

The seal of the Pharmaceutical Society of South Africa is a complex heraldic emblem. It features a central shield with a blue and white striped background, a red base, and a white eagle with wings spread. The shield is flanked by two seated figures: on the left, a man in a blue robe and white turban holding a staff with a snake; on the right, a man in a red robe holding a scale. Above the shield is a banner with the text 'THE PHARMACEUTICAL SOCIETY OF SOUTH AFRICA' and 'DIE APTEKERSVERENIGING VAN SUID-AFRIKA'. Below the shield is another banner with the motto 'PRO SALUTE ET VERTUTE POPULI'.

**REGULATIONS UNDER THE**

**CONSTITUTION**

**OF**

**THE PHARMACEUTICAL  
SOCIETY**

**OF**

**SOUTH AFRICA**

# REGULATIONS

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## 1. **ADDRESS**

The registered address of the National Office of the Society is:

### Physical

442 Rodericks Road  
Lynnwood  
0081

### Postal

PO Box 75769  
Lynnwood Ridge  
0040

## 2. **MEMBERSHIP**

### 2.1 Admission of Ordinary Members

- 2.1.1 Application for membership shall be made in the prescribed format approved by the Executive Committee which, apart from personal and other detail requirements shall embody the following statement:

“I hereby make application for membership of the Society and in so doing undertake, upon admission, to abide by the Constitution, Codes of Practice and Ethics, Rules and Regulations of the Society, and of any Branch or Sector of the Society in which my membership may from time to time be located —as currently in force and as may from time to time be amended”.

- 2.1.2 No application shall be processed without all the information requested and inclusion of the registration number with the South African Pharmacy Council.
- 2.1.3 Upon receipt of a properly completed application by the National Office or Branch Office the applicant shall be advised of his provisional acceptance and of the amount in respect of subscriptions and fees for which he is liable and which are required to be remitted within 30 days.

National Office shall be notified immediately by the Branch Office and National Office shall enter the applicant’s name on a list of new applications for access by Branches, Sectors and the Executive Committee.

- 2.1.4 When no objection having been raised to the application within 30 days from the date of the list circulated in terms of 2.1.3 above, and all subscriptions and fees having been received, the applicant shall be deemed duly accepted as a member of the Society. National Office shall record the member’s name on the “Roll of Members” in the format agreed to by the Executive Committee.

2.1.5 In the event of written objection to the application being received from any one or more of the parties indicated under clause 2.1.3 above, the matter shall forthwith be referred to the National Executive Committee for attention and decision after consultation with the party or parties lodging the objection.

## 2.2 Admission of Associate Members

2.2.1 Application for Associate Membership shall be made on the prescribed form and shall be subject to the same procedure as laid down for Ordinary members.

2.2.2 It is expressly provided that Student members, shall also be members of a Pharmacy Student organisation recognised by the Society. The annual subscription for Student Members shall be determined by the National Executive Committee. Student members shall not be liable for a Branch or Sector subscription in addition to that payable to the Society.

2.2.3 Upon completion of his training and registration by the Pharmacy Council a Student member or intern shall continue to be a member of the Society and be automatically recognised as an ordinary member.

2.2.4 Pharmacists who may or may not be registered with the SAPC and who neither reside nor practise within the borders of the Republic of South Africa, may apply to become International Associate Members of the Society. Proof of qualification and registration as a pharmacist with a recognised registering authority shall be submitted with the application form for International Associate membership.

## 2.3 Location of Members in Branches and Sectors

2.3.1 All ordinary and associate members shall be allocated to a branch as set forth in Section 13.2 of the Constitution.

2.3.2 All ordinary and associate members may elect to be a member of a sector as set forth in Section 13.3 of the Constitution and in accordance with the Constitution of the relevant sector.

2.3.3 The Branch to which a member is allocated shall be regarded as that Branch in which his membership of the Society is exercised, in which he enjoys full rights and privileges as a member under the Society's Constitution and in which he is counted for purposes of his Branch's representation in the General Council of the Society.

## 2.4 Affiliation of Members

2.4.1 Members of a Branch of the Society may become affiliated members of other branches:

2.4.1.1 where in the Constitution of such Branch provision is made for Affiliate membership;

2.4.1.2 upon application in the manner prescribed by such Branch; and

2.4.1.3 upon payment of an affiliation fee (if any) prescribed by such Branch.

