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CONSTITUTION
of the
RESERVE FORCE COUNCIL

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DEFINITIONS

1. In this Constitution, unless the context otherwise indicates-
 - 1.1 "Association of the Reserve Force Council" or "Association" refers to an Association contemplated in clause 4.11;
 - 1.2 "Citizen Force" refers to that part of the Part-time Force which was established in terms of Chapter IV of the Defence Act, No 44 of 1957 ("the Act");
 - 1.3 "Commandos" refers to that part of the Part-time Force which was established in terms of Chapter V of the Act;
 - 1.4 "C SANDF" refers to the Chief of the South African National Defence Force;
 - 1.5 "DOD" refers to the Department of Defence and comprises the Headquarters of the South African National Defence Force, the Services and the Defence Secretariat;
 - 1.6 "Minister" refers to the Minister of Defence;
 - 1.7 "MOD" refers to the Ministry of Defence and comprises the offices of the Minister and Deputy Minister of Defence;
 - 1.8 "RegF" refers to the Regular Force being the Full-time Force Component of the South African National Defence Force;
 - 1.9 "Regimental Association" refers to any voluntary association formed out of serving and or former members of any ResF unit and existing primarily for the purpose of promoting social contact between such members;
 - 1.10 "Regimental Council" refers to any council or similar body established by or for any Unit and existing primarily for purposes similar to the Mission and Aims of the RFC in respect of such Unit;
 - 1.11 "ResF" refers to the Reserve Force being the Part-time Force Component of the South African National Defence Force, which comprises a conventional force previously known as the citizen force and a territorial force previously known as the commandos;
 - 1.12 "RFC" refers to the Reserve Force Council constituted by this Constitution;
 - 1.13 "SANDF" refers to the South African National Defence Force;
 - 1.14 "Sec Def" refers to the Secretary for Defence;
 - 1.15 "Services" refers to the South African Army, the South African Air Force, the South African Navy and the South African Military Health Service;
 - 1.16 "Unit" refers to any permanent Unit of the ResF, of whatever Service or Corps, which possesses the autonomy and distinctive identity normally associated with a Regiment or Commando of the South African Army, a Squadron of the South African Air Force, a Ship or similar Shore Establishment of the South African Navy or a Unit of the South African Military Health Services, and includes any Regimental Council or Regimental Association of or associated with such Unit.

MISSION

2. The Mission of the RFC, as the representative of the ResF, is to assist in promoting and maintaining the ResF, as an integral part of the SANDF, as contemplated in and in accordance with the Constitutional standards set for the SANDF.

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AIMS

3. In order to achieve the Mission, the RFC aims to-
 - 3.1 secure a durable collaboration with the Minister, Sec Def, C SANDF, Chiefs of the Services and Command/ Formation commanders on all matters affecting the ResF and a standing which is commensurate with the role of the ResF as an important and permanent component of the SANDF;
 - 3.2 help secure general and broad-based community and private sector support for the ResF and the voluntary service system; and
 - 3.3 to help promote a "One Force" culture between the ResF and the RegF within the SANDF.

ROLES AND FUNCTIONS

4. In furthering the achievement of its Mission and Aims, the RFC will-
 - 4.1 advise and consult with the MOD/DOD on matters affecting the ResF;
 - 4.2 contribute to the decision-making process of the MOD/DOD on matters which affect the ResF;
 - 4.3 promote the development of ResF support structures involving employers or employer organisations and employees or employee organisations at national and regional level;
 - 4.4 assist with the development and implementation of the ResF voluntary system;
 - 4.5 actively support the SANDF in the recruitment of ResF volunteers;
 - 4.6 advise and assist with marketing, advertising and publicity in relation to the ResF;
 - 4.7 liaise with veterans' and other organisations on ResF matters;
 - 4.8 liaise with organisations representing part-time or reserve forces internationally;
 - 4.9 provide guidance and advice to the ResF or to any constituent Unit thereof on any matter falling within the ambit of the Mission and Aims of the RFC;
 - 4.10 undertake any tasks or projects falling within the ambit of its Mission and Aims which it may be requested by the MOD/DOD to perform;
 - 4.11 establish, maintain and support an Association of the Reserve Force Council as an integral part of the RFC, or disestablish any such Association when required, and will, until so dealt with otherwise, maintain and support the existing Association established by resolution of an annual general meeting of the RFC held on 18 November 1999, and which acts through branches and an executive committee and having a nucleus consisting of the existing individual members of the RFC together with former members of the Association of Officers of the Republic of South Africa (AORSA) and the Reserve Officers Association of South Africa (ROASA), and which caters mainly for the needs of individual members but also of organisations, and in respect of which Association (including any future new Association) rules, regulations and procedures may be instituted, including rules, regulations and procedures dealing with:
 - 4.11.1 the objectives of such Association;
 - 4.11.2 qualifications for membership;
 - 4.11.3 composition, objectives and functions of an executive committee;
 - 4.11.4 composition, objectives and functions of branches;
 - 4.11.5 internal funding including membership fees;
 - 4.11.6 structures catering for, *inter alia*, officers, warrant officers, other ranks and organisations;
 - 4.11.7 any other matter deemed necessary or expedient for the better achieving of the objectives of such Association.

