

**CONSTITUTION**  
**(As amended on 10 March 2007)**  
**Junior Doctors' Association of South Africa (JUDASA)**

**1. DEFINITION OF TERMS:**

**Unless inconsistent with the text:**

- 1.1 "JUDASA" shall mean the Junior Doctors' Association of South Africa.
- 1.2 "Association" shall mean the South African Association.
- 1.3 "AGM" shall mean Annual General Meeting of JUDASA.
- 1.4 "Executive" shall mean a group of people elected into the Executive Committee and the General Council of JUDASA.
- 1.5 "Chairperson" shall mean a person elected at an AGM to head the Executive Committee and the General Council of JUDASA.
- 1.6 "Members" shall mean registered members of JUDASA.
- 1.7 "BOD" shall mean the Board of Directors of the South African Medical Association.
- 1.8 "National Council" shall mean the National Council of the South African Medical Association.
- 1.9 "Junior doctor" shall mean a medical student from 3<sup>rd</sup> to final year, a medical intern, a community service medical officer one year post community service.
- 1.10 "Executive Elections Officer" shall mean an Executive Committee member appointed by the Executive Committee to conduct the Elections process.
- 1.11 "General Council" shall mean a committee composed of members of the Executive Committee and Provincial Representatives.
- 1.12 "Elections Committee" shall mean a committee composed of members of the Executive Committee and Provincial Representatives.
- 1.13 "Provincial Representatives" shall mean members of JUDASA elected at an AGM to represent JUDASA in the nine provinces of the country.

**2. NAME AND HISTORICAL BACKGROUND**

**2.1 NAME**

**The Association is a special interest group of the South African Medical Association (SAMA), an association incorporated under section 21 of the Companies Act, 1973, registration No 1927/000136/08 and its name is the Junior Doctors' Association of South Africa (JUDASA) (hereinafter called "the Association").**

## **2.2 HISTORICAL BACKGROUND**

**JUDASA is a special interest group of SAMA formed in 1992 to specifically address the needs and challenges faced by junior doctors.**

## **3. OBJECTIVES**

- 3.1 To present the professional and legitimate needs and interests of Junior Doctors.
- 3.2 To form good relations between the junior doctors, with other medically associated groups, hospitals, public and private institutions and government.
- 3.3 To serve the medical profession and to promote health for all by striving for an affordable, non-racial, non-sexist, comprehensive and effective unitary health system to which all have the right of equitable access.

## **4. MEMBERSHIP**

- 4.1 Every member shall remain a member until
  - 4.1.1 his/her membership is terminated by either his/her resignation addressed to the Executive Committee in writing;
  - 4.1.2 by decision of the BOD;
  - 4.1.3 as a result of failure to renew membership;
  - 4.1.4 until the closure of the AGM in the year following;
  - 4.1.5 upon completion of his/her post-community service year.
- 4.2 Membership shall be renewed annually.
- 4.3 Any junior doctor who is a member of SAMA shall automatically become a member of JUDASA.

- 4.4 The activities of the Association shall be suspended if at any time its membership shall be less than eleven (11) members.

## **5. ADMINISTRATION**

### **5.1 CONTROL OF THE ASSOCIATION**

- 5.1.1 The general control and direction of the policy and affairs of the Association shall be vested in the Executive Committee.
- 5.1.2 In exercising control of the Association, the Executive Committee shall at all times abide by the constitution of JUDASA and memorandum of SAMA.

### **5.2 COMPOSITION OF THE EXECUTIVE COMMITTEE**

- 5.2.1 The Executive Committee shall consist of the following compulsory portfolios:
- Chairperson;
  - Vice-chairperson;
  - Secretary;
  - Student Liaison Officer
- 5.2.2 Addition portfolios shall be agreed upon at an AGM or at the discretion of the Executive Committee.
- 5.2.3 The Executive Committee shall have a minimum of six members and a maximum of nine members,.
- 5.2.4 The Executive shall hold office for a period of one year.

