and until the League should decide such question otherwise at any AGM, SGM or by General Postal Ballot of the League.

## 21. REGISTER OF MEMBERS

21.1 There shall be kept and maintained by the League in such form as Council may direct, clearly showing in accessible manner:

- (i) the name, address and callsign, if any, of every member of the League;
- (ii) the class of membership;
- (iii) the date of election of each member;
- (iv) whether the member's subscription has been paid for the current year and the date of payment;
- (v) changes made from time to time through transfer, resignation, suspension, expulsion or otherwise.

21.2 The register shall be open for inspection by any member of the League, the scrutineers and by the League auditors.

21.3 Council, the chairman at any AGM or SGM of the League, and any other person authorised by these Rules, shall be entitled to receive forthwith from the League Secretary a certificate giving any details called for with regard to membership. Such certificate shall be signed and dated by the League Secretary and by the President, failing whom, one member of Council.

21.4 Council shall be directly responsible for keeping the register up to date, provided members have complied with any request for details required by these Rules.

## 22. AWARDS

22.1 The following shall be, in order of honour, awards which may be conferred upon members:

- (i) **HONORARY LIFE MEMBERSHIP;**
- (ii) **WILLIE WILSON GOLD BADGE AWARD;**
- (iii) **JACK TWINE MERIT AWARD**

22.2 The qualifications of these awards shall be:

- (i) HONORARY LIFE MEMBER, (as provided for in Rule 2.1);
- (ii) THE WILLIE WILSON GOLD BADGE AWARD  
for Exceptional and Meritorious service to the League, awarded
  - (a) at Council's own instance;
  - (b) by decision of an AGM;
- (iii) THE JACK TWINE MERIT AWARD ( See Rule 22.3)

### 22.3 JACK TWINE AWARD

To recognize qualities such as unselfishness, clean operating and a genuine interest in Amateur Radio and its affairs. The Award will be made to Amateurs who, in the opinion of their fellow amateurs and the League's Council, exemplify the qualities desirable in a Radio Amateur. The Award will be known as The Jack Twine Merit Award. It will be made:

- (i) At the Council's own instance, provided that 75 per cent of the Councillors present and voting are in agreement;
- (ii) On a proposal signed by six members of the League in good standing. Provided it can be certified:
  - 1. In the case of transmitting member, he or she is considered to be an efficient and courteous operator whose transmissions are known to be good, clean signals above

reproach, and provided that in all cases he or she has been a member of the League for any unbroken period of not less than five years.

2. He or she deserves the award on any of the following grounds:

(a) Has served with diligence on a club (or League Branch) committee for at least three consecutive years, and

(b) Has consistently assisted others, particularly novices, with technical advice or operating instructions, and

(c) Has performed some other outstanding services in the cause of Amateur Radio.

(d) In the case of Council members, the Annual General Meeting may grant the award, provided that 75 per cent of the members present and voting should be in agreement.

22.4 Nothing contained in this constitution and rules shall prejudice awards referred to in rule

22.1 existing under the League's superseded constitution which awards shall remain in full force and effect.

## 23. **HAMNET**

23.1 Any official of HAMNET must be a member in good standing of the League as provided for in these rules. Such a person shall cease to be an official of HAMNET if he no longer is a member of the League.

23.2 The activities of HAMNET shall be governed by the rules as laid down by Council from time to time.

## 24. **AFFILIATION**

24.1 Council may approve the affiliation of clubs or other organisations which have aims and objectives in common with those of the League subject to the following criteria;

24.2 Council shall have the right to review an organisations affiliation should its aims and objectives no longer be in common with those of the League or should it not meet the conditions specified in rule 24.4. (Rule amended at AGM 1997).

24.3 Affiliated organisations shall have in place a principles;

(i) The organisation shall have a recognisable name;

(ii) The objectives shall be consistent with the promotion of the Amateur Radio Service.

(iii) The managing committee shall be elected from the ranks of its members, by its members.

(iv) Provision shall be made to secure the members assets and ensure the proper administration thereof.

(v) Membership should be open to all South Africans.

## 25. **BRANCHES**

25.1 A group consisting of at least 10 paid up members of the SARL or such lesser number as may be approved by the SARL, may form a Branch of the SARL, who shall abide by the rules of the League as may apply from time to time.

25.2 Branches shall be required to comply with the Constitution and Rules of the SARL at all times.

25.3 Branch members shall at all times be fully paid up members of the SARL.

25.4 A branch shall have a Constitution and Rules conforming with and subject to those of

the SARL and such rules shall be approved by Council of the SARL before coming into effect in any way.

25.5 Branch governance shall be by committee over which shall preside a chairperson, and both the committee, its composition, the chairperson and other functionaries shall be appointed in terms of the rules of the branch.

25.6 Branches will hold regular branch meetings on the appointed days and frequency, which frequency should be no lower than once in every two months, and internal matters of the branch, radio amateur and related issues and matters regarding the SARL and related issues will form the subject matter of such meetings.

25.7 A branch will have one vote at the SARL AGM for every ten paid up members, and for this purpose only full numbers of ten are counted. Apart from this the members of a branch shall have the normal votes allocated to them in terms of the SARL Rules.

25.8 Branches will be entitled to all rights and privileges as may from time to time be decided by the Council of the SARL and can apply for such assistance as the Council of the SARL may be able to render.

25.9 The SARL President or his nominee may from time to time attend meetings of the Branch, and all minutes of Branch Meetings must be submitted to the SARL. Council, or its nominee, will decide any dispute, arising within a branch that cannot be solved by the branch.

25.10 Within a month after its AGM a branch shall submit to head office a copy of its Annual Calendar of events, which shall include the dates of the set meetings for the year and that of the next Annual General Meeting.

25.11 Branches shall be financially self-supporting and independent, and such Branch membership fees, as may be decided from time to time, will form the basis of its income. Branches may undertake fund raising in any legal manner not conflicting with the nature and spirit of amateur radio and social acceptability.

25.12 Branches shall operate a banking account, and due financial control shall be kept over its financial affairs, in accordance with its rules, which shall provide for an audit at least once per annum and audited statements shall be submitted to the SARL for information only immediately after acceptance by the Branch AGM of such audited statements.

25.13 Should a Branch cease to function, Council shall appoint a custodian to take control of Branch assets, and the proceeds thereof shall be transferred to the SARL which shall be held in custody for at least 5 years, should the Branch not be reactivated within that period, the Custodian under guidance of Council shall disburse such assets at the sole discretion of Council.

25.14 In the event of anything in these rules being in conflict with or incompatible with any other rule elsewhere in these rules, such other rule shall take precedence and Council shall resolve the issue at its discretion.

*Amended SGM and AGM 28<sup>th</sup> April 2001.  
Amended SGM and AGM 20<sup>th</sup> April 2002  
Amended SGM and AGM 29<sup>th</sup> March 2003  
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