

POL/NIA

CONSTITUTION AND RULES OF THE NATAL INDIAN ASSOCIATION.

(with which are amalgamated the Natal Indian Congress and the Colonial Born and Settlers Indian Association.)

NAME.

1. The organisation herein constituted shall be known as The Natal Indian Association (with which are amalgamated The Natal Indian Congress and The Colonial Born and Settlers Indian Association) and shall hereinafter be referred to as the Association.

HEADQUARTERS.

2. The Headquarters of the Association shall be at Durban, in the Province of Natal.

OBJECTS.

- 3 (a) To promote, protect, advance the cause and improve the conditions and status of Indians resident in the Province of Natal, both politically and socially; to guard any encroachment upon existing rights and privileges, to encourage, work for and foster peace, goodwill and co-operation as far as possible between the various sections and races of the population of South Africa.
- (b) To further educational facilities of the Indian Community, especially technical, industrial and agricultural.
- (c) To work for the improvement of the conditions of Indian farmers, especially peasant farmers.
- (d) To work for and secure better trading facilities.
- (e) To affiliate with any other organisations having objects similar to those of this Association.
- (f) To establish Branches and/or Women's Branches in any place or locality in Natal.
- (g) To work for the removal of the prohibition against Indians joining the Defence Force.
- (h) And generally to carry out all such acts incidental to the aforesaid objects which may appear to be in the best interests of the Indian community.

CONSTITUTION.

The Association shall consist of:—

- (1) The Association.
- (2) Branches.
- (3) Women's Branches.
- (4) Members.

MEMBERSHIP.

Any Indian male or female resident in the Province of Natal of not less than eighteen (18) years of age may become a Member of the Association on payment of the subscription laid down in rule 14 hereof. The membership of the Natal Indian Congress and the Colonial Born and Settlers Indian Association as at the date of the passing of this constitution shall constitute the membership of the Association, together with further enrolments.

OFFICIALS.

4. The Officials of the Association shall be:—

- (a) Patrons.
- (b) President.
- (c) Ten Vice-Presidents in addition to Branch Presidents, who are ipso facto Vice-Presidents of the Association.
- (d) Two Joint Hon. Secretaries.
- (e) Two Joint Hon. Treasurers.

COMMITTEE.

5. The Committee shall consist of:—

- (a) Officials.
- (b) Forty-five members elected as herein provided at the Annual General Meeting.
- (c) Representatives from Branches and Women's Branches.

PATRONS.

6. Any Indian who has rendered distinguished services to the Indian Community may be appointed as Patron of the Association in recognition of such services and shall so remain until his resignation or his death.

POWERS OF COMMITTEE.

7. The administrative and executive powers and functions and government of the Association, and direction of its affairs shall be vested in the Committee.

MEETINGS OF COMMITTEE.

8. The Committee shall meet at the Office of the Association at Headquarters or at any other place once a month and at such other dates as the Secretaries may deem fit. Fifteen members shall form a quorum.

VACANCY ON THE COMMITTEE.

9. Any vacancy occurring on the Committee shall be filled by the Committee and any vacancy in the representation of a Branch on the Committee shall be filled in by the Branch concerned.

PROCEDURE AT FIRST MEETING OF COMMITTEE.

10. At the first Meeting of the Committee following its election, the following shall be constituted by it:—

- (a) An Executive consisting of the President, four Vice-Presidents, both Secretaries, both Treasurers and seven members of the Committee, which shall act in matters of urgency. Such Executive shall report its doings to the next Committee Meeting. Seven Members shall form a quorum.
- (b) Councillors to represent the Association on the South African Indian Congress Executive.
- (c) An Auditor, who shall be a registered Chartered Accountant.
11. The Committee may appoint one or more Sub-Committees and delegate any of its powers to a Sub-Committee, and may also withdraw such powers.
12. Any members of the Committee who, without leave or just cause being shown, fails to attend three consecutive meetings of the Committee, shall ipso facto cease to be a member of the Committee.

13. The Committee shall be entitled to frame Bye-Laws and Regulations for the effective management of the affairs of the Association, not inconsistent with or repugnant to these Rules. On vital matters affecting the Indian Community, mass meetings shall be held to ascertain the views and wishes of the Indian Community.

SUBSCRIPTION.

14. Membership Annual Subscription shall be the sum of One Shilling. Written application shall be made for membership.

DUTIES OF SECRETARIES AND TREASURERS.

15. The Secretaries shall keep Minute Book reflecting the proceedings of all meetings, and copies of such Minutes may be sent to all Branches.

