

PIETERMARITZBURG COMPUTER CLUB CONSTITUTION

1. NAME.

- 1.1. The Name of the Club shall be – PIETERMARITZBURG COMPUTER CLUB”.
- 1.2. The initials by which the CLUB shall be known shall be - “PCC”.

2. DEFINITIONS.

In this constitution, unless the context otherwise indicates:

- 2.1. “CLUB” means the Pietermaritzburg Computer Club.
- 2.2. “Committee” means the elected Executive Committee of the CLUB, as constituted in section 10 hereof.
- 2.3. “Chairman” means the Chairman for the time being of the CLUB.
- 2.4. “Secretary” means the secretary for the time being of the CLUB
- 2.5. “Treasurer” means the treasurer for the time being of the CLUB.
- 2.6. “Scribe” means the producer and publisher of the monthly CLUB magazine/newsletter and other notices of the CLUB.
- 2.7. “Publicity” means the publicity officer of the CLUB.
- 2.8. “Membership” means the membership officer of the CLUB.
- 2.9. “Area” means the area of jurisdiction of the CLUB, which unless otherwise stated or decided shall be the City of Pietermaritzburg and surrounding areas from which members or visitors are able to attend CLUB meetings.
- 2.10. “MEMBER” means a paid up member or an honorary member of the CLUB.
- 2.11. “Visitor” means a guest of a member or a visitor to a CLUB Meeting.
- 2.12. “Club Meeting” means a regular monthly meeting or special meeting of the CLUB.
- 2.13. “he”, “him” or “his” means he/she, him/her or his/hers as applicable.

3. THE AIMS and OBJECTIVES of the CLUB ARE:

- 3.1. to promote, advance, encourage, assist and protect the interests of MEMBERS and prospective MEMBERS in the care and use of computers; being computer hardware, software and peripherals;
- 3.2. to make, pass, alter, repeal or formulate rules and regulations relating to the conduct, control and general management of the CLUB and its MEMBERS;
- 3.3. to administer funds, property and assets of the CLUB in such a manner as may be in the best interest of MEMBERS, and for that purpose to operate banking and/or

- savings accounts with commercial banks, building societies or similar institutions;
- 3.4. to hold property, to purchase, hire, exchange, accept donations or otherwise acquire, sell, let, exchange, mortgage, pledge, donate or otherwise dispose of, improve, maintain, develop, turn to account of or otherwise deal with movable and immovable property of all kinds and any other assets of any kind, corporeal or incorporeal;
 - 3.5. to borrow money and, if deemed desirable, secure the re-payment of money in such a manner as the CLUB may deem fit, and to guarantee or secure the acts of any payment due by others; to invest the moneys of the CLUB on such terms and conditions as may from time to time be determined;
 - 3.6. to encourage the printing, publishing and dissemination of literature of any nature whatsoever, and to originate and maintain every reasonable means of publicity which may further the aims of the CLUB;
 - 3.7. to manage and conduct the affairs of the CLUB and all its assets and generally to do all such lawful things as are incidental or conducive to the attainment of any of its objectives or in accordance with its interests and for this purpose to enter into agreements, arrangements or contracts with any person, firm, company, body, association or other club;
 - 3.8. to encourage and promote the formation of sub-branches of the CLUB, primarily to accommodate MEMBERS with particular or specific interests allied to the use of computers.
 - 3.8.1. Sub branches may not authorise any expenditure (e.g. rent, postage, stationery), unless and until such expenditure has been authorised by the Committee.
 - 3.9. to arrange for knowledgeable speakers to address CLUB meetings.

4. CLUB COLOURS and BADGES -

- 4.1. The Committee shall be empowered to design and apply for registration of any such colours, cards, badges etc. and to arrange for their manufacture, control and issue upon such terms and conditions as it shall deem fit.

5. MEMBERSHIP

- 5.1. **Paid up** membership shall comprise those persons, families or other bodies who have been accepted for membership and who have paid the authorised dues for the current year;
- 5.2. **Honorary** membership shall comprise those MEMBERS who have been duly nominated and appointed to honorary membership of the CLUB in terms of section 9 herein.

