
BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 567 OF 2024**NATIONAL COUNCIL OF SOCIETIES
FOR THE PREVENTION OF CRUELTY
TO ANIMALS****R U L E S****1. AMENDED RULE 3.2**

(a) A Society shall, by no later than 21 August of each calendar year, notify the Council in writing of the names, residential addresses, e-mail addresses and telephone/cell phone numbers of each of the Society's committee or board, and of any subsequent changes within 21 days of their occurrence.

(b) All bank and other accounts with financial institutions operated by a Society shall be in the name of the Society and shall be operated reliant upon the signatures of two or more signatories, who shall not be from the same family or household, authorised by a written resolution properly passed by the Governing Body of the Society. In the case of electronic banking, two or more signatories need to load and release any and all payments made via electronic banking, authorised by written resolution properly passed by the Governing body of the Society.

2. AMENDED RULE 3.5

Audited Financial Statements as per the SPCA Act 169 of 1993 Clause 9 (2) (c) – Income Statements must be detailed and include as separate items:

- (1) Membership Fees
- (2) Legacies, bequests and Testamentary Dispositions
- (3) Income from Trusts
- (4) Pound Income
- (5) Municipal Services Income
- (6) The expenditure must be detailed and include Salaries and Wages/Employee Costs as separate items.

3. AMENDED RULE 6.16

(a) Every Society shall have at least one qualified inspector on its staff that is dedicated to undertaking inspectorate work only.

(b) The Board may, however, grant dispensation to a Society from such requirement in (a) above, upon such conditions and for such period (which period shall not exceed 12 months) as it may deem fit, having regard to the particular circumstances of the Society, and after receipt of a request for such dispensation, fully motivated, from the Society.

(c) All inspectors shall meet the requirements stipulated by the National Training Policy.

4. AMENDED RULE 6.29

All general managers of Societies shall meet all the requirements necessary to qualify as an Inspector, save for those managers already employed by a Society as at the date of the adoption of this Rule (December 2016), whose contract of employment concluded with the Society in question, does not contain the prerequisite that the manager be qualified, or must qualify, as an Inspector. "General Manager" for the purposes of this Rule includes any manager to whom any of the inspectorate staff report to. All general managers employed by a Society as at the date of the adoption of this Rule, or subsequent to the adoption of this Rule, shall:

- (a) attend an Inspectors Training Course within six months of the date of the adoption of this Rule, alternatively within six months of the date of their employment. The Board may, however, agree to extend the said six months period as it may deem fit, having regard to the particular circumstances of the Society, and after receipt of a written request for such exemption, fully motivated by the Society, however, the said period may not be exceeded beyond twelve months;
- (b) attend an Inspectors Refresher Training Course every five years to ensure that the qualification remains current.

5. AMENDED RULE 6.30

The committee of every Society shall ensure that a provision is inserted in all future employment contracts of general managers, as defined in Rule 6.29 above, as a prerequisite to their employment, the necessity for them to attend an Inspectors' Training Course and to qualify as an inspector within 12 months of their signature of their contract of employment. This rule came into effect on 19 January 2021.

6. NEW RULE 6.32

A Society must ensure that all dogs and cats adopted from the society are vaccinated against Rabies prior to leaving the Society.

- (a) In the event the animal is too young to be vaccinated, a contractual agreement should be signed with the new owner to bring the animal back to the SPCA for the vaccine on an agreed date, alternatively, they can have their pet vaccinated at their own veterinarian, at their cost, and supply proof of the vaccine to the society, within 1 month from the animal reaching such suitable vaccination age, failing which the Society shall repossess such animal.
- (b) Impounded dogs and cats, who are owner-claimed, are also to be vaccinated against Rabies prior to leaving the Society, except if an objection, recorded in writing, is made by the owner(s).

7. DELETE GUIDELINE 14

In terms of the new Rule regarding disciplinary proceedings against employees, the management committee of a Society is required to hear any appeal noted by an employee against the decision of the disciplinary panel. The following members of the committee must recuse themselves from the committee's deliberations:

- (a) Those who may have given evidence or had evidence to give, whether or not the evidence was given;
- (b) Those who have a special relationship with the employee for any reason;
- (c) Those who have previously expressed support or criticism of the employee.

