

The Constitution

OF THE HELLENIC COMMUNITY OF PRETORIA, 2018

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INTERPRETATIONS AND DEFINITIONS:

- **AGM:** Shall refer to any Annual General Meeting of Members.
- **COMMUNITY:** Shall refer to the HELLENIC COMMUNITY of PRETORIA and THE GREATER METROPOLITAN REGION OF TSHWANE.
- **CYPRUS:** Shall refer to the Republic of Cyprus.
- **DELIVERED/DELIVERY:** Shall refer to notification to Members or the COMMUNITY by ordinary post and/or registered post and/or any form of electronic transmission which is ordinarily acceptable at the time of delivery (including but not limited to email and/or SMS).
- **FEDERATION:** Shall refer to the Federation of Hellenic Communities and Societies of South Africa.
- **GENDER:** Any reference in the male form shall apply equally to the female form and vice versa.
- **GREECE:** Shall refer to the Hellenic Republic.
- **HELLENES:** Shall refer to any individual or group of individuals whose origin is from Greece and/or Cyprus.
- **HELLENIC:** Shall refer to any concept, idea, object or phrase that encompasses the Hellenic and/or Cypriot culture, tradition and/or history.
- **MAJORITY RESOLUTION:** Shall refer to any resolution that requires a majority vote of fifty percent (50%) plus one (1) vote in order to become effective.
- **RESOLUTION:** Shall refer to any decision that requires a simple majority vote to become effective, unless otherwise specified.
- **REPUBLIC:** Shall refer to the REPUBLIC OF SOUTH AFRICA.
- **SGM:** Shall refer to any Special General Meeting of Members.
- **SINGULAR – PLURAL:** Any reference in the singular shall apply equally to the plural and vice versa.
- **SPECIAL RESOLUTION:** Shall refer to any resolution that requires a three-fourths (3/4) majority vote to become effective.

CLAUSE 1

Preamble

WHEREAS the original constitution of the COMMUNITY dates back to the year 1908; and has been duly amended from time to time thereafter;

AND WHEREAS it is deemed to be desirable and expedient and in the best interests of the COMMUNITY, due to the growth and development thereof, to encourage greater participation by members in the affairs of the COMMUNITY and to bring the existing Constitution into line with the needs of the COMMUNITY, in particular by adapting the voting procedure and by widening the eligibility of members to elect and be elected, and that for such purposes it is essential that the existing Constitution be amended and consolidated;

AND WHEREAS it is acknowledged that Hellenic culture and tradition is inextricably linked to the Greek Orthodox Church;

NOW THEREFORE the Constitution of the COMMUNITY is hereby amended and consolidated by the Constitution herein below set forth and it is recorded that this Constitution was duly adopted at a Special General Meeting of the COMMUNITY held at Pretoria on the 7th day of November 2018, acting in terms of Clause 14 of the existing Constitution.

CLAUSE 2

Corporate Body – Affiliations – Headquarters – Logo

- 2.1 The COMMUNITY is a corporate body with perpetual succession, having full legal capacity and composed of an unlimited number of members, whose individual liability is limited to the amount of the subscription due and payable by them, and shall not be a profit-making institution, except for the furtherance of its objectives.
- 2.2 The Headquarters and Registered Address of the COMMUNITY shall be at 37 Lynwood Road, Brooklyn, Pretoria.

- 2.3 The COMMUNITY being a founding member of the FEDERATION shall be affiliated to the FEDERATION in terms of the constitution of the FEDERATION. Where any conflict may arise between the constitutions of the COMMUNITY and the FEDERATION, the wording of the COMMUNITY's constitution shall prevail.

CLAUSE 3

Main Objectives

- 3.1 To co-ordinate, manage, direct and control the non-ecclesiastical functions of the Greek Orthodox Church, the School of the COMMUNITY, the social club and such additional places of worship, learning and entertainment as may in future be established;
- 3.2 To foster harmony and goodwill among all the members of the COMMUNITY and between them and other Hellenes throughout the REPUBLIC;
- 3.3 To preserve the principals of the Greek Orthodox Church and to perpetuate the observance by members of the Greek Orthodox religion and rites;
- 3.4 To preserve the spiritual, traditional and cultural heritage of the Hellenic people;
- 3.5 To support worthy religious, philanthropic, medical, cultural and social institutions whether they be of Hellenic origin or otherwise;
- 3.6 To foster and develop a spirit of mutual understanding and goodwill among the COMMUNITY members and between such members and all the other citizens of the REPUBLIC;
- 3.7 Whilst maintaining links with and fostering a love for the Hellenic homeland, tradition, culture and language, to instil in members a love and respect for and a feeling of solidarity with the culture, literature and national aspirations and institutions of the REPUBLIC;
- 3.8 To associate with similar bodies and Associations in the REPUBLIC

CLAUSE 4

Secondary Objectives

- 4.1 To stand possessed of the COMMUNITY's present movable and immovable assets, to maintain, repair and improve any buildings, fixtures and furniture belonging to the COMMUNITY and to make additions or alterations thereto;
- 4.2 To raise monies by annual or other subscriptions from members and from levies imposed on members, by means of functions, collections and by obtaining donations and/or testamentary bequests, and to expend such monies in accordance with the spirit of the donations and/or bequests and/or for such purposes and in such manner as may be decided upon from time-to-time by the Council hereinafter provided for;
- 4.3 The COMMUNITY may, in the furtherance of its main objectives acquire movable and/or immovable property and to maintain same.
- 4.4 To let on lease or on hire the whole or any part of the property and buildings of the COMMUNITY, surplus to immediate requirements, on such terms as to rental or otherwise as the Council of the COMMUNITY may determine.
- 4.5 To sell, transfer or exchange any COMMUNITY property whether movable and/or immovable;
- 4.6 To borrow money, on the security of pledge or mortgage of movable or immovable property, and to pass the necessary Deeds of Pledge or Mortgage Bonds, and to secure the registration thereof;
- 4.7 To make grants of money for the relief of distressed or indigent members of the COMMUNITY or other persons of Hellenic origin and/or towards any deserving cause;
- 4.8 To establish a contributory provident fund or pension fund for employees of the COMMUNITY and/or to provide for insurance in case of death of any employee of the COMMUNITY;
- 4.9 To invest funds not immediately needed with registered financial institutions as defined in Section 1 of the Financial Services Board Act No 97 of 1990 as amended, and in Government and Municipal Stock. In the case of the purchase of any

immovable property, to accept a First Mortgage Bond for any unpaid balance of the purchase price and on receipt of payment to cancel such Bond, or for proper consideration to cede such Bond.

- 4.10 To employ duly qualified and suitable priests, ecclesiastical employees, assistants and teachers necessary for the proper carrying out of the religious, cultural and educational functions and objects of the COMMUNITY;
- 4.11 To employ all such persons as are necessary for the proper carrying out of the office administration, and for the care of the property and other assets of the COMMUNITY;
- 4.12 To terminate the employment of any person employed by the COMMUNITY;
- 4.13 To make such amendments to this Constitution as may be considered necessary subject to Clause 13.

