



## Regulations for Regional Committees

### 1. Definitions and Interpretation

1.1. In these Regulations, unless the context clearly indicates otherwise:

1.1.1. "**Constitution**" shall mean the Constitution of the Institute;

1.1.2. "**Election Meeting**" shall mean a Regional Meeting of Members called for the specific purpose of electing a Regional Committee as provided in par 6 *infra*;

1.1.3. The "**Institute**" shall mean the Fiduciary Institute of Southern Africa (a body corporate *universitas* with perpetual succession);

1.1.4. "**Regional Meeting of Members (the Regional Meeting)**" shall mean a meeting of all members of the Institute in a particular region as circumscribed in par 2.1 *infra*;

1.1.5. "**Regulations**" shall mean the Regulations for Regional Committees set forth in this deed, or as may be amended from time to time;

1.2. Terms and expressions defined and described in the Constitution shall have the same meaning and description when used in these Regulations;

1.3. The interpretation of these Regulations shall be done *mutatis mutandis* in accordance with the interpretation provisions as detailed in the Constitution.

### 2. Regions

2.1. The regions are constituted as follows:

2.1.1. Central Region – consisting of the Free State province and the Northern Cape province.

2.1.2. Eastern Cape Region – consisting of that province.

2.1.3. Gauteng Region – consisting of the southern part of that province up to and including Midrand, as well as that part of the Mpumalanga province south of the N12 and N4 highways, and that part of the Northwest province south of the N14 highway.

2.1.4. Northern Region – consisting of the rest of the Gauteng, Mpumalanga, and Northwest Provinces, as well as the whole of the Limpopo province.

2.1.5. Kwazulu-Natal Region – consisting of that province.

2.1.6. Western Cape Region – consisting of that province.



- 2.2. The Council of the Institute (“the Council”) may, from time to time, determine the minimum number of members a region must maintain to continue to function as an independent region.
- 2.3. The Council shall allow a newly formed region to function as such as soon as it reaches the minimum number of members and maintains that number for the period as the Council may determine from time to time.
- 2.4. Any member may request to be included in the list of members of a region adjacent to the region into which he/she has been allocated and has his/her address for membership purposes in accordance with par 2.1 *supra*. The Chief Executive Officer shall give effect to such request and at the same time remove such member’s name from the list of members for the region to which such member should be allocated in accordance with par 2.1 *supra*, unless the Chief Executive Officer, in conjunction with the Membership Committee, decides that sound reasons exist why the request should not be granted.

### 3. The Regional Committee

- 3.1. The Regional Committee shall consist of:
  - 3.1.1. A Chairperson;
  - 3.1.2. A Vice-Chairperson;
  - 3.1.3. A Secretary;
  - 3.1.4. A Treasurer
  - 3.1.5. A Member for functions and marketing;
  - 3.1.6. A Member for education;
  - 3.1.7. A Member for membership and communication;
  - 3.1.8. A Member for professional standards;
  - 3.1.9. Such Interest Group members as the Regional Meeting deems fit and may appoint from time to time;
- 3.2. The Regional Meeting may combine any of the functions mentioned in paragraph 3.1, provided that the position of Chairperson and the position of Vice-Chairperson shall not be held by the same person.
- 3.3. The Regional Chairperson shall become a member of the Council as Regional Councillor representing all the regions on the Council, in accordance with the provisions of the Constitution.
- 3.4. The Regional Committee shall meet at least three times during the course of a calendar year excluding any meeting that may coincide with the date of the Election Meeting.
- 3.5. In an election year as provided for in the Constitution, the Regional Committee shall cause an Election Meeting to be held at least 21 (twenty-one) days before the date of the Annual General Meeting of Members of the Institute (the “AGM”) as determined by the Council.



#### **4. Term of Office**

- 4.1. The term of office of a Regional Committee shall be two years. After this period has expired, all committee members must retire and may be re-elected.
- 4.2. Notwithstanding the provisions of paragraph 4.1 the Regional Committee shall remain in office until a new Regional Committee has been duly elected and constituted.

#### **5. Powers and Duties of the Regional Committee**

##### 5.1. Each Regional Committee may:

- 5.1.1. Determine the frequency and contents of Regional Meetings, provided that no less than four Regional Meetings per annum shall be held;
- 5.1.2. Invite guest speakers to Regional Meetings;
- 5.1.3. Arrange activities for all members and certain categories of members;
- 5.1.4. Identify issues and mandate the chairperson to take up those issues with the Council at Council meetings or any other opportunity, depending on the urgency thereof.