2.4.2 Members of a Sector in terms of clause 13.3 may become affiliate members of another Sector:

2.4.2.1 upon application in the manner prescribed by the Sector; and

2.4.2.2 upon payment of an affiliation fee (if any) prescribed by the Sector.

2.4.3 An affiliate member shall enjoy such rights and privileges in a Branch or Sector to which he is affiliated as may be provided in the constitution of such Branch or Sector.

2.4.4 Affiliate members of a Branch or Sector shall not be reckoned in a count of the membership of such Branch or Sector for purposes of determining the number of Councillors to which the Branch or Sector is entitled.

## 2.5 Transfer of Members

2.5.1 A member already located in a Branch of the Society on moving from his present place of residence to an area falling within the jurisdiction of another Branch, shall be transferred and his membership relocated in such other Branch except when the provision of Section 13.2.2 of the Constitution applies.

2.5.2 Where a member ceases to qualify to have his membership located in a particular Sector, in terms of the Constitution of such Sector, he shall be notified of the matter and be invited to select a new Sector.

2.5.3 No such transfer and relocation of membership shall be effected where the member concerned has not paid all subscriptions and fees due and payable in respect of the Society, Branch or Sector from which he is transferring.

2.5.4 Subscriptions and fees due and payable to a Branch or Sector shall be those reflected on the annual subscription notice to the member as at the membership renewal date as per Section 9.6 of the Constitution. No portion of such subscriptions and fees shall be payable to another Branch or Sector should a member be transferred at any time after the first day of the new financial year and his membership be relocated in another Branch of Sector; neither shall a member so transferred be required to pay any further subscription for the same year in respect of the Branch or Sector to which he has transferred.

2.6 Notification of Membership changes

2.6.1 National Office, in accordance with directives of the Executive Committee, shall inform the Executive Committee, Chairmen of Branches, Secretaries of Branches and Sectors and other organisations as may from time to time be determined, of changes to the "Roll of Members".

2.6.2 It shall be the responsibility of all parties informed of changes to the "Roll of Members", to scrutinise all entries and advise National Office of any errors, omissions or objections.

**3. SUBSCRIPTIONS**

3.1 Payment categories in terms of Section 9.1 of the Constitution:

3.1.1 Membership basic fee:

- 3.1.1.1 Ordinary Membership fee;
- 3.1.1.2 Retired Ordinary Membership fee;
- 3.1.1.3 Exempted Ordinary Members;
- 3.1.1.4 Non practicing Ordinary membership fee (not earning any income);
- 3.1.1.5 Part time (any occupation) fee;
- 3.1.1.6 Pharmacist Intern Membership fee;
- 3.1.1.7 Sectoral Divisional fees;
- 3.1.1.8 Sectoral Affiliation fees;
- 3.1.1.9 Branch fees; and
- 3.1.1.10 Affiliated Branch fees.

3.1.2 Associate Membership fee:

- 3.1.2.1 Pharmacy Student fee; and
- 3.1.2.2 Pharmacist's Assistant fee;
- 3.1.2.3 Pharmacist's Assistant Part time (any occupation) fee.

3.1.3 International Associate Membership fee.

- 3.2 All membership renewals will be payable on 1 October of each year for a 12 month period.
- 3.3 When membership is applied for during the year the fee payable will be calculated for that portion of the membership year remaining.
- 3.4 Part time (any occupation) fee will only be considered when a person works less than 13 weeks a year or less than an average of 2 days per week and are registered as such with the SAPC.
- 3.5 No reduction of any of the other fees other than the membership basic fee will be considered.

**4. COMPOSITION OF BRANCHES AND SECTORAL DIVISIONS OF THE SOCIETY**

- 4.1 The Executive Committee shall consider a well motivated, documented request to amend Schedule A of the Constitution. This request can only be motivated for by a Branch of the Society. Before such request is included on the agenda for the Executive Committee all Branches affected shall be given a three month comment period in accordance with Section 14.1.2 of the Constitution.
- 4.2 In the case of a Branch requesting a change of name of that branch this request will be included on the agenda of the forthcoming Executive Committee meeting.
- 4.3 Ordinary members of the Society shall be obliged to select a principal Sectoral Division in accordance with Section 13.3.1 of the Constitution.
- 4.4 Sectors will be represented by the Sectors as defined in Schedule B of the Constitution.

Participation on Sectoral committees and voting on Sectoral matters can only be done by those members who contribute to the Sectoral Divisional fees as contemplated in regulation 3.1.1.3 and 3.1.1.4.

