



South African Pagan Council



Constitutional Handbook Independent Members

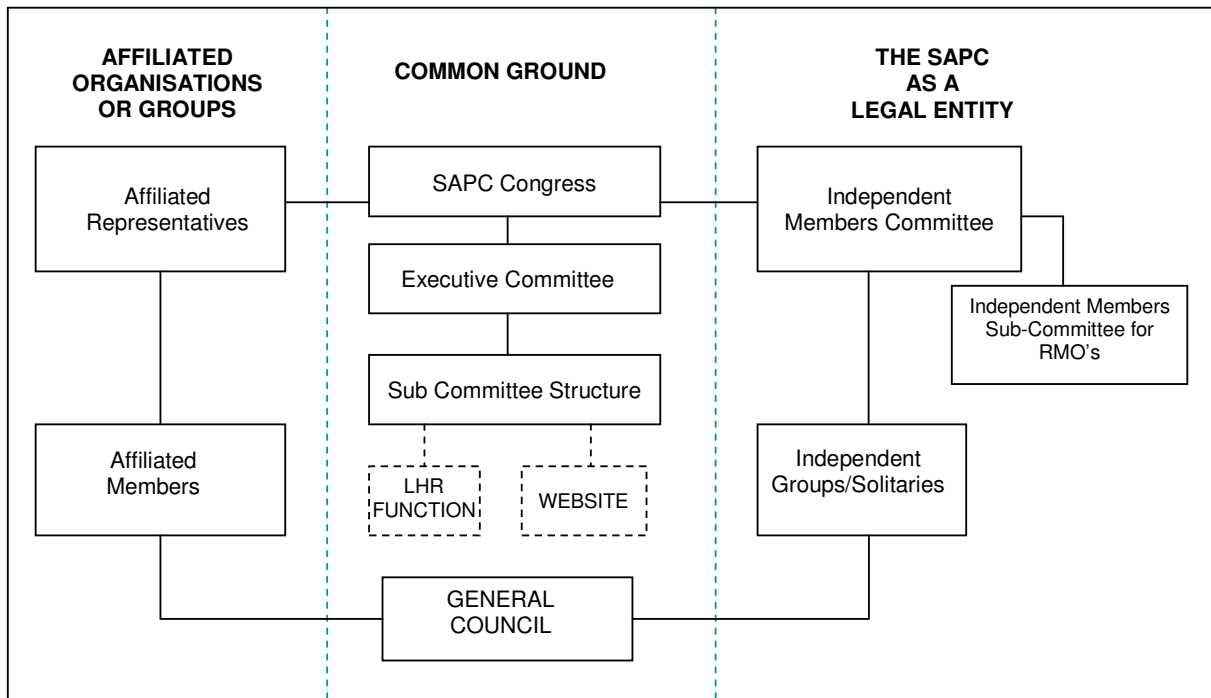
To enable SAPC Members to easily use the Constitutional Handbook in conjunction with Amendment No.1 to the SAPC Constitution, this handbook has been compiled in the form of Frequently Asked Questions (FAQ's).

At the bottom of each answer in the handbook the relevant points from the Amended Constitution have been quoted for easy reference.

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1. Organogram of the SAPC



What does the Organogram represent?

It shows the new efficient organisational structure of the SAPC and how the Members and the Representatives fit into the new structure.

Does this new organisational structure of the SAPC change the nature of the original Constitution?

Not at all! As a matter of fact, the original Constitution gave the right of equal standing to all members of the Council and the new organisational system has been designed to ensure that this equality is not compromised and especially in an environment where separate committees and councils exist within the sub-structure of what was once a single council. The Mission Statement, Aims and Objectives remain unchanged although the Code of Principles that the SAPC has always had has now been officially added to the Constitution as well.

(Mission Statement: 2.1; Aims and Objectives 3; Code of Principles 2.2)

What has changed then?

