

CONSTITUTION OF THE SOCIETY OF MIDWIVES OF SOUTH AFRICA

1. NAME

The name of the society shall be:-

The Society of Midwives of South Africa

In this constitution, unless the context indicates otherwise:-

1.1 The word society refers to “The Society of Midwives of South Africa”

1.2 She shall also mean he; his shall also mean hers

1.3 Midwife shall also mean accouter

1.4 Midwifery shall mean the practice of midwifery as defined by the International Congress of Midwives

2. OBJECTIVES

The objectives of the Society shall be to:-

2.1 Raise the status, maintain the integrity, support and promote the interests of the midwife

2.2 Develop and promote an adequate, efficient and effective midwifery service in South Africa

2.3 Consider every matter in connection with or with reference to midwifery and act as an advisory body

2.4 Bring about liaison and cooperation with other groups and health care providers associated with midwifery

2.5 Encourage the establishment of local groups in order to promote the aims and goals of the Society

2.6 Promote research in midwifery

2.7 Promote liaison with midwifery groups internationally

3. ORGANISATION

3.1 Central Coordination

The general administration and coordination of the activities of the Society shall be centralized at a suitable place determined by the executive council. A secretariat will be established.

3.2 Provincial Functioning

The executive council will encourage the main activities to be done on a provincial basis for the maximum and meaningful achievement of the objectives of the society.

4. JURISTIC STATUS

The Society shall be a juristic person capable of holding or hiring property, of suing and being sued in its corporate name and of performing all such acts as are necessary for, or incidental to, the performance of its function, the exercise of its powers and the attainment of its objectives.

5. MEMBERSHIP

5.1 Categories of Membership

5.1.1 *Full Members*: Any person registered or able to be registered under the Nursing Act or a similar act may become a member.

5.1.2 *Honorary Member*: Honorary members may be awarded to any person who has rendered significant services to midwifery or who promotes the objectives of the society in a significant way.

5.1.3 *Associate Membership*: Any person with a special interest in maternal and childcare, who does not qualify under 5.1.1 or 5.1.2, may apply for membership of the society to the executive council. This includes midwives from other countries.

5.1.3 All members shall also be members of provincial structures of the society.

5.2 Membership Fees

5.2.1 These shall be determined by the executive council and shall be reviewed annually.

5.2.2 Each member is personally responsible for the payment of annual fees to the provincial structure on or before the 30 April of each year.

5.2.3 The provincial structures shall pay the predetermined fee annually to the secretariat in order to ensure membership in the society.

5.2.4 Each member shall keep the provincial structure and the society informed of any change of name and/or address.

5.2.5 New members shall be accepted throughout the year by paying full membership fees.

5.3 Termination of Membership

Membership shall be terminated by the executive council in the following cases:

5.3.1 After receiving a written resignation

5.3.2 On the notification of a death of a member

5.3.3 If a member has not paid the membership fee by 30 June of each year

5.3.4 If a member has been removed from the register of the South African Nursing Council or other similar statutory body for disciplinary reasons

5.3.5 If a member continues to act in such a way that is deemed by the executive committee to be contrary to the spirit and interest of the society or any of its members

5.3.6 On the dissolution and final liquidation of the society or the provincial structure

5.4 The Right to Appeal

If membership is terminated as outlined in 5.3, a member has the right to forward an appeal to the executive council within thirty days (30) after the receipt of a written notification of such termination for consideration at the next meeting of the council. Membership shall be suspended until a decision has been made and communicated to the person involved.

5.5 Forfeiture of Membership Fees

In case of termination of membership, a member shall forfeit all membership fees that have been paid

6. MEETINGS OF THE SOCIETY

6.1 A general meeting of the society shall be held at least every two years. This may be held at the same time as the annual midwifery congress

6.2 Special meetings may be convened by the executive council or by a notice signed by not less than fifteen percent (15%) of the members of the society. Such notice shall include the proposed agenda, venue, date and time of the meeting and shall be communicated to members at least two months before the date of the proposed meeting.

6.3 Unless otherwise indicated at least four (4) weeks written notice shall be given at any meeting. A copy of the minutes of the previous meeting and agenda shall be circulated before the date of the proposed meeting.

6.4 Any member may bring before the meeting, in writing, at least one month in advance, any matter of business which she considers requires the attention of the meeting.

6.5 A quorum of a general or a special meeting shall be one tenth of the ordinary paid up members, including at least eight (8) members of the general council

6.6 All full members as defined in 5.1.1 shall be entitled to vote at any society meeting

7. MANAGEMENT

The management committee is to be known as the executive council.

7.1 The functions of the Executive Council

7.1.1 The control of the society shall be invested in the executive council

7.1.2 The council shall, within the framework of the objectives of the society:-

7.1.2.1 Determine the policies of the society with regard to its finances, administration, projects, conferences, consultations and other related activities of the society

7.1.2.2 Promote the activities of the society and the provincial structures

7.1.2.3 Consider the budget of the society and the present audited financial statements for approval at the general meeting

7.1.2.4 Receive and consider the annual reports from each of the provincial structures and present these for approval at the general meeting

7.1.3 The executive council shall have the power to elect representatives and to appoint standing as well as ad hoc committees and to give the necessary powers to such person and committees as deemed necessary by the executive council.

