Appendix II: Proposed ESARBICA Constitution

EAST AND SOUTHERN AFRICA REGIONAL BRANCH OF THE INTERNATIONAL COUNCIL ON ARCHIVES CONSTITUTION

I NAME

1. The name of the Organization shall be the East and Southern Africa Regional Branch of the International Council on Archives (ESARBICA).

II OBJECTIVES AND FUNCTIONS

The genres, arms and objectives of ESARBICA shall be:

(a) To establish maintain and strengthen relations between archivist of 21 countries in the region and between all institutions, professional bodies and organizations which are concerned with the custody organization or administrations, of archives.

(b) To promote all measures for the preservation, protection and defence against all manner of hazards or the archival heritage of the region and to further the progress of all aspects of the administration and preservation of the archives.

(c) To facilitate the use of archives of region by making these more widely known and by encouraging greater ease of access.

(d) To promote, organize and co-ordinate activities in field of archives in the region.

(e) To sponsor professional training of archivists in the region.

(f) To co-ordinate with other organizations or institutions concerned with the documentation human experience and the use of the documentation of human experience and the use of that documentation for the benefit of mankind.
(g) To generally carry out the aims and objectives of the International Council on Archives.

III MEMBERSHIP

1. Membership of ESARBICA is divided in the following categories:

   Category A and B (Voting Members):
   National, state or territorial archive directorates and professional associations of archivists, which are Category A or B members of the ICA (Voting Members) (see article 42 (a) and (b) of the ICA Constitution:

   Category C:
   Institutions or associations concerned with the administration or preservation of records and archives, or with the professional training of archivists.

   Category D:
   Present or past staff members of any archival institution, service or training center:

   Category E:
   Those who have made outstanding contributions to archival work in the region and have been elected to honorary membership of ESARBICA by the General conference.

2. In addition to 1 above, in accordance with article 42 /c/ of the ICA Constitution, other members of ICA form outside the ESARBICA region may join the Branch and those who are Category A and B members have the right to vote as provided in article 16 of the ICA Constitution.

3. Members of ESARBICA suspended from the exercise of the rights and privileges of membership of the International Council on Archives shall, upon the request of the latter, be suspended from the rights and privileges of ESARBICA.

4. Members of ESARBICA, expelled from the International Council on Archives, shall automatically cease to be members of ESARBICA.

5. Any member may withdraw from ESARBICA by written notice addressed to the President. Such notice shall take effect on 31st December of the year during which notice was given. Such withdrawal shall not affect adversely the financial obligations owed to ESARBICA on the date withdrawal takes effect.
IV. ORGANISATION

1. ESARBICA shall include a General Conference, an Executive Board and a Secretariat.

2. The assets and income of ESARBICA shall be applied exclusively to the promotion of its objectives and no portion shall be paid or distributed directly or indirectly to the members of ESARBICA except a bona fide remuneration for services rendered or expenses incurred on behalf of ESARBICA.

V. GENERAL CONFERENCE

Composition

1. The General Conference shall be open to all ESARBICA members outlined in Article III.

Functions

2. The General Conference shall receive and consider the reports submitted periodically by members as requested by the Executive Board.

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4. Any member has the right to speak at the General Conference and may submit proposals to the members of the Executive Board.

5. The Voting Members of the General Conference shall elect the members of the Executive Board.

6. The names of candidates for the positions of President, Vice President, Secretary General, and Treasurer shall be submitted for the consideration of the General Conference by a Nominating Committee composed of a chair chosen form among the existing members of the Executive Board and two members, none of whom shall be a existing member of the Executive Board.

QUORUM

7. The presence of a simple majority of the Voting Members at the General Conference shall constitute a quorum. In default of a quorum the General Conference may sit as a consultative session with the General Conference’s functions vested in the Executive Board.
VOTING

8. The right to vote at the General Conference is reserved to members in categories A and B. In any country where there is more than one member in either category A or B, an additional vote per country would be given. Decisions shall be made by a simple majority of members present and voting.

9. The general Conference may prevent a member from voting if dues are one year in arrears.

PROCEDURE

10. The general Conference shall meet in ordinary every two years. It may meet in extra ordinary session if it decides to do so, or if summoned by the Executive Board or on the demand of at least two-thirds of the Voting Members.

11. At each General Conference the venue of its next ordinary session shall be designated. The venue of an extraordinary session, unless pre-designated by the General Conference, shall be decided by the Executive Board.

OBSERVERS

12. The General Conference, on the recommendation of the Executive Board, may invite or admit as observers at specified sessions of the General Conference representatives of international organization, other State Governments, archives organizations or institutions, and individuals Observers shall not have the right to vote.

VI EXECUTIVE BOARD

COMPOSITION

1. The Executive Board shall be elected by the General Conference from among the delegates by the voting members. It shall consist of a President, a Vice-President, a Secretary-General, a Treasurer, a Deputy Secretary General and a Editor, and as many other committee members as necessary to ensure representation of each country on the Executive Board.