### **5.3 COMPOSITION AND FUNCTIONS OF THE GENERAL COUNCIL**

- 5.3.2 The General Council shall be composed of the Executive Committee and the nine Provincial Representatives.
- 5.3.3 Shall have the decision-making power.
- 5.3.4 Shall meet to discuss/resolve urgent issues as and when required.
- 5.3.5 The Chairperson of the Executive Committee shall chair all General Council meetings.

## **6. ELECTIONS OF THE EXECUTIVE COMMITTEE**

### **6.1 THE ELECTIONS COMMITTEE**

- 6.1.1 The Elections Committee shall be composed of two SAMA staff members and one Executive Elections Officer.
- 6.1.2 The Elections Committee shall conduct the elections of the Executive Committee.
- 6.1.3 Elections of the Executive Committee shall be held on the last day of an AGM.

## **6.2 NOMINATIONS**

- 6.2.1 Nomination shall take place during the course of an AGM.
- 6.2.2 Each member may not propose more than three (3) nominees or be a seconder for more than three nominees.
- 6.2.3 A member can not nominate himself/herself.
- 6.2.4 No nomination of candidates shall be allowed during the elections unless otherwise provided.
- 6.2.5 If there are less candidates nominated, further nominations will be called for and accepted during the election process.
- 6.2.6 Only members of JUDASA can nominate or be nominated.

## **6.3 VOTING**

- 6.3.1 Time shall be allowed to decide on the additional portfolios before voting proceeds.
- 6.3.2 Voting shall be in the form of ballot papers.
- 6.3.3 Candidates shall be voted for per portfolio.
- 6.3.4 Three candidates shall be nominated per portfolio.
- 6.3.5 Nominated candidates shall be given time to briefly outline their CV for the purpose of aiding the voters.
- 6.3.6 After voting, the ballot papers will be counted immediately and the candidates with the highest vote will be elected into that portfolio.
- 6.3.7 Where an equal number of votes are obtained by two or more candidates per portfolio, a second round of voting shall be conducted immediately. Should the same scenario occur, the Executive Election Officer will cast a decisive vote.
- 6.3.8 The Executive Election Officer shall not vote except in casting a decisive vote.

- 6.3.9 After the election of the Executive committee, each province shall submit a provincial representative nominated by members of that province.
- 6.3.10 Voting by means of proxy shall not be allowed for election of Executive Committee and Provincial Representatives.
- 6.3.11 Only candidates present during elections shall be nominated for voting.
- 6.3.12 The members of the Executive Committee and all provincial representatives shall constitute the General Council of JUDASA.
- 6.3.13 After the closing of an AGM, a handover meeting shall be held between the outgoing Executive Committee and the new General Council.

## **7. PORTFOLIOS OF THE EXECUTIVE COMMITTEE**

- 7.1 The Chairperson
  - 7.1.1 Shall act as chair of the Executive Committee and the General Council of JUDASA.
  - 7.1.2 Shall represent JUDASA on the BoD.
  - 7.1.3 Shall convene and chair all meetings of the Executive Committee and the General Council of JUDASA, either onsite or telephonically.
  - 7.1.4 Shall consult with the Executive Committee before any major decisions are made on behalf of the Executive Committee.
  - 7.1.5 Shall oversee and ensure the effective functioning of the Executive Committee.
  - 7.1.6 Shall have power to take final decision where necessary.
  - 7.1.7 Shall take appropriate actions at his/her own accord on any matter that may arise, in cases when it is not possible for the Executive Committee to meet; and shall report such an action to the Executive Committee at the first available opportunity, and may where appropriate invoke the assistance of another Executive Committee member.
  - 7.1.8 Shall give a report at an AGM.
- 7.2 The Vice-chairperson
  - 7.2.1 Shall, in the absence or at the request of the Chairperson or Executive, have the power of the chairperson.

