INDIAN WAR MEMORIAL COMMITTEE

CONSTITUTION AND RULES

1. The organisation shall be known as the Indian War Memorial Committee, and shall hereinafter be referred to as the Committee.

2. The objects of the Committee shall be :-

   (a) To erect a Memorial to commemorate those who had fallen and who has served in all the Wars in which Natal or South Africa was engaged and particularly World Wars I and II;

   (b) To found scholarships, bursaries for the dependants of any ex-Servicemen;

   (c) To erect homes for ex-servicemen and their dependants;

   (d) To organise entertainments, bazaars and other shows with a view to raising money for the Committee;

   (e) To collect funds other than provided in clause (d) hereof, receive bequests and other donations for the Committee;

   (f) To co-operate with any other organisation with objects similar to those pertaining to the Indian War Memorial Committee.

3. MEMBERSHIP

   Any ex-servicemen or any Civilian of standing may become a member of the Indian War Memorial Committee by making an application to the Hon. Secretary in writing. The Committee shall have absolute discretion to accept or to reject any application and shall not be obliged to assign any reason for the rejection of any application.

4. PATRON

   The Mayor of the City of Durban plus 11 others shall be the Patrons of the Indian War Memorial Committee.

5. MANAGEMENT

   The affairs of the Committee shall be managed and conducted by :-

   (a) A Chairman
   (b) A Vice-Chairman
   (c) An Hon. Secretary and Assistant Secretary
   (d) An Hon. Treasurer
   (e) A Committee of twelve (12) members

6. CHAIRMAN

The Chairman shall preside at all meetings and in his absence the Vice-Chairman, and in the absence of both the Chairman and the Vice-Chairman, one of the Committee members present shall be elected to preside.

7. HON. SECRETARY

The Hon. Secretary shall be the custodian of all books, documents and other papers belonging to the Committee. He shall keep proper records of all proceedings of the meetings of the Committee and shall perform all other services incidental thereto.

8. HON. TREASURER

The Hon. Treasurer shall keep a proper set of books of accounts reflecting the financial position which books are to be audited on an annual basis. The audit shall be conducted by a chartered accountant to be nominated.

9. BANKING ACCOUNT

A banking account or accounts shall be opened in the name of the Indian War Memorial Committee with an approved bank and/or building society and shall be operated upon by cheques or other negotiable instruments signed by any two of the following members of the executive committee: Chairman; Vice-Chairman; Secretary. Cheques drawn in favour of the Committee may be endorsed by the Treasurer only for the purpose of deposit to the credit of the Committee's Banking Account or accounts

10. POWERS OF THE COMMITTEE

The Committee shall have powers :-

(a) To manage and control the affairs of the organisation, its finances, properties and other assets;

(b) To accept or reject any application for membership to the Committee;

(c) For the furtherance of its object; to purchase any land or property and/or erect any buildings; to negotiate with any local authority or the Union Government for land/or capital grant for the War Memorial envisaged in the objects;

(d) To fill any vacancy appearing in the Committee between the period of the elections.

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11. MEETINGS OF THE COMMITTEE

The Committees shall meet at least once every two months on the fourth Monday of the month or on some other day suitable to the Committee. At such meetings the routine business of the Committee shall be transacted. Seven members shall form a quorum. Seven days notice shall be given to members for all meetings of the Committee.

12. ABSENTEES FROM THE MEETINGS

Any member of the Committee absenting himself from three consecutive meetings without assigning any satisfactory reason shall be liable to have his seat as a member of the Committee declared vacant by the Committee.

13. EXECUTIVE COMMITTEE

The Executive Committee shall consist of the Vice-Chairman, Chairman, Hon. Secretary, Hon. Treasurer and three members elected form the members of the Committee. The Executive shall be empowered to deal with urgent matters and such other matters as are referred to it by the Committee meetings or- by the Annual General Meeting. Three members of the Executive shall constitute a quorum.

14. RESIGNATION

Any officer or member of the Committee may in writing resign his seat, upon the acceptance of which resignation his seat shall become vacant.

15. ANNUAL GENERAL MEETING

There shall be an Annual General Meeting of the Committee held on the first Sunday of March each year or so soon thereafter as the Committee may decide. Nine days notice shall be given to members of all annual general meetings. The quorum shall be nine.

The business of the Annual General Meeting shall be :-

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BUSINESS OF ANNUAL GENERAL MEETINGS, CONTINUED

(a) Minutes of the previous Annual General Meeting
(b) Secretarial Report
(c) Hon. Treasurer's Report
(d) Any amendments to constitution and rules
(e) Election Officials and Members of the Committee
(f) Election of Executive Committee
(g) Transaction of any other business

16. VOTING POWERS

At all meetings of the Committee - Annual General, Committee and Executive - each member shall have one vote. The Chairman shall have a casting as well as a deliberate vote.

17. ALTERATION TO CONSTITUTION AND RULES

Any clause herein contained shall not be replaced, altered, amended varied or modified, and no new clauses shall be made or added to these presents, except by a two-thirds majority of those members present at an Annual General Meeting and then only if at least fourteen days notice has been given of such intended alteration or addition.

18. DISSOLUTION

(a) The Association may be dissolved if at least two-thirds of the members present and voting at a general meeting of members convened for the purpose of considering such matter are in favour of 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.

(b) If upon dissolution of the Association there remain any assets whatsoever after the satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed among its members, but shall be given to such other organisation(s) preferably having similar objects and which is/are authorised in terms of the Fund-raising Act, 1978 (Act 107 of 1978) to collect contributions as may be decided either by the members at the general meeting at which it was decided to dissolve the Association or, in default of such decision as may be decided by the Director of Fund-raising. See section 14 of the Act in this regard.

19. MATTERS NOT PROVIDED FOR

Any matters not herein provided for shall be dealt with by the Committee or Executive as it may deem fit.

SIGNED AT...DURBAN.....THIS...31st...DAY OF...OCTOBER...1988

CHAIRMAN

G.R. Varma

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PHONE: 289782
274 GREY STREET
DURBAN

HON. SECRETARY

K.B. Maharaj

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PHONE: 315331/2