



**SCOUTS**<sup>®</sup>  
South Africa

**THE CONSTITUTION OF  
SCOUTS SOUTH AFRICA**

**June 2013**

be prepared ●●●

## **ARTICLE I DEFINITION, AIM, PRINCIPLES AND METHOD**

### **1. Definition**

SCOUTS South Africa is governed by this Constitution as an independent, non-political, non-Governmental, non-profit and educational movement for boys, and girls and adults open to all without distinction of origin, race or creed, in accordance with the purpose, principles and method of the World Organisation of the Scout Movement conceived by the Founder Robert Baden-Powell and stated below.

### **2. Aim**

The Aim of SCOUTS South Africa is to contribute to the development of boys, girls and young adults in achieving their full potentials as individuals, as responsible citizens and as members of their local, national and international communities by:

- Developing their character;
- Training them in citizenship;
- Developing their spiritual, social, intellectual and physical qualities.

### **3. Principles**

SCOUTS South Africa is based on the following principles:

#### **a. Duty to God:**

Adherence to spiritual principles, loyalty to the religion that expresses them and acceptance of the duties resulting there from.

#### **b. Duty to others:**

Loyalty to one's country in harmony with the promotion of local, national and international peace, understanding and co-operation. Participation in the development of society with recognition and respect for the dignity of one's fellows and for the integrity of the natural world.

#### **c. Duty to self:**

Responsibility for the development of oneself.

### **4. Adherence to the Promise and Law**

All members of SCOUTS South Africa are required to adhere to the Scout Promise and Law or the Cub Promise and Law, as the case may be, conceived by the Founder in the following terms:

#### **a. The Scout Promise:**

“On my honour I promise that I will do my best –  
To do my duty to God, and my country;  
To help other people at all times;  
To obey the Scout Law.”

**b. The Scout Law**

1. "A Scout's honour is to be trusted.
2. A Scout is loyal.
3. A Scout's duty is to be useful and to help others.
4. A Scout is a friend to all and a brother to every other Scout.
5. A Scout is courteous.
6. A Scout is a friend to animals.
7. A Scout obeys orders.
8. A Scout smiles and whistles under all difficulties.
9. A Scout is thrifty.
10. A Scout is clean in thought, word and deed."

**c. The Scout Motto**

The Scout Motto is: "BE PREPARED."

**d. The Cub Promise**

"I promise to do my best -  
To do my duty to God, and my country;  
To keep the Law of the Wolf Cub Pack;  
and to do a good turn to somebody every day."

**e. The Cub Law**

"The Cub gives in to the Old Wolf,  
The Cub does not give in to himself [or herself]."

**f. The Cub Motto**

The Cub Motto is: "DO YOUR BEST."

**g. The Rover Motto**

The Rover Motto is: "SERVICE."

**5. Method**

The Scout Method is a system of progressive self-education through:

- a. A Promise and Law.
- b. Learning by doing.
- c. The Patrol System, i.e. Membership of small groups (e.g. the Patrol), involving, under adult guidance, progressive discovery and acceptance of responsibility and training towards self-government directed towards the development of character, and the acquisition of competence, self-reliance, dependability and capacities both to co-operate and to lead.
- d. Progressive and stimulating programmes of varied activities based on the interests of the participants, including games, useful skills, and services to the community, taking place largely in an outdoors setting in contact with nature.
- e. Adventure, creating challenging opportunities for the members to experience, practice and develop in accordance with the Aims of SCOUTS South Africa.

## **ARTICLE II TITLE, ORGANS, HEADQUARTERS AND JURISDICTION**

### **1. Name**

The name of the Organisation shall be SCOUTS South Africa (SSA) (formerly the South African Scout Association).