- 4.5 Ordinary members who select a principal Sectoral Division but who do not contribute to the Sectoral fee do not have any voting rights on Sectoral matters and may not serve on a Sectoral Committee.
- 4.6 General Council will only consider the creation of further Sectoral Divisions if:
  - 4.6.1 The number of Ordinary Members requesting such Sectoral Division exceeds 300 members.
  - 4.6.2 The Ordinary Members confirmed their request with a signature.

4.6.3 The financial viability of such new Sectoral Division has been considered.

**5. POWERS OF BRANCHES AND SECTORS**

The Constitution of Branches and Sectoral Divisions shall include the procedure whereby the Branch and Sectoral Division shall exercise the powers as listed in Section 15.2 and 15.3 of the constitution.

**6. MANAGEMENT AND CONTROL OF BRANCHES AND SECTORAL DIVISIONS**

6.1 Branches and Sectoral Divisions shall, during every calendar year, convene a Branch or Sectoral Division Annual General Meeting, not later than 15 months and not earlier than 6 months since the previous Annual General Meeting, in the town which, in the opinion of the Branch or Sectoral Division Committee, is most convenient for the members of the Branch or Sectoral Division.

6.2 Should it in the opinion of the Executive Committee appear that any Branch or Sectoral Division Committee has not made adequate arrangements for the holding of a Branch or Sectoral Division Annual General Meeting, the Executive Committee may itself convene the Annual General Meeting of the Branch or Sectoral Division.

6.3 The business of a Branch or Sectoral Division Annual General Meeting shall be:

6.3.1 to deal with reports submitted by the Branch or Sectoral Division Committee on the activities of the Branch or Sectoral Division and on the revenue and expenditure of same;

6.3.2 to elect, or complete the election, as the case may be, of officers and of a Branch or Sectoral Division Committee in terms of the Regulations of the Branch or Sectoral Division; and

6.3.3 to consider any other business which in accordance with this Constitution or in terms of its Regulations it is empowered to do.

6.4 The duties of officers of a Branch shall be as follows:

6.4.1 Chairman: to preside at all meetings of the Branch or Sectoral Division Committee, to convene all Branch meetings when necessary by instructing the Secretary of the Branch to issue the necessary notices of meeting in due time, to sign minutes of Branch meetings, to sign cheques in accordance with the instructions of the Branch or Sectoral Division Committee, to initiate and direct and annually prepare a report on the activities of the Branch or Sectoral Division.



6.4.2 Vice Chairman: to act for the Chairman during the absence of the latter and further to perform such duties as the Chairman may delegate to him.

6.4.3 Secretary: to attend to all the correspondence of the Branch, to keep accurate minutes of the proceedings at meetings of the Branch or Sectoral Division and generally to carry out the secretarial functions of the Branch.

6.4.4 Treasurer:

6.4.4.1 To receive monies on behalf of the Branch or Sectoral Division, to issue an official receipt therefore and to deposit same to the credit of the branch at its bankers or other financial institution through which the Branch or Sectoral Division operates its finances;

6.4.4.2 to keep an accurate record of all financial transactions of the Branch and to prepare, or procure the preparations of financial statements, including a balance sheet, to the satisfaction of the Branch or Sectoral Division Committee;

6.4.4.3 to assist the Honorary Treasurer of the Society in the collection of membership subscriptions;

6.4.4.4 to transmit to the Society, without any deductions, all monies received by him on behalf of the Society;

6.4.4.5 to approve of the payment, drawn upon the funds of the Branch, in accordance with the instructions of the Branch or Sectoral Division Committee;

6.4.4.6 in accordance with section 18.2 of the Constitution the copies of the Report and financial Statement of the Branch or Sector shall include the financial statements of all juristic entities established by the Branch or Sector. The Treasurer shall report on the legal compliance of these entities with regards to audit status, tax status and director fees paid by these entities;

6.4.4.7 for Sectors the report must include the same information required in 6.4.4.6 for every branch of that sector.

6.5 A Branch or Sectoral Division Committee may at any time convene a Special Meeting of the Branch or Sectoral Division and shall call a Special General Meeting of the Branch or Sectoral Division if petitioned

to do so by not less than the number of members of the Branch or Sectoral Division laid down in the Regulations of the Branch or Sectoral Division.

