



**The United Kingdom Branch of the**  
**British South Africa Police Regimental Association**

**Branch By-Laws**

(as at 10/04/21)

British South Africa Police Regimental Association  
United Kingdom Branch

By-laws & Trust

(As amended 17/5/1996, 10/5/2008, 11/5/2013, 22/5/2016, 20/05/2017, 10/04/21))

**Title and Interpretation of Terms**

1. The Branch shall be known as the British South Africa Police Regimental Association United Kingdom Branch, hereinafter called "The Branch".
2. In these By-laws:
  - "**Association**" means The British South Africa Police Regimental Association.
  - "**Branch Member**" means a member of the Branch;
  - "**Committee**" means the Executive Committee of the Branch;
  - "**The Constitution.** The Constitution' means The Constitution of the British South Africa Police Regimental Association dated 1st May 2016 as adopted by the UK Branch on 21st May 2016 and any subsequent amendments thereto."
  - "**Member**" means a member of the Association;
  - "**Officers**" means in relation to the Branch Executive, The Chairman, The Secretary and the Treasurer;
  - "**Secretary**" means the Honorary Secretary of the Branch;
  - "**The Trust**" means the BSAP TRUST established by a DECLARATION OF TRUST dated 15<sup>th</sup> May 1987, a copy of which is attached as Annexure "B";
  - "**Trustee**" means a trustee of the Trust appointed in terms of the Declaration of Trust.

Unless the subject or context otherwise requires, words importing the singular number only shall include the plural number and vice versa; words importing the masculine gender only shall include the feminine gender.

## **Objects**

3. (1) The objectives of the Branch shall be to provide:
  - a. Assistance to any branch member, spouse and family in case of need;
  - b. A social contact between members, spouses and families.
  - c. A means of collection, collation and preservation of Force memorabilia, in order to perpetuate the History of the Force.
- (2) The Committee shall refer all cases of distress and hardship involving branch members, their spouses and families to the Trustees for appropriate consideration and action.

## **Branch Membership**

4. (1) Membership of the Branch shall be open to:-
  - a) Those persons entitled in terms of sections 9 and 10 of the Constitution of the Association.
  - b) Such persons as the Committee deem desirable provided that, such person, in the opinion of the Branch Committee, has or had a close and enduring relationship with the BSA Police or the Regimental Association. (As Amended 10/04/21).
- (2) The Committee may determine from time to time the minimum subscriptions which shall be payable by the branch members.
- (3) The Committee may elect any person for any period it may think fit to honorary membership of the Branch upon the same conditions applying to the admission of other members except that any person so elected shall not be liable to pay any subscription.
- (4) Every applicant for membership of the Branch shall submit to the Secretary a written and signed application in such form as the Committee may approve and an applicant for such admission shall be deemed to be admitted to membership of the Branch only if and when the Committee shall so determine.
- (5) Every such applicant shall pay to the Branch the minimum subscription fixed by the Committee.
- (6) All subscriptions shall be due and payable annually on the first day of January each year, which shall be the first day of the financial year.
- (7) The Committee shall not be bound to give any reasons for accepting or refusing the application of any person for admission to membership of the Branch.
- (8) The Committee may expel from membership of the Branch any member:

- (a) Who, in the opinion of the Committee after due enquiry, has been guilty of any conduct prejudicial to the interests and good name of the Branch and/or the Association.  
 Provided that before expelling the member, the member shall be informed of the allegation and be given reasonable time, not exceeding four weeks from the date of the letter so informing him, to submit to the Secretary in writing reasons why he should not be expelled. Thereafter the Secretary shall refer the matter to the Committee for consideration and decision.
- (b) Whose subscription is in arrears after due enquiry and written notice has been sent to him.

### **Associate Membership of the Branch**

- 5 (1) The Committee may grant the privilege of Associate Membership of the Branch in terms of section 16 of the Constitution.
- (2) The provisions of subsections 5 to 8 of section 4 of these By-laws shall apply to associate membership of the Branch.
- (3) No associate member shall vote on any proposal to amend the Constitution or any By-laws made in terms thereof. (As Amended 10/04/21).