### **2. Organs**

The Organs of SCOUTS South Africa are:

- a. Social Partnership Groups [the Groups]
- b. The Scout Executive Committee [the Exco]
- c. The Governing Board [the Board]
- d. The National Volunteer Teams [National Teams]
- e. The Regional Teams
- f. The Employees [National Employees]
- g. The Scout Alumni [the Alumni]
- h. Scout Foundation [independent trust]

### **3. Headquarters and Jurisdiction**

- a. The operational management and control of SCOUTS South Africa is vested in a body known as the Scout Executive Committee [the Exco].
- b. The Headquarters of SCOUTS South Africa will be at the place determined by Exco.
- c. The jurisdiction of SCOUTS South Africa and the Scout Executive is the Republic of South Africa.

## **ARTICLE III MEMBERSHIP AND SOCIAL PARTNERSHIP**

### **1. Membership**

- a. Membership of SCOUTS South Africa is voluntary.
- b. Membership of SCOUTS South Africa is open to all boys and girls and adults irrespective of origin, race, creed, sect or class who accept and adhere to the Constitution, Principles, Aims, Policies and Regulations of SCOUTS South Africa and who make the Scout or Cub Promise as the case may be.
- c. Membership can be either via a Group Registration or directly to the National Association.

### **2. Eligibility**

- a. Any group of youth and adults is eligible for recognition with SCOUTS South Africa as a social partnership group provided they comply with the following criteria, namely the willingness of all members to:

- i. Take and abide by the Scout Law and Promise.
  - ii. Deliver the youth programmes of SCOUTS South Africa to the best of their ability.
  - iii. Undertake the necessary training to provide their youth members with the youth programme.
  - iv. Comply with SCOUTS South Africa Constitution, Organisational Rules and Policies
  - v. Enter into, and comply with, a social partnership agreement with SCOUTS South Africa.
- b. Recognition of a group can be granted, refused or withdrawn by the Chief Commissioner of SCOUTS South Africa should a group fail to comply with these criteria. If granted the group will be recognised as a SCOUTS South Africa group [Group].
  - c. A Group in good standing means that the Group has met all the requirements of the Social Partnership Agreement.

### **3. Rights**

- a. A Group in good standing under the terms of its social partnership agreement is entitled to:
  - i. One vote in respect of any vote on a proposed constitutional change.
  - ii. To vote in the election of two Group representatives to the SCOUTS South Africa Governing Board.
  - iii. Access, at relevant costs, to any programme, marketing or training material provided by SCOUTS South Africa.
  - iv. Utilise the branding, heraldry and uniform of SCOUTS South Africa subject to the applicable regulation and legislation regarding that usage.
  - v. Appeal to the Chief Scout in the event of suspension or withdrawal of recognition of a group.
  - vi. Apply for access to and usage of the properties of SCOUTS South Africa.
  - vii. Apply to participate in all Regional, National and International Events (via the appropriate channel).

### **4. Role**

- a. The social partnership Group, which is formed of one or more units of scouting, is the fundamental implementation organ of scouting. A unit is a Cub Pack, Scout Troop and/ or Rover Crew.
- b. The social partnership Group is formed for the purposes of providing quality scouting to the youth of South Africa according to the method programmes of SCOUTS South Africa for the furtherance of the aim of SCOUTS South Africa.
- c. Social partnership Groups will be registered by the Chief Scout.

### **5. Regions**

- a. For the purpose of the operation of scouting, Groups will be clustered on the basis of regions.

- b. The boundaries of regions will be determined by Exco from time to time as required to best further the aims of SCOUTS South Africa.

## **ARTICLE IV PRINCIPLES**

### **1. Religion**

- a. SCOUTS South Africa recognises freedom of religion and expects every member to adhere to spiritual principles, to be loyal to the religion that expresses them and to accept the resulting duties.
- b. Every member of SCOUTS South Africa must show tolerance and respect for the religious convictions of others.

### **2. Politics**

- a. SCOUTS South Africa is not connected with any political body.
- b. Every member has individual freedom of thought and action in political matters, if the aims of any political party to which he or she may give allegiance do not conflict with those expressed in this Constitution.
- c. No member of SCOUTS South Africa may influence or involve SCOUTS South Africa in any policy or practice of a party political nature nor take part as a Scout or in Scout uniform in any meeting, gathering or other occasion associated with any particular political party.