The only thing that has changed is that provision has been made to allow for the administration of the SAPC as the previous Constitution did not allow for any administrative committee to be formed. With the registration of the SAPC as a Religious Organisation, we are now required to maintain a more professional organisation than was previously necessary. Under the original Constitution, no provision was ever made for members to elect representatives and hence even the Reps elected for the Melville Mandate were essentially unconstitutional. This amendment will rectify the situation by making provisions for what is necessary now as well as for future growth.

(Points 7, 8, 9 & 10 of Amendment No 1; Melville Mandate Reps: 9.1.4)

How will these changes affect me as a member of the SAPC?

There will be very few changes that actually effect most members. All Members still form what we have now called the General Council that is comprised of all members of the SAPC. For the purposes of future SAPC Civil Union Marriage Officers, we have had to

divide the membership of the General Council into two separate categories to make way for the separate administration of RMO's who wish to register with the SAPC and simultaneously allow for the autonomy of affiliated members who are registered with their own organisations. The SAPC does not wish its amendment to affect the internal procedures of affiliated organisations. Hence there is now a separate administration section of the SAPC that deals with all members of the General Council as well as another sub-structure that deals with members who have joined the SAPC directly.

(General Council: point 6; Affiliated Organisations: point 11; Membership: point 5 and RMO Sub-Com: 10.9.1)

Why has the General Council been divided into two separate membership categories?

To ensure the autonomy of affiliated organisations and their right to operate according to their own Constitutions as well as simultaneously allowing members who do not belong to affiliated organisations an opportunity to be adequately represented in the SAPC Congress and the Executive Committee.

(Membership: point 5)

What is the function of the General Council in the new organisational structure?

The functions of the General Council remains the same as that of the original constitution but has established the responsibility of voting for representatives to assist in the administration of its daily functions as well as to ensure the achievement of its short term and long term goals.

Why do SAPC Members need administration?

Administration within the SAPC definition of the word means to supply a service and to manage an organisation in the business sense of the word. The SAPC General Council requires administration on a daily basis to handle the paperwork of membership, the busy mail forum as well as the web site, the press, complaints from members and to investigate events that may affect the Pagan community in SA, etc. In other words, the SAPC has certain aims and objectives that require actual work to be done to achieve them. Hence the need to organise the SAPC to more effectively utilise its resources in a professional manner. The Independent Members Committee has to administer the paperwork of the SAPC as a legal entity including new members, the resignation of old members, regular communication with Independent members as well keeping records of all necessary correspondence & notifications. The Sub-Committee for Independent RMO's will deal specifically with Home Affairs and the registration, training and guidance of SAPC RMO's. Further sub-committees may be formed by either the Executive Committee to deal with any new goals or concerns of the Members of the General Council while the Independent Members Committee may appoint new sub-committees to handle the needs of Independent Members as they arrive.

(Point 8, 9 & 10 of the Amended Constitution)

What is the difference between the three sections of the Organogram entitled (a) Affiliated Organisations or Group (b) Common Ground (c) the SAPC as a legal entity?

These three sections are hypothetical only and have been drawn as such in dotted lines to illustrate why the membership and the SAPC have been divided into two separate categories; namely Affiliated organisations/groups and Independent Members.

1. The section entitled Affiliated organisations/groups indicates the structure whereby members of autonomous organisations may elect a representative to act on their behalf in all dealings with the SAPC administrative committees while still maintaining their own identities.
2. The section entitled the SAPC as a legal entity refers to the part of the organisation that is an autonomous Religious organisation in its own right. Members who have joined directly and who do not belong to affiliated organisations have joined the SAPC in its capacity as a legal entity. It is this part of the SAPC that will deal with the

RMO's and any other business regarding its status as a registered Religious organisation. It has been separated like this to ensure that the autonomy of affiliated organisations is unaffected by the SAPC's registration and responsibility as a Religious organisation.

3. The section entitled Common Ground indicates any co-operate action or venture between affiliated organisations and the SAPC as a legal entity and Religious organisation.

(Points 5 to 11 of the Amended Constitution)

What is the Independent Members Committee?