16. The Secretaries shall be responsible for the safe custody of all records and correspondence and generally to do acts and things which fall within Secretarial duties.

17. The Treasurer shall keep proper books of Account reflecting the financial transaction of the Association. An audited Statement of Account shall be presented by them for adoption or otherwise.

18. The Treasurers shall have powers to incur expenses to the extent of £5 during any calendar month, such expenditure shall be reported at the next committee meeting for confirmation.

BANK ACCOUNT.

19. All moneys of the Association shall be deposited in a Bank approved by the Committee and withdrawn on the authority of the Committee by cheques signed by the President and either of the Treasurers. But cheques in favour of the Association may be endorsed by one of the Treasurers for purposes of depositing in the Bank.

ANNUAL AND SPECIAL GENERAL MEETINGS.

20. The Annual General Meeting of the Association will be held during the month of October in each year, or as soon as possible thereafter, at such time and place as the Committee may decide. Fifteen days' written notice shall be given to each member in addition to advertisement in the local newspapers. Members of Branches shall be notified through their own Branches.

21. The Agenda of the Annual General Meeting shall include the following:—

- (a) Minutes of the last Annual General Meeting.
- (b) Receiving Secretaries' Annual Report and its adoption.
- (c) Receiving Treasurers' Financial Statement and its adoption.
- (d) Election of Officials.
- (e) And any other matters the Committee may wish to place on the agenda of the Annual General Meeting.

22. The Secretaries shall at the direction of the Committee call a Special General Meeting or on the receipt of a requisition signed by not less than 50 Members of the Association stating the reasons for calling of such meeting. The period of Notice and advertisement in the Press as laid down for an Annual General Meeting shall apply in the case of a Special General Meeting.

BRANCH ASSOCIATIONS.

23. Where there are fifty or more members resident in any area, the Association's Committee on its own initiative, or on the application of twenty-five or more members in such area, may proceed to the formation of a Branch for such area, subject to the following conditions:—

- (a) Association Committee shall delimit the area for a Branch Association.
- (b) No member of the Association shall be regarded as such in a Branch unless he or she is registered as a member in such Branch Association.
- (c) A Branch shall be governed by a Chairman (who shall in virtue of the office become one of the Vice-Presidents referred to in Rule No. 4); not more than five Vice-Chairmen, one or two Joint Hon. Secretaries and an Hon. Treasurer and 11 Committeemen, who shall be elected at their meeting annually. A Branch shall be entitled to appoint one or more persons as its Patrons.
- (d) Subscriptions of members (1s. each) shall be collected by a Branch in its area, which shall retain 50 per cent. for its own purpose and remit the balance forthwith to the Treasurers of the Association.
- (e) A Branch shall be entitled to collect subscriptions in its area for any special purpose, provided it has first obtained the approval of the Association Committee.
- (f) A Branch shall collect for the Association subscriptions for any particular object at the request of the Association.
- (g) A Branch shall manage and act in its local affairs and give effect to the resolutions and acts of the Association.
- (h) A Branch shall be entitled to send two representatives being its members to all Committee meetings, and all its members shall be entitled to participate in the general meetings of the Association.
- (i) A Branch shall keep a detailed register of all its members, minutes and account books, together with copies of all correspondence for the recording of all its doings, and a quarterly report of such doings shall be sent to the Association Committee for its information.
- (j) A copy of the annual report and financial statement by each and every Branch duly audited, shall be forwarded to the Association Committee immediately after submission to its annual general meeting.
- (k) Immediately on formation of a Branch it shall be regarded as having affiliated with the Association. It shall register its name, the names of its officials at the office of the Association and pay an annual subscription of 10s. 6d. before the annual general meeting of the Association and shall also pay 50 per cent. of its subscriptions as soon as same are received to the Association Treasurers.
- (l) The minutes, correspondence and accounts of all Branches shall be open to inspection by the Secretaries or any duly authorised officials of the Association.
- (m) If the Association Committee is convinced after investigation that a Branch is subject to hostile influence to the detriment of the Association, it may dissolve such Branch and report to the next general meeting or give such instructions that the names of such individual members be removed from the Branch register.
- (n) A Branch shall be designated as follows:—Natal Indian Association, Maritzburg Branch, and so on in respect of each Branch Association.
- (o) All property, movable and immovable, belonging to and registered in the name of a Branch, shall be exclusively the property of such Branch.
- (p) A Branch shall be entitled to decide its own quorum for its Committee meetings, which number shall not be less than one-third of its elected Committee members, and shall also make its own rules and regulations, provided same be not inconsistent with the objects and constitution of the Natal Indian Association.