CLAUSE 5

Area of the Community

The area served by the COMMUNITY shall be the boundaries of the Tshwane Metropolitan Municipality as defined and established under the Local Government: Municipality Structures Act, 1998, published under Notice 6770 of 2000 in Provincial Gazette Extraordinary No 141 dated 1 October 2000 as amended, read together with Map No 2 published under provincial General Notice No 6396 dated 13 September 2000, as amended.

CLAUSE 6

Membership

Membership of the COMMUNITY shall consist of Nominal Members, Ordinary Members, Qualified Members, Honorary Members and Ex-Officio Members.

6.1. Nominal Members

- 6.1.1. Every major person of Hellenic origin residing and/or carrying on business and/or being employed within the area served by the COMMUNITY and the spouse and/or children of every such person shall be regarded as a member of the COMMUNITY and shall be classified as a Nominal Member.
- 6.2.2. Nominal Members may not attend or participate in any Meetings of the COMMUNITY save by the invitation of the Council and they may not vote thereat nor shall they be eligible for election to any office (other than an Honorary one) in the COMMUNITY. Nominal Members may enjoy such additional privileges as the Council may from time-to-time determine.

6.2. Ordinary Members

- 6.2.1. An Ordinary Member of the COMMUNITY shall be a Nominal Member who has been accepted by the Council as an Ordinary Member and who is not at the time in question under any order of suspension from membership. A member who, at the adoption hereof is not under any order of suspension from membership shall be deemed to be an Ordinary Member in terms of this Constitution.
- 6.2.2. Any Nominal Member who has resided permanently, conducted business or has been employed in the area of the COMMUNITY for a minimum period of 3 months and who is not less than 18 years of age, may apply to become an Ordinary Member by completing the prescribed application form, as per Form "A" hereto annexed, and by submitting such form together with payment of his first annual subscription to the Council for consideration. The Council shall within 30 days of receipt of such application, or within such extended period as it may deem fit, consider such application and forthwith thereafter notify the Applicant in writing of the acceptance or refusal of his application and, in the case of refusal, such notification shall be accompanied by the reasons therefor and by refund of the first annual subscription tendered. A Nominal Member shall be deemed to become an Ordinary Member with effect from the date of the meeting at which the Council accepts his application for ordinary membership.
- 6.2.3. The subscription payable by an Ordinary Member shall be fixed by the Council at the beginning of each financial year, save that the first annual subscription payable by a Nominal Member who applies to become an Ordinary Member at any time other than at the beginning of a financial year, shall be fixed by the Council on a pro-rata basis

having regard to the number of months of that said financial year which have already lapsed at the time of the approval of such application.

- 6.2.4. Unless the Council in any specific case otherwise allows, the subscription payable by an Ordinary Member shall be paid annually in advance on or before the 1st day of each financial year, or in the case of a Nominal Member who applies to become an Ordinary Member, payable on the date of approval of such application which dates shall be deemed to be the due dates for the payment of annual subscriptions.
- 6.2.5. Ordinary Members who are not at the time in question under any order of suspension from membership may attend, but not participate in any meetings of the COMMUNITY, save by invitation of the Council, alternatively, with the consent of the chairperson of such meeting, but may not vote thereat nor shall they be eligible for election to any office (other than an Honorary one) in the COMMUNITY.
- 6.2.6. Ordinary Members may enjoy such additional privileges as the Council may from time-to-time decide.

6.3. Qualified Members

- 6.3.1. A Qualified Member of the COMMUNITY shall be an Ordinary Member who is not in arrears with his/her annual subscription and who is not at the time in question under any order of suspension from membership.
- 6.3.2. An Ordinary Member who, at the adoption hereof is not in arrear with his subscriptions, shall be deemed to be a Qualified Member in terms of this Constitution. A member who, at the adoption hereof, is in arrears with his subscriptions, dues or levies, shall be deemed a Qualified Member in terms of this Constitution, provided such member pays in full all such arrears, subscriptions, dues or levies, unless the Council otherwise decides, within three (3) months after the adoption hereof or immediately preceding an election, whichever is the earlier, or within such extended period as the Council may decide.
- 6.3.3. Qualified Members may, subject to the provisions of clause 9 and 15 hereof, attend, participate in, make themselves eligible for election to any office and vote at all meetings of the COMMUNITY, and/or submit motions for resolutions as provided for in clause 14.9 hereof, and/or sign and support a resolution as is contemplated in clause 14.2 hereof.

6.4. Honorary Members

- 6.4.1. On the proposal of the Council or by nomination of any qualified member and with the consent of the nominated person, the members present at a General Meeting shall have the right to confer upon any person, by SPECIAL RESOLUTION, whether a member of the Hellenic COMMUNITY or not, the privilege of Honorary membership of the COMMUNITY, or upon a SPECIAL RESOLUTION recommendation of the Council, to withdraw or rescind the election of any Honorary Member.
- 6.4.2. Honorary Members shall not be required to pay any subscription to the COMMUNITY.
- 6.4.3. An Honorary Member shall for as long as he/she is an Honorary member be eligible to participate in or vote at any of the meetings of the COMMUNITY and shall not be eligible for election to any office in the COMMUNITY.

6.5. Ex-Officio Members

- 6.5.1. Ex-Officio Members of the COMMUNITY shall be the serving:
- Ambassador of the Hellenic Republic to the REPUBLIC
 - High Commissioner of CYPRUS to the REPUBLIC
 - Metropolitan of the Greek Orthodox Church of Johannesburg and Pretoria
 - President of the FEDERATION
- provided they agree thereto.
- 6.5.2. Upon the termination of the Office of Ex-Officio Members, such membership of the COMMUNITY shall *ipso facto* lapse.
- 6.5.3. An Ex-Officio Member shall for as long as he/she is an Ex-Officio Member not be eligible to participate in or vote at any of the meetings of the COMMUNITY and shall not be eligible for election to any office in the COMMUNITY.

CLAUSE 7

Honorary Officers

- 7.1 On the proposal of the Council and with consent of the members, the members present at a General Meeting shall have the right to elect for life or for any other period, so many Honorary Officers as may be proposed, or upon recommendation of the Council, to rescind or withdraw the election of any Honorary Officer and to alter or reduce the period of which any Honorary Officer has been elected.
- 7.2. Honorary Officers shall not be required to pay any subscription to the COMMUNITY.
- 7.3. Honorary Officers shall be called Honorary President if they previously served as President of the Council and Honorary Vice-President if they previously held any executive post on the Council.
- 7.4. An Honorary Officer shall be entitled only by invitation of the Council to attend and participate in meetings of the Council and shall not be entitled to vote thereat.
- 7.5. An Honorary Officer shall be eligible to participate in and vote at any of the meetings of the COMMUNITY.
- 7.6. Honorary Officers, whilst enjoying such privilege, shall be precluded from becoming members of the Council.

