

ASSOCIATION FOR AUTISM

CONSTITUTION

1. NAME

The Association shall be known as

ASSOCIATION FOR AUTISM
Hereinafter referred to as the association.

2. AIMS AND OBJECTIVES

- 2.1 To cater for the education, training and welfare of individuals with autism spectrum disorders.
- 2.2 To promote a better understanding and awareness of autism and related disorders within the community.
- 2.3 To generally further the interests of all learning sites and centres for persons with autism spectrum disorders.
- 2.4 To establish services and facilities for the care of adult persons with autism and related autism spectrum disorders.
- 2.5 To promote mutual goodwill between learners, parents and staff of such schools and residential centres.
- 2.6 To raise funds in order to further the aims and objectives of the association by
 - 2.6.1 organising and arranging fundraising events and projects and collecting contributions.
 - 2.6.2 encouraging and promoting the holding of and organising of fundraising events and projects and the collections of contributions by interested persons or bodies for and on behalf of the association.
 - 2.6.3 the empowerment of individuals with autism spectrum disorders, parents, professionals and the community.

3. CORPORATE STATUS

The association shall be a corporate body and shall in its name be capable in law of suing and being sued, of purchasing or otherwise acquiring, holding, letting, hiring, selling, exchanging, alienating or mortgaging or otherwise conferring any real right in any property, movable or unmoveable, and shall be capable of borrowing or investing money and engaging in fundraising activities (either directly or with the assistance of sympathetic charitable organisations), and of doing or performing such actions and acts as bodies corporate by law do or perform.

4. AREA OF OPERATIONS

In terms of the authority to collect contributions issued to the association in terms of the Non-profit Organisations Act, No 71 of 1997 (or any other Act promulgated from time to time), the association is empowered to collect contributions.

5. MEMBERSHIP

5.1 The following are eligible to become members of the association as per fee regulations in point 5.2:

5.1.1 Automatic members:

The parents or guardians of learners or residents of the learning sites, residential centres and adult centres associated with or falling under jurisdiction of the association and the staff of same.

5.1.2 Ordinary members:

Persons who subscribe to the objectives of the association.

5.1.3 Honorary members:

Natural persons whose membership is, in the opinion and discretion of the management committee, of special value to the association.

5.1.4 Associate members:

Associations or bodies, which support the objects of the association, may be granted associate membership by the management committee. Such members shall be entitled to receive notices of General Meetings, but will not be entitled to exercise a vote or to participate in the management of the association.

5.2 Membership fee

An annual membership fee is payable by each member with the exception of honorary members. The amount of such membership fee is subject to review by the management committee from time to time.

6. GENERAL MEETINGS

6.1 An annual general meeting shall be held each year not later than 31st March.

6.2 An extraordinary general meeting shall be held when deemed necessary by the management committee, or upon written request of at least 5 members.

6.3 The secretary shall cause 21 days written notice of all general meetings to be given to all members. The notice shall include the order of the meeting.

6.4 The notice of the Annual General Meeting shall have an agenda with the following:

6.4.1 Minutes of the previous Annual General Meeting.

6.4.2 Matters arising from the previous minutes.

6.4.3 Chairman's Report

6.4.4 Principal's Report

- 6.4.5 Treasurer's Report
- 6.4.6 Election of auditor
- 6.4.7 Election of treasurer
- 6.4.8 Election of committee members
- 6.4.9 Nomination of members to serve on the Governing Body of the Unica School for learners with autism.

- 6.5 A quorum at all general meetings shall be at least 10 members.

- 6.6 If no quorum is present at any general meeting, the meeting shall be adjourned until the same day and time of the following week, or if a holiday, until the first business day thereafter. Those present at such an adjourned meeting shall form a quorum irrespective of the number.

- 6.7 The chairman of the management committee or failing him, the vice-chairman, shall preside at all general meetings. Should neither be available, the meeting shall appoint a chairman.

- 6.8 Each member present shall be entitled to one vote, which shall be by a show of hands, unless a secret ballot is requested.

- 6.9 In the event of a deadlock, the chairman shall have a second or casting vote.