### **3. Military**

SCOUTS South Africa is not a military organisation.

### **4. Finance**

- a. The spirit of SCOUTS South Africa is that Scouts, and Cubs and Rovers should earn and not solicit money.
- b. All fundraising activities should comply with the Fundraising Policy in effect at the time of the fundraising. This policy will be established and modified by the Exco from time to time.

### **5. External Relations**

- a. SCOUTS South Africa is independent and subject only to its Constitution. It shall not be subject to control by any part of Government.
- b. SCOUTS South Africa will promote friendly relations with other organisations having similar aims.
- c. SCOUTS South Africa must, to the best of its ability, carry out its obligations to the World Organisation of the Scout Movement [WOSM] and promote friendship with other officially-recognised Scout Associations or formations.

## **ARTICLE V GOVERNING BOARD**

### **1. Role**

The Governing Board [the Board] is an oversight body tasked with ensuring:

- a. Compliance with the Policies, Organisational Rules and Constitution.
- b. That SCOUTS South Africa is acting in line with its Aims and Objectives and satisfies the criteria for membership of WOSM. The Governing Board is a strategic and not an operational organ of SCOUTS South Africa.
- c. The appointment and retirement of the Chief Scout.
- d. The satisfactory performance of the Chief Scout.
- e. Compliance with the Constitution of SCOUTS South Africa by all organs.
- f. The approval and implementation of a Strategy for growth and promotion of SCOUTS South Africa as produced by the Exco.
- g. Convivial relationships with other organisations with similar aims.
- h. The appointment and retirement of the trustees of the Scout Foundation.
- i. The proper functioning of the Scout Foundation including the performance of its investments.
- j. Approval of an annual Budget for SCOUTS South Africa.
- k. The appointment of the auditors of SCOUTS South Africa.
- l. Approval of Extra budgetary expenses exceeding the amount detailed in the Organisational Rules and changed from time to time.
- m. The appointment of the Ambassadors of SCOUTS South Africa.
- n. The appointment of the CEO will be ratified by the Board on the recommendation of the Chief Scout.

### **2. Composition**

The Governing Board is composed of:

- a. Elected voting members:
  - Six elected members, of which a minimum of four must come from outside the membership of SCOUTS South Africa. They must be elected as follows:
    - i. Two members elected by the SA Scout Alumni
    - ii. Two members elected by Scout Executive Committee
    - iii. Two members elected by the Groups
- b. Ex-officio voting member
  - i. Incumbent Chief Scout
- c. Ex-officio non-voting member:
  - i. Chief Executive Officer who will serve as secretary of the Board

### **3. Eligibility for Election**

- a. Elected voting members of the Board, other than those two members elected by the Groups, may not come from serving members of SCOUTS South Africa, but may be members of the Scout Alumni.

- b. Elected members must be people of good moral standing.
- c. Elected members must act in accordance with the Scout Law and Promise.
- d. Elected members are subject to the SSA Members Code of Conduct.
- e. A person may not be appointed as or remain as a member of the Board, as the case may be, if that person-
  - i. Is an unrehabilitated insolvent or becomes insolvent and the insolvency results in the confiscation of that person's estate;
  - ii. Has been declared by a competent court to be mentally ill;
  - iii. Has been convicted by a court in the republic, or elsewhere, of theft, fraud, forgery, perjury, or any other offence involving dishonesty;
  - iv. Has been convicted of any other offence, whether in the Republic or elsewhere, committed after the Constitution of the Republic of South Africa, 1993, took effect, and sentenced to imprisonment without the option of a fine;
  - v. Has been, or is, removed from an office of trust on account of misconduct in respect of fraud or the misappropriation of money;
  - vi. Has or acquires an interest in a business or enterprise which may conflict or interfere with the proper performance of his or her functions as a member of the board.