CLAUSE 8

Termination of Membership

- 8.1 Voluntary Termination of Membership
- 8.1.1. A member may resign by giving written notice addressed to the Secretary and upon receipt thereof by the Secretary, shall with immediate effect cease to be an Ordinary or Qualified Member, as the case may be, and thereafter shall be regarded as a Nominal Member.

- 8.1.2. Although any such resignation shall take effect from date of receipt by the Secretary of such notice, the resigning member shall remain liable for all outstanding subscriptions, levies and dues as at the date of receipt of such notice, unless the Council decides otherwise.

8.2 Suspension and Expulsion of Member

- 8.2.1. The Council is empowered to suspend or expel any Ordinary Member for any conduct which, whether calculated to do so or not, may bring the COMMUNITY or its members or the Hellenic nation generally into disrepute and/or hatred and/or contempt, or if such member is himself guilty of any conduct which is or is likely to be injurious to the COMMUNITY or which causes or is likely to cause dissension and/or division and/or discontent within the COMMUNITY or among its members or if any member shall cause others to conduct themselves in such manner.
- 8.2.2. Upon receipt of a complaint from a member and upon a council resolution to this effect, whether emanating from a member's complaint or not:
 - 8.2.2.1. A written notice of an intention by the Council of the COMMUNITY to suspend or expel a member shall be delivered to the member concerned recording therein full particularity regarding the alleged misconduct;
 - 8.2.2.2. The notice of intention to suspend or expel the member shall call upon the member concerned, within 7 days of delivery thereof, to furnish written reasons as to why the member should not be suspended or expelled, which reasons shall be delivered to the COMMUNITY.
- 8.2.3. Upon receipt of the reasons referred to above, the Council shall consider the evidence placed before it and shall make a decision to:
 - 8.2.3.1. Dismiss the complaint; or
 - 8.2.3.2. Suspend the member's membership for such period of time as the Council deems fit; or
 - 8.2.3.3. Expel the member from the COMMUNITY.

- 8.2.4. In the event of the Council dismissing the complaint, the member accused of the alleged misconduct as well as the complainant, where applicable, shall be informed in writing of such finding, within 7 days, setting out the reasons therefore.
- 8.2.5. In the event of the Council suspending or expelling the member, such decision shall be in writing and delivered to the member concerned within 7 days of the Council's decision, setting out therein:
- 8.2.5.1. the finding of the Council;
 - 8.2.5.2. the reasons for such finding;
 - 8.2.5.3. the member's entitlement to appeal against the Council's finding to the Court of Honour referred to in clause 24 herein within 14 days of the posting of the finding, failing which the suspension or expulsion shall thereupon become effective and from which date the member concerned shall lose all the rights and privileges of membership of the COMMUNITY.
- 8.3. Any Ordinary Member who leaves the area of the COMMUNITY permanently shall be deemed to have resigned as an Ordinary Member from the date of such departure.
- 8.4. Notwithstanding clause 8.1.2. above, upon termination of membership for any reason whatever, an Ordinary Member shall remain liable for his full subscription up to the end of the financial year during which the membership is terminated.

CLAUSE 9

Council and Management of the Community

- 9.1 The management and control of the affairs and business of the COMMUNITY shall vest in a Council elected in terms of Clause 15 hereof.
- 9.2 The Council shall consist of the following Officers: a President, a Vice-president, a Treasurer, an Assistant Treasurer, a Secretary, an Assistant Secretary and 5 (five)

Councillors. No person shall simultaneously hold more than one of these offices on the Council.

- 9.3 The members of the Council shall serve for a period of Two (2) consecutive years as from date of election and shall hold office until other members have been elected in their stead.
- 9.4 Every Qualified Member shall be eligible for election as a member of the Council, provided that such member is a member of the Greek Orthodox Church and has been an Ordinary or Qualified Member of the COMMUNITY for a continuous period of at least 36 (thirty-six) months immediately prior to the date of his/her election to the Council.
- 9.5 The Council shall be elected by Qualified Members of the COMMUNITY every 2 years as provided for in clause 15 hereof.
- 9.6 The Council shall at its first meeting after its election appoint so many Committees as it deems fit, each presided over by a member of the Council and each consisting of 3 or more persons who may either be elected Councillors or Ordinary Members, to manage and control, inter alia, the domestic affairs of the Greek Orthodox Church, benevolent work, the School and the Social Club of the COMMUNITY.
- 9.7 The President, Vice President, Treasurer, Assistant Treasurer, Secretary and Assistant Secretary shall form the Executive of the Council, called the Executive Council.
 - 9.7.1. In the event of any office of the Executive Council becoming vacant before due expiry thereof, such vacancy, with due regard to the provisions of paragraph 9.2 hereof, shall be filled within 2 weeks by an appointment made by the remaining members of the Council from amongst themselves.
 - 9.7.2. In the event of any member of the Council, other than a member of the Executive Council, vacating office before due expiry thereof, the Council may subject to clause 9.4. hereof appoint any qualified member to fill such vacancy.
 - 9.7.3. Any appointment as aforementioned shall be of a temporary nature and shall only be regarded as a permanent appointment when it has been approved at the next General Meeting immediately following. Such General Meeting may,

instead of approving such appointment, elect in terms of Clause 15 hereof any other Ordinary Member to fill the vacancy.

- 9.7.4. In the event of 6 or more of the aforesaid offices becoming vacant simultaneously the Council shall be obliged to call a General Meeting within 30 days to elect qualified members to fill such vacancies.
- 9.8. A member of the Council may resign from the Council at any time by submitting his resignation in writing to the President.
- 9.9. A member of the Council shall be deemed to have resigned from the Council if he is suspended as an Ordinary Member of the COMMUNITY or resigns as or ceases to be an Ordinary Member, for the period of such suspension, resignation or cessation, or if he ceases to be a member of the Greek Orthodox Church, or if an objection to his election is upheld by the Court of Honour, dies, or contravenes the provisions of clause 10.2 hereof.
- 9.10. In the event of the Council resigning simultaneously in toto, any 5 (five) Ordinary Members of the COMMUNITY shall be entitled to convene a General Meeting for the purpose of the election of a Caretaker Council and to deliver the required notices to all Ordinary Members for such meeting. In the event of more than one set of persons convening a meeting in terms hereof, the proper meeting shall be deemed to be that which has been convened by the requisitioning members who have first lodged with the Hellenic Embassy in Pretoria notice of their intention to convene the meeting, provided that such meeting is convened within fourteen (14) days of the date of such notification.
- 9.10.1. For the purpose of this meeting a quorum shall consist of 10% of the ordinary members of the COMMUNITY.
- 9.10.2. One of the persons convening the meeting shall act as Chairperson unless the Honorary President, if any, agrees to do so.
- 9.10.3. The meeting shall elect a Caretaker Council of not less than five (5) ordinary members.
- 9.10.4. The sole functions of the Caretaker Council shall be to attend immediately to any urgent business of the COMMUNITY and to convene within 21 (twenty-one) days after election, a General Meeting of the COMMUNITY for the purpose of electing a new Council.