2. Office bearers of the Executive Board shall serve form the close of the General Conference which elected them until the close of the next ordinary session. The incumbent officers shall be eligible for re-election to the same office, but shall not serve consecutively for more than two terms in the same office.
3. **In the event of death or resignation of a member of the Executive board, the vacancy for the remainder of that term shall be filled by appointment of the Executive Board, after consultation with and upon the recommendation of the country represented by the member.**

**FUNCTIONS**

4. **The Executive Board shall prepare the agenda for the General Conference and shall recommend the programme of work and corresponding budget estimates.**

5. **The Executive Board shall be responsible for the execution of the programme adopted by the General Conference.**

6. **The Executive Board shall have the delegated powers to admit new members in categories A, B, C, D and E. Applications not approved unanimously by the Executive Board will be referred to the next meeting of the General Conference, which will decide on the application by a simple majority vote.**

7. **Subject to decisions of the General Conference, the Executive Board shall adopt its own rules of procedure, and shall have the power to make rules and regulations governing the procedures for the conduct of the General Conference.**

8. **The Executive Board shall meet at least once a year, and shall meet in special circumstances if convened by and on the initiative of the President or upon the request of the majority of members of the Executive Board.**

9. **The Executive Board shall take such action or make such decisions as circumstances may require, including the power to co-opt necessary expertise, provided that notice of such action or decisions shall be transmitted to the next General Conference at the earliest possible date, and subject to the endorsement of such actions or decisions of that General Conference.**

10. **The Executive Board shall report briefly on its activities to the International Council on Archives as directed by the Executive Committee of the ICA.**

11. **Although the members of the Executive Board are representatives of their respective organisations. Members of the Executive Board shall exercise the powers delegated to them by the General Conference on behalf of ESARBICA.**

**SPECIAL PROVISION**
12. *Visiting ESARBICA members who are not members of the Executive Board may, at the discretion of the President, be allowed to attend the meetings of the Executive Board in the capacity of observers.*

**QUORUM**

13. *The presence of two-thirds of the members at the meeting of the Executive Board shall constitute a quorum.*

**VII SECRETARIAT**

1. *The Secretariat shall consist of such staff as may be required, its location shall be decided by the General Conference.*

2. *The Secretariat shall be the administrative office of the Executive board and shall be responsible to the President.*

3. *The Secretariat shall administer and be the custodian of all properties of ESARBICA.*

**VIII BUDGET**

1. The General Conference shall approve and give final effect to the budget and to the apportionment of financial obligations of members.

2. The Treasurer, with the approval of the Executive Board, may receive any donations, gifts, bequest and subvention directly from international organizations, governments, public and private institutions, foundations, associations and individuals.

3. The Treasurer shall present to the Executive Board an annual audited Statement of Accounts, copies of which shall be furnished to the Voting embers of ESARBICA.

4. Officers authorized to sign withdrawal cheques on behalf of ESARBICA should come form different countries.

5. In disbursing ESARBICA funds the President may sanction the immediate expenditure of the equivalent of up to US$500 without consulting the Executive Board, provided that a detailed account of such as expenditure is issued to the Board at a later date.

**IX COMMUNICATIONS AND PUBLICATIONS**
1. **ESARBICA shall provide regular communications with its constituency in an appropriate format, be it electronic or paper, including a newsletter or journal published at least once a year and other publications as required.**

2. **Members of ESARBICA of all categories shall be entitled to fee copies of the ESARBICA newsletter or journal.**

3. **Publications may be sold to non-members of ESARBICA on a subscription basis, rates to be determined by the executive Board.**

**X RELATIONS WITH THE INTERNATIONAL COUNCIL ON ARCHIVES**

1. **ESARBICA shall work in close collaboration** with the International Council on Archives and its organs in the pursuit of their common arms and objectives.

2. **ESARBICA, through its President,** shall represent the International Council on Archives in the region.

3. **ESARBICA shall invite the President and the Secretary-General** of the ICA or their designate to attend the meetings of the Executive Board and the General Conference.

**XI AMENDMENTS**

1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority. The draft texts of proposed amendments shall be communicated by the Secretary-General to the Voting Members at least three months in advance for consideration by the General Conference. In exceptional circumstances shorter notification for amendments may be accepted upon receiving the approval of the General Conference. **In exceptional circumstances shorter notification for amendments may be accepted upon receiving the approval of the General Conference by a two-thirds majority.**

**XII TERMINATION OF ACTIVITIES**

1. **ESARBICA may terminate its activities or give up the title of Regional Branch following a decision taken in its General Conference, in compliance with article 44 of the ICA Constitution. The decision must be communicated to the President of the International Council on Archives.**

2. **In the event that the activities of ESARBICA are terminated, its remaining assets after dissolution and the satisfaction of all debts and liabilities, shall be paid and applied by ESARBICA in accordance with its powers to the International Council on Archives (ICA).**
XIII INTERPRETATION

1. The English text of this Constitution shall be regarded as authoritative.

2. Any question or dispute concerning the interpretation of this constitution shall be determined by the ESARBICA General Conference under its adopted rules of procedure.

XIV AUTHORITY

1. This Constitution shall be considered to have effect from the date of its adoption by the General Conference, subject to its approval by the Executive Committee of the International Council on Archives.