6. TYPES of PAID UP MEMBERSHIP:

- 6.1. **PERSONAL MEMBERSHIP;** individuals who shall pay the prescribed individual

- personal membership fee;
- 6.2. FAMILY MEMBERSHIP; all individuals of one family living together who shall pay the prescribed family membership fee;
 - 6.3. CORPORATE MEMBERSHIP; some or all employees of an organisation, firm or company, which organisation, firm or company shall pay the prescribed corporate membership fee.
 - 6.4. STUDENT MEMBERSHIP: individuals who are currently attending a education institution who shall pay the prescribed individual student membership fee;
 - 6.5. Pensioner membership : individuals who are currently retired who shall pay the prescribed pensioner membership

7. APPLICATION for MEMBERSHIP.

- 7.1. All applications for membership shall be made in writing to the secretary, on the prescribed form.

8. ADMISSION to MEMBERSHIP.

- 8.1. All applications for membership shall be considered by the Committee and its decision shall be final. It shall not be necessary to provide any reason for rejection of any applicant. There shall, however, be no discrimination on grounds of race, politics, gender or religion.
- 8.2. The Committee shall, without avoidable delay, communicate its decision in respect of applications for membership.

9. HONORARY APPOINTMENTS.

- 9.1. Honorary MEMBERS of the CLUB may be appointed by a three quarter majority vote of those MEMBERS in attendance at an annual general meeting of the CLUB, and such appointments shall be for the lifetime of the person so appointed, or for a stated period.
- 9.2. Honorary MEMBERS of the CLUB shall be entitled to all benefits of the CLUB, including voting rights at CLUB and Committee meetings, but shall not be called upon to make any financial contribution to the CLUB during the period of honorary membership.

10. COMMITTEE.

- 10.1. The affairs of the CLUB shall be controlled by the Committee, which shall consist of not less than five (5) MEMBERS of the CLUB.
- 10.2. The Committee shall be elected in a democratic manner at each annual general meeting.

- 10.3. Should any member of the Committee fail, without obtaining leave of absence, to attend three consecutive regular meetings of the Committee, the remaining members of the Committee may resolve that he be expelled from the Committee, in which event a vacancy shall be deemed to have occurred. The defaulting member shall be notified in writing of the decision of the Committee.
- 10.4. The Chairman shall after his election and not later than the first Committee meeting, cause to be appointed a Secretary and Treasurer, from the elected committee members.
- 10.5. The Chairman may appoint sub-Committees at any time to carry out any specific task or tasks, from Committee or other MEMBERS.
- 10.6. The Chairman may at his sole discretion appoint additional MEMBERS to the Committee during the year, such appointments to be ratified by MEMBERS at the following regular meeting of the CLUB by the MEMBERS present.

11. PROCEEDINGS of the COMMITTEE.

- 11.1. The Committee shall hold regular monthly meetings at a convenient time and place, and such other meetings during the year as may be decided upon by the Chairman, or at the request of at least two other Committee members.
- 11.2. Not less than half the elected MEMBERS of the Committee shall form a quorum.
- 11.3. At least seven days notice of special Committee meetings shall be given by the Secretary to all members of the Committee, and a detailed agenda specifying the business of the meeting shall be attached to or form part of such notice.
- 11.4. Should the Chairman and the vice Chairman be absent from any Committee meeting the Committee members present shall appoint a Chairman for the purpose of that meeting.
- 11.5. The secretary and treasurer and any ex-officio members shall not have a vote at Committee meetings unless they also qualify as members of the Committee by reason of having been appointed in terms of Section 10 of this constitution.
- 11.6. Decisions of the Committee shall be by simple majority and the Chairman of the meeting shall have a casting vote as well as his normal vote. All members of the Committee present at a Committee meeting who are entitled to vote shall be obliged to do so on any issue and shall not be entitled to abstain. Should any member, despite the provision of this sub-paragraph, decline to cast a vote he shall be deemed to have voted against the relative proposal or motion.
- 11.7. Notwithstanding the provisions of Section 11.6 above, should a member of the Committee have an interest in any proceedings, whether direct or indirect, he may excuse himself from the meeting during discussion of the matter, and may abstain from voting on that particular matter.
- 11.8. The secretary shall record detailed minutes of the proceedings of Committee meetings and the Annual general meeting. These minutes are to be made available at the next such meeting.