- 6.6 Each Branch or Sectoral Division shall transmit to the Executive Committee as soon as possible after issue thereof copies of all notices, circulars and confirmed minutes of the meetings of the Branch or Sectoral Division Committee.

## **7. ANNUAL GENERAL MEETINGS – RESPONSIBILITIES AND ARRANGEMENTS**

- 7.1 The Executive Committee shall, subject to any provision of the General Council and the Constitution, be the final arbiter of the date, venue and format of the Annual General Meeting.
- 7.2 All costs relevant to the holding of the meeting including venue hire, hire of public address and recording service, secretarial services and reasonable refreshments shall be for the Society's expense.
- 7.3 All travel, accommodation and other expenses of Councillors – other than Executive Committee members – shall be borne by the Branches and Sectors concerned; provided that the Executive Committee may, in its sole discretion, grant financial assistance towards the expenses of Councillors of Branches and Sectors.
- 7.4 Branches of the Society wishing to host conference shall extend an invitation at the preceding meeting of the Council, which shall accept or decline such invitation.
- 7.5 In undertaking to host Conference, a Branch assumes responsibility for all arrangements to ensure the comfort and convenience of Councillors and their partners and any guests invited by the Executive Committee.
- 7.6 The Executive Director of the Society shall inform the host Branch of the names and addresses of Councillors and guests attending Conference and the Branch shall establish contact with them to ascertain their travel arrangements, hotel reservation requirements or any other needs and shall inform them concerning any social functions which the Branch may have planned.
- 7.7 The host Branch shall at an early date inform and satisfy the Executive Committee concerning the proposed venue for the meeting and the facilities available for purposes of the meeting requirements and convenience of Councillors and guests.
- 7.8 In order to ensure that there shall be no disruption of meeting requirements, the host Branch shall not finalise the nature and times of any intended social functions before such programmes have been approved by the Executive Committee.

- 7.9 Apart from Councillors and guests of the Society, the host Branch may invite any guests of its own to any social function it has organised.
- 7.10 All expenses associated with social functions shall be for the host Branch's account.
- 7.11 Where the official opening of the Annual General Meeting is of necessity associated with a formal banquet, the expense of this function shall, in whole or in part, be for the account of the Society provided that the Branch is unable to obtain a sponsor or otherwise meet this cost. In view of protocol and other considerations the Branch shall in such circumstances be guided by the Executive Committee regarding all arrangements.

## **8. COUNCILLORS OF BRANCHES AND SECTORS**

- 8.1 As the representative of his/her Branch or Sector, a Councillor shall at all times take an active interest in all the activities of his/her Branch or Sector and of the Society as a whole.
- 8.2 To this end he/she shall regularly attend the meetings of his Branch or Sector and study all documentation he/she receives as envisaged under the provisions of Regulation 10.1
- 8.3 A Councillor who, for good reason, is unable to attend an Annual General Meeting or any other meeting of the General Council of the Society shall accordingly and timeously inform his/her Branch or Sector which may then proceed to appoint a substitute for the meeting in question and immediately inform the Executive Director of the Society accordingly.
- 8.4 Where a substitute is appointed the Councillor concerned shall put his substitute in possession of all his documentation relevant to the meeting in question and at such meeting the substitute shall exercise all the rights of the Councillor for whom he is substituting.
- 8.5 A Councillor who may no longer be in a position to continue as a Councillor shall inform his Branch or Sector accordingly and the Committee of the Branch or Sector may appoint a substitute for the remainder of the term of office of such Councillor and inform the Executive Director of the Society accordingly.
- 8.6 Councillors shall be elected by a Branch or Sector in accordance with the provisions of the Constitution of that Branch or Sector.
- 8.7 The Executive Director of the Society shall, within 40 days from the first day of the calendar year, inform Branches and Sectors of the number of Councillors to which they are entitled in terms of the Constitution.

For this purpose the number of Ordinary paid-up members of each Branch or Sector as at 31 January shall be reckoned.

- 8.8 A Councillor who is unable to attend an ordinary, special or Annual General Meeting of the General Council, and for whom his Branch or Sector has not nominated a substitute, may nominate and empower by proxy any other Councillor of his Branch or Body attending such meeting to vote on his behalf in respect of any or all motions of which due notice has been given. Such proxy shall not bind the nominated Councillor to exercise the vote or direct that such vote be “for” or “against” any motion or amendment thereto.
- 8.9 The holder of a proxy shall tender to the Chairman of the meeting no later than half an hour prior to the notified time of the commencement of the meeting the proxy which he holds.
- 8.10 Only a proxy duly completed and attested in the form set out as Annexure A shall be recognised by the Chairman of the meeting.