### **Life membership of the Branch**

6. (1) Life Membership shall not be granted by the Branch.
- (2) A member who is a Life member of the Association or any other branch of the Association shall not be liable to pay any subscription for a period of five years from the date he became a Life member.
- (3)(a) Honorary Life Membership.  
 The Committee may award the title of Honorary Life Membership of the United Kingdom Branch to any member of the Branch who has, in the opinion of the Committee, rendered outstanding service to the Branch.  
 Such person so awarded shall not be required to pay any subscription for membership. (Amended 10/05/2014)
- (b) Honorary Life President  
 The Committee may award the title of Honorary Life President of the United Kingdom Branch to any person who, in the unanimous opinion of the Committee, has rendered exceptional, long, outstanding, dedicated service to the Branch.

Such person so awarded shall be an ex-officio member of the Committee and shall not be liable to pay any subscription for membership nor for any function or event organised by the Branch. (Amended 10/05/2014).

- (2) Any member claiming exemption in terms of subsection (2) shall satisfy the Secretary as to the date he became a Life member and the Branch that conferred the membership.

## **The Committee**

7. (1) The Management of the Branch shall be conducted by a committee of branch members elected by branch members and any members appointed in terms of subsection (4).
- (2) The Committee shall consist of nine members, including:
  - (a) The Chairman, who shall be an ex-regular member of the British South Africa Police;
  - (b) The Secretary;
  - (c) The Treasurer; (if deemed necessary the posts of Secretary and Treasurer can be combined).
  - (d) The Committee may elect a Vice-Chairman from amongst its members.
- (3) Only paid up branch members are eligible for election to the Committee.
- (4) Should for any reason a vacancy occur on the Committee, the Committee may appoint a Branch Member to fill such vacancy. Such appointment shall be subject to confirmation by the Branch at the next Annual General meeting, and if confirmed, such member shall serve the remainder of the term for which his predecessor was elected.
- (5) The Committee shall meet not less than three times each year.
- (6) The quorum of the Committee shall be five.
- (7) In the absence of the Chairman or Vice-Chairman, the members present shall choose one amongst them to preside. The member chosen may only preside at that meeting, but shall be eligible to be chosen again at future meetings.
- (8) Questions arising at any meeting shall be decided by a majority of votes. In the case of an equality of votes the Chairman shall have the casting vote.

- (9) The Committee shall cause proper minutes to be made of all meetings and all business transacted at such meetings.
- (10) The Committee may appoint a subcommittee for a specific purpose and may co-opt branch members to serve on it. Such subcommittee shall operate within its terms of reference and shall be dissolved when its task is completed.
- (11) The Chairman shall ex-officio be a member of all subcommittees.

### **Retirement of Committee Members**

- 8. (A) Elected members of the Committee shall serve for a term of three years. A member's term of office may be terminated earlier by a majority vote at a general Meeting.
- (B) Each year at the Annual General Meeting, the three members whose term of service is complete shall retire from office but shall be eligible to offer themselves for re-election.
- (C) In the event of the Chairman being one of the retiring members of the Committee, his successor as Chairman shall be elected by the members present at the Annual General Meeting from amongst the elected members of the Committee after the Committee has been elected.

### **Finance**

- 9 (1) The Committee shall cause proper books of account to be kept with respect to:
  - a) The assets and liabilities of the Branch
  - b) The sums of money received and expended by the Branch.
  - c) All sales and purchases of goods by the Branch.
  
- (2) The Branch Treasurer will be responsible for maintaining the books of accounts of the Branch and shall:
  - a) record full details of all monies received and paid out.
  - b) maintain records of items of stock purchased and sold.
  - c) hold all cheque books, bank books and other documents relating to Branch accounts.
  - d) The Treasurer's residential address will be the address used for Branch financial matters.

(3) All monies received by any committee member relating to Branch matters should be paid promptly into the Branch bank account and the Treasurer advised by email or mail of the full details of the payment.

(4) Authorised signatories on the Branch cheque books and authorised users of Branch Internet Banking are the Treasurer, Chairman, Deputy Chairman and Secretary.

- a) Any two of the above signatories, normally the Treasurer and one other, must sign any cheques for payment.
- b) Payments made by Internet Banking from Branch Bank accounts will only be made by the Branch Treasurer with the authority by email or in writing of one other authorised user, except in the Treasurer's absence when one other authorised user, with a second authorised user's agreement may make a payment. The Treasurer must be advised of any such payments made as soon as possible and provided with the relevant authority from both users either by email or in writing.