- 7.2.2 Shall assist the chairperson or other members of the Executive Committee with their portfolios.
- 7.3 The Secretary
  - 7.3.1 Shall, in consultation with the SAMA support staff, be responsible for the maintenance, safe custody of all documents of JUDASA including all minutes of meetings and a list of all members and the distribution of correspondences to members of JUDASA.
  - 7.3.2 Shall in consultation with SAMA support staff be responsible for the distribution of the AGM details and other correspondences to the members of JUDASA.
  - 7.3.3 Shall be responsible for the co-ordination of any proposed constitutional amendments.
  - 7.3.4 Shall give a report at an AGM.
- 7.4 The Student Liaison officer
  - 7.4.1 Shall preferably be a medical student.
  - 7.4.2 Shall deal mainly with undergraduate matters.

## **8. MEETINGS**

### **8.1 ANNUAL GENERAL MEETING (AGM)**

- 8.1.1 An AGM shall be held in the first quarter of each year.
- 8.1.2 The AGM shall be the highest decision making body of the Association.
- 8.1.3 The AGM shall elect the Executive Committee and the General Council of JUDASA.
- 8.1.4 The AGM shall be held at a venue decided by the Executive Committee in consultation with the SAMA administrative support staff.
- 8.1.5 Notice of the AGM together with the agenda shall be made available to all members of JUDASA at least 30 days before the AGM.

### **8.2 GENERAL COUNCIL MEETING**

- 8.2.1 Shall be called as decided by the Executive Committee to attend to urgent matters.

### **8.3 EXECUTIVE COMMITTEE MEETING**

- 8.3.1 The Executive Committee shall have a minimum of two meetings.
- 8.3.2 The meeting shall proceed if the two third majority of the Executive Committee is present at that meeting.
- 8.3.3 The Executive Committee shall have power to co-opt members.

## **9. ORGANISATION OF JUDASA**

9.1 It shall be competent for the Association to allow the formation of sub-groups within the framework of the branches or division of SAMA or in such other manner as may be desirable

9.2 Such sub-groups may be allowed powers of independent action in local matters provided that such actions are not in conflict with the general policy of SAMA.

9.3 Reports of the actions taken, shall be submitted by the secretary of the sub-group to the secretary of JUDASA.

9.4 Each Sub-group shall have a minimum membership of four (4) members.

9.5 The Provincial Representative shall facilitate the above.

## **10. DISCIPLINARY ACTION**

In the case of an official not performing his/her duties in such a way that is expected from him/her by the members of the organisation the following procedure should be followed:

1. A written warning by the chairperson to the official for a first offence.
2. If no improvement is observed within a reasonable amount of time, or the same offence is committed, a disciplinary hearing should be called with the following parties:

Company Secretary	SAMA
Head: Industrial Relations Unit	SAMA
The Chairperson	JUDASA
The Vice-Chairperson	JUDASA

If either the chairperson or the vice-chairperson is involved in the matter, they can be substituted by any other executive committee member as nominated by SAMA Company Secretary.

It is the prerogative of this committee to decide on the appropriate corrective action, including to permanently remove the official from his/her post.

## **11. CONSTITUTION**

- 11.1 This constitution shall be binding to all members of JUDASA.
- 11.2 Amendments to the constitution shall be made when passed by a two third majority of those present at an AGM.
- 11.3 Any amendment to the constitution shall be approved by the BOD of SAMA before becoming operative.

## **12. SUBSCRIPTIONS TO THE ASSOCIATION**

- 11.1 JUDASA shall not collect additional subscriptions from its members.
- 11.2 SAMA will provide the funds necessary, within budgetary constraints, for the carrying out of the work of JUDASA.
- 11.3 Budget allocation will be in consultation with the Executive Committee.

## **13. DISSOLUTION**

In the event of the dissolution of JUDASA, any remaining assets, after all debts have been settled, and all obligations discharged, shall not be paid or given to, or divided among the members, but shall be given or transferred to another special interest group of the SAMA, engaged in activities similar to those for which this Association was established. Members attending the final general meeting or the Executive Committee will designate such a group. The assets may also be transferred or given to the SAMA.