

Constitution of ARC RABBIT ASSIST

Established 2022



www.arcrabbistassist.com

1. Name

The name of the Organisation is ***ARC Rabbit Assist.***

2. Registration

ARC Rabbit Assist is a register Non-Profit Company (NPC), registered under the Companies Act 71 of 2008.

Registration number: NPC 795781/08

The Organisation will continue to exist even if members of the Management Committee do change.

3. Aims

ARC aims to focus on preparing educational information, distributing said information and to help raise money. All in support of rabbit rescues in Gauteng, South Africa.

Our dream is to one day open a rabbit sanctuary where all the rabbits that were thrown away, injured or neglected, would find a safe, happy and healthy home to live. Until then we will assist where we can.

4. Objectives

ARC Rabbit Assist will carry out its purposes/aims through a range of activities and self-help initiatives. The priorities being:

- a. To represent and support the work of members of ARC Rabbit Assist who act on a voluntary basis to care and re-home unwanted, abandoned, stray and ill-treated rabbits in Gauteng, South Africa.
- b. To promote a responsible attitude by members of the public towards the ownership and welfare of rabbits.
- c. To promote the sterilization of rabbits through rabbit rescue organisations / rescues in the Gauteng area.
- d. To raise awareness and educate the public around the benefits and means of adoption of rabbits, and to link them to rescues who assist with adoptions.
- e. To raise awareness and educate the public and rabbit owners about the safe and healthy care of pet rabbits.
- f. To, where possible, assist with the rehoming abused, neglected or abandoned rabbits from the Gauteng area into safe, loving homes.
- g. To perform home visits in support of the rehoming or adoption of rabbits through local rescue organisations.
- h. To maintain campaigns via the media, internet, information leaflets, advertisements etc., to promote ARC Rabbit Assist's purpose.
- i. To promote the work of and assist voluntary sector animal rescue groups and individuals in their campaigns and rehoming intentions.
- j. To circulate regular updates to members on ARC Rabbit Assist's activities and to organise gatherings to encourage a better understanding of current issues and ongoing situations.
- k. To raise funds to support the activities of the organisation and in support of the activities performed by rescue organisation in Gauteng.

5. Powers

To carry out ARC Rabbit Assist's intentions, the Organisation has the power to:

- a. Raise funds, receive grants and donations;
- b. Apply for funds to carry out the work of the Organisation.
- c. Co-operate with and support local rescues with similar purposes.
- d. Network and build relationships with the private/public sector.
- e. Promote the Association in a positive and professional image.
- f. Organise courses and events.
- g. Do anything that is lawful which will help it to fulfil its aims.

6. Management

- a. The Organisation shall be administered by a volunteer Management Committee.
- b. The Officers of the Management Committee shall be: the President, the Treasurer and the Secretary.
- c. The Management Committee shall meet at least 3 times a year.
- d. The President shall chair the meetings of the Organisation.
- e. Voting at Management Committee meetings shall be by show of hands. If there is a tied vote, then the President shall have a second vote.
- f. The Management Committee may by a two-thirds majority vote, and for a good and proper reason, remove any Committee member, provided that person has the right to be heard before a final decision is made.
- g. The Management Committee may appoint another full member of the Organisation as a Committee member to fill a vacancy provided the maximum number is not exceeded.

7. Duties of the Officers

a. The duties of the President are to:

- chair meetings of the Committee and the Organisation
- represent ARC Rabbit Assist at functions/meetings that the Organisation has been invited to
- act as spokesperson for the Organisation when necessary.

b. The duties of the Secretary are to:

- take and keep minutes of meetings
- prepare the agenda for meetings of the Committee and the Organisation in consultation with the Chairperson
- maintain the membership list
- deal with correspondence
- collect and circulate any relevant information within the Organisation

d. The duties of the Treasurer are to:

- supervise and manage the financial affairs of the Organisation, including transactions on the Organisation's bank account as approved in consultation with the President and Secretary
- keep proper accounts that show all monies collected and paid out by the Organisation
- Provide an annual audit of accounts

8. Finance

8.1. Bank Account

The Officers of the Management Committee shall open a bank account in the name of the Organisation with a registered bank. The Management Committee

shall ensure that all monies received by the Organisation are deposited in the abovementioned bank account as soon as possible after receipt.

Banking details:

ARC Rabbit Assist

FNB Gold Business Account

Account No: 63039098173

8.2. Authorization of payments

Two members of the Management Committee shall be required to authorize any payments.

8.3. Financial Year End

The Organisation's financial year end shall be February.