#### **4. Ethical Practices**

- a. All members of the Board must act independently and objectively as members of the Board. In doing so, members must act in the best interests of SCOUTS South Africa.
- b. Board Members are required to declare any interests that could constitute a real, potential, perceived or apparent conflict of interest with respect to their participation in the Board. The declaration must be made on appointment to the Board and in relation to specific agenda items at the outset of each Board meeting and must be updated as necessary.

#### **5. Chairperson**

- a. The Chairperson and Vice chairperson must be elected from the serving Board Members by the Board members.
- b. The incumbent Chief Scout may not be the Chairperson of the Board.
- c. The Chairperson and Vice chairperson will be nominated and serve for a period of 2 years.

#### **6. Term of service for elected members**

Each elected member of the Board is elected for a maximum of 3 years with an optional 2 year extension. At the end of this period of service a candidate must serve a cooling off period for at least one year before being considered eligible for election again.



## **7. Election and Extension of Members**

The Election of Board Members will be carried out as laid out in the Organisational rules of SCOUTS South Africa.

## **8. Vacancies**

Vacancies occurring amongst the elected members of the Governing Board must be filled for the remainder of the term that was still to be served by the resigning or deceased holder of the seat by a natural person elected by the organ which nominated the resigning or deceased holder.

## **9. Conduct of Affairs**

The Chief Executive Officer will serve as Secretary of the Board. Between meetings of the Board, matters will be submitted via the office of the Chief Executive Officer to members for consideration by correspondence.

## **10. Voting**

- a. Each voting member of the Board has one vote.
- b. Resolutions are taken by a simple majority of the voting members present personally or by proxy and voting.
- c. Members of the Board may vote by proxy given to another member of the Board with voting rights, but no member may accept more than one proxy.
- d. It is preferable that all decisions of the legally convened Board are arrived at by consensus; however in the event that a consensus is not achieved in a reasonable time the matter will be decided by vote.
- e. If a vote is required on a matter, the matter will be decided by a simple majority.
- f. If there is a tie vote on any matter, the Chief Scout will be granted a reasonable opportunity to address the board on the matter. The Board will vote again and if it is still a tie, the Chairperson must exercise a casting vote.

## **11. Meetings**

- a. A Meeting of the board may be called by the Chairperson, or any three members of the board acting in concert.
- b. Thirty days' written notice must be given of meetings of the Board.
- c. The notice for the meeting will comprise the agenda, relevant information for the agenda discussion items and supporting documentation or motions.
- d. The Board shall meet at least twice a year at a time and place decided by the Board.
- e. In case of emergency, and in the absence of the Chairperson's invitation, any three members of the Board may call an extraordinary meeting on seven days written notice, providing an explanation for calling the meeting and an agenda.

## **12. Quorum**

- a. A quorum of the board for a planned meeting comprises fifty percent of the members(rounded to the nearest whole number) plus one of the serving members, of whom one must be the Chief Scout, except for matters that directly affect the Chief Scout.
- b. If an emergency meeting of the Board is called and the Chief Scout is not available and subsequently does not make himself/herself available for a meeting within 30 days of the original scheduled meeting, the Board may meet with a quorum of fifty percent of the members (rounded up to the nearest whole number) plus one of the serving members in the absence of the Chief Scout.

## **ARTICLE VI CHIEF SCOUT**

### **1. Position**

The Chief Scout is accountable to the Governing Board for SCOUTS South Africa's performance of the defined functions of the position.

The Chief Scout will, on assuming the role, take the Scout Promise and if not an invested member of SSA, be invested at that time.