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STATUS AND LIMITS OF AUTHORITY

5. The status of the RFC and the limits of its authority are determined by the following general principles:
- 5.1 The RFC shall be essentially an autonomous and independent consultative, advisory and co-ordinating body, although this shall not prevent the RFC from accepting any mandates from the MOD/DOD which are consistent with its Mission and Aims. The National and Regional Executives of the RFC will represent and promote the interests of the ResF with the Minister, the Sec Def, the C SANDF, Chiefs of the Services and Command / Formation commanders, and with such other decision makers as may be necessary.
 - 5.2 The RFC shall operate under a duty of utmost good faith in representing the interests of the ResF and its constituent Units as a component of the SANDF but shall have no power to bind any individual Unit unless expressly authorised thereto in writing by such Unit.
 - 5.3 The RFC shall have no command function but shall have the right of communication with the MOD/DOD in regard to matters which fall within the ambit of the Mission and Aims of the RFC.

POWERS OF RFC

6. The RFC acting through the National Executive shall have the right to:
- 6.1 raise and acquire by any legitimate means private money and/or property of any description to be vested in and owned by the RFC;
 - 6.2 manage, administer and dispose of any or all such private property;
 - 6.3 create trusts of any description and/or any other entities, incorporated or otherwise, for the above purposes;
 - 6.4 institute and defend in the name of the RFC, any legal action;
 - 6.5 enter into contracts, make donations, appoint and dismiss RFC staff, lend and borrow money on or without security, organise functions, hire property, and insure assets;
 - 6.6 invest its private funds and utilise and expend such funds in such manner as it considers fit;
 - 6.7 open and operate private banking accounts at such financial institutions as it may decide from time to time;
 - 6.8 delegate to any committee, sub-committee or individual any of the powers of the RFC except such powers as relate to the opening and operating of any private banking accounts and the disposition and encumbrance of the assets of the RFC;
 - 6.9 frame such rules and regulations as may be necessary for the good governance and administration of the RFC;
 - 6.10 appoint National and/or Regional Patrons and/or Presidents or grant any other honorary titles or office or confer any other honour or award if and when deemed desirable or necessary.

MEMBERSHIP

7. Constituent Members

The following shall be Constituent Members of the RFC and shall have full voting rights:

- 7.1 All units shall have the automatic right to be Constituent members of the RFC within the relevant Regional Board and shall be represented by the Commanding Officer concerned or his nominee;

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- 7.2 The Association acting through its chairman;
- 7.3 all members of any Regional Executive or of the National Executive for as long as they serve on such executive;
- 7.4 persons, excluding representatives of other organisations, who are invited or appointed to serve on the National Board by the National Executive subject to ratification by the National Board;
- 7.5 persons, excluding representatives of other organisations, who are invited or appointed to serve on the Regional Board by the Regional Executive subject to ratification by the National Board.

8. Associate Members

Any organisation which subscribes to the Mission and Aims of the RFC, acting through a representative appointed by the organisation, may upon application be granted Associate Membership of the RFC by the National executive, and shall not be vested with any right to vote or hold office.

9. Honorary Members

The National Board may award Honorary Membership of the RFC to any person or organisation whom it deems fit. Honorary Members shall have the same voting rights as Associate Members.

10. Termination of Membership

- 10.1 A Member may terminate his/her or its membership of the RFC by notice in writing to the relevant Regional Executive or to the National Executive.
- 10.2 With the exception of Constituent Members which are Units, the membership of any Member may be terminated, for any just cause, upon notice in writing, by resolution of the National Executive.

11. Membership Subscriptions

Constituent and Associate Members may be required to pay such membership subscriptions as may be determined by the National Board at a General Meeting.

STRUCTURE**12. Regional Board****12.1 Demarcation of Regions**

The National Executive shall demarcate the several Regions within which Regional Boards shall be established. In doing so the National Executive shall have regard to:

- 12.1.1 the geographical location of the Units;
- 12.1.2 the number of Units within each Region;
- 12.1.3 convenience of administration and control;
- 12.1.4 facilitation of liaison at all levels of the SANDF;
- 12.1.5 the borders of South African Army Territorial Commands; and
- 12.1.6 any other relevant factor.

12.2 Composition