9.10.5. As soon as the new Council has been duly elected in terms of this Constitution the Caretaker Council shall hand over the affairs of the COMMUNITY to the new Council and the Caretaker Council shall be deemed to have been dissolved.

CLAUSE 10

Powers, Duties and Procedure for Meetings of the Council, Executive and Committees

10.1. Quorum

The quorum for a Council meeting shall be 6 (six) serving members, provided that at least 3 (three) serving members of the Executive Council are present, and for an Executive Council or Committee meeting, a quorum shall consist of 50% + 1 of the serving members thereof, save that the provisions hereof shall not apply and not Invalidate a General Meeting called in terms of clause 9.7.4 hereof.

10.2. Declaration of Interest

At any meeting of the Council, Executive Council or any Committee, no person or member shall, save with the consent of the Council, be present at any discussion of any matter in which such member or his spouse or immediate members of his family have any direct or indirect financial or other material interest and the member concerned shall, prior to the commencement of such meeting, be bound to declare such interest and shall be precluded from voting on such matter.

10.3. Council

The Council shall take charge of all the affairs of the COMMUNITY and carry out the objects thereof, exercising all such powers as are not, by this Constitution, specially reserved to the COMMUNITY in General Meeting and shall exercise its powers and functions by means of resolutions passed from time-to-time at its meetings.

10.4. Special Powers of the Council:

- 10.4.1. To consider applications for ordinary membership and to accept or refuse the same.
- 10.4.2. To suspend, expel and/or reinstate members.
- 10.4.3. To reduce, remit or suspend payment of subscriptions by any Ordinary Member who may be in reduced circumstances, for any period it may consider necessary and to permit such member to continue to enjoy all the rights and privileges of membership.
- 10.4.4. To control the office administration for the COMMUNITY and the Committees and to appoint such persons as may be necessary therefore on such terms and conditions as the Council may decide. The Council shall have the right of dismissal of any such employees.
- 10.4.5 To control the income and expenditure and the general finances of the COMMUNITY.
- 10.4.6. To borrow money and authorise the signing of any Mortgage Bonds and/or other Deeds or documents of acknowledgement or undertaking to pay the lender and to secure the payment of any money so borrowed, up to a maximum of R250 000.00 (two hundred and fifty thousand Rand) per financial year.
- 10.4.7. To enter into leases, authorise the signing thereof and control the collection of rentals and other fees as provided for in Clause 4.4.
- 10.4.8. To engage and/or terminate the services of bookkeepers, auditors, legal and other professional practitioners, tradesmen or technicians to assist in the proper carrying out of the objects of the COMMUNITY and to pay their fees.
- 10.4.9. To authorise the payment of money for services received in connection with the conduct of the affairs of the COMMUNITY and/or bonuses and gratuities and any honoraria.
- 10.4.10. To delegate any of its powers to the Executive.
- 10.4.11. To appoint Church officials for the Greek Orthodox Church including, inter alia, Priests and Cantors and teachers for the Hellenic School and/or other members or Officials to other bodies or organisations established in

terms hereof. The Council shall also have the right to suspend or dismiss any such employees so engaged.

10.4.12. To appoint delegates to any other institutions or bodies not inconsistent with this Constitution.

10.4.13. To represent the COMMUNITY in bringing or defending any legal proceedings instituted by or against the COMMUNITY.

10.4.14. To draft such bye-laws as it may deem necessary within the framework of this Constitution.

10.4.15. To appoint any Committees as it may deem necessary.

10.4.16. To alter, rescind, withdraw or amend any report, proposal, recommendation or decision made by the Council or Committees in terms of this Constitution.

10.4.17. The Council shall not have the power to carry on any business, including, inter alia, ordinary trading operations in the commercial sense other than for the sole benefit or best interests of the COMMUNITY, speculative transactions or dividend stripping activities, except as provided for in Clause 4.4 above.

10.5. Duties of the Council:

10.5.1. To hold meetings as often as the Council deems fit for the transaction of the business of the COMMUNITY of which an agenda shall be drawn up at or prior to the commencement of the meeting.

10.5.2. To keep an attendance register of each meeting.

10.5.3. To cause minutes to be kept of all the proceedings at such meetings

10.5.4. To cause books of account to be kept wherein shall be recorded all money owing to and by the COMMUNITY and all monies received for and paid out on behalf of the COMMUNITY.

10.5.5. To consider the minutes, requests, communications or recommendations received from the Committees and give its decisions thereon.

10.5.6. To receive and deal with correspondence addressed to the COMMUNITY or any Committee or officer or official thereof.

- 10.5.7. To examine all accounts received before sanctioning payment thereof, or to sanction payment of accounts which have been previously certified as correct by the Executive Council.
- 10.5.8. Before every Annual General Meeting to cause to be prepared for submission to the members there at the Annual Report containing:
- (a) A record of the activities of the Committees and the Council during the past financial year;
 - (b) A report on the services performed by the officials of the COMMUNITY;
 - (c) A survey of the progress of any bodies or institutions in Pretoria enjoying the support of the COMMUNITY;
 - (d) A general statement on the progress of the COMMUNITY and the number of members;
 - (e) A Resolution, if any, for the election of any members as Honorary Officers and/or Honorary members and/or recommendations, if any, on good cause, for the rescission or withdrawal of Honorary Office and/or Honorary Membership or for the alteration or reduction of any period for which any Honorary Officer/Member has been elected.
- 10.5.9. The Council shall furthermore and before every Annual General Meeting cause to be prepared for submission to the Annual General Meeting an income statement and balance sheet, same having duly been audited by the Auditors of the COMMUNITY.
- 10.5.10. To convene all the necessary General Meetings in terms of this Constitution and such other General Meetings as the Council deems necessary.
- 10.5.11. To keep and maintain an inventory of all the movable assets of the COMMUNITY.
- 10.5.12. To keep in safe custody all the ballot papers handed to the Council in terms of Clause 15 and to retain same for a minimum period of 3 months following the election.

10.6. Duties of the Executive Council

10.6.1. The Executive Council shall meet as often as it deems fit to co-ordinate the affairs of the COMMUNITY, examine and certify for payment accounts rendered to the COMMUNITY and shall exercise such further powers and perform such further duties as the Council may from time-to-time delegate to it.

10.6.2. Proper minutes shall be kept of all Executive Council meetings and the same shall be tabled at the next Council meeting unless the Council meeting is held at the same time as the executive meeting, in which event an oral report by the Secretary or Assistant Secretary may be given to the Council meeting of what transpired at the executive meeting and the written minutes may be tabled at a later stage.

10.6.3. An attendance register shall be kept of all Executive Council meetings. The attendance register may be included with that kept for Council meetings.

10.7. Duties of Committee

10.7.1. The Committees shall meet as and when the Chairperson of each Committee deems necessary to deal with such business as has been assigned to it by the Council.

10.7.2. One of the members of each Committee shall act as Secretary and shall keep an attendance register and minutes of each meeting.

10.7.3. As soon as possible after each meeting a copy of the minutes shall be forwarded to the Secretary of the COMMUNITY and the same shall be tabled at the next Council meeting.