### **2. Functions and Responsibilities**

- a. The functions of the Chief Scout are:
  - i. To foster and encourage SCOUTS South Africa in South Africa and to seek and gain where reasonably possible the highest standard of effective Scouting in SCOUTS South Africa in all respects.
  - ii. To ensure where reasonably possible the compliance of all bodies in SCOUTS South Africa with this constitution.
  - iii. To submit the organisation's Annual Strategic Plan and implementation strategy to the Board for approval.
  - iv. To implement the approved strategic plan.
  - v. To provide for the provision and creation of the infrastructure that will ensure where reasonably possible that the social partnership model creates effective scouting.
- b. The Chief Scout is required to, wherever reasonably possible:
  - i. Attend all meetings of the Exco
  - ii. Attend all meetings of the Board

### **3. Powers**

- a. The Chief Scout has the following powers:
  - i. To accept and exercise the powers that the Board may from time to time ask the incumbent to accept and perform;
  - ii. To attend any of the meetings of any of the organs of SCOUTS South Africa.

- iii. To exercise such powers as he/she reasonably considers necessary to ensure compliance with the Constitution and promote the welfare and progress of SCOUTS South Africa, and to ensure the maintenance of the Constitution, Organisational Rules and Policies of SCOUTS South Africa.
- b. The Chief Scout is the Chairperson of the Scout Executive Committee.

#### **4. Appointment**

The Governing Board is responsible for ensuring that the position of Chief Scout is not vacant at any time.

The appointment and retirement of the Chief Scout is the right of the Board, and will follow the procedure documented in the organisational rules of SCOUTS South Africa.

#### **5. Term of service for Chief Scout**

The Chief Scout is appointed for an initial term of 3 years and may, at the end of that term, be re-appointed once for a period of a further 2 years by a two thirds majority of the Governing Board.

### **ARTICLE VII SCOUT EXECUTIVE COMMITTEE**

#### **1. Role**

- a. The Scout Executive Committee [the Exco] is the operational decision-making organ of SCOUTS South Africa. Its members must consider the interests of SCOUTS South Africa as a whole and must neither consider themselves, nor be considered, as representing any particular Group or Region.
- b. The role of the Exco is as follows:
  - i. To ensure that the welfare of SCOUTS South Africa is paramount in all operational decision making.
  - ii. To approve, oversee and support all Groups' activities.
  - iii. To prepare and implement action and triennial strategy plans for SCOUTS South Africa.
  - iv. To ensure adequate resourcing and support is provided to the Groups by national and regional teams.
  - v. To supervise the management of all legal bodies created on behalf of SCOUTS South Africa.
  - vi. To appoint sub-committees and working groups as required to realise the Aim of SCOUTS South Africa.
  - vii. To secure compliance with the Constitution of SCOUTS South Africa by all organs and to implement all SSA Organisational Rules and Policies.

## **2. Composition**

- a. The Scout Executive Committee is composed of the following voting members:
  - i. The Chief Scout
  - ii. The Chief Commissioner
  - iii. The Chief Executive Officer
  - iv. The National Youth Programme Chairperson
  - v. The Young Leaders' Representative
  - vi. Channel Coordinator: Scouting in Schools
  - vii. Channel Coordinator: Community Scouting
  - viii. Channel Coordinator: NGOs and Churches
  - ix. National Adult Support Chairperson
  - x. Chairperson of the National Finance Committee
  - xi. Chairperson of the National Property Committee
  - xii. Chairperson of the National Marketing Committee
  - xiii. The chairperson of any other operational working group established by the EXCO and allocated to the CC's or CEO's control by that body or the CS.
- b. The Chief Scout is Chairperson of the Exco.
- c. The Chief Commissioner will lead and be responsible for the Operational Executive team comprising:
  - i. The National Youth Programme Chairperson
  - ii. The Young Leaders' Representative
  - iii. Channel Coordinator: Scouting in Schools
  - iv. Channel Coordinator: Community Scouting
  - v. Channel Coordinator: NGOs and Churches
  - vi. National Adult Support Chairperson
- d. The Chief Executive Officer will lead and be responsible for the Administrative Executive Team
  - i. Chairperson of the National Finance Committee
  - ii. Chairperson of the National Property Committee
  - iii. Chairperson of the National Marketing Committee
- e. Office bearers will be appointed or elected in the manner prescribed in the Organisational Rules [OR].