7.2 Members of the Executive Council

7.2.1 *The Executive Council* shall consist of a maximum of thirteen (13) members who have been nominated and elected by full members of the society.

Each member shall be a fully paid up member of the society and shall be comprised of:-

A representative of each province

Western Cape

Eastern Cape

Northern Cape

Free State

KwaZulu Natal

Gauteng

Mpumalanga

North West

Limpopo

An additional four (4) full members from any of the provinces will be elected at the general meeting

7.2.2 *Procedure for Nominations and Elections*

7.2.2.1 Written nominations for the election of members of the executive council shall be made by two paid up full members and must reach the secretariat the date determined by the executive council. The date shall be made known to the members one month in advance. The nominees must have indicated their willingness to serve in writing prior to the nomination. In addition they must submit a curriculum vitae and manifesto.

7.2.2.2 The provincial structures will elect the nine (9) representatives and the other four members will be elected

by the executive council at the general meeting. The provincial structures should forward the names of two members for nomination of the four additional members to the secretariat by the date determined by the executive council.

7.2.2.3 Voting for any executive council candidate, in the specific categories, shall take place at the general meeting by ballot.

7.2.2.4 Should any vacancy occur after the nominations have been closed, nominations shall be called for at the meeting and voting shall be by show of hands.

7.2.3 The Office Bearers of the Executive Council

7.2.3.1 The executive council shall be composed of a president, vice president, secretary, vice secretary, and treasurer. These shall be elected from and by the committee members.

7.2.3.2 The office bearers of the executive council shall hold office for the term of the executive council itself or for the duration of their membership in the society whichever is the shorter.

7.2.4 Term of Office of the Executive Council

7.2.4.1 The term of office shall be three (3) years. At least one of the members of the previous executive council, determined by the executive council, shall remain on for the next term of office to provide continuity in the work of the executive council.

7.2.4.2 A member of the executive council shall automatically vacate office if the member:-

- Ceases to be a member of the society
- Is absent for more than two (2) consecutive ordinary meetings of the executive council without the permission of the council
- Resigns her membership of the executive council in writing
- Is found guilty of misconduct by the South African Nursing Council or similar statutory bodies

7.2.4.3 Every vacancy of the executive council shall be filled by the election or appointment of another member. The provincial representative will be elected by the provincial structures and the four additional members will be appointed by the members of the executive council until the expiration of the term of office of the executive council.

7.2.5 Meetings of the Executive Council

7.2.5.1 The executive council shall meet on at least one occasion during the course of each year at a venue determined by the executive council

7.2.5.2 The president of the executive council or in her absence the vice or her nominee shall act as president at all meetings of the executive council

7.2.6 Quorum and Procedure

Fifty percent (50%) plus one additional person of the total members present shall constitute a quorum at any executive council meeting.

7.2.7 Right to Vote

7.2.7.1 All duly elected full members of the executive council shall have equal right to vote on matters concerning the executive council

7.2.7.2 A decision by the majority of the members of the executive council at any meeting shall constitute a decision of the executive council. In the event of equality of votes, the president of the meeting shall have the casting vote.

8. AMENDMENT OF THE CONSTITUTION

The constitution may be amended during a general meeting or during a special meeting of the society by a two third majority of the members present who have voting rights on condition that all members received notice of such amendments sixty (60) days before the date of the appropriate meeting

9. FINANCES - BOOKS - RECORDS

9.1 The society is a non-profit making organization

9.2 Any surplus gains generated by the society incidentally or otherwise shall be used solely for the objectives of the society

9.3 The executive council shall set annual fees, which will be ratified at the general meeting

9.4 The society's debts are payable out of its assets. All personal liability of its members is excluded

9.5 The society's financial transactions shall be conducted by means of a banking account

9.6 The society 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 society. The payment must be a reasonable amount for the work that has been done. Except in exceptional cases, prior arrangement for work to be done and payment agreement should be submitted to and approved by the executive committee.

9.7 The society shall keep correct and complete books and records of accounts, which will be independently audited annually

10. ASSETS

The property or assets for the society will solely be used for the society. Members or office bearers of the society do not have rights over things that belong to the society.

11. FINANCIAL YEAR

The financial year of the society ends on 31 March each year.

12. DISSOLUTION OF THE SOCIETY

10.1 The society may be dissolved by a majority vote at a general meeting or at a special meeting of the society provided that due notice of the proposed dissolution was given in writing to all members at least sixty (60) days before the date of the meeting

10.2 All assets shall be donated to a non-profit organisation of the society's choice

Signed at _____ on this day _____ of _____

President

Secretary

Witnesses