8.4. Financial Records

The Management Committee shall ensure that the Organisation keeps proper records and books of account which fairly reflect the affairs of the Organisation.

8.5. Annual Financial Statements

8.5.1. The Management Committee shall ensure that the Organisation prepares Annual Financial Statements for each financial year. The Annual Financial Statements shall conform with accepted accounting principles and shall include a statement of income and expenditure and a balance sheet of assets and liabilities.

8.5.2. Within two (2) months after drawing up the Annual Financial Statements, the Management Committee shall ensure that:

The Organisation arranges for an accounting officer to certify that the annual financial statements are consistent with the financial records of the Organisation and that its accounting policies are appropriate and have been appropriately applied in the preparation of its financial statements.

Or

The books of account and financial statements are audited and certified in the customary manner by an independent practising accountant.

8.5.3. A copy of the Annual Financial Statements and annual narrative report shall be made available to all members of the Organisation as soon as possible after the close of the financial year.

a. Any money obtained by the Organisation shall be used only for the Organisation and its activities.

b. Any bank accounts opened for the Organisation shall be in the name of the Organisation.

9. Annual General Meeting

a. The Organisation shall hold an Annual General Meeting (A.G.M.) annually.

b. The business of the A.G.M. shall include:

(i) receiving a report from the President on the Organisation's activities over the year

(ii) receiving a report from the Treasurer on the finances of the Organisation

(iii) considering any other matter as may be decided.

10. Special General Meeting

A Special General Meeting may be called by the Management Committee or by any full members to discuss an urgent matter. The Committee shall give all members fourteen days' notice of any Special General Meeting together with notice of the business to be discussed. All members shall be entitled to attend and vote. Decisions will be made by a majority vote.

11. Amendments to the Constitution and Dissolution

The terms of this Constitution may be amended, the name of the Organisation may be changed and the Organisation may be dissolved by resolution of sixty six per cent (66%) of the Management Committee present at a General Meeting: provided that proper notice of the meetings is given not less than twenty-eight (28) days prior to the date of the Meeting and such notice states the nature of the resolution to be proposed.

12. Indemnity

12.1. Subject to the provisions of any relevant statute, Management Committee members of the Organisation shall be indemnified by the Organisation for all acts done by them in good faith on its behalf. It shall be the duty of the Organisation to pay all costs and expenses which any such person incurs or becomes liable for as a result of any contract entered into, or act done by him or her, in his or her said capacity, in the discharge, in good faith, of his or her duties on behalf of the Organisation.

12.2. Subject to the provisions of any relevant statute, no Management Committee member of the Organisation shall be liable for the acts, receipts,

neglects or defaults of any other Committee member, or for any loss, damage or expense suffered by the Organisation, which occurs in the execution of the duties of his or her office, unless it arises as a result of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law.

13. Disputes

13.1. In the event of a serious disagreement between the Committee members regarding the interpretation of this Constitution then any two (2) Committee members of the Organisation shall be entitled to declare a dispute. Such declaration shall be in writing, stating the issue in dispute.

13.2. The Committee members shall consider such declaration within two (2) weeks of receiving it. Should the Management Committee not be able to resolve the dispute to the satisfaction of the person(s) declaring it, the dispute shall be referred either to a mediator or arbitrator.

13.3. Should the dispute be referred to a mediator, the person(s) declaring the dispute and the Management Committee must agree on a suitable mediator and to the costs of such mediation. A mediator may recommend an appropriate resolution of the dispute.

13.4. In the absence of agreement regarding a mediator or should mediation not resolve the dispute, the dispute shall be referred to arbitration. The arbitrator shall be such suitably qualified person(s) as the person(s) declaring the dispute and the Management Committee mutually agree. Alternatively, each of the parties shall be entitled to nominate respective nominees of the

parties; on the basis that a majority decision of the appointed arbitrators shall be final and binding.

13.5. The arbitration shall be held on an informal basis, and the arbitrator shall have the power to determine the procedure to be adopted subject to the principles of natural justice.

13.6. The arbitrator may base her/his awards not only upon the applicable law but also upon the principles of equity and fairness.


13.7. The person(s) declaring the dispute and the Management Committee, beforehand, may agree to share the costs of the arbitration. In the absence of such agreement the arbitrator shall decide which parties shall be liable for the costs. The decision of the arbitrator shall be final and binding upon all parties and capable of being made an Order of Court on application by any of them.

Constitution adopted on 24/01/2023 at Parkwood, Johannesburg

Signed:



President



Treasurer



Secretary

As Witnesses:



Full name: Hannelie Warrington-Coetzee



Full name: Lohan Grobler



Full name: Nic Venter

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