The Independent Members committee is representative body of the SAPC as a legal entity and Religious organisation.

(Point 10 of the Amended Constitution)

Why must Independent Members be represented by the SAPC as legal entity?

Members who belong to Affiliated organisations who are also Religious organisations are already conforming to certain legal requirements (such as the registration of constitutions etc) whereas Independent Members who do not belong to such organisations do not conform to these legal requirements. Thus the SAPC as a legal entity has provided cover for Independent members in the form of the Committee for Independent Members.

(Legal Standing: point 4)

What is the role of the SAPC Congress?

Up until now, it has been possible for each member of the General Council to speak on their own behalf but in the day to day business of the SAPC, time is of the essence in dealing with external authorities as well incorporating the schedules of affiliated organisations. To ensure that each small item of business does not require a general council referendum, the SAPC has provided for a representational body to oversee the running of the Executive Committee. The SAPC Congress is a small proportionately elected body of representatives from affiliate organisations and the SAPC as a legal entity (including Independent Members) who act as the 'voice of the General Council' to provide direction for and to oversee the administrative efforts of the Executive Committee and its Sub-Committees. Representatives sitting on the SAPC Congress will be responsible for voting on all matters requiring new policies or resolutions for the Executive Committee as well as ensuring that the concerns and needs of all members are attended to by the administrative body. Representatives from the SAPC Congress are also responsible for reporting back to the Affiliated and Independent members as often as is necessary as well as issuing an annual report before the election of representatives each year.

(Representatives: point 6.7 and SAPC Congress: point 7)

What is the role of the Executive Committee?

The Executive Committee is a purely administrative management team comprised of a 'round table' within the round table of the General Council to run various SAPC services, to implement actions to achieve short and long terms goals as well as act as official spokespersons for all co-operative ventures between the SAPC as a legal entity and its Affiliated organisations or groups. The Executive Committee is not about elected representatives but rather represents the chairs around the round table. Each affiliated organisation with over 25 members is given a single seat on the Executive Committee regardless of how many representatives each organisation or group has in the SAPC Congress. The SAPC as a legal entity is also treated equally and is only afforded a single seat on the Executive Committee regardless of how many Independent Member representatives the SAPC has in the SAPC Congress. This structure is to ensure that all members are treated equally within even the administrative level of the SAPC.

(Executive Committee: point 8)

Why are there separate Sub-Committees indicated beneath the Executive Committee and the Committee for Independent Members?

The Sub-Committee structures beneath the Executive Committee are representative of the various projects that are undertaken as co-operate ventures between the SAPC as a legal entity and the various affiliated organisations, groups and individuals of the General Council.

The Sub-Committee structure of the Committee for Independent Members represents the projects concerning only the SAPC as a legal entity/religious organisation as well as any projects necessary to promote the well-being of Independent Members.

(Sub Committees: points 9 & 10.9)

Was all this really necessary?

The very loose ad-hoc structure of the SAPC until now has worked adequately but many problems exist because there is no proper administrative system and the voting procedure at the moment is costly and time consuming. Because the membership has never been properly administered (as the original constitution did not allow for it), many people are unsure of their duties and rights within the SAPC. Now as a registered Religious organisation we are obliged to 'organise' ourselves to present a professional and efficient system to all members of the SAPC to ensure that our integrity as an organisation is not compromised in the eyes of external authorities. This amendment is a symbol of our progress as a unified body of SA Pagans and these changes illustrate the growth of our organisation.

2. Independent Members of the SAPC

The Independent Member category of the SAPC is comprised of:

- ☞ Solitaries.
- ☞ Members of small covens or groups with less than 25 Members.
- ☞ Members of other organisations who are not affiliated with the SAPC.

Independent Members cannot be:

- ☞ Members of any affiliated organisation of the SAPC.

(Membership 5.2.1 of the Amended Constitution)

How do I know if the organisation or group that I belong to is affiliated with the SAPC?