## **3. Eligibility and Selection**

- a. Any Member of SCOUTS South Africa is eligible to serve on Exco.
- b. The Chief Commissioner, Chief Executive Officer and other members of the Exco are selected and appointed according to the protocol laid out in the Organisational Rules.
- c. Ethical behaviour
  - i. All members of the Exco must act independently and objectively as members of the Exco. In doing so, members must act in the best interests of SCOUTS South Africa.
  - ii. Exco Members are required to declare any interests that could constitute a real, potential, perceived or apparent conflict of

interest with respect to their participation in the Exco. The declaration must be made on appointment to the Exco and in relation to specific agenda items at the outset of each Exco meeting and can be updated as necessary. A member of Exco with a conflicting interest may be asked not to participate in any discussion or decision of the matter in question.

#### **4. Term of service for elected members**

Each member elected is appointed for 5 years and can be re-appointed for 2 years by mutual agreement with the Scout Executive. No member may serve in the Exco for more than 7 years in the same capacity.

#### **5. Notice of Meetings**

Thirty days' written notice must be given of meetings of the Scout Executive.

#### **6. Conduct of Affairs**

The Chief Executive Officer serves as Secretary of the Scout Executive. Between meetings of the Scout Executive, matters will be submitted by the Chief Executive Officer to members for consideration by correspondence.

#### **7. Voting by Proxy**

Members of the Scout Executive may vote by proxy given to another member of the Executive with voting rights, but no member may accept more than one proxy.

#### **8. Functions**

- a. The General functions of the Scout Executive are:
  - i. To promote SCOUTS South Africa by means of visits, correspondence, training courses and other appropriate actions.
  - ii. To give consideration and feedback to the recommendations of the National Partnership Conference.
  - iii. To prepare the agenda and procedure of the meetings of the National Partnership Conference, giving consideration to suggestions from the Groups.
  - iv. To advise and assist Groups in carrying out the purpose, principles and method of Scouting.
  - v. To coordinate links with all organs of SCOUTS South Africa.
  - vi. To consider plans and strategies for SCOUTS South Africa and make appropriate proposals to the National Partnership Conference.
  - vii. To develop an acceptable 3 year strategic plan for the Board's approval.
  - viii. To liaise and promote good relationships with the Scout Foundation and receive its annual plans and strategies.
  - ix. To approve the creation and supervise the management of all legal bodies created on behalf of SCOUTS South Africa.

- x. To exercise other functions resulting from this Constitution.
- xi. To appoint Chairpersons of sub-committees and working groups on the recommendation of the Chairperson of the Scout Executive.
- xii. The Scout Executive may establish, on a permanent or ad hoc basis, such subsidiary committees or other organs as it deems necessary for the performance of its functions and all members of those bodies must have personal character qualities of honesty and integrity and must be fit and proper to perform their duties.
- xiii. To ensure compliance with the Constitution of SCOUTS South Africa and maintenance of the SSA Organisational Rules and Policies by all organs. To coordinate the holding of the Social Partnership Conference, giving consideration to suggestions from the Social Partnerships.
- xiv. To delegate Powers as may be required in their discretion to the Regional Representatives

b. The Administrative Functions of the Exco are:

- i. To approve the purchase/lease of real estate for use or occupation by SCOUTS South Africa and ensure that title in property purchased is registered in the name of SCOUTS South Africa according to legal requirements.
- ii. The execution and evaluation of the programmes/activities of the National Office.
- iii. To ensure that risks facing SCOUTS South Africa of whatever nature are assessed and appropriate Risk management measures put in place
- iv. To form a National Finance Committee.
- v. To form a National Property Committee.
- vi. To form an IT advisory Committee
- vii. To form a Marketing Committee
- viii. To form a Fundraising advisory Committee
- ix. To manage all the financial aspects of programmes/ activities of the National Office
- x. To approve the creation and supervise the management of all legal bodies created on behalf of SCOUTS South Africa
- xi. To designate Accredited Groups
- xii. To oversee compliance with all applicable laws and in particular section 18A of the Income Tax Act or any replacement or re-enactment of that section.