Documen WOMEN'S BRANCH.

24. Upon the application of ten Indian women members of an Association or Branch, the Association may form a Women's Branch, subject to the following conditions:—

- (a) There shall be at least twenty-five Indian women resident in an area to constitute a Women's Branch.
- (b) Such Women's Branch shall be subject to supervision of the Association Committee or Branch, as the case may be. Such supervision shall be reasonably exercised, allowing a Women's Branch the power to do everything for the women and generally to help its Committee and the Branch, as the case may be.
- (c) A Women's Branch shall be governed by a Chairlady (who shall, by virtue of her office, become one of the Vice-Presidents referred to in Rule No. 4), Vice-Chairladies, a Secretary, a Treasurer and not less than five Committeewomen, and they shall be elected annually during the month of October or so soon thereafter by the women members of the Branch.
- (d) The membership subscription to a Women's Branch shall be 1s., and such subscription shall be used for its own purposes.
- (e) A Women's Branch shall be entitled to collect subscriptions for any special purpose after it has first obtained the approval of its Branch for such purpose.
- (f) Members of a Branch or Women's Branch shall be called together from time to time by its Committee for the consideration of any matter. Such Committee shall be subject to the will of its members, provided nothing shall be done inconsistent with the Rules of the Association.
- (g) A Women's Branch shall be subject to Clause 23 (m) in regard to the disciplinary action.
- (h) Every Women's Branch shall keep a minute book and an account book for the recording of its doings.
- (i) A copy of the annual report and financial statement of each Women's Branch, duly audited, shall be forwarded in duplicate to the Association or its Branch, as the case may be, and such Branch shall forward a copy with its annual report and financial statement to the Association.

- (j) Five representatives from each Women's Branch and the Chairlady and Secretary of the Women's Branch shall be entitled to attend and participate at all meetings of the Branch.
- (k) A Women's Branch shall be entitled to one representative to all Committee meetings of the Association, and all members of the Women's Branch shall be entitled to attend and participate at all general meetings of the Association.
- (l) A Women's Branch shall be designated as follows:—Natal Indian Association, Maritzburg Branch, Women's, and so on in respect of each delimited area.

IMMOVABLE PROPERTIES.

25. All immovable properties of the Association shall be vested in the name of nine Indian Trustees, who shall be appointed among the members of the Association at the Annual or Special General Meeting of the Association called for that purpose. Such Trustees shall as far as possible be representatives of every section of the Indian Community.

26. A Trust Deed shall be drawn up clearly defining the powers and duties of Trustees, which shall be submitted to a general meeting of the Association for confirmation, and such Deed shall provide for the removal or re-election, in case of resignation, assignment, insolvency, death or otherwise.

RIGHT TO INSTITUTE OR DEFEND ACTION.

27. The Association may institute any action in law or intervene in any action before the Courts wherein a principle adversely affecting the general Indian Community is concerned or in which the Committee considers as affecting the objects of this Association.

INSPECTION OF BOOKS.

~~28. Any member of the Association shall be entitled, after written notice to the Branch Secretaries or the Association Secretaries, to inspect all books and/or correspondence the property of the Branch or Association.~~

DONATIONS.

~~29. The Association shall have the right to collect and accept any donation from members of the public, and such donation shall become the property of the Association.~~

DISCIPLINARY ACTION.

30. The Committee shall be entitled of its own initiative or on any written complaints of any member of the Association, duly supported by two other members of the Association, to investigate the conduct or attitude of any members of the Association who may have acted, said or done anything which might be held to be derogatory to the aims and objects or rules of the Association, or if two-thirds of its members present at the Committee vote against such a member, then such a member may be suspended or his name struck off from the register of members. Provided, however, such member shall have the right to appeal to the next general meeting for the removal of suspension or re-instatement.

GENERAL AND MISCELLANEOUS.

31. The President shall preside at all meetings of the Association, or in his absence one of the Vice-Presidents, or in the absence of any of the Vice-Presidents, a member of the Committee shall preside. The Committee may, however, appoint one of its Vice-Presidents as Chairman of the Committee.

32. The proceedings of the meeting shall be carried on in English, but any member may speak in any of the Indian languages.

33. A copy of this Constitution shall be supplied to any member of the Association on application and on payment of the cost thereof, and also on payment of cost of badges or symbols if same be available.

34. The foregoing rules may be amended, revised, or added to at the Annual General Meeting or Special General Meeting called for the purpose, by a two-thirds majority of those present thereat, provided notice of such amendment, revision or addition be given to the Secretaries thirty days prior to such Annual General Meeting by any member desiring the amendment.