If you belong to an organisation or group with over 25 registered members, your organisation or group may become affiliated with the SAPC if they share common aims and objectives. Because an affiliated organisation or group is already an autonomous body representing a group of people, they will be given the option to elect their own representative to act in the policy-making council (the SAPC Congress) and in the administrative committee (the Executive Committee) that deals with the common ground shared between Affiliated and Independent Members as well as over-seeing all joint ventures. If you are unsure if your organisation or group is affiliated, please contact the leadership of your organisation or the Registrar of the SAPC directly.

(Point 11, Affiliated Organisations or Groups)

What happens if my organisation or group does not wish to affiliate with the SAPC?

If your organisation or group does not wish to affiliate with the SAPC then you and any other member of your organisation or group may join the SAPC directly. Members who join the SAPC directly are called Independent Members.

What happens if my organisation or group has less than 25 members? Can we still become affiliated with the SAPC and get direct representation on the SAPC Congress and the Executive Committee?

All members of any organisation or group that has less than 25 members are considered Independent Members. Upon registration, each member who joins the SAPC directly will be asked to fill out the name of their group or organisation. A membership number with the suffix of the name of your group will be issued to you by the Registrar of the SAPC. Immediately that there are 25 members or more with the suffix specific to your group, you will be invited to affiliate if your group share the aims and objectives of the SAPC and you may elect a representative from within your own group.

(Point 11, Affiliated Organisations or Groups)

What is the reason for this?

The SAPC Congress and the Executive Committee are not councils that have been formed to govern or regulate members of the SAPC. They are only there to administrate the daily business of the SAPC and find effective solutions to the problems that arise on a day to day basis. For this reason, the SAPC Congress and the Executive Committee must remain streamlined to ensure efficient decision-making as well as offering an information service to the members of the SAPC regarding issues of concern as well as any future ventures. To keep these committees streamlined, the SAPC has grouped its members into 'voting blocks' to allow for the concerns and needs of even the most isolated members to be represented in the various committees. The first representative is elected once 25 members have gathered in a 'voting block'. Hence for organisations and groups with 25 members and above, they have already created their own 'voting block' and must elect their own representative. However, there are many smaller groups and covens within the SAPC and so to avoid them not being represented, the SAPC has created 'voting blocks' within the category of Independent Members. In the Independent Members category, small groups, covens and solitaries will band together to be represented by the SAPC itself as well as elected Independent Member Representatives when there are enough Independent Members to warrant a representative.

(Representatives 6.7)

Why must the Convenor represent the first 25 Independent Members and why can we only elect an Independent Member Representative for the next fifty members?

Firstly, the Convenor is just a title for the Independent member representing the first 25 Independent Members. As the SAPC is a legal entity and a registered Religious organisation, this first Independent Member representative has responsibilities and duties to not only the members but also to any external authorities that the SAPC may have to deal with. As the Convenor's name and personal details will be used with all external authorities, it is problematic for the person holding this position to be changed on an annual basis. Hence the SAPC has decided that the same person should hold the position of Convenor until such a time they are no longer able to fulfil their functions and duties. A new Convenor may be elected at any time, if the current Convenor should resign or if the Independent Members should believe that the Convenor is not fulfilling his/her obligations. Secondly, the Convenor, as with all other representatives, has only one vote and that vote must reflect the majority opinion of the members they represent.

(Representatives 6.7.1; Convenor 7.1.1; Replacement of Convenor 10.7.2 & 10.7.3)

Who is the Registrar?

The Registrar is the General Secretary and official signatory for the SAPC as a legal entity. The position of Registrar is a permanent administrative position that is appointed by the Convenor. The Registrar must be an Independent Member who has a permanent position on the Committee for Independent Members; the SAPC Congress and the Executive Committee. As the Registrar is not a Member Representative, they may not vote in normal meetings of the SAPC Congress or the Executive Committee. Under special circumstances, the Registrar will be called upon by the SAPC Congress or the Executive Committee to cast the deciding vote in a case of dead-locked voting.