c. The Operational Functions of the Exco are:

- i. To decide upon granting of awards for services to SCOUTS South Africa.
- ii. To supervise and coordinate the organisation of National and Regional Scout Events.
- iii. To ensure adequate resourcing and support is provided by National and Regional Support Teams as defined in OR

- iv. To approve the admission of Groups applying for membership, and to suspend provisionally or cancel the membership of a Group on the recommendation of a Regional Commissioner.
- v. To develop programme material for the youth programmes.
- vi. To develop Policies.

## **9. Voting**

- a. Each member of the Scout Executive Committee has one vote.
- b. Resolutions are taken by a simple majority of the voting members present and voting. In the event of a tie, the proposer can address the meeting. There will be a revote and if still a tie, the Chief Scout will have the casting vote.

## **10. Meetings and Committees**

- a. The Scout Executive Committee must meet at least twice a year at such time and place as the Executive Committee may decide.
- b. The presence of fifty percent (rounded up to the nearest whole number) plus one voting members constitutes a quorum.
- c. The Chief Scout is the Chairperson of the Scout Executive.
- d. In case of emergency, and in the absence of the Chairperson's invitation, three members of the Scout Executive may call an extraordinary meeting providing an explanation for calling the meeting and an agenda.
- e. The Chief Scout is entitled to permit observers, including Scouts, to attend, but not to vote, at any meeting of the Scout Executive. They may speak at the discretion of the Chairperson.
- f. The remaining members may act notwithstanding any vacancy in their body.
- g. A resolution may be passed by the Executive in unassembled meeting in regard to any matter other than amendment to the Constitution. An unassembled meeting may be constituted by the Chief Executive Officer on the instructions of the Chief Scout by despatching, by post, to members of the Executive a ballot for signifying approval or dissent in regard to the matter in question. The resolution will be deemed to be duly passed as soon as the Chief Executive Officer has received the return of ballots indicating approval from more than half the members of the Executive. Should this not occur within ninety days after the despatch of the notices, the motion falls away. For the purpose of this Constitution any postal vote will be deemed to include electronic mail, facsimile and certified post.

## **ARTICLE VIII NATIONAL PARTNERSHIP CONFERENCE**

### **1. Composition**

- a. The National Partnership Conference is a dialogue between all members of SCOUTS South Africa.

- b. All Groups in good standing are entitled to be represented at any meeting of the National Partnership Conference by no more than two delegates.

## **2. Functions**

- a. The functions of the National Partnership Conference are:
  - i. To consider the policy and standards of SCOUTS South Africa throughout the Republic of South Africa and to take any action that furthers the purposes of SCOUTS South Africa.
  - ii. To consider reports and recommendations presented by the Scout Executive.
  - iii. To consider and vote upon recommendations brought forward by the Groups to Exco for consideration.

## **3. Meetings**

- a. There must be one meeting every three years of the National Partnership Conference at such time and place as the Exco may decide.
- b. An extraordinary meeting may be called on the decision of the Exco or at the request of not less than one third of the Groups.
- c. Six months' notice must be given for the three-yearly meeting and at least one month for an extraordinary meeting.

## **ARTICLE IX ACCOUNTS AND AUDIT**

- a. The National Office must ensure that proper books of account of all donations, money received and expended and of all assets and liabilities are kept.
- b. The books of account must be kept at the National Office or any other place that the Scout Executive Committee may direct and must be open for inspection by any member of the Exco or the Board on application.
- c. The Exco must have a banking account or accounts which are operated jointly by any two of those persons designated by the Exco from time to time.
- d. The Chairperson of the Finance Committee must at each meeting of the Exco submit the year to date financial situation of SSA.
- e. The financial year ends on 30 September following which the chairperson will submit within six months.
- f. SCOUTS South Africa's financial statements must be reviewed by a recognised Audit firm with the legally required certification who must make a written report to the Executive on the financial statements and such report must be attached to the financial statements.
- g. SCOUTS South Africa is obliged to submit annual tax returns to the Commissioner of the South African Revenue Service.
- h. In the event that SCOUTS South Africa is granted section 18A or



similar approval, proper receipts must be issued for all tax deductible donations received.