Recuse means declaring the reason and leaving the meeting while the appeal is debated and voted upon. Recused members may rejoin the meeting for the announcement of the meeting/verdict.

NSPCA CONSTITUTION**1. AMENDED DEFINITION OF "CHIEF EXECUTIVE OFFICER" AND "DIRECTOR" IN ARTICLE 1**

"Chief Executive Officer" means the person appointed in terms of article 13(20) and includes any person appointed to perform the duties of the Chief Executive Officer of the Council from time to time;

"Director" means a person appointed as a Director of the Board nominated, elected or deemed to be elected for the time being of the Council unless the context determines otherwise;

2. AMENDED ARTICLE 1(3)(f)

a reference to an article or schedule is a reference to an article or schedule to this Constitution and a reference to this Constitution includes any schedule;

3. AMENDED ARTICLE 8(1)

Every Member in good standing wishing to be represented at a general meeting of the Council shall lodge with the Council a duly completed delegate/proxy appointment form not less than 96 (ninety-six) hours (unless otherwise specified in the notice of meeting)] before the meeting. The prescribed delegate/proxy appointment form, annexed as "A" hereto, shall be signed by at least two members of the management committee of the Society concerned, by Society resolution which must be attached to the delegate/proxy appointment form.

4. AMENDED ARTICLE 8(4)

An ordinary or special resolution is carried if the votes cast by a show of hands on the resolution are in favour of the resolution in accordance with the definitions of ordinary or special resolution. In the event of an equality of votes, for an ordinary resolution, the Chairman of the general meeting shall be entitled to a casting vote in addition to his deliberative vote.

5. AMENDED ARTICLE 8(7)(e)

Two volunteers from the floor shall count the ballots and the Chairman shall confirm the count.

6. AMENDED ARTICLE 8(10)

A proxy is appointed by a duly completed delegate/proxy appointment form, annexed as "A" hereto:

- (a) An appointment of a proxy is valid if the delegate/proxy appointment form is signed by least two members of the management committee of the Society concerned or the Council, making the appointment and a resolution needs to be attached.
- (b) A proxy's appointment is valid at an adjourned meeting.
- (c) A proxy may be appointed for all general meetings and/or annual general meetings.
- (d) Unless otherwise provided for in the delegate/proxy appointment form, the appointment of the proxy will be taken to confer authority to vote on all motions before the meeting.

7. AMENDED ARTICLE 8(11)

Lodgement of proxy:

- (a) The written appointment of a proxy, on a duly completed delegate/proxy appointment form, annexed as "A" hereto, must be received by the Council, at least 96 (ninety-six) hours before the meeting (unless otherwise specified in the notice of meeting to which the proxy relates).
- (b) The Council receives an appointment of a proxy when it is received at:

(i) the chosen electronic platform or electronic address specified for that purpose in the notice of meeting.

8. AMENDED ARTICLE 12(2)

The Board shall comprise-

- (a) three directors each of whom shall be the chairman, or failing him/her a nominee of each of the primary Societies;
- (b) a maximum of two directors nominated by a simple majority of the votes of the delegates of all the Societies in the Provinces of Mpumalanga, Limpopo, North-West and Gauteng, which directors are ordinarily resident in one of those provinces;
- (c) a maximum of one director nominated by a simple majority of the votes of the delegates of all the Societies in the Provinces of Eastern Cape and Southern Cape, which director is ordinarily resident in one of those provinces;
- (d) a maximum of one director nominated by a simple majority of the votes of the delegates of all the Societies in the Provinces of Western Cape and Northern Cape, which director is ordinarily resident in one of those provinces;
- (e) one director nominated by a simple majority of the votes of the delegates of all the Societies in the Province of KwaZulu/Natal, which director is ordinarily resident in that province;
- (f) one director nominated by a simple majority of the votes of the delegates of all the Societies within the Province of the Free State, which director is ordinarily resident in that province;
- (g) one director nominated by the Minister of Agriculture;
- (h) Except with the consent of the Council in general meeting, the directors elected in article 12(2)(b)–(g) may not be members of a primary Society. In the event that such consent is given, they may not vote on matters which would directly impact upon their Society;
- (i) the executive officer of the Council, who may at the discretion of the Board, be a director with full voting rights and entitled: "Executive Director".

