

OSALL

Organisation of SA Law Libraries

CONSTITUTION OF THE ORGANISATION OF SOUTH AFRICAN LAW LIBRARIES

This Organisation continues the work of the Organisation of South African Law Libraries (established in July 1976), which was a national division of the South African Institute of Librarianship and Information Services (SAILIS).
SAILIS (and all its divisions and branches) was disbanded on 30 June 1998.

1. **DEFINITIONS**

- 1.1 In this Constitution, unless the context otherwise indicates –
- 1.2 “Committee” means the executive committee of the Organisation of South African Law Libraries.
- 1.3 “Organisation” means the Organisation of South African Law Libraries.

2. **FORMATION OF ORGANISATION**

- 2.1 A juristic person, called The Organisation of South African Law Libraries, is hereby established. The Organisation may own property, incur liabilities and sue or be sued in a court of law.

3. **OBJECTS**

The objects of the Organisation are:

- 3.1 to co-ordinate the activities of law libraries and legal collections by promoting co-operation between law libraries and legal information workers;
- 3.2 to promote the interchange of bibliographical information, and other information relevant to law libraries and legal collections;
- 3.3 to encourage the pooling, comparison and interchange of ideas on the handling and solution of problems common to law libraries and legal collections;
- 3.4 to arrange and conduct meetings, discussions, courses and visits and to employ other forms of communication with a view to furthering the objects of the Organisation;
- 3.5 to foster the study and application of library management tools and techniques for improving the effective utilisation of legal information;
- 3.6 to promote the status of those engaged in law librarianship and to support the training and further education of librarians.

4. MEMBERSHIP OF ORGANISATION

- 4.1 There are the following four classes of member of the Organisation:
- 4.1.1 personal members;
 - 4.1.2 institutional members;
 - 4.1.3 newsletter subscribers;
 - 4.1.4 honorary members.
- 4.2 Personal membership is open to any person working in a law library or information service, or any person interested in the objectives of the Organisation, on payment of an annual membership fee to be determined at the Annual General Meeting.
- 4.3 Institutional membership is open to any institution having a library or information service, or that is interested in the objectives of the Organisation, on payment of an annual membership fee to be determined at the Annual General Meeting.
- 4.4 The Executive Committee may confer honorary membership on suitable individuals. Honorary membership does not confer any voting rights on any persons so invited, unless such persons are already members of the Organisation. Such persons are entitled to receive all notes and publications of the Organisation.
- 4.5 Newsletter subscribers are not voting members of the Organisation.

5. MEMBERSHIP SUBSCRIPTIONS

- 5.1 A "membership" year runs from 1 July of any year to 30 June of the succeeding year.
- 5.2 Subscriptions are determined from time to time by the Organisation at the Annual General Meeting.
- 5.3 Subscriptions are payable in advance on admission to membership and on the first day of each membership year after admission.
- 5.4 No refund of subscriptions is made to any member resigning from OSALL during the course of the year in respect of which subscriptions have been paid.

6. ELECTION OF COMMITTEE

- 6.1 The committee consists of 5 elected members. With effect from the second election of the committee, the immediate past chairperson of the committee

becomes an ex officio member of the committee. The committee may co-opt any additional members.

- 6.2 The committee is elected every 2 years by the members of the Organisation. Members of the committee may not be re-elected for more than two (2) consecutive terms, unless the committee decides otherwise.
- 6.3 At its first meeting the committee elects from its members a chairperson, vice chairperson, liaison officer, secretary, treasurer and newsletter editor, and any other office that may be considered necessary by the committee.
- 6.4 Election of the 5 committee members takes place by way of ballot. Nomination forms must be sent by the secretary of the Organisation to all members of the Organisation at least 6 weeks before the annual general meeting at which the elections are to take place. Nomination forms must be signed by at least 2 members of the Organisation, and by the nominee who by his signature thereon signifies his acceptance of the nomination as a candidate for election to the committee, and also his willingness to hold any office to which he may be elected by the members of the committee during the term for which the committee is elected. Nomination forms are invalid unless received by the secretary of the Organisation not less than 3 weeks before the date for the annual general meeting at which the elections are to take place.

If 5 or fewer nominations are received those nominees are declared to have been elected to the committee. If more than 5 nominations are received voting papers must be sent to all members of the Organisation at least 2 weeks before the annual general meeting at which the elections are to take place. The 5 members receiving the highest number of votes are declared elected to the committee. In the event of a tie for fifth place the person to fill that place is determined by the drawing of lots amongst the candidates tying for fifth place, provided that if any such candidate is not present, a lot must be drawn on his behalf by a person already elected to the committee.

7. **POWERS OF COMMITTEE**

All of the powers of the Organisation vest in the committee, which may engage in any lawful activity in order to achieve the objects of the Organisation, and which has full authority to manage and invest the funds of the Organisation as it may deem fit.

8. **MEETINGS OF COMMITTEE**

- 8.1 Meetings of the committee must be summoned by the secretary thereof, on the requisition of the chairperson or of not less than 2 members thereof. The committee meets as often as is considered necessary, and must meet at least once a year.
- 8.2 Three (3) elected members constitute a quorum at committee meetings.

