



**SCOUTS**<sup>®</sup>  
South Africa

# **THE CONSTITUTION OF THE SOUTH AFRICAN SCOUT ASSOCIATION**

**August 2008**

be prepared ●●●

## **ARTICLE I. TITLE, HEADQUARTERS AND JURISDICTION**

- The name of the Association shall be the South African Scout Association (formerly the Boy Scouts of South Africa ("the Association")).
- The management and control of the Association shall be vested in a body known as the National Scout Council ("the Council").
- The Headquarters of the Association shall be at such place as determined by the Council.
- The jurisdiction of the Association and the Council shall be over those territories of which the Republic of South Africa is comprised.

## **ARTICLE II. DEFINITION, AIM, PRINCIPLES AND METHOD**

### **Definition**

The Association 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 Scout Movement conceived by the Founder Robert Baden-Powell and stated below.

### **Aim**

The aim of the Association 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.

### **Principles**

The Scout Movement is based on the following principles:

#### **Duty to God:**

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

#### **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.

#### **Duty to self:**

Responsibility for the development of oneself.

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

All members of the Association 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:

#### **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."

### **The Scout Law**

- "A Scout's honour is to be trusted.
- A Scout is loyal.
- A Scout's duty is to be useful and to help others.
- A Scout is a friend to all and a brother to every other Scout.
- A Scout is courteous.
- A Scout is a friend to animals.
- A Scout obeys orders.
- A Scout smiles and whistles under all difficulties.
- A Scout is thrifty.
- A Scout is clean in thought, word and deed."

### **The Scout Motto**

The Scout Motto is: "BE PREPARED."

### **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."

### **The Cub Law**

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

### **The Cub Motto**

The Cub Motto is: "DO YOUR BEST."

### **The Rover Scout Motto**

The Rover Scout Motto is: "SERVICE."

## **Method**

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

- A Promise and Law.
- Learning by doing.
- 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.
- 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.

## **ARTICLE III. POLICY**

### **Membership**

- Membership of the Association shall be voluntary.
- Membership of the Association is open to all boys and girls and adults irrespective of origin, race, creed, sect or class who accept and adhere to the principles of the Movement and who make the Scout or Cub Promise as the case may be. In addition to membership defined above, lay membership is open to all persons who accept and adhere to the aim and principles of the Movement as defined above.

### **Religion**

- The Association 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 duties resulting there from.
- Every member of the Association shall show tolerance and respect for the religious convictions of others.

### **Politics**

- The Association is not connected with any political body.
- Every member shall have individual freedom of thought and action in political matters, provided that the aims of any political party to which he or she may give allegiance shall not conflict with those expressed in this Constitution.
- No member of the Association shall influence or involve the Association in any question of a party political nature nor shall take part as a Scout or in Scout uniform in any meeting, gathering or other occasion associated with any particular political party.

### **Military**

The Association is not military.

### **Finance**

The spirit of the Association is that Scouts and Cubs should earn and not solicit money. The Association depends financially on the contributions of its own members and public support. Scouts in uniform must not take part in street collections for money either for their own funds or for others. No appeals to the Government or to the public may be made without the sanction of the Executive Committee or of the Provincial Executive Committee as the case may be, and this sanction will not be given where illegal or undesirable methods of raising funds are proposed.

### **External Relations**

- The Association shall be independent and subject only to its Constitution. It shall not be subject to control by any department of Government.
- The Association shall promote friendly relations with other organisations having similar aims.
- The Association shall to the best of its ability carry out its obligations to the World Organisation of the Scout Movement and promote friendship with other officially-recognised Scout Associations.

## **ARTICLE IV. NATIONAL PRESIDENT, VICE-PRESIDENT(S) AND NATIONAL CHAIRMAN**

- The National President is of non-executive rank and is appointed by the Council for a period of three years. When present, the National President may preside at meetings of the Council.
- The Council may appoint National Vice-President(s) of non-executive rank for a period of three years.
- The Council shall appoint a National Chairman for a term of three years, who shall be eligible for re-election for one further three year term. The incumbent will be Chairman of the National Scout Council and the National Chairman's Committee.