CLAUSE 11

Duties of the Officers

11.1. President

11.1.1. The President shall wherever possible act as the representative of the COMMUNITY, the Council and the Executive.

11.1.2. The President shall whenever possible preside as Chairperson at every General Meeting of the COMMUNITY, of the Council and of the Executive and carry out any of the duties assigned to him as a member of the Council and the Executive or elsewhere under this Constitution

11.2. Vice-President

The Vice-President shall take the place of and/or act for the President in the absence of the latter or at his request, and as such carry out the duties of the President. In addition, he shall carry out any of the duties assigned to him as a member of the Council and Executive.

11.3. Treasurer

The Treasurer shall:

11.3.1. be responsible for the control of all monies received on behalf of the COMMUNITY and all monies expended by it;

11.3.2. see to it that any money collected by any official or officer or from any member is paid over to him;

11.3.3. cause all monies coming into his hands to be deposited to the credit of the COMMUNITY in the Bank of the COMMUNITY within three (3) days of the receipt thereof;

11.3.4. make all payments by internet banking, except Petty Cash payments to such amounts as the Council may from time-to-time decide;

11.3.5. at the end of every month pay or cause to be paid the salaries and wages due to the officials and employees of the COMMUNITY;

- 11.3.6. submit forthwith all accounts received by him to the Council or the Executive, and on receipt of due approval shall affect payment by internet banking to the payees thereof;
- 11.3.7. keep proper books of account, recording therein all monies owing to and by the COMMUNITY and all monies received and paid. He shall retain in his custody or under his control all accounts, vouchers and receipts relating to all transactions;
- 11.3.8. at every monthly meeting of the Council, submit a statement of all receipts and payments during the preceding month, together with a bank statement showing the financial position of the COMMUNITY as at that date; and
- 11.3.9. cause to have an audited balance sheet and income and expenditure account prepared and submitted to the Council, for submission to each Annual General Meeting.

11.4. Assistant Treasurer

The Assistant Treasurer shall take the place of and act for the Treasurer in the absence of the latter or at his request. In addition, he shall assist the Treasurer wherever possible in the execution of the Treasurer's duties as aforesaid.

11.5. Secretary

- 11.5.1. The Secretary shall be responsible for all correspondence and shall supervise the clerical staff of the COMMUNITY and shall have custody and control of all the COMMUNITY's files and documents. He/she shall open or cause to be opened all correspondence addressed to the COMMUNITY and Council, and all letters to be sent out shall be signed by him/her or under his/her authority.
- 11.5.2. Before every meeting of the Council or COMMUNITY he/she shall cause to be issued the requisite notices and shall prepare the necessary agenda and shall immediately upon receipt thereof, inform the Council of any notices or motion received by him in terms of clause 14 hereof.
- 11.5.3. At every meeting, he/she shall record or cause to be recorded minutes of the proceedings and submit these at subsequent meetings for confirmation.

- 11.5.4. He/she shall keep or cause to be kept a register of all Ordinary, Qualified and Honorary Members of the COMMUNITY and shall have same with him/her at every General Meeting.
- 11.5.5. Before every Annual General Meeting he/she shall prepare or cause to be prepared the Council's Annual Report.
- 11.5.6. At every General Meeting, he/she shall prepare or cause to be prepared an attendance register wherein he/she shall enter the nature and date of such meeting and obtain or cause to be obtained the signature of every member present and thereafter hand the attendance register to the President or other presiding officers.
- 11.5.7. The Secretary shall receive and be responsible for the safekeeping of the original of this Constitution and of all amendments thereto, of all title deeds, leases and securities. He/she shall, on election or nomination, examine all such documents, check the same with the inventory thereof handed to him/her by the outgoing Secretary, and retain the same in safekeeping in the office of the COMMUNITY. When his/her term of office expires, the Secretary shall verify that the inventory is true and correct and he/she shall sign the same and hand the same over to the new Secretary who shall sign for the safe receipt of all documents mentioned in the inventory.
- 11.5.8. The Secretary shall keep and maintain a list of all past Chairpersons/Presidents of the COMMUNITY, past Vice-Presidents, past Secretaries and past Treasurers, past Assistant Treasurers, past Assistant Secretaries and past Council members.

11.6. Assistant Secretary

The Assistant Secretary shall take the place of and act for the Secretary in the absence of the latter or at his request and in addition shall assist the Secretary wherever possible in the execution of the Secretary's duties as aforesaid.

CLAUSE 12

Acquisition, Sale, Disposal or Encumbrance of Immovable Property

No immovable property of the COMMUNITY shall be acquired, sold, alienated or encumbered save with the prior approval of $\frac{3}{4}$ (three-quarters) of the Qualified Members present at a Special General Meeting called for such purpose. The quorum for such meeting shall be no less than $\frac{3}{5}$ (three-fifths) of the total number of the Qualified Members of the Community. Should there be no quorum present at the meeting, the President shall within 15 (fifteen) days of that meeting cause notice to be given of another Special General Meeting to be held within 3 (three) months of the first meeting and at that second meeting the quorum shall be not less than $\frac{1}{4}$ (one-quarter) of the Qualified Members of the COMMUNITY.

CLAUSE 13

Amendments to The Constitution

- 13.1. No amendment of this Constitution shall be considered as valid unless it is approved by $\frac{3}{4}$ (three-quarters) of the Qualified Members present at a Special General Meeting called for such purpose. The quorum for such meeting shall be not less than $\frac{3}{5}$ (three-fifths) of the total number of Qualified Members. Should there be no quorum present at the meeting, the Chairperson shall within 15 (fifteen) days of that meeting cause notice to be given of another Special General Meeting to be held within 3 (three) months of the first meeting and at that second meeting the quorum shall be not less than $\frac{1}{4}$ (one-quarter) of the Qualified Members of the COMMUNITY.
- 13.2 Within a period of not more than 21 (twenty-one) days after any provision of this Constitution has been amended, such amendment shall be circularised to all the Ordinary Members of the COMMUNITY, submitted to the South African Revenue

Service, and, if necessary, shall be filed with any relevant Government office or other institution.

CLAUSE 14

General Meetings of the Community

14.1. Annual General Meeting

The COMMUNITY shall during each and every financial year on a date to be fixed by the Council convene and hold an Annual General Meeting for the transaction of the following business:

- 14.1.1. To read the notice convening the meeting;
- 14.1.2. To read and if approved, with or without amendment confirm the Minutes of the last Annual General Meeting and of any General Meetings held since the Annual General Meeting;
- 14.1.3. To receive, and if approved, with or without amendment, to adopt the Annual Report, Income Statement and Balance Sheet;
- 14.1.4. To consider motions for Resolutions submitted by the Council;
- 14.1.5. To elect any Honorary Office and/or Honorary Members recommended by the Council;
- 14.1.6. To consider motions for Resolutions submitted by Qualified Members of which notice shall have been given to the Secretary as provided for in clause 14.9. hereof.
- 14.1.7. To consider motions for Resolutions arising from the minutes referred to in clause 14.1.2. hereof, the Annual Report referred to in clause 14.1.3. hereof and the Balance Sheet and Income Statement referred to in clause 14.1.3. of which no notice shall be required to have been given to the Secretary as is provided for in clause 14.9.1. hereof.