**9. STANDING RULES OF PROCEDURE FOR MEETINGS OF THE GENERAL COUNCIL**

(These rules shall, as applicable, serve as guidelines for all meetings of the Society, whether of Branches, Sectors or Committees)

9.1 The Chair

- 9.1.1 The President shall take the Chair and declare the meeting opened for business.
- 9.1.2 If the Council were informed by the Executive Director or Treasurer that the President is absent, then the Deputy-President shall take the chair during such absence.
- 9.1.3 In the absence of both the President and the Deputy-President a Chairman shall be elected by the meeting, the procedure being as follows:
- 9.1.3.1 After Councillors are seated at the time appointed for the commencement of the meeting and a quorum is present, the Executive Director or Treasurer shall draw attention to the absence of both the President and Deputy-President, and request the meeting to elect a Chairman from any of the 4 Vice-Presidents to preside during their absence.
- 9.1.3.2 If only one Vice-President be nominated and seconded, he shall be called to the Chair of the Council without a question being put.
- 9.1.3.3 If more than one Vice-President be nominated, the

Councillors present shall vote by a show of hands to decide which nominee shall act as Chairman.

9.1.4 The President, while remaining in attendance, may in the absence of the Deputy-President, requests any Vice-President to take the Chair temporarily during the sitting.

## 9.2 Leave of Absence

Leave of absence may be given by the Council to any Councillor on account of his illness or the illness of a near relative, or of urgent business, or for other sufficient cause to be stated to the Council – and a Councillor shall be excused from service in the Council or on any Committee thereof for as long as he has leave of absence.

## 9.3 Quorum

Should it be pointed out to the Chair that a quorum is not present, the following procedure shall apply:

9.3.1 If, within an hour of the time appointed for the commencement or resumption of a meeting, a quorum is not present, the meeting shall stand adjourned to a day and time to be decided by the Executive Committee.

9.3.2 Where, in the course of a meeting which had commenced with a quorum present, it is pointed out to the Chair that there is no longer a quorum present, business shall be suspended for a period of five minutes, after which, if there is still no quorum, the Chair shall adjourn the meeting, without question being put, to the next sitting day.

9.3.3 If, on the final day of the meeting, a quorum ceases to be present as envisaged in 9.3.2 above, the Chair shall adjourn the meeting for a period of 30 minutes and, on resumption of the meeting, the procedure set out in 9.3.1 above shall apply.

## 9.4 Programme of Business

9.4.1 The Programme for any meeting of the Council shall be drawn up by the Executive Committee. During the course of the meeting the Chairman shall regulate sittings and adjournments subject to any motion of procedure which the Council may adopt.

9.4.2 On the first day of the meeting of the Council, the Executive Director shall read the Notice of Meeting and call the Roll of Councillors present at the Meeting, and register in the Minutes of the proceedings the names of such Councillors, Branches and Sectoral Divisions represented.

- 9.4.3 The business of the Annual Meeting shall be arranged in the following order:
- 9.4.3.1 Notice of Meeting.
  - 9.4.3.2 Roll call of Councillors, Branches, and Sectoral Divisions represented.
  - 9.4.3.3 Introduction of Past Presidents of the Society present at the meeting.
  - 9.4.3.4 The Prayer.
  - 9.4.3.5 Reading of the Obituary List.
  - 9.4.3.6 Confirmation of Minutes of previous Annual Meeting of the Council.
  - 9.4.3.7 Confirmation of Minutes of any Special Meetings of the Council held since the previous Annual Meeting.
  - 9.4.3.8 Matters arising from 9.4.3.6 and 9.4.3.7.
  - 9.4.3.9 To receive and if approved, adopt the Annual Report of the President on behalf of the Executive Committee, including the reports, if any, of all Committees and/or sub-committees set up by the Council or the Executive Committee.
  - 9.4.3.10 To receive and, if approved, adopt the Report of the Treasurer and the Financial Report and Financial Statement of the Society.
  - 9.4.3.11 To appoint an auditor(s).
  - 9.4.3.12 Resolutions submitted in terms of the Constitution to amend the Constitution.
  - 9.4.3.13 Other Resolutions submitted in terms of the Constitution. Such Resolutions shall be accorded such order of precedence as may be decided upon by the Executive Committee in arranging the agenda, provided that:
    - 9.4.13.1 The Chair may vary the order of procedure with the approval of the meeting.