(5) Requests for payment from Branch accounts should be first authorised by the Chairman, or if the Chairman is not available, the Deputy Chairman, then forwarded by email or mail to the Treasurer for payment.

(6) The Treasurer must ensure that all payments made are supported by the relevant request, invoice, (such invoice to be certified correct by the member receiving the goods or services invoiced), email or written authority and will keep written copies on file of such documents.

(7) The committee shall at the Annual General Meeting each year lay before members an income and expenditure account in respect of the previous financial year together with a balance sheet made up to the same date.

(8) The Chairman of the Committee shall cause the books of account to be examined each year when the annual accounts are prepared.

(9) The Treasurer shall prepare and present an up to date statement of the Branch finances at each meeting of the committee. (Amended 22.5.2016)

### **Annual General Meetings**

10. (1) Once in each year the Branch shall hold an Annual General Meeting on a date to be fixed by the Committee. (Amended 10/05/14)
- (2) A notice convening the meeting shall be sent to the branch members not less than thirty days prior to the meeting and shall specify the matters to be dealt with. The accidental omission to give notice of a meeting to or the non-receipt of a notice of a meeting by any branch member shall not invalidate the proceedings of that meeting.
- (3) The Annual General Meeting is held to:
  - (a) Receive a report on the activities of the Branch during the preceding year;
  - (b) Receive and if approved adopt a statement of the Branch's accounts to the end of the preceding financial year;
  - (c) (i) Elect annually members to fill vacancies on the Committee pursuant upon section 8 aforementioned; and  
(ii) Elect annually the Branch Chairman, The Secretary and The Treasurer.
  - (c) Deal with any special matter which the Committee may wish to bring before members and to receive suggestions from the branch members for consideration.

### **Extraordinary General Meetings**

- 11 An Extraordinary General Meeting may be convened by the Chairman of the Committee or by a request in writing signed by at least twenty-five branch members specifying the business to be discussed. The Secretary shall give branch members not less than thirty days' notice of the date of such a meeting and shall specify in such notice matters to be dealt with. The accidental omission to give notice of a meeting or the non-receipt of a notice by any branch member shall not invalidate the proceedings of such a meeting.

## **Postal Ballots**

12. (1) The Committee may cause any matter to be decided by a postal ballot. A resolution approved by a majority vote from those members who are "paid up and eligible" shall have the same effect as a resolution passed by the Branch in General Meeting, except in the case of an amendment to the By-laws when section 14 applies.
- (2) The Committee may make rules governing the conduct of a postal ballot.

## **Publicity**

13. (1) The Branch may publish a magazine or journal for distribution and sale to members.
- (2) The Committee may agree to the placement of advertisements in the magazine or journal and may charge a fee; such fee accruing to Branch funds.
- (3) The Committee may make rules governing the subscription rate and frequency of publication for any magazine or journal published by the Branch.

## **Amendments**

14. These By-laws may be added to, amended, altered or repealed by a resolution passed by at least two-thirds of those present and entitled to vote in a General Meeting of the Branch.

## DECLARATION OF TRUST

This Declaration of Trust is made on the 15th day of May 1987 by: -  
 Thomas Edward William Weimer of "Wimoweh", 5 Silverdale Road,  
 Southampton, Hampshire SO1 2NG.  
 Michael Leonard Leach of 66 The Queen's Drive, Rickmansworth,  
 Hertfordshire WD3 2LT. and  
 Frederick Charles Mason of 40 Elmfield Road, Potters Bar, Hertfordshire  
 EN6 2PA

(Hereinafter called "the Trustees") which expression will include any person in the future holding office as a Trustee under the provisions of this Deed.

### **Whereas**

The sum of £100 is held by the Trustees upon trust to be declared hereby and it is contemplated that further moneys will be paid or transferred to the Trustees for the time being of this deed to be held upon the same trust (and all such monies are hereinafter called "the Trust Fund").