(Registrar 7.1.2; Replacement of the Registrar 10.7.2 & 10.7.4)

What happens if I do not wish to be an Independent Member?

For those groups or individuals who do not wish to become Independent Members but would still like to be a part of running the daily administrative functions of the SAPC, we would advise that you create your own 'voting block' with other groups or individuals that do not wish to become Independent Members. In forming your own association of groups and individuals, you may become affiliated once you have reached the 25 member minimum. The SAPC will gladly assist you in creating your own association.

(Point 11, Affiliated Organisations or Groups)

What if I am a member of an affiliated organisation but I would prefer to be represented by the SAPC and become an Independent Member?

Because SAPC members, either Independent or Affiliated, are entitled to only one vote per person, if you have already voted for a Representative for your organisation and given them a mandate to represent you at the SAPC, then unfortunately your vote belongs to an affiliated organisation and you are thus an Affiliated Member. If you feel this is unfair, we advise that you contact your Affiliated Representative and discuss the problem directly with them.

(Representatives 6.7.2; Mandate 6.7.2.2; Affiliated Organisations or Groups 11)

What about Solitaries?

Exactly the same applies to solitaries. Any 25 Solitaries may band together to form their own association and be invited to affiliate as well as elect a representative. Or you may prefer to join the Independent Member category and enjoy the benefits of direct membership and representation of the SAPC as well as the added advantage of banding together with other Independent members to vote for another SAPC Representative once the membership totals for Independent Members warrant it.

(Point 11, Affiliated Organisations or Groups)

Will organisations, covens and solitaries remain autonomous or will we be regulated by the Committee for Independent Members?

Any small organisation, group or coven that operates under a specific tradition or ethical code will remain completely autonomous, as will the personal workings of solitaries. The SAPC Code of Principles is only binding to Independent Members in all dealings with the SAPC or any member of the SAPC. The SAPC Code of Principles represents the code of ethics that the SAPC as a legal entity would prefer Independent Members to employ when representing the SAPC in any form whatsoever. This will ensure that the SAPC as a legal entity will not bear the responsibility of any unethical or unlawful practices by Independent Members. As Independent Members, you have joined the SAPC directly and as such all your actions are a direct reflection of the SAPC. Disciplinary action will only be applicable when, after due consultation and investigation, it can be determined that a member has acted in manner unbecoming a registered Religious organisation.

(Conditions of Membership 5.1, Independent Member category 5.2.1; Withdrawal of Membership 5.5; Refusal of Membership 5.6)

3. The rights of Independent Members within the Amended Constitution

- ☞ Independent Members have the right to proportional representation by other Independent Members within the Committee for Independent Members, the SAPC Congress and the Executive Committee. (Representatives 6.7.1)
- ☞ Independent Members have the right to stand for election as an Independent Member Representative in accordance with the total number of Independent members. (6.7.1.2; 10.7.2 & 10.7.3.)

- ✎ Independent Members shall have the right to demand the election of a new Convenor at any time that it may be proved that the Convenor has not or is unable to fulfil their duties in line with the Aims and Objectives of the SAPC. (10.7.2; 10.7.3 & 2)
- ✎ Each Independent Member has the right to a single vote in any referendum in the General Council as well as a single vote within any elections for the Committee for Independent Members Representatives. (Voting 6.6)
- ✎ Independent Members have the right to request the Minutes of any meeting of the SAPC Congress, Executive Committee and Committee for Independent Members at any time. (Reporting 7.8.2; 8.8.2 & 10.8.2)
- ✎ It is the right of any Independent Member to declare any resolution or changes in policy made by the SAPC Congress unconstitutional and invalid if the relevant information is not communicated to the General Council within 30 days of the resolution/policy change being made. Such instances should be reported to the General Council with the accompanying proof and a referendum should be called for if the conflict remains unresolved. (Reporting: 7.8.3 & 7.8.4)
- ✎ It is the right of each Independent Member to receive an annual report detailing the activities and business of the SAPC Congress, Executive Committee and its Sub-Committees prior to any annual elections. (Reporting 7.8.5)

