

(Proposed changes in bold)

FAMILY MEDIATORS' ASSOCIATION OF THE CAPE
C O N S T I T U T I O N

1. NAME

- 1.1 The name of the Association is the Family Mediators' Association of the Cape.
- 1.2 The **abbreviated** name of the Association is FAMAC.

2 OBJECTIVES

The objectives of the Association are –

- 2.1 To promote constructive resolution of family disputes through mediation;
- 2.2 To develop and maintain standards of practice;
- 2.3 To foster working relationships with other organisations involved in family dispute resolution; and**
- 2.4 To encourage research and publications in this field.

3 MEMBERSHIP

3.1 The members of the Association are –

3.1.1 Mediating members who have fulfilled the criteria laid down by the **Annual General Meeting**; and

3.1.2 Associate members who are not active mediators but who wish to be kept informed of the Association's activities.

3.2 An annual subscription fee in respect of both types of membership shall be payable in an amount to be determined from time to time by the Executive Committee;

3.3 All **mediating members** of the Association shall be required to abide by the Code of Practice of the Association;

3.4 Voting rights at general meetings shall be held only by those who are members in terms of paragraph 3.1 of this Constitution.

3.5 Organisations with legal personality may apply for associate membership. **One authorised representative each of such organisations shall have voting rights at meetings of the Association in terms of paragraph 3.4.**

4 EXECUTIVE COMMITTEE

4.1 The Association shall have an Executive Committee elected by simple majority at the Annual General Meeting of the Association. The Executive Committee shall consist of no less than four members. The Executive Committee shall have the following portfolios:

4.1.1 Chairperson;

4.1.2 **Co-Chairperson;**

4.1.3 Treasurer;

4.1.4. Secretary; **and**

4.1.4 Additional members, if required.

4.2 Nomination and election of members to these positions shall be by simple majority vote at the Annual General Meeting.

4.3 The Executive Committee shall have the power and duty to take all steps reasonably necessary for the furtherance of the objectives of the Association **and to deal with the day-to-day management of the Association.**

4.4 Three members shall constitute a quorum for any meeting of the Executive Committee.

4.5 The Executive Committee shall submit a written report of all its activities of the past twelve months at the Annual General Meeting, including a financial report.

5 ACCREDITATION COMMITTEE

5.1 There shall be an Accreditation Committee responsible for **considering and approving applications** for mediation membership **according to the accreditation criteria determined by the Annual General Meeting.**

5.2 The Accreditation Committee shall consist of not less than three members appointed by the Executive Committee, at least one of whom must be a member of the Executive Committee. **The members of the Accreditation Committee must have at least two years' mediation experience.**

6 MEETINGS

6.1. The Annual General Meeting of the Association shall be held no later than the end of May in each year. Members shall be given fourteen days' written notice of the Annual General Meeting. **The notice shall include the agenda, the Executive Committee's report, the treasurer's report, the proposed budget and any proposed resolutions, including amendments to this Constitution or amendmends to the rules for accreditation as mediator members.**

6.2. Should circumstances require a Special General Meeting, seven days written notice shall be given to members of the Special General Meeting **together with** any proposed resolutions.

6.3. **Twenty percent (20%) of the paid up** members shall constitute a quorum at any General Meeting of the Association.

6.4. **Should there not be a quorum at the appointed time for the meeting, then the meeting shall stand down for 20 minutes. If a quorum is still not present, then the meeting shall adjourn for a week. During that week the Executive Committee shall endeavour to contact all members to inform them of the adjournment. Should the adjourned meeting not have a quorum, then the members present shall automatically constitute a quorum.**

6.5. The Executive Committee shall determine the dates of ordinary general meetings of which there shall be at least six per year, in addition to the Annual General Meeting.

7. FINANCIAL YEAR

The financial year of the Association shall run from **1 January to 31 December** of each year.

7 AMENDMENTS TO THIS CONSTITUTION

Any amendments to this Constitution shall be by simple majority vote at a General Meeting **after due notice has been given by means of the agenda distributed to all members at least seven days before the Meeting. The agenda will include the proposed amendments.**

9 PERPETUAL SUCCESSION AND LIABILITY

The Association shall have perpetual succession and shall be entitled to sue and be sued in its own name. The liability of members shall be limited to the amount of their annual subscription.

10. DISSOLUTION

10.1 The Association may be dissolved by a simple majority vote of the members.

10.2 In the event of the dissolution of the Association, the Executive Committee shall dispose of the surplus assets of the Association remaining after all the debts and obligations of the Association have been met, in a way that will further the objectives for which the Association was established.

March 2008