- 6.10 The secretary shall cause minutes to be kept of all proceedings at meetings.

- 7. MANAGEMENT COMMITTEE

- 7.1 The Management Committee shall consist of not less than nine and not more than fourteen members and shall be constituted as follows:
 - 7.1.1 Eight members elected from the members of the association at Annual General Meetings.
 - 7.1.2 Treasurer if he/she is a member of the association and acting in an honorary capacity.
 - 7.1.3 Principals/Heads of learning sites and adult services associated with or falling under the jurisdiction of the association.
 - 7.1.4 One member to be nominated by the principal of Unica School for learners with autism.
 - 7.1.5 Members co-opted by the management committee not to exceed three in number.

- 7.2 Term of office of members
 - 7.2.1 The eight members elected at the Annual General Meetings shall hold office for two years and shall be eligible for re-election.
 - 7.2.2 Treasurer shall hold office for one year and is eligible for re-election.

7.2.3 Principals/Heads of schools and aftercare centres shall be members as long as they hold the posts as such.

7.2.4 Member nominated by Principal of Unica School shall be a member from date of advice of nomination to date of revoking of the nomination.

7.2.5 Co-opted members shall hold office for the period co-opted.

8. ELECTION AND NOMINATION

8.1 Members elected at Annual General Meetings:
Four members shall be elected at each Annual General Meeting to hold office for two years. The term of office of four members will terminate each year.

8.2 The treasurer shall be elected at Annual General Meetings.

8.3 The Principals/Heads of learning sites and adults services associated with or falling under jurisdiction of the association are automatically members of the management committee.

8.4 The member to be nominated by Unica School for learners with autism shall be a member of the management committee as from the date of receipt of written advice of such nomination.

9. ALTERNATE MEMBERS OF THE MANAGEMENT COMMITTEE

9.1 The Principal of Unica School may in writing appoint two persons, acceptable to the management committee, to act as alternates one to the principal and one to the member nominated by her/him during their absence or inability to act as members of the management committee.

9.2 Alternate members shall have powers and be subject to the duties of the members to whom they have been appointed as alternates.

9.3 Alternate members shall cease to hold office if the members to whom they have been appointed as alternates cease to be members or if their appointments are revoked.

10. MANAGEMENT COMMITTEE: CHAIRMAN ETC.

10.1 At the first meeting of the management committee subsequent to the Annual General Meeting members shall from amongst themselves elect the following office bearers: -

10.1.1 Chairman

10.1.2 Vice-chairman

10.1.3 Secretary

10.2 The Management Committee shall hold office until the conclusion of the next Annual General Meeting after which it shall be reconstituted.

- 10.3 A deficiency in the number of committee members shall not encroach upon or affect the corporate status of the association.

11. NOMINEES TO GOVERNING BODY OF UNICA SCHOOL

The person to be elected at the Annual General Meeting to serve on the governing body of the Unica School for learners with autism shall be a member of the association.

12. POWERS AND DUTIES OF THE MANAGEMENT COMMITTEE

The management committee:

- 12.1 may nominate a sub-committee for a specific purpose and for a special assignment;
- 12.2 may co-opt up to three additional members;
- 12.3 shall meet as often as may be necessary for the proper execution of duties, but at least once a term;
- 12.4 shall at the annual general meeting, present a report through the chairman regarding its activities;
- 12.5 shall fill any vacancies that may arise in its numbers from time to time, by means of co-option, and a member thus co-opted shall then serve for the unexpired time of the retiring members' term of office;
- 12.6 shall deal with all other matters in order to attain the objectives of the association;
- 12.7 may offer honorary membership of the association to deserving persons;
- 12.8 shall have the power to control and administer any funds received by it for the benefit of the association, according to the said aims and objectives;
- 12.9 shall conduct all the association's financial transactions by means of a bank account;
- 12.10 shall establish the procedures for the admission of members under clause 5.1.4 of the constitution.