12. POWERS of the COMMITTEE.

The Committee shall have the power and authority to:

- 12.1. Employ persons to attend to the business of the CLUB, to remunerate and discharge them;
- 12.2. Regulate and control all matters relating to and affecting conduct and administration of the CLUB;
- 12.3. Control and administer all moneys, property and assets of the CLUB in such manner as it may deem to be in the best interests of the MEMBERS.
- 12.4. Open and operate such banking, building society or other accounts as it may deem necessary or desirable and to decide in what manner such accounts shall be conducted, subject, however, to the provision that all cheques and/or withdrawals shall be signed by two or more of the group of persons consisting of the Chairman, Vice Chairman, Treasurer, Secretary.
- 12.5. Appoint sub-Committees and/or auxiliary Committees and to assign to such Committees powers and duties which are not inconsistent with this constitution.
- 12.6. Investigate and deal with all disputes involving MEMBERS and CLUB matters and if necessary to suspend either temporarily or permanently any MEMBER. In such case no CLUB fees shall be refunded to such member.
- 12.7. Pay such reasonable expenses as it may deem fit to persons carrying out duties as directed by the Committee.
- 12.8. Fill any vacancy that may occur on the Committee.

13. DUTIES of the COMMITTEE.

The Committee shall:

- 13.1. Keep proper books and records of all revenue received and expenditure incurred by the CLUB.
- 13.2. Prepare and submit to the MEMBERS on the occasion of the annual general meeting financial statement(s) giving a true and fair statement of the financial affairs of the CLUB as at the last day of the CLUB financial year, at present 31st December.
- 13.3. Maintain a record of all assets and properties, owned by, on hire to, or on loan to, the CLUB.
- 13.4. Cause official receipts to be issued in respect of all membership fees, donations and other moneys received.

14. GENERAL MEETINGS.

- 14.1. The Annual General Meeting of the CLUB shall be held during March of each year.
- 14.2. Special general meetings may be called by the Committee, or upon a requisition signed by at least three MEMBERS, which requisition shall state the purpose of the

meeting. The business of such meetings shall be limited to the matters listed in the requisition.

- 14.3. The secretary shall give at least 14 (fourteen) days written or emailed notice of annual and special general meetings to each and every MEMBER. A detailed agenda specifying the business of the meeting shall be included in, or attached to, such notice. In the case of the Annual General Meeting copies of the financial statements for the preceding year shall be available at the meeting.
- 14.4. Only MEMBERS shall be entitled to vote at general meetings. In the case of Family MEMBERS, only one member of the family shall be entitled to vote at general meetings. In the case of Corporate MEMBERS, only one member of each corporation shall be entitled to vote at general meetings.
- 14.5. The Chairman of the CLUB shall be the Chairman of the general meeting, except that in his absence the vice Chairman or in his absence a member selected by popular vote by the MEMBERS present shall act as Chairman for the meeting. The Chairman of the meeting shall have the right to exercise a casting vote in addition to his normal vote.
- 14.6. A quorum for general meetings shall be at least ten (10) MEMBERS present, provided that if no quorum shall be present at the date and time specified for the general meeting such meeting shall stand adjourned until the following regular club meeting whereupon such MEMBERS as shall be present shall constitute a quorum.
- 14.7. Voting at general meetings shall be by a show of hands unless the Chairman of the meeting rules that voting shall be by secret ballot.
- 14.8. Except as otherwise decided, all resolutions shall be passed by simple majority.
- 14.9. The business of annual general meetings shall include, inter alia, the following:
 - 14.9.1. The reading and confirmation of and signing by the meeting Chairman, with or without amendment, the minutes of the previous annual general meeting and any special general meeting(s) held subsequent to the previous annual general meeting.
 - 14.9.2. Matters arising therefrom.
 - 14.9.3. Delivery by the Chairman of a report covering the affairs of the CLUB during the preceding year.
 - 14.9.4. The reading, consideration and adoption of the financial statements for the preceding year.
 - 14.9.5. The election of Chairman, vice-Chairman and other Committee members for the ensuing year. Existing Committee members shall be eligible for re-election.
 - 14.9.6. Ratification of Committee decisions made since the last annual general meeting, including the levels of CLUB annual subscriptions.

