



## **CONSTITUTION OF THE SOUTH AFRICAN ASSOCIATION OF INTELLECTUAL PROPERTY LAW AND INFORMATION TECHNOLOGY LAW TEACHERS AND RESEARCHERS**

### **1 TITLE**

The name of the association is the South African Association of Intellectual Property Law and Information Technology Law Teachers and Researchers (hereafter referred to as AIPLITL).

### **2 LEGAL PERSONALITY**

The AIPLITL shall be a body corporate, capable, in its own name, of acquiring rights, entering into legal transactions and suing and being sued.

### **3 AIMS**

The aims of the AIPLITL are to –

- 3.1 further the teaching and study of and research on intellectual property law and information technology law;
- 3.2 regularly present congresses in order to discuss intellectual property law and information technology law, and related matters;
- 3.3 publish an intellectual property law journal;
- 3.4 encourage contact and co-operation between local and foreign intellectual property law teachers and researchers, societies, and other interested organisations;
- 3.5 promote the development of public policy and regulatory reform; and
- 3.6 perform any act necessary to realize the above aims.

### **4 MEMBERSHIP**

- 4.1 Any person who, to the satisfaction of the Council, is involved in teaching and researching intellectual property law or information technology law, or who can show an active interest in these fields, may apply for full membership.
- 4.2 Membership of AIPLITL is divided into the following categories:
  - 4.2.1 Full members
  - 4.2.2 Associate members: The council may decide to confer associate membership of the AIPLITL upon certain people.
- 4.3 All full members shall have voting rights and be eligible for election to the Council.
- 4.4 Membership fees are determined each term by the Council.
- 4.5 Membership may be terminated by the Council.

## **5 PATRONS**

The Council may, as it sees fit, on the recommendation of the general meeting, as mentioned in 7.2, appoint a patron, or patrons, for AIPLITL.

## **6 COUNCIL**

- 6.1 Members of the AIPLITL entitled to vote shall, at a general meeting of the AIPLITL, elect by majority vote a council, consisting of a president, a vice-president, a secretary/treasurer, and any number of additional members. The term of the Council shall be three years.
- 6.2 The Council shall further consist of:
  - 6.2.1 other members who may be co-opted by the Council to fill vacancies which may occur; and
  - 6.2.2 other members who may from time to time be co-opted by the Council in the light of specific needs.
- 6.3 A person appointed in the manner mentioned in 6.2.2 remains a member for as long as the Council so decides.
- 6.4 Should the AIPLITL establish an official journal, the editor of the journal is an ex officio member of the Council, if he/she is not already a member of the Council.
- 6.5 The Council may appoint such committees as it deems fit.
- 6.6 The duties of the Council are to –
  - 6.6.1 realize the aims of the AIPLITL;
  - 6.6.2 execute decisions of the general meeting;
  - 6.6.3 generally, control the administration and finances of the AIPLITL;
  - 6.6.4 report from time to time to the general meeting on its finances and administration, and present financial statements for approval.
- 6.7 Where members of the Council cannot reach consensus on a specific point, a decision will be reached by voting by the members of the Council, except the members mentioned in 6.2.2. In the case of a voting stalemate, the president will have the deciding vote, as well as his or her ordinary vote.
- 6.8 In matters of urgency the president and secretary of the Council act on behalf of the Council.

## **7 CONGRESSES AND MEETINGS**

- 7.1 The AIPLITL shall hold congresses.
- 7.2 A general meeting will be held during a congress or at such time as determined by Council.
- 7.3 The location and time of the congress and the general meeting shall be determined by the Council. The Council must take the recommendation of the previous general meeting into account. The location and time of the meeting must be determined at least three months in advance.
- 7.4 Ten full members shall constitute a quorum at a general meeting.
- 7.5 The president of the AIPLITL, and in his or her absence, the vice-president or the secretary/treasurer, acts as chairman of the general meeting.
- 7.6 At a general meeting decisions, except on constitutional amendments, will be reached by a majority of votes. The chairman has a decisive vote, as well as his or her ordinary vote, in the case of a voting stalemate.
- 7.7 Financial statements shall be submitted and approved at the general meeting.

- 7.8 The programme for the congress and the agenda for the general meeting shall be drawn up by the president and/or the vice-president and/or the secretary/treasurer. Members of the AIPLITL may submit proposals on the programme and agenda to the secretary provided that proposals reach the secretary at least one month before the date of the congress.
- 7.9 The secretary shall notify members at least two months before the congress of the dates on which the congress and the general meeting are to be held. The programme and the agenda must be sent to members at least two weeks before the date on which the congress and general meeting begin.
- 7.10 A special general meeting for the discussion of urgent matters may be called either by the Council or at the written request of at least twenty full members of the AIPLITL. Only the matter for which the meeting was called shall be discussed at such a special general meeting.
- 7.11 Members must receive notification of a special general meeting two weeks before the date of the meeting.

## **8 OFFICIAL PUBLICATION**

When the AIPLITL publishes a journal which shall serve as official organ of the AIPLITL, the Council shall appoint an editor for the journal for a period of three years or for any other such period as approved by the general meeting.

## **9 BRANCHES**

- 9.1 Any group or at least five members of the AIPLITL may organize a branch of the AIPLITL.
- 9.2 Application for recognition as a branch must be made to the Council. The constitution of that branch shall accompany the application.
- 9.3 The general meeting is competent to withhold recognition from any branch, and may dissolve any branch at any time.

## **10 AMENDMENTS TO THE CONSTITUTION**

- 10.1 The constitution may be amended by a two-thirds majority of members eligible to vote who exercise their vote during a general meeting.
- 10.2 Amendments to the constitution may be proposed by –
- 10.2.1 the Council, or
  - 10.2.2 a written request from at least ten members of the AIPLITL who are eligible to vote.
- 10.3 All proposals for amendments to the constitution must be handed in to the Council at least two months before the general meeting at which such proposals are to be discussed.
- 10.4 The Council shall circulate proposed amendments to the constitution to all members of the AIPLITL at least one month before the general meeting.

## **11 DISSOLUTION**

- 11.1 The AIPLITL may be dissolved if two-thirds of the members of the AIPLITL present and eligible to vote exercise their vote in favour of dissolution during a general or special meeting.
- 11.2 If the AIPLITL is dissolved the meeting shall also reach a decision with regard to the documents and monies belonging to the AIPLITL.
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