14.1.8. At every Second Annual General Meeting to transact the business aforesaid and to elect the Council as provided for in clause 15 hereof.

14.2. Special General Meeting

14.2.1. The President shall on the recommendation of the Council cause a Special General Meeting to be convened whenever the Council may consider it necessary for the consideration of and voting on a Resolution submitted by the Council to consider a specific matter;

14.2.2. The President shall cause a Special General Meeting to be convened upon receipt of a notice called a requisition signed by at least 50 Qualified members clearly identified therein requesting such a meeting and setting out all the specific matters to be considered at such a meeting, including but not limited to a Resolution calling on the Council to convene a General Meeting for the holding of elections to elect a new Council. Each notice shall contain a comprehensive motivation for the resolution sought.

14.2.3. Should the President refuse, or within 14 (fourteen) days from receipt of the requisition, fail so to convene the meeting, the requisitioning members shall, provided they have adhered strictly to the terms hereof, have the right to convene such meeting themselves and all shall sign the notice convening such meeting. The Council shall make all the facilities of the COMMUNITY available to such members enabling them to, inter alia, deliver the notice convening such meeting. Should the President absent himself from such meeting or fail to preside thereat, the members present shall elect one of their number to preside.

14.2.4. No matters shall be considered, and no business shall be conducted at a Special General Meeting other than the specific matter for which that Special General Meeting was convened.

14.2.5. The specific matter to be considered at the relevant Special General Meeting shall be set out in the notice convening the meeting in the form of a draft resolution and be accompanied by a motivation for the calling of such resolution posted to members in terms of clause 14.3. hereof, and no amendment or variation of such resolution will be permitted at such Special General Meeting save with the consent of both the Council and the majority of the signatories of the requisition.

14.2.6. Any resolution duly accepted at a Special General Meeting will come into effect immediately unless otherwise stated.

14.2.7. The quorum for the meetings held aforesaid shall be as provided for in clause 14.4. hereof.

14.3. Notice Convening Meetings

14.3.1. Notice of every General and Special General Meeting shall be delivered to every Ordinary Member at least 14 (fourteen) days before the date of such meeting.

14.3.2. The non-receipt of a notice by any member shall not invalidate the proceedings at the meeting.

14.3.3 The notice convening any Meeting shall, subject to clause 14.2.5 above, state the nature of the meeting and/or the specific business for which it has been called, and the date, time and venue thereof.

14.4. Quorum of Meetings

14.4.1. Subject to the provisions of clauses 12 and 13 hereof, the quorum for any General Meeting of the COMMUNITY shall be not less than $\frac{1}{4}$ (one quarter) of the Qualified members of the COMMUNITY, save than when a meeting is adjourned in terms of paragraph 14.4.2. hereof, the Qualified Members present at the meeting pursuant to such an adjournment, whatever their number, shall constitute a quorum.

14.4.2. If after half-an-hour from the time appointed for the commencement of a General Meeting there is no quorum present, the Chairperson shall, subject to clauses 12 and 13 hereof, immediately adjourn the meeting to such date and/or time as the majority of those members present may decide.

14.5. Voting

14.5.1. Every Qualified Member of the COMMUNITY who is not under an Order of Suspension in terms of this Constitution will be entitled to vote at a General Meeting.

14.5.2. Every Qualified Member entitled to vote shall vote once only on any motion brought to the vote at any one General Meeting.

14.5.3. No Qualified member shall be entitled to vote by proxy but shall exercise such vote personally at the relevant meeting.

14.5.4. Every motion brought to the vote and every decision taken at a General Meeting at which there is a quorum shall be decided by a majority of Qualified Members present thereat, save and except in respect of any resolution dealing with immovable property or amending the Constitution for which special provision has been made in clauses 12 and 13 respectively.

14.5.5. Voting shall take place by show of hands, unless otherwise requested by not less than 50% of the Qualified Members present at the meeting. Then and in that event, voting shall be by secret ballot as provided for in clauses 15.3 and 15.5 hereof. As regards the election of members of the Council voting take place as provided for in clause 15 hereof.

14.5.6. The Chairperson of the General Meeting shall, if necessary, in any matter which is decided by a show of hands have a second and casting vote.

14.6. Attendance Register

All members shall sign the attendance register on entry to the meeting and failure or refusal to do so or the appending of any words and/or letters and/or marks and/or remarks other than merely the normal signature of the member will result in such member being barred from participating in or voting at the meeting.

14.7. Chairperson

The Chairperson of the General Meeting shall, in order of preference, be as provided for in clause 9.10.2., 11.1.2., 11.2., 14.2.2. or 14.2.3. hereof or the most senior member of the Council present.

14.8. Adjournment

14.8.1. The Chairperson may adjourn any General Meeting at which a quorum is present to a time and date as the majority of those Qualified Members present may decide, but no business shall be transacted at an adjourned meeting other than that left unfinished at the meeting from which the adjournment was made.

14.8.2. No notice of an adjourned meeting need be given other than the announcement at the meeting from which the adjournment is made.

14.9. Motions

- 14.9.1. Motions for resolutions at an Annual General Meeting may only be made by a Qualified Member, and written notice thereof enclosing therein a comprehensive written motivation therefor, shall be given to the Secretary by such member in writing at least 7 (seven) days prior to the Annual General Meeting at which such motion is to be debated.
- 14.9.2. Within 2 (two) days after receipt of notice of a motion in terms of paragraph 14.9.1. hereof, the Secretary shall post or cause to be posted on the Council Notice Board a copy of such notice of motion and deliver a copy thereof as well as the accompanying motivation therefor to all Ordinary Members of the COMMUNITY.
- 14.9.3. The Chairperson shall lay before the Annual General Meeting for consideration every motion of which due notice has been given in terms hereof and following such debate shall bring such a motion to the vote.
- 14.9.4. The Secretary's non-compliance, for whatsoever reason, save for non-compliance with clause 14.9.1 above, of clause 14.9.2 shall not prevent the laying before the Annual General Meeting, for the vote, of the motion and the accompanying motivation referred to in clause 14.9.1 hereof.
- 14.9.5. No motion of which notice has not been given in terms of 14.9.1. may be debated or brought to the vote at any Annual General Meeting.
- 14.9.6. A Qualified Member may speak only once on the same motion unless otherwise permitted by the Chairperson, but the proposer of any motion shall have the right to reply after all other speakers thereon.
- 14.9.7. Any motion duly adopted at an Annual General Meeting will come into effect immediately unless otherwise therein stated.
- 14.9.8. Save as provided for in clause 15.4 hereof, it shall not be necessary for any motion to be seconded by another person.