- i. Financial statements (consisting of income statements, balance sheets and any other document necessary to support the information in the financial statements) must be prepared and retained for a period of five years.

## **ARTICLE X INTERPRETATION AND AMENDMENTS**

- a. The Board's interpretation of the provisions of this Constitution is final.
- b. This Constitution may be amended by the Scout Board, subject to:
  - (i) Two-thirds of a quorum of the Scout groups in good standing at the time of the issuing of the motion, voting in support of the motion (except for amendments to Article I or Article II, where three-quarters of a quorum must vote in support of the motion). For the purpose of this vote a quorum will be fifty percent of the groups in good standing at the date of the notice of the motion being dispatched. The voting for the motion will be done by electronic or postal vote.
  - (ii) In the event that a quorum (as defined in (i) above) is not achieved by the closing date stated in the motion, which will not be sooner than 60 days after the date of dispatch of the motion, the motion will be referred to the Regional Commissioners and District Commissioners for a vote. The motion shall be deemed to be passed if two-thirds of all Regional Commissioners and District Commissioners, after due consultation with the Groups in their district, vote in support of the motion (except for amendments to Article I or Article II, where three-quarters of those Commissioners must vote in support of the motion). The voting for the motion will be done by electronic or postal vote.
- c. No amendment to this Constitution will become effective until it has been notified to and approved by the World Scout Committee.

## **ARTICLE XI LEGAL STATUS OF SCOUTS SOUTH AFRICA**

- a. SCOUTS South Africa is an organisation not for gain and does not confer the right on any person to participate in any profits or gains of SCOUTS South Africa. It is recognised as being a charitable and educational institution of a public character. It has perpetual succession, may acquire and dispose of assets, property and rights of whatever nature and may sue or be sued in its own name.
- b. All rights, authorities and assets which prior to this Constitution were registered in the name of the Boy Scouts of South Africa or South African Scout Association in the names of trustees for the Boy Scouts of South Africa or South African Scout Association or any

Province, Region or Scout Group, or in the name of the Chief Scout or any Divisional, Area, Provincial or District Commissioner or otherwise remain as from the commencement of the Constitution so registered; but any such entity which ceases to operate for whatever reason, the rights, authorities and assets of that entity will vest in SCOUTS South Africa as represented by its Scout Executive and may be dealt with by resolution of the Executive. The Executive has authority to delegate this power. All rights, authorities and assets which are acquired subsequent to this Constitution may be dealt with in the manner provided in SSA Organisational Rules and Policies as amended from time to time.

## **ARTICLE XII DISSOLUTION**

SCOUTS South Africa has continuous succession and continues to exist, despite changes in its membership, until nine-tenths of the number of members at an annual meeting or special meeting of a joint Scout Board and Scout Executive either personally or by proxy decide to dissolve SCOUTS South Africa, provided that the dissolution appears on the agenda which accompanied notification of the annual meeting or special meeting. Should there, in the event of the dissolution of SCOUTS South Africa and after payment of all its debts and liabilities, remain any assets whatsoever these assets must not be paid to or distributed among the members of SCOUTS South Africa but must be given or transferred to some other non-profit company, society, association or body of persons having objectives similar to the objectives of SCOUTS South Africa to be determined by the members of the Executive of SCOUTS South Africa at or before the time of dissolution.

**AMENDED CONSTITUTION ADOPTED BY A RESOLUTION OF THE NATIONAL SCOUT COUNCIL ON 22 June 2013.**



**Chief Executive Officer  
22 June 2013**