15. AMENDMENTS to the CONSTITUTION.

All amendments to this constitution shall require a two thirds majority of MEMBERS

present at a general meeting and the **exact wording of the proposed amendment** shall be provided to the secretary who shall include same in the notice convening the meeting

16. INDEMNITY.

Members of the Committee and all other officers of the CLUB shall be and are hereby indemnified out of and from the funds and property of the CLUB from and against all losses, charges, costs, damages and all and every other expense and liability they may incur or be put to concerning or about the execution of their respective duties as officers of the CLUB, and none of them shall, in their personal capacities, be held answerable or deemed to be in any way responsible for any act or default of the one or other of them, or for any deficiency or insufficiency of any title or security whatsoever taken by the CLUB, nor shall they be liable for any loss occasioned by any banker or other person with whom moneys or securities of the CLUB may be deposited or entrusted for safe custody, invested or otherwise placed, or any voluntary loss, misfortune or damage which may happen or take place in the execution of their respective offices or as a result thereof, provided, however, that any such loss, misfortune or damage be not occasioned by acts of them in bad faith or through their willful default.

17. CLUB MEETINGS.

The CLUB will hold regular monthly meetings except in January of each year, and any additional meetings as decided by the Committee, at a venue, date and time decided by the Committee.

- 17.1. A notice in the form of a CLUB magazine/newsletter / email, will be published and distributed by the Scribe each month except December (for January) to MEMBERS and others as decided by the Committee.
- 17.2. All MEMBERS will be encouraged to submit written or electronically produced articles for publication in the CLUB Magazine/newsletter to the Scribe, who shall have the right to accept or reject such articles.
- 17.3. MEMBERS shall be entitled to advertise computers and computer related equipment wanted or for sale in the CLUB Magazine, within reason. Copy must be supplied in writing or by electronic process to the Scribe, and no guarantee will be given regarding date or type of publication. Personal advertisements carry no charge, and the cost of commercial advertisements will be negotiated with the Committee.

18. MISCELLANEOUS.

- 18.1. The CLUB may sue and be sued in court of law in its own name, and be represented in any legal proceedings by the Chairman or Secretary or any person or persons delegated for that purpose.
- 18.2. The decision of the Committee as to the meaning and effect of any clause herein contained shall be final and binding.

- 18.3. All power of attorney, contracts and other documents (other than cheques), executed on behalf of the CLUB shall be signed by a member or members of the Committee duly authorised thereto by a resolution of the Committee.
- 18.4. No-one shall be appointed an office-bearer of the CLUB unless he is a MEMBER in good standing. Should any office bearer cease to be a MEMBER for a period of 1 (one) month, he shall automatically relinquish office.
- 18.5. Should the Chairman or Vice-Chairman be expelled from the Committee he shall automatically relinquish his office.
- 18.6. In the event of the position of Chairman becoming vacant the Vice-Chairman shall automatically become Chairman for the remainder of the CLUB year.
- 18.7. Should any other office become vacant the remaining members of the Committee shall appoint a replacement.
- 18.8. Notwithstanding any provision of this constitution to the contrary any offices may be combined, with the express exception of the offices of Chairman and Vice-Chairman.
- 18.9. In proceedings of a disciplinary nature the individual(s) whose conduct is being investigated shall be notified of the complaint or charge brought and shall be afforded adequate opportunity of answering such charge either verbally at a meeting of the Committee or in writing.
- 18.10. Voting by proxy shall not be permitted at any meeting of the CLUB or meeting of the Committee.
- 18.11. A visitor shall be allowed to attend one Club Meeting per calendar year without charge.(We now have a visitors fee so maybe we should take this out and add it under membership)

19. WINDING UP.

In the event that Membership of the CLUB falls to less than five (5) MEMBERS, the CLUB shall forthwith be wound up.

- 19.1. In the event of the CLUB being wound up or its activities being discontinued for any reason whatsoever, the Committee shall, unless otherwise directed:
- 19.2. Liquidate the assets of the CLUB and dispose of the funds in any manner not inconsistent with this constitution, including donations to charities or other organisations having similar objectives;
- 19.3. invest such funds upon Trust for such purpose and upon such conditions not inconsistent with the aims and objectives of the CLUB as the Committee may deem fit;
- 19.4. create such Trust Fund(s) upon such terms and conditions as it may deem desirable and appoint such person(s) as it deems fit to be the Trustee(s) of the said Trust Fund(s) with such powers and responsibilities as it may decide.

This constitution was adopted by the MEMBERS of the

PIETERMARITZBURG COMPUTER CLUB

at a meeting held at the Department of Information Studies,

University of Natal, Pietermaritzburg

on

5th April 1995

CHAIRMAN:	Alwyn Hugo
VICE CHAIRMAN:	Peter Moss
SECRETARY:	Mike Robertson