## **ARTICLE V. CHIEF SCOUT**

- The Chief Scout, South Africa, shall be elected by the Council.
- The initial term of office of the Chief Scout shall be five years. The Chief Scout shall be eligible for re-appointment by the Council for further two periods, one of three years and one of two years.
- The key functions of the Chief Scout shall be:
  - To foster and encourage the Scout Movement in South Africa and to seek and gain the highest standard of effective Scouting in the Association in all respects.
  - The Chief Scout has the following powers:
    - to appoint a Deputy Chief Scout and one or more Assistant Chief Scouts and to retire them;
    - after consultation with the National Executive Committee, to appoint and dismiss the Chief Executive;
    - to accept and exercise such powers as the Council may from time to time ask the incumbent to accept;
    - with the approval of the National Scout Council, to establish Provinces, to dismantle same and to amalgamate, consolidate and generally change boundaries of Provinces;
  - to attend any of the meetings of any of the Councils of the Movement;
  - to exercise such powers as he/she considers necessary to promote the welfare and progress of the South African Scout Association, and to ensure the maintenance of the Policy, Organization and Rules of the Movement.

## **ARTICLE VI. CHIEF SCOUT'S COMMISSIONER**

- The Chief Scout's Commissioner of the Association is appointed by the Chief Scout for a period of five years and may be re-appointed for a further three years.
- In the event of there being no Chief Scout's Commissioner at any time or

during the absence or inability to act of the Chief Scout's Commissioner, the Chief Scout may personally act or may appoint one of the National Commissioners pro-tem.

- The functions of the Chief Scout's Commissioner shall be:
  - to recommend for the appointment of one or more National Commissioners by the Chief Scout, and to exercise such functions as he/she may delegate to them, and in consultation with the Chief Scout to retire them;
  - to appoint Provincial Commissioners with the agreement of the Chief Scout, and to retire them;
  - to preside at meetings of the Commissioners' Committee;
  - to exercise such powers as delegated by the Chief Scout in promoting the welfare, progress, and training of the uniformed section of the Association and to ensure the maintenance of the Policy, Organization and Rules of the Movement insofar as the uniformed section of the Movement is concerned;
  - to accept and exercise such powers as the Chief Scout may from time to time ask the incumbent to accept.

## **ARTICLE VII. DEPUTY AND ASSISTANT CHIEF SCOUT(S)**

The Deputy Chief Scout and the Assistant Chief Scout(s) shall be personal appointments of the Chief Scout, and they shall be appointed for periods not exceeding the unexpired period of appointment of the Chief Scout.

## **ARTICLE VIII. THE NATIONAL SCOUT COUNCIL (THE COUNCIL)**

The administration, management and control of the Association are vested in the Council.

### **Membership**

The members of the Council shall be:

- the National President;
- the National Vice-President(s);
- the Chief Scout;
- the Deputy Chief Scout;
- the Assistant Chief Scout(s);
- the National Chairman;
- the Chief Scout's Commissioner;
- the Chairman of the National Finance Committee;
- the National Commissioners;
- the Provincial Commissioners;
- the Chairmen of the Provincial Scout Councils;
- the Chief Commissioner of the Girl Guides Association of South Africa;
- not more than eight persons, elected annually by the Council, who accept the Aim as defined in Article II, and whose assistance would be of potential value to the Movement;

The Chief Scout shall be entitled to permit observers (including Scouts) to attend, but not to vote, at any meeting of the Council. They may speak at the discretion of

the Chairman; the Chief Executive shall be secretary to the Council, without the power to vote.

## **Functions**

The Council shall:

- promote the welfare of the Movement;
- maintain registration with the World Organisation of the Scout Movement;
- raise and administer funds for the administration and development of Scouting;
- establish and maintain a national headquarters office under the control of the Chief Executive, who shall be responsible to the Chief Scout. The Chief Executive shall, inter alia, act as a channel of communication between the national and Provincial HQs and maintain friendly relations with the World Scout Bureau and other national members of the World Scout Conference;
- promote the organisation and effective operation of Provinces;
- appoint auditors to the Council;
- delegate such powers as it may from time to time consider appropriate to the Chief Scout, the National Chairman's Committee, the Commissioners' Committee and/or the Executive Committee.

## **Meetings of the Council**

The Council may meet together for the dispatch of business, adjourn and otherwise regulate its meetings as it shall think fit, provided that the Council shall hold at least one meeting in each year.

- Each member of the Council shall have one vote. Questions arising at any meeting, other than amendments to the Constitution shall be decided by a majority of votes of those present and voting. In the case of an equality of votes the motion is defeated.
- One-half of the members entitled to be present and vote shall constitute a quorum at any meeting of the Council.
- The continuing members may act notwithstanding any vacancy in their body.
- A resolution may be passed by Council in unassembled meeting in regard to any matter other than amendment to the Constitution. An unassembled meeting shall be constituted by the Chief Executive on the instructions of the National President or the Chief Scout by despatching by certified post to members of the Council a ballot for signifying approval or dissent in regard to the matter in question. The resolution shall be deemed to be duly passed as soon as the Chief Executive has received the return of ballots indicating approval from more than half the members of the Council. Should this not occur within ninety days after the despatch of the notices, the motion shall fall away.
- The Council, whenever it thinks fit, shall, upon a requisition made in writing to the Chief Executive by not less than one-half of the members of the Council for the time being, convene a special meeting of the Council. If the Chief Executive shall not within twenty-one days after receipt of such requisition proceed to convene such meeting those making the requisition or any other members of the Council amounting to the required number set out above may themselves convene a special meeting of the Council.