##### 5.2. Each Regional Committee shall:

- 5.2.1. Take all reasonable steps to promote the aims and objectives of the Institute and the Industry in general within its region, including interaction with organs of the State and Government at all levels;
- 5.2.2. Arrange for the Election Meeting to be held as provided for in paragraph 3.5 above;
- 5.2.3. Ensure that the Chief Executive Officer give proper notice to all Members in the Region of the date, time and place of the Election Meeting;
- 5.2.4. Hold office until a new Regional Committee has been elected at a properly constituted subsequent Election Meeting;
- 5.2.5. Submit a report about its activities to the Regional Meeting;
- 5.2.6. Determine a committee portfolio structure suitable for their region, identifying the skills criteria for each committee portfolio as well as number of committee members;
- 5.2.7. Promote the image and importance of the Fiduciary profession.

#### **6. Elections for the Regional Committee**

- 6.1. The Council shall cause elections for the Regional Committee to be held in each geographical region, as determined by the Council, every second year.
- 6.2. The following preparations for the elections shall be conducted:

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- 6.2.1. The Chief Executive Officer shall send the notice of the Election Meeting to all members registered in that region at least 21 (twenty-one) days prior to the Election Meeting.
- 6.2.2. The Chief Executive Officer shall include the provisions of paragraph 3.1 and 3.2 in the notice of the Election Meeting.
- 6.3. The elections shall be held before the conclusion of the Election Meeting; after all other business of the Election Meeting has been concluded.
- 6.4. The procedure for the election of the Regional Committee at the Election Meeting shall be as follows:
  - 6.4.1. The Chief Executive Officer of the Institute or his authorised representative (the "Election Chairperson") shall take the chair.
  - 6.4.2. The outgoing Regional Committee shall table a resolution setting out the proposed structure of the Regional Committee for the new term of office, having due regard to the provisions of the Constitution and paragraph 3.1, 3.2 and 5.2.6 *supra*, the Election Chairperson shall allow debate and call for a vote to approve the structure of the Regional Committee.
  - 6.4.3. The Election Chairperson shall ask for nominations for each position on the Regional Committee as approved in accordance with paragraph 6.4.2. A member may be nominated for more than one position, provided that he may not be elected to more than one position in the structure of the Regional Committee as approved under paragraph 6.4.2 *supra*.
  - 6.4.4. The Election Chairperson shall give each of the nominated candidates an opportunity of no longer than 2 minutes to introduce himself/herself to the meeting.
  - 6.4.5. Subject to the provisions of par 6.4.6 *infra*, the Election Chairperson shall cause ballot papers to be drawn indicating each of the approved portfolios and the names of nominated candidates for each portfolio.
  - 6.4.6. After the introduction of the candidates, members shall vote by prepared ballot papers. The votes may also be conducted by a show of hands upon request of the Election Meeting, subject to the sole discretion of the Election Chairperson.
  - 6.4.7. The member with the highest number of votes in each position shall be elected to that position.
  - 6.4.8. After counting the votes under scrutiny of two members who are not candidates in the election, the Election Chairperson shall announce the result of the election to the Election Meeting.
  - 6.4.9. In the event of a tie between two or more candidates for a particular position on the Committee the result shall be determined by lot, the draw to be conducted by the Election Chairperson under scrutiny of two Members

present at the Election Meeting and appointed by the Members present at such Election Meeting.

- 6.4.10. After allowing time for the outgoing and incoming Chairpersons to address the Election Meeting, the Election Chairperson shall declare the Election Meeting closed.
- 6.4.11. Any Member wishing to object to the election or the result shall do so in writing to the Chairman of the Institute within 14 (fourteen) days of the conclusion of the Election Meeting.
  - 6.4.11.1. The Chairman of the Institute shall instruct the Council to, as soon as is practicable, appoint a Committee consisting of three members not from the region in question to investigate the objection and make a recommendation with supporting evidence or documentation to the Council in writing, which recommendation may be accepted or rejected by the Council by way of a resolution taken in any competent way.
  - 6.4.11.2. In the event of a complaint about the procedure at the election in general or the election of the chairperson in particular, the chairperson shall not take up his seat on the Council until the complaint has been resolved. In the event of any other complaint, the chairperson shall take up his seat on the Council at the meeting at which the new Council is constituted.
  - 6.4.11.3. If the member who objected is not satisfied with the decision of the Council as envisaged in paragraph 6.4.11.1 above, the matter shall be referred to arbitration.
- 6.5. The outgoing Regional Chairperson shall arrange a date for a first meeting of the new Regional Committee within fourteen days of the Election Meeting. At this first meeting the term of office of the incoming Regional Committee shall commence and the term of office of the previous Regional Committee shall come to an end.

## **7. Amendment of Regulations**

- 7.1. These Regulations may be amended or rescinded by the Council acting in accordance with the provisions of the Constitution.
- 7.2. Any Regional Committee may propose amendments to these Regulations to the Council which, once approved, shall apply to all Regional Committees and the regions they represent.
- 7.3. Any Regional Committee may propose amendments to these Regulations to the Council to be applicable, once approved, only to that Regional Committee and the region it represents.

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