### **Now this Deed Witnesseth** as follows:

1. The charity hereby constituted shall be called the BSAP Trust (hereinafter called "the Trust").
2. Throughout these presents (where context so admits) the masculine shall be deemed to include the feminine and the singular to include the plural.
3. The Trustees shall stand possessed of the Trust Fund Upon Trust at their discretion either to retain or sell the same and invest the proceeds in or upon any investments hereinafter authorised with power from time to time to change such investments for others of a like nature UPON TRUST that both the income and the capital thereof shall be applied at the discretion of the Trustees in pursuance of the said objects as hereinafter declared.
4. (a) The objects of the Trust are: -  
 To provide assistance and support to members of the United Kingdom Branch of the British South Africa Police Regimental Association and their dependants who are distressed by sickness or poverty.  
*(In terms of paragraph 5, dated 13<sup>th</sup> June 2005, the Trustees resolved on 17<sup>th</sup> day of November 2014 that the following rule shall apply:-)*  
 'That the provision of assistance and support will be to those members of the UK Branch and dependants who are normally resident in the United Kingdom or at their absolute discretion of the Trustees in the

event that the UK Branch member is subscribed to date but residing elsewhere'

- (b) In furtherance of the said objects but not further or otherwise the Trustees shall have the following powers:
  - (i) to employ any person or persons (not being a Trustee) to supervise, organise and carry on the work authorised by the Trustees as required from time to time.
  - (ii) To raise funds and invite and receive contributions from any person or persons whatsoever by way of loan, subscription, donation and otherwise provided that the Trustees shall not undertake any permanent trading activities in raising funds for the said objects.
  - (iii) To co-operate and collaborate with voluntary bodies and statutory authorities operating in similar charitable fields and to exchange information and advice.
  - (iv) To purchase, take on lease or in exchange, hire or otherwise acquire any property and any rights and privileges necessary for the attainment of the said objects and to construct, maintain and alter any buildings or erections so necessary as aforesaid.
  - (v) To make regulations for the management of any property which may be acquired.
  - (vi) Subject to such consents as may be required by law, sell, let, mortgage, dispose of or turn to account all or any of the property of the charity.
  - (vii) Subject to such consents as may be required by law, borrow, or raise money for the said objects and accept gifts on such terms and on such security as shall be deemed to be necessary.
  - (viii) Cause to be written and printed or otherwise reproduced and circulated gratuitously or otherwise, such papers, books, periodicals, pamphlets or other documents as shall further the said objects.
  - (ix) To organise and hold such seminars, symposiums and conferences as shall further the said objects..
    - (x) To invest the Trust Fund and other monies not immediately required for the said objects in and upon such investments and securities as are authorised by the terms of this deed.
  - (xi) To take all reasonable and necessary steps to insure its full value the trust property of whatever nature held by the Trustees.
  - (xii) To establish and operate both current accounts and deposit accounts with bankers in the name of the Trust provided that cheques drawn on such accounts shall not be signed by less than two trustees.

- (xiii) To do all such other lawful things as are necessary for the attainment of the said objects.
5. The Trustees, with the prior concurrence of the Executive Committee of the United Kingdom Branch of the British South Africa Police Regimental Association, have the power to make such rules and regulations (not inconsistent with anything herein contained) for the management and government of the charity and for the administration of the Trust Fund and for matters connected therewith respectively as the Trustees shall in their discretion think fit and from time to time to add to, amend, vary, revoke or replace any such rules and regulations.
  6. The Trustees may, and with the prior concurrence of the Executive Committee of the United Kingdom Branch of the British South Africa Police Regimental Association, vary any of the provisions of this Deed other than those in Clause 4 hereof PROVIDED THAT no amendments be made which would cause the Trust to cease to be a charity at law.
  7. The Trustees in addition to the powers conferred by section 23 of the Trustee Act 1925, may employ any agent or servant to transact any or all business of whatever nature required to be done in furthering the said objects and shall be entitled to be allowed and paid all charges and expenses reasonably incurred by them PROVIDED THAT all acts and proceedings of such agent or servant to whom powers are so delegated shall be reported back to the Trustees as soon as possible.
  8.
    - (a) Trust monies requiring investment under the trusts hereof may be invested in the purchase of or at interest upon the security of such stocks, funds, shares, securities or other investments of whatsoever nature as the Trustees shall in their absolute discretion think fit to the intent that the Trustees shall have the same full and unrestricted powers of investing and transposing investments in all respects as if they were absolutely entitled to the Trust Fund beneficially.
    - (b) Money may be left uninvested on deposit at a Bank on such terms in such amount and for such period as the Trustees may reasonably think fit.
    - (c) The Trustees may permit any investments to be held by any trust corporation or Bank nominee company as nominee for the Trustees and may also permit any securities transferable by delivery to be held on account of the Trustees by any Bank and the Trustees may make such arrangements as they think fit for the collection of the income of such investments or securities.