14.10. Discipline at General Meetings

- 14.10.1. The Chairperson shall be entitled to order any unruly and/or obstructive and/or disobedient and/or noisy persons to leave the meeting and the person or persons so ordered to do so shall leave the meeting forthwith. Should such

person fail or refuse to leave the meeting forthwith the Chairperson shall be entitled to take such action (including the adjournment of the meeting) as he/she may consider necessary.

14.10.2. The Chairperson may at any time in his/her sole discretion determine the length of the debate or the length of any address by any speaker on any motion, resolution or matter under consideration at any General Meeting.

CLAUSE 15

Method of Election of Council

The following provisions shall apply to the election of the Council: -

- 15.1. In the case of a contest in the election of officers the election shall be by secret on the ballot paper as per Form "B" hereto.
- 15.2. The election shall continue uninterruptedly until it has been completed and no election may be postponed unless there are no or insufficient candidates to fill the offices.
- 15.3. When the elections commence the Chairperson, if he/she is the President or the Vice-President, shall vacate the chair and the meeting shall elect an Electoral Committee of not less than 3 (three) qualified members who shall, upon their election, elect from amongst them, by show of hands, a chairperson to lead the Electoral Committee. Notwithstanding their election onto the Electoral Committee, all the members thereof retain their right to vote.
- 15.4. All persons nominated for election to the Council, shall be seconded by a Qualified Member, and shall have indicated their acceptance thereof, before being voted on, orally or in writing to the Chairperson of the Electoral Committee.
- 15.5. Nominations shall then be requested for the office of President. If there is only one nomination and the person so nominated accepts the nomination and is eligible for election to such office, he shall be declared elected. If there are 2 (two) or more nominations of persons who accept the nomination and are eligible in terms of

Clause 9.4 hereof for the office, their names shall be announced at the meeting and a secret ballot shall take place as provided for in clause 15.1 hereof.

- 15.6. The Chairperson of the Electoral Committee shall appoint 2 (two) members of the Electoral Committee as scrutineers who shall issue the ballot papers to all the Qualified Members, collect them after voting, count the votes in secret and shall thereafter report to the Chairperson of the Electoral Committee on the result of the ballot and hand the ballot papers to him. The Chairperson of the Electoral Committee shall thereupon announce the result.
- 15.7. The same procedure shall be followed in turn for the election of Vice-President, the Honorary Treasurer, the Assistant Treasurer, the Honorary Secretary, the Assistant Secretary and 5 (five) Councillors.
- 15.8. An unsuccessful candidate for any office may stand as a candidate for election to any other office.
- 15.9. In the event of the election being postponed as provided for in subparagraph 15.2 the Chairperson of the Electoral Committee shall fix and announce the date of the further election meeting which shall be held within 2 (two) weeks of the postponed meeting.
- 15.10. Upon the postponement of an election, alternatively upon the finalisation of the election of the Council as provided for in clause 14.5 above, the Electoral Committee shall be dissolved.
- 15.11. If any objection is lodged to the election of any person to any office such objection shall be adjudicated upon the Court of Honour but the person so elected shall continue in office pending the decision of the Court of Honour. If the objection is upheld the person so elected shall vacate the office forthwith and the vacancy shall be dealt with in terms of paragraph 9.

CLAUSE 16

Tenure of Office

- 16.1. No qualified member shall hold the office of the President of the COMMUNITY for longer than two (2) terms of office, or parts thereof, whether held consecutively or

not, and such member shall not, upon expiry thereof, whether by effluxion of time or otherwise terminated, be eligible to stand for election to such office.

- 16.2. In addition to clause 16.1, no qualified member shall hold the same seat on the Executive Council for a period of two (2) terms of office, or part thereof, whether held consecutively or not. Without prejudice to the provisions contained in this clause 16.2 and clause 16.1, this clause does not preclude a qualified member from holding any other seat on the Executive Council.

CLAUSE 17

Indemnification of Officers

- 17.1. An Officer of the COMMUNITY shall not be answerable or liable for any loss occasioned to the COMMUNITY in the discharge of his duties unless such loss is caused deliberately or is due to or arises out of gross dereliction of duty.
- 17.2. Every Officer of the COMMUNITY is hereby indemnified and held harmless out of the funds and property of the COMMUNITY, for all costs and expenses lawfully incurred by him and of all losses and damages suffered by him in the execution of his duties.

CLAUSE 18

Interpretation of this Constitution

- 18.1. Any question arising as to the meaning or intent of any provision of this constitution shall be decided by the Council and all ordinary members shall be notified by delivery of such decision and, if after 14 (fourteen) days of delivery of such notification no written objection is received by the Council, the Council's decision shall be final and binding and shall be deemed to form part of this Constitution.

- 18.2. In the event of a written objection, being received by Council as aforesaid, the matter shall be referred to the Court of Honour, whose decision shall be final and binding, and all ordinary members shall be notified hereof and shall be deemed to form part of this Constitution.
- 18.3. Any reference to the masculine herein shall include the feminine.
- 18.4. The Council shall when determining any question as to the purpose and intent of any provision of this Constitution, have regard to the Bill of Rights set out in Chapter 2 of the Constitution of the Republic of South Africa, Act No 108 of 1996.

CLAUSE 19

Signing Authority

All deeds of agreement, Powers of Attorney, negotiable instruments and/or other documents necessary shall be signed both by the President or Vice-President and by any other member of the Executive Council or by any other Council member as determined from time-to-time by the Executive Council.

CLAUSE 20

Financial Year

The Financial Year of the COMMUNITY shall commence on the 1st day of April and end on the 31st day of March each and every year.

CLAUSE 21

Voting at Council and Committee Meetings

At all meetings of the Council, Executive Council, Electoral Committee or any Committee at which there is a quorum, voting shall take place by a show of hands unless 50% of the members present call for a secret ballot and save as specially provided for in this Constitution, all decisions shall be taken on majority vote and, if necessary to resolve any deadlock, the Chairperson of the Meeting concerned shall have a casting vote.

CLAUSE 22

Language

The official language of the COMMUNITY shall be Greek and this Constitution and all subsequent amendments, if any, shall be translated into Greek. In the event of any dispute arising as to the interpretation of any of the provisions of this Constitution, the English text thereof shall be the basis upon which such dispute shall be decided. All meetings and official correspondence shall be conducted in Greek unless the Chairperson otherwise directs.

CLAUSE 23

Irregularities in Procedure

23.1. Any irregularity in the procedure adopted by the COMMUNITY, the Council, the Executive Council, the Electoral Committee or any other Committee which is due to circumstances beyond the control of the body concerned, may be condoned by a majority vote of the Qualified members at a General Meeting.

- 23.2. Save for those irregularities provided for in clause 22.1., any irregularity in procedure with regard to the amendment of this Constitution as contemplated in clause 13, or to the acquisition, sale, disposal or incumbrance of immovable property as contemplated in clause 12, may only be condoned by a Special General Meeting called for that purpose, subject to the requirements relating to the quorum and procedure as stipulated in clause 12 or 13 as the case may be.