13. RESIGNATION AND DISCHARGE OF MEMBERS OF THE MANAGEMENT COMMITTEE

- 13.1 A member of the management committee who intends vacating his/her office shall notify the secretary in writing of his intention.
- 13.2 A member shall be deemed to have vacated his office if: -
- 13.2.1 he/she is absent from three consecutive meetings without the permission of the management committee;

- 13.2.2 he becomes insolvent;
- 13.2.3 he/she has been convicted (whether in the Republic of South Africa or elsewhere) of theft, fraud, forgery, or uttering forged documents, perjury, or any offence involving dishonesty, and has been sentenced therefore to imprisonment without the option of a fine or to a fine exceeding R1 000-00;
- 13.2.4 as a result of a mental or physical weakness or sickness he/she becomes in the opinion of the other members of the management committee incapable of performing his/her official duties;
- 13.2.5 he/she no longer underwrites the aims and objectives of the association.

14. MEETINGS OF THE MANAGEMENT COMMITTEE

- 14.1 A quorum shall be at least 4 committee members.
- 14.2 If no quorum is present at any meeting, the meeting shall be adjourned until the same day and time of the following week, or if a holiday, the first business day thereafter. Those present at such adjourned meeting shall form a quorum, irrespective of their number.
- 14.3 The secretary shall give seven days' notice of all meetings to all committee members, setting out the business to be transacted.
- 14.4 Each committee member present shall be entitled to one vote, which shall be by show of hands, unless a secret ballot is requested.
- 14.5 Resolutions shall be passed by a simple majority. In the event of a deadlock, the chairman shall have a second or casting vote.
- 14.6 The secretary shall cause minutes to be kept of all proceedings at meetings, which will be accepted or amended at the next meeting.
- 14.7 The Chairman of the management committee shall preside at all meetings; if he is absent, the vice-chairman shall preside; if both are absent, the members present, there being a quorum, shall elect one of themselves, to preside and the member so elected shall for that meeting have all the powers and privileges of chairman.

15. AMENDMENT OF CONSTITUTION

- 15.1 The constitution may only be rescinded, amended or added to by a resolution passed by a vote of two thirds majority of members at a duly constituted general meeting specially called for the purpose.
- 15.2 Any amendments to the constitution must be submitted to the relevant authorities as specified by legislation.

16. INCOME AND PROPERTY

- 16.1 The association will write down and keep a record of everything it owns.
- 16.2 The association may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the organisation. The payment must be a reasonable amount for the work that has been done.
- 16.3 A member of the association may only receive remuneration from the association for expenses that she or he has been authorised to pay for on behalf of the association.
- 16.4 Members or office bearers of the association do not have rights over assets of the organisation.
- 16.5 If the association has funds that can be invested, the funds may only be invested with registered financial institutions. These institutions are explained in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984. The association may procure securities listed on a listed Stock Exchange as set out in the Stock Exchange Control Act, 1985, or as amended from time to time. The association may obtain investment advice from any reputable financial institution.
17. FINANCIAL STATEMENTS
- 17.1 The financial year shall be from 1 January to 31 December.
- 17.2 The treasurer shall cause proper books of account to be kept and shall cause annual financial statements to be drawn and audited as at 31 December each year and after approval by the management committee these shall be submitted to the annual general meeting for final approval.
18. DISSOLUTION
- 18.1 The association may be dissolved if at least two-thirds of the voting members present at a general meeting convened for this dissolution. Not less than twenty-one days notice shall be given of such meeting and the notice convening the meeting shall clearly state that the question of dissolution of the association and disposal of its assets will be considered. If there is no quorum at such a general meeting, the meeting shall stand adjourned for not less than one week and the members attending such meeting shall constitute a quorum.
- 18.2 On dissolution of the association the remaining assets will be transferred to a non-profit charitable, religious or educational institution or organisation of choice, within the Republic of South Africa, which is itself exempt from income tax in terms of section 10(1) (f) of the Act.
- NOTE: This constitution supersedes all previous constitutions by virtue of a resolution by members at a duly constituted general meeting held on Thursday, 3 June 1999.

SIGNED:

..... AT

C.D. KOUDSTAAL
ACTING CHAIRMAN

DATE: 28 JUNE 1999.