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Ad

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CONSTITUTION
of the DEFENCE AND AID FUND.

1. NAME

The name of the FUND shall be THE DEFENCE AND AID FUND.

2. OBJECTS

The OBJECTS of the Fund shall be:

- (a) To uphold, defend and protect by all lawful means Human Rights and Civil Liberties especially the right to hold and express opinions.
- (b) To grant relief and assistance to compensate men and women (and their dependants) who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.
- (c) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof as a result of the loss of any of the said civil rights and/or liberties whether by process of law or otherwise

3. AREA OF OPERATION

The DEFENCE AND AID FUND shall operate within the Republic of South Africa and South West Africa.

4. POWERS OF THE FUND

- (i) To raise funds by various means, including appeals campaigns and functions of any nature.
- (ii) To expend such monies in any manner which will, in its sole discretion, in any respect further the objects of the fund as set out in Paragraph (2).
- (iii) (a) To open offices, establish Sub-Committees
and...

Branch Committees anywhere within the Republic of South Africa and South West Africa.

(b) To employ persons, hold meetings and issue publicity material and other literature in furtherance of the objects.

(iv) To co-operate to any extent and upon any condition which it deems desirable in its sole discretion in furtherance of its objects, with any persons, body, organisation, committee, association or institution, whether presently existing or established subsequent to this Constitution.

(v) To do all such things as are reasonably necessary or incidental to further the objects.

5. MEMBERSHIP

The members of the Fund shall be the members of the various Branches thereof as at present existing or as may hereafter be established in terms of this Constitution.

6. MANAGEMENT

(i) The supreme governing body of the Fund shall be the National Conference, which shall meet at intervals of not more than two years, or at any time at the request of not less than two branches, and shall consist of such number of representatives of each branch as shall bear to the total membership thereof the ratio to be fixed from time to time by the National Executive, which ratio shall apply to all branches.

(ii) Between meetings of the National Conference the affairs of the Fund shall be managed by the National Executive...

Executive Committee which shall consist of a Chairman and four other members elected by the National Conference. Three members of the National Executive shall form a quorum.

(iii) The National Conference and the National Executive may establish committees for such purposes and with such powers as either may deem fit.

(iv) At any meeting of the National Conference the National Executive Committee shall present:

(a) A report of the work of the Fund since the previous meeting;

(b) A report on the Balance Sheet and Accounts of the Fund up to the end of the financial year immediately preceding such meeting.

7. TRUSTEES

(i) The Fund shall have not less than three nor more than seven trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund.

(ii) For the purpose of enabling them to discharge such function the trustees shall have power to call upon the National Executive Committee to submit to them such accounts and to furnish them with such information as to the affairs of the Fund as they may think fit. If, in the opinion of the Trustees, or any of them, any funds have not been used and applied as aforesaid, it shall be their or his duty to report the same to the National Executive, the next ensuing meeting of the National Conference and to any donors or donor of the funds in question.

(iii) ...

(iii) The National Conference shall appoint the trustees, and may remove and replace any trustee as deemed necessary in the interests of the Fund.

8. MONEYS, PROPERTY AND LEGAL PROCEEDINGS

(i) All moneys collected and other assets shall be vested in the National Executive Committee, who may represent the Fund in any legal proceedings.

(ii) The control and use of the moneys and assets of the Fund shall be vested in the National Executive Committee for the objects, functions and work of the Fund according to its discretion. The National Executive Committee may make such allocations to Branches as in its sole discretion it may think fit, but Branches shall have no authority to pledge the credit or in any manner to bind the National Executive Committee.

(iii) All cheques and other negotiable instruments shall be signed by any two members of the National Executive Committee.

9. ACCOUNTS

The National Executive Committee shall cause proper accounts to be kept of the finances of the Fund and to cause the same to be properly audited. Each financial year shall commence on the 1st day of July of each year and shall terminate on the 30th day of June of the following year. The Annual Accounts and Balance Sheet and the Auditors' Report thereon shall be submitted to the trustees and to the next ensuing meeting of the National Conference.

10. BRANCHES

- (i) The National Executive Committee may in its sole and absolute discretion establish or constitute branches anywhere within the Republic of South Africa and South West Africa as it may deem necessary.
- (ii) The National Executive Committee shall have the right on application by such organisation to take over and/or absorb any organisation having any of the same or similar objects to that of the Fund and to continue operating such organisation as a Branch of, or subsidiary to, this Fund.
- (iii) Any branch or subsidiary established in terms of (i) hereof or taken over in terms of (ii) hereof shall be administered by such persons as may be appointed or elected in any local area provided that such branch or subsidiary shall
- (a) undertake to carry out the objects of this Fund and such policy as may be laid down from time to time by the National Executive Committee;
 - (b) account for and be responsible to the National Executive Committee for the expenditure of any monies received by it from the Fund as also any funds raised by such branch in the name of the Fund.
- (iv) Subject to the foregoing, any branch may conduct its own affairs, acquire its own assets and collect and deal with its own funds in terms of a constitution adopted by it.
- (b) The National Executive Committee shall have the right...

right to nominate a representative to the Executive Committee of any branch or subsidiary.

11. AMENDMENT OF THE CONSTITUTION

The National Conference shall have the power to amend this Constitution in such manner as may in its opinion be necessary to enable the objects or functions of the Fund to be carried out.

12. DISSOLUTION

- (a) The Fund shall be dissolved if at least two-thirds of the members present and voting at a Meeting of the National Conference especially convened for the purpose of considering the question of dissolution, vote in favour of dissolution. Fourteen clear days' notice of such a special meeting shall be given and the notice shall state the purpose of such meeting.
- (b) If at such a special meeting it is decided to dissolve the Fund, the assets of the Fund, after payment of all liabilities of the Fund, shall be paid or handed to such other organisation or organisations as the National Conference may determine.