CLAUSE 24

Disputes

- 24.1. Save for the issue of the termination or suspension of membership as provided for in clause 8.3 above, any dispute between members of the COMMUNITY or between any members and the Council or any Committee or between members and officials or employees of the COMMUNITY or of the Greek Orthodox Church or of any Committee, Club, Board or School, falling under the control or support of the COMMUNITY, or between any such officials or employees amongst themselves arising out of any matter connected with their respective rights or duties or with any act, omissions, words or writings or other conduct in their relationship or by reason of the relationship to the COMMUNITY, may be referred by the Council to the Court of Honour, for consideration and adjudication. The Council's decision regarding a referral shall be final and binding on the parties to the dispute.
- 24.2. This clause shall be binding on every member of the COMMUNITY and on all officials and employees in whose contract of appointment or employment this provision shall form an essential term or be deemed to be included therein.
- 24.3. No member, official or employee may bring an action in a Court of Law in respect of any matter covered by or dealt with by the Court of Honour and any person bringing any such action shall be guilty of misconduct and liable to expulsion from the COMMUNITY if he is a member thereof or to a dismissal if he is an official or employee of the COMMUNITY.

CLAUSE 25

Court Of Honour

25.1. Constitution

25.1.1. The Court of Honour of the COMMUNITY shall consist of 5 (five) persons.

25.1.2. Should it become necessary to convene a Court of Honour, the Secretary of the Council shall invite all past Presidents, available, able and willing to do so, to sit thereon or, if there are insufficient, all the past Vice-Presidents, thereafter all the past Secretaries, thereafter all the past Treasurers, thereafter all the past Assistant Treasurers, thereafter any past Councillors, until a Court of Honour consisting of 5 (five) persons has been constituted. Should there be more than 5 (five) persons duly invited in terms of this clause who are available, able and willing to sit on the Court of Honour then the longest serving past Presidents, past Vice-Presidents, past Secretaries, past Treasurers, past Assistant Treasurers, as the case may be, shall sit on the Court of Honour.

25.1.3. No person shall sit on the Court of Honour if such person or his spouse or members of his immediate family have any direct or indirect financial or other material interest in the relevant dispute. All members of the Court of Honour shall, prior to the commencement of any proceedings before it, be bound to declare in writing the absence of any such interest, knowledge or connection.

25.2. Sitting

The Court of Honour shall, as far as is practicably possible, sit at the office of the COMMUNITY as soon as possible following receipt of the Secretary's invitation.

25.3. Procedure

25.3.1. The 5 (five) members of the Court of Honour shall select 1 (one) of their number to act as President of the Court and should he deem the outcome of any matter placed before the Court of Honour to be of concern or interest to any members of the COMMUNITY, he shall cause written notices to be sent

to such members and other interested parties advising them reasonably in advance of the time and date upon which the Court will sit, which time and date will be determined by a majority of the 5 (five) members of the Court of Honour.

25.3.2. Save in the event of an appeal against a finding of suspension or expulsion, the aforesaid notification shall contain a detailed description of the issue or issues to be addressed at the If the person calling for a sitting of the Court of Honour.

25.3.3. If a party to the dispute fails to appear at the hearing of the Court of Honour, the Court may in its discretion consider the matter and in his/her absence, dismiss the case or the opposition thereto.

25.3.4. The President of the Court shall determine the nature and format of the evidence the Court shall receive, shall decide the order in which the Court will hear the parties and each party shall state his case to the Court in the order so decided.

25.3.5. The rules of Natural Justice shall apply to the procedure being adopted by the President.

25.3.6. All parties shall be entitled to have legal representation present at such hearings.

25.3.7. After all parties have been heard all the parties, save the party who addressed the Court last, shall have the right to reply in the same order.

25.3.8 The Court of Honour may postpone and/or adjourn the hearing as it deems fit.

25.3.9. The decision of the majority of the members of the Court shall be the decision of the Court of Honour.

25.3.10. The decision/finding of the Court of Honour shall be arrived at within 30 (thirty) days after the hearing has been completed and the parties shall be informed thereof, together with reasons, in writing, within 7 (seven) days of the date of the decision/finding.

25.3.11. In the event of any member of the Court of Honour becoming incapacitated or dying during the hearing or prior to a decision being arrived at, a new Court

of Honour, which may include any of the previous members, shall be constituted and the hearing of the dispute shall be commenced in de novo.

25.4. Powers

The Court of Honour may make any decision on any matter placed before it which the majority of the members thereof agree is just and equitable and may confirm or vary any decision or action made or taken or purportedly made or taken by anybody or person under or in terms of this Constitution and may further order anybody or person bound by this Constitution to do or refrain from doing anything which the Court of Honour deems necessary or desirable to give effect to or in connection with any such decision and may further take any punitive measures against anybody or person bound by this Constitution, including the imposition of an appropriate fine as the Court of Honour may deem fit.

25.5. Finality of Decision

No appeal or review will lie against any decision of the Court of Honour to any Court of Law or Statutory or Voluntary or Quasi-Judicial Body and any decision of the Court of Honour shall be final and binding on all members and other interested parties.

CLAUSE 26

Dissolution

In the event of the dissolution of the COMMUNITY, the assets of the COMMUNITY shall be given or transferred to another organisation with objects similar to those of the COMMUNITY and which is itself exempt from income tax in terms of Section 10 (1) (cB) (i) (dd) of the Income Tax Act, No 58 of 1962 and approved at a sitting of a Special General Meeting.

CLAUSE 27

Savings Provisions

The administration management and control of the affairs of the business of the COMMUNITY shall remain in the hands of the Council in Office as at the date of adoption of this Constitution, until the election of a new Council at the following Annual General Meeting.

DOCUMENT VERSION CONTROL

Version Number	Purpose/Change	Date
1.0	Founding Document of HCP	1908
2.0	Redrafted	1966
2.1	First Amendment	1991
2.2	<p>Second Amendment</p> <ul style="list-style-type: none"> • Updated to reference The Bill of Rights as per The Constitution of the Republic of South Africa • Updated to align with Laws and Acts: e.g. Financial Institutions Act 1984 (FSB), Commissioner of Inland Revenue (SARS) • Added the 'Interpretations and Definitions' section • Updated to inclusive pronouns and titles (e.g. his/her, chairman to chairperson) • Updated reference of Greeks to Hellenes • Updated by linking culture and heritage to religion • Updated Area of the Community to the Greater Metropolitan Region of Tshwane • Updated address and location of the Community • Updated Assets definition to include both immovable and movable assets • Updated statuses and descriptions of memberships and entitlements • Updated to allow Honorary Members to participate and vote • Updated definition and conditions of Ex-Officio Members 	2018/11/07

	<ul style="list-style-type: none"> • Updated to allow voluntary termination, suspension of membership and expulsion of member • Removed minimum age requirement and replaced with requirement to be an Ordinary/Qualified Member of Community for minimum period of 36 months • Included a maximum expenditure of R250,000 without members' approval • Updated to allow electronic banking • Updated procedure of Motions brought by Community members • Updated method of Election of the Council • Updated rules around Court of Honour • Updated limits for tenure of Executive Council members 	
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