4. Complaints Procedures

- ✎ Complaints about other Independent Members must be directed in the form of private correspondence to any member of the Committee for Independent Members. (Resolution of Conflict 10.10.1)
- ✎ Complaints about Affiliated Members must be directed in the form of private correspondence to the official Representative for the relevant Affiliated Organisation. (Affiliated Members 5.2.2)
- ✎ Complaints concerning the General Council should be issued in the form of private correspondence to any member of the SAPC Congress. (Resolution of Conflict 6.8)
- ✎ Complaints about any Affiliated Member Representative should be addressed in the form of private correspondence to any member of the Executive Committee. (Duties of the Executive Committee 8.3.8)
- ✎ Complaints about Independent Member Representatives (including the Convenor) should be addressed in the form of private correspondence to the Committee for Independent Members. (Duties of Committee for Independent Members 10.3.5)
- ✎ All concerns and issues of the General Council, not pertaining directly to a particular member(s) should be addressed in the form of private correspondence to the Executive Committee. (Duties of the Executive Committee 8.3.8)
- ✎ All concerns and issues of Independent Members, not pertaining directly to a particular member(s) should be addressed in the form of private correspondence to the Convenor or any other member of the Committee for Independent Members. (Duties of Committee for Independent Members 10.3.5)

5. Definitions of terms used in Amendment No.1 to the SAPC Constitution

Affiliated Organisation or Group:

Any autonomous organisation or group with 25 or over verified and registered members who share common goals with the SAPC and wish to participate in co-operative projects for the greater good of the Pagan community.

Full details concerning Affiliate organisations or groups within the SAPC may be found in the Amended Constitution, point 11.

Affiliated Members:

Affiliated Members are those who are confirmed and registered as members of an Affiliated Organisation or group.

Full details concerning Affiliated Members may be found in the Amended Constitution, point 5.2.2.

Independent Members:

Independent Members are those individuals who have registered directly with the SAPC as members and who do not belong to an Affiliated organisation or group.

Full details concerning Independent Members may be found in the Amended Constitution, point 5.2.1

Affiliated Representatives:

Affiliated Representatives are elected for the first 25 registered members and every 50 members thereafter from each Affiliated organisation. Full details for Affiliated Representatives may be found in the Amended Constitution, point 6.7.2.

Independent Representatives:

Independent Representatives consist of the Convenor of the SAPC for the first 25 members and an elected Independent Representative for every 50 members thereafter. Full details for Independent Representatives may be found in the Amended Constitution, point 6.7.1.

General Council:

The General Council refers to all members of the SAPC both Affiliated and Independent.

Full details for the General Council may be found in the Amended Constitution, point 6.

The SAPC Congress:

The SAPC Congress is the policy-making body of the SAPC whose duties include overseeing the Executive Committee. The SAPC Congress is comprised of all Affiliated and Independent Member Representatives along with the Registrar of the SAPC.

Full details for the SAPC Congress may be found in the Amended Constitution, point 7.

The Executive Committee:

The Executive Committee is the administrative and management team of the SAPC whose duties include the implementation of all policies of the SAPC Congress. The Executive Committee consists of a single Representative from each Affiliated Organisation including the SAPC as a legal entity along with the Registrar of the SAPC. Full details for the Executive Committee may be found in the Amended Constitution, point 8.

Sub-Committees:

Sub-Committees are the individual co-operative project teams comprised of appointed or elected Affiliated and Independent Members mandated with specific tasks.

Full details for Sub-Committees may be found in the Amended Constitution, point 9.

Committee for Independent Members:

The Committee for Independent Members is the Representative body for Independent Members that oversee and administrate all Sub-Committees pertaining to the regulation of the SAPC as a registered Religious Organisation.

Full details for the Committee for Independent Members may be found in the Amended Constitution, point 10.