9. The Trustees may from time to time appoint and remunerate on such terms as they may think fit a Secretary and such other officials and employees as are deemed necessary.
10. (a) The Trustees shall cause proper minutes to be kept and entered in a book provided for the purpose of all their resolutions and proceedings and any such minutes of any meeting of the Trustees purporting to be signed by the Chairman of such meeting or by the Chairman of the next succeeding meeting shall be conclusive evidence of the matters stated in such minutes.  
(b) The Trustees shall cause full and punctual accounts to be kept of the Trust Fund and all income arising there from and all dealings therewith and all payments made there under and at least once in each year, cause to be prepared a statement of accounts and a balance sheet for the previous year and shall cause such accounts to be audited by an auditor appointed by the Trustees.
- 11.(a) A new Trustee may be appointed, subject to the prior concurrence of the Executive Committee of the United Kingdom Branch of the British South Africa Police Regimental Association, by resolution of the Trustees recorded in the minutes and signed by the new Trustee and such record shall be conclusive evidence of his appointment.  
(b) A Trustee may retire by writing under his hand and such retirement shall be recorded in the minutes and shall be conclusive evidence of his retirement.  
(c) The number of Trustees shall be three and in the event of their number falling below three such additional Trustees or Trustee shall forthwith be appointed as shall be necessary to make their number up to three but so that the Trustees may from time to time exercise all or any of the Trusts powers and discretions herein declared and contained notwithstanding any vacancy or vacancies in their number.
- 12.(a) Any Trustee for the time being hereof being engaged in any profession shall be entitled to charge and be paid all the usual professional or other charges for work done by him or his firm in connection with the execution of the trusts here of.  
(b) Save as hereinbefore expressly provided the Trust Fund and the income thereof shall be applicable solely towards the purposes of the Trust and no Trustee shall take or hold any interest therein save in his capacity as a Trustee or receive any remuneration or be interested in the supply of goods or services at the cost of the Trust in any circumstances whatsoever PROVIDED THAT this sub-clause shall not prevent a Trustee from holding office or being a shareholder in a public company, shares in which are held

- upon the trusts hereof or from obtaining the repayment of reasonable out of pocket expenses incurred in connection with the trusts hereof.
13. In execution of the trusts hereof no Trustee shall be liable for any loss to the property of the Trust arising by reason of any improper investment made in good faith (so long as he shall have sought professional advice before making such investment) or for the negligence, fraud, wrongdoing or wrongful omission of any agent employed by him or by any other Trustee hereof (provided reasonable supervision shall have been exercised) although the employment of such agent was strictly not ..... necessary or expedient or by reason of any mistake or omission made in good faith by any Trustee hereof or by reason of any other matter or thing other than wilful and individual fraud, wrongdoing or wrongful omission on the part of the Trustee who is sought to be made liable.
14. Any statement in writing signed by the Trustees or any two of them to the effect that any contract, deed or act signed, executed or done by the Trustees is signed, executed or done in accordance with and is authorised by the Trust powers and provisions herein declared and contained, shall in favour of any purchaser or other person dealing with the Trustees be conclusive evidence of the fact.
15. In the event of a dissolution of the Trust any assets remaining after the satisfaction of all its debts and liabilities shall not be paid to or distributed among the Trustees but shall be given to such other charitable institution or institutions having similar objects to the Trust as the Trustees shall, after consultation with the Executive Committee of the United Kingdom Branch of the British South Africa Police Regimental Association, with the approvals of the Charity Commissioners decide.

IN WITNESS whereof the parties hereto have hereunto set their respective hands and seals the day and year first before written.

SIGNED, SEALED and DELIVERED

By the said Thomas Edward William Weimer

In the presence of (Signature)

SIGNED, SEALED and DELIVERED

By the said Michael Leonard Leach

In the presence of (Signature)

SIGNED, SEALED and DELIVERED

By the said Frederick Charles Mason

In the presence of (Signature)