## **Finance Committee**

The Council shall appoint a Finance Committee with power to co-opt additional members and to elect its own Chairman. The Finance Committee shall take all steps necessary to ensure that the present and future financial needs of the Movement will be met, and shall administer and control the funds and finances of the Movement in accordance with the budget approved by the Council.

## **ARTICLE IX. THE EXECUTIVE COMMITTEE**

When the Council is not in session the management and control of the Association shall be vested in the Chief Scout acting with the National Executive Committee.

- The members of the Executive Committee shall be the Chief Scout, the National Chairman, the Chief Scout's Commissioner, the Chairman of the National Finance Committee, one person elected annually by the National Chairman's Committee and one person elected annually by the Commissioners' Committee.
- The Executive Committee shall have power to exercise such powers of the Council or any of the Committees of the Movement in urgent circumstances in order to safe-guard the interests of the Movement and it shall furthermore have power to give directions for the day to day administration, management and control of the Movement.
- The Chief Scout shall be the Chairman of the Executive Committee.
- A resolution of the National Chairman's Committee or the Commissioners' Committee for the amendment of Policy, Organization and Rules shall not be implemented unless ratified by the Executive Committee.

Any resolution for the amendment of Policy, Organisation and Rules which is ratified by the Executive Committee shall be tabled at the next meeting of the Council.

## **ARTICLE X. ACCOUNTS AND AUDIT**

- The Council shall cause to be kept proper books of account of all money received and expended and of all assets and liabilities.
- The books of account shall be kept at the national Headquarters office or such other place as the Council may direct and shall be open for inspection by any member of the Council on application.
- The Council shall have a banking account or accounts which shall be operated jointly by any two of those persons designated by the National Executive Committee from time to time.
- The Chairman of the Finance Committee shall at each meeting of the Council submit the Council's balance sheet as at the close of the previous financial year and an income and expenditure account made up to that date, together with the budget proposals for the ensuing year. The financial year shall end on 30 September.
- The Association's balance sheet and income and expenditure account shall be audited by a Chartered Accountant who shall make a written report to the Council on the financial statements, and such report shall be attached to the balance sheet.

## **ARTICLE XI. INTERPRETATIONS AND AMENDMENTS**

- The Council's interpretation of the provisions of this Constitution shall be final.
- This Constitution may be amended by the Council at any assembled meeting at which two-thirds of the votes are cast in favour of the amendment. The text of proposed amendment(s) shall be communicated to all members of the Council at least six months in advance of the meeting. No amendment to this Constitution shall become effective until it has been notified to and approved by the World Scout Committee.

## **ARTICLE XII. LEGAL STATUS OF THE ASSOCIATION**

- The Association is an association not for gain and does not confer the right on any person to participate in any profits or gains of the Association. 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.
- All rights, authorities and assets which prior to this Constitution were registered in the name of the Boy Scouts of South Africa or in the names of trustees for the Boy Scouts of South Africa or any Province, Region or Scout Group, or in the name of the Chief Scout or any Divisional, Provincial or District Commissioner or otherwise shall as from the commencement of the Constitution remain so registered; provided that should any such entity cease to operate for whatever reason, such rights, authorities and assets shall be vested in the Association as represented by its Council and may be dealt with by resolution of the Executive Committee. The Executive Committee shall have authority to delegate this power. All rights, authorities and assets which are acquired subsequent to this Constitution shall be dealt with in the manner provided in Policy Organisation and Rules as amended from time to time.

## **ARTICLE XIII. DISSOLUTION**

The Association shall have continuous succession and shall continue to exist, notwithstanding changes in its membership, until nine-tenths of the number of members at an annual meeting or special meeting of the Council either personally or by proxy decide to dissolve the Association, provided that the dissolution appeared on the agenda which accompanied notification of the annual meeting or special meeting. Should there, in the event of the dissolution of the Association and after payment of all its debts and liabilities, remain any assets whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other non-profit company, society, association or body of persons having objects similar to the objects of the Association to be determined by the members of the Council of the Association at or before the time of dissolution.

**BY ORDER OF THE NATIONAL SCOUT COUNCIL**

**3 August 2008**

*A Sebiri*

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