- 8.3 All resolutions of the committee are passed by majority vote. In the event of an equality of votes the chairperson has a casting vote in addition to his or her deliberative vote. In the event of an equality of votes on the election of any member of the committee to any office the immediate past chairman has a casting vote in addition to his or her deliberative vote.

9. **SUB-COMMITTEES AND SECTIONS**

- 9.1 Sub-committees of the committee may be appointed by the committee from time to time in order to perform such functions, as may be stipulated by the committee, provided that should such sub-committees be of a permanent and not an ad hoc nature, then the appointment thereof shall be subject to the ratification of the Organisation at the next annual general meeting.
- 9.2 Sections of the Organisation may be established by the committee in order to promote the interests of different groups of members. No section may be established unless it has a minimum of 5 members. Each such section must have a section committee, the composition of which must be determined on the establishment of that section. The committee must appoint one of its members to act as liaison officer between the committee and section committee. Sections may determine their own rules and procedures, provided that these must be approved by the committee and may not be contrary to the objects of the Organisation. Whenever such rules have been determined a copy thereof must be lodged with the secretary of the Organisation for the approval of the committee.

10. **GENERAL MEETINGS**

- 10.1 The Organisation must hold an annual general meeting in July or August of each year.
- 10.2 The committee may convene an extraordinary general meeting of the Organisation if it deems necessary, and must do so on the written request of at least one-quarter of the members of the Organisation in good standing, addressed to the honorary secretary of the Organisation, and stating the object of the meeting requested.
- 10.3 Notice of any meeting of the Organisation must be sent to all members of the Organisation in writing at least 14 days before the date for such meeting, by the secretary of the Organisation.
- 10.4 A quorum for the annual general meeting or an extraordinary general meeting of the Organisation is 10% of the members of the Organisation. For the purposes of determining a quorum and of voting, a member who has submitted a postal vote shall be deemed:
- 10.4.1 to be personally present at the meeting for which such postal vote is submitted; and

- 10.4.2 to vote in the manner stipulated in the postal vote on any nomination for election specified in the postal vote and on any resolution set out in the notice convening the meeting concerned, which is moved without amendment or with such amendment as the chairperson of the meeting deems not materially to alter the substance of the resolution.
- 10.5 The ordinary business of each general meeting is –
- 10.5.1 in the case of all general meetings –
- 10.5.1.1 to consider reports by sections or sub-committees of the Organisation, if any;
- 10.5.1.2 any other business not requiring the passing of a resolution;
- 10.5.2 in the case of the annual general meeting –
- 10.5.2.1 to consider the annual reports of the chairperson and treasurer;
- 10.5.2.2 to announce the results of the elections of the committee.
- 10.6 All other business transacted at a general meeting is “special” business. Written notice of any special business to be transacted at a meeting of the Organisation must be given to the secretary of the Organisation not less than 21 days before the date of such meeting. The secretary must send a copy of each such resolution, together with a postal vote to each member of the Organisation. Such postal vote forms are not effective unless they are received by the secretary of the Organisation not less than 48 hours before the time appointed for the holding of the general meeting or resumption of adjourned general meeting at which the person named therein proposes to vote. Postal vote forms must be in the form prescribed by the committee and in accordance with 10.4.

11. **FINANCE**

The financial year of the Organisation commences on 1 July of each year. The treasurer must keep a record of the income and expenditure of the Organisation, and must present the financial report, verified by an independent person appointed by the committee, at each annual general meeting of the Organisation. A copy of such financial report must be issued to all members of the Organisation. The treasurer must in addition report as and when required to the committee with regard to the finances of the Organisation.

12. **AMENDMENT OF CONSTITUTION**

The Constitution may be amended by not less than three-fourths of the members present personally or represented by postal vote at the annual or extraordinary general meeting of the Organisation at which the amendment is considered, provided that any amendment must be in keeping with the objects of the Organisation.

13. **LIMITATION OF RIGHTS AND LIABILITIES OF MEMBERS AND DISTRIBUTION OF PROFITS**

13.1 No member of the Organisation has any claim to, or any direct interest in any of the property or assets of the Organisation, nor is a member personally liable in respect of any claims made or action brought against the Organisation or liable in any way for the acts or omissions of any other member.

13.2 The funds of the Organisation must be used solely for investment or for the objects for which the Organisation has been established and the Organisation is not permitted to distribute any of its profits or gains to any person for any other purpose.

14. **DISSOLUTION**

14.1 Subject to a resolution passed by a majority representing not less than three-fourths of the members present personally or represented by postal vote at an annual or extraordinary general meeting, the committee may recommend to dissolve the Organisation. The notice convening a meeting for the purpose aforesaid, must clearly state the nature of the resolution to be proposed at such meeting.

14.2 In the event of dissolution, any funds or assets which the Organisation owns, must be transferred to an organisation with similar objectives or to a trust with broadly similar objectives.

Adopted 30 July 1998