9. AMENDED ARTICLE 12(8)(a)

The Chief Executive Officer, or any employee of the Council designated by the Chief Executive Officer, shall send a notice to all Societies requesting that they nominate candidates for election to the Board at least 4 (four) weeks prior to the nomination date;

10. AMENDED ARTICLE 13(19)

The Board or a committee may further pass a resolution without a Board meeting being held if at least 75% of the Directors or committee members entitled to vote on the resolution sign a document or electronically reply or vote and the reply or vote contains a statement that they are in favour of the resolution set out in the document. The round-robin resolution is passed when the last Director signs, replies or votes in favour of the resolution. For purpose of such resolution, separate copies of a document may be used for signing, replying or voting by Directors if the wording of the resolution and statement is identical in each copy, other means of communication including but not limited to intranet, internet, e-mail, or cell phone text message such as sms or Whatsapp may also be used as determined by the Chairman or in his/her absence the Vice-Chairman. Any document referred to in this article may be in the form of an electronic transmission. The minutes of Board or committee meeting must be recorded that a meeting was held in accordance with this article.

11. AMENDED ANNEXURE "A"***Annexure "A"*****APPOINTMENT OF DELEGATE/PROXY APPOINTMENT FORM**

We, the undersigned, duly authorised by resolution dated _____, (which resolution is attached or the vote will be invalid) and adopted by the Committee of _____ SPCA, do hereby appoint:

a) _____ as delegate in terms of article 8(1) to attend, act and vote on behalf of the aforementioned SPCA.
(mark as not applicable (N/A), if no delegate is appointed to vote),

alternatively, if no delegate from the aforementioned SPCA can attend, then the aforementioned SPCA appoints:

b) _____ of _____ SPCA as proxy in terms of article 8(9) and 8(10), to attend, act and vote on the aforementioned SPCA's behalf at the General Meeting(s) as stated in the abovementioned resolution. We further instruct our proxy as follows:

Special Instructions:

Failing which the delegate may vote or abstain at his/her discretion.

SIGNED AT _____ THIS _____ DAY OF _____ 20_____

1 _____
CHAIRMAN/SECRETARY

2 _____
COMMITTEE MEMBER

PLEASE NOTE:

IMPORTANT This letter of Appointment **must** be lodged at the office of the National Council of SPCA's by no later than **96 (ninety six) hours** ie _____ before the General Meeting as required by the Board in terms of article 9(3) and 11(4), otherwise your proxy will not be able to act on your behalf.

Annexure "C"**BALLOT PAPER****THE NATIONAL COUNCIL OF SPCAs
ELECTION OF DIRECTORS TO THE NSPCAs BOARD**

NAME OF SOCIETY : _____

PROVINCE IN WHICH YOUR
SOCIETY IS SITUATED : _____**PLEASE READ THE FORM CAREFULLY BEFORE FILLING IN ANY INFORMATION**

- 1) Place your cross in the square opposite the name on the ballot paper to register your vote –
- 1 Vote** - Eastern Cape Province and Southern Cape Province
 - 1 Vote** - Western Cape Province and Northern Cape Province
 - 1 Vote** - Free State Province
 - 1 Vote** - KwaZulu Natal Province
 - 2 Votes** - Mpumalanga and Limpopo Province; Gauteng and North/West Province

(MARK WITH X IN THE SPACE PROVIDED)**

VOTE	SURNAME AND FORENAMES OF NOMINATED CANDIDATES	SPCA MEMBERSHIP	PROVINCE

- 2) The ballot paper must reach the Chief Executive Officer by no later than _____, via the relevant Jotform link.

Please note that ballot forms that are NOT sent via the above procedure, will not be counted. Please do not send your ballot form to any email address at the National Council.

- 3) If a Society is in breach of any of obligations in terms of the SPCA Act 169 of 1993 and rules, their vote will not be considered.

Members are hereby cautioned in terms of the provisions of the Constitution that, should a Member vote for more than the stipulated persons or fail to sign the ballot paper, the ballot paper will be invalid.

I, the undersigned, hereby declare that I have not already voted in this election.

SIGNATURE OF MEMBER_____
DATE_____
NAME_____
DESIGNATION