9.4.13.2 A change in the order of precedence may be agreed to by the meeting on the motion of any Councillor duly seconded and carried.

9.4.13.3 Matters of urgency may be discussed at any time during a meeting on the motion of a Councillor duly seconded and supported by not less than two-thirds of the Councillors present.

9.4.13.4 An urgent Motion directly concerning the privilege of the Council will take precedence over other motions as well as of orders of the day, and may be considered without previous notice.

9.4.3.14 Election of office bearers in terms of Section 29.3 of the Constitution.

9.4.3.14.1 President

9.4.3.14.2 Deputy-President

9.4.3.14.3 Honorary Treasurer

The results of such elections, shall be declared in open session to the Council.

9.4.3.15 Confirmation of the appointment of the nominated members to the Executive Committee in terms of Section 29.2.4, 29.2.6 and 29.2.7.

9.4.3.16 To decide upon the venue for next Annual Meeting of the Council.

9.4.3.17 General:

9.4.3.17.1 Election of Honorary Life Members in accordance with the Constitution.

9.4.3.17.2 General matters appearing on the Agenda or rules in order by the Chair.

9.4.3.18 Induction of newly elected President and Deputy-President. Should the induction take place at any earlier stage of the meeting, the newly elected President shall not assume the Chair until all business except the closure of the meeting has been disposed of, and up to that stage the outgoing President shall act as Chairman of the meeting.

9.4.3.19 Closure of meeting.

## 9.5 Motions

- 9.5.1 All motions for presentation to the meeting shall be properly framed and shall state the specific instruction, request or policy action which it contemplates, and shall be prefaced by the word: "This ..... Annual General Meeting/Special Meeting of the Pharmaceutical Society of South Africa ....", or similar identifying words.
- 9.5.2 Every Branch or Sector, which has submitted motions appearing on the Agenda, shall advise the Chair or Executive Director on the opening day of the meeting of the names of the Councillors who are respectively moving and seconding the motions.
- 9.5.3 It shall be competent for any Branch or Sector to bring under the consideration of the Council any matter or any motion which they intend to move in terms of Section 26.4 of the Constitution by giving prior notice to the Chair and/or Executive Director. Such notice of motion or amendment shall be given in writing by the Branch or Sector concerned including the name of the Councillors respectively moving and seconding the motion.
- 9.5.4 Any motion or amendment, which requires to be seconded and is not seconded forthwith or upon request of the Chair, shall fall away.
- 9.5.5 If a Councillor be not in his place when the motion which stands in his name is called, or should he fail to rise and move it when called upon by the Chair, it shall lapse unless some other Councillor duly authorised by him move in his stead.
- 9.5.6 Every Councillor, in giving notice of a motion, shall read it aloud and shall deliver to the Secretary, if so requested, a copy of such notice fairly written and subscribed with his name.
- 9.5.7 Any notice which contains unbecoming expressions or offends against the Constitution or any Regulations, or which requires editing, may be amended by the Chair before it is placed before the meeting.
- 9.5.8 A Councillor who has moved a proposition may withdraw it by leave of  
the Council and with the concurrence of the seconder, if any,
- 9.5.9 A proposition, which has by leave of the Council been withdrawn, may be  
made again during the current session on notice given and accepted by the Chair.



## 9.6 Amendments of Motions

9.6.1 An amendment may take these forms:

9.6.1.1 To add a word or words either by insertion or affixation.

9.6.1.2 To omit a word or words.

9.6.1.3 Omit in order to insert a word or words. (Substitution).

An amendment may not be the direct negative of the motion which it seeks to amend.

9.6.2 No more than one amendment shall be taken at one time and such amendment shall be disposed of before any other amendment is moved or debated or before further discussion on the original motion takes place.

9.6.3 If an amendment were carried it replaces the original motion thus becoming the substantive matter before the Council, but if it were defeated the original motion shall again become the question before the Council and may be the subject of further amendment as before.

9.6.4 The mover of an original motion may not move any amendment thereto but may with the consent of the Council, when moving the original motion, amend the context but not the principle thereof, and may thereafter, with the consent of the Council and of the Seconder, accept any other or further proper amendment as part of or in substitution of the original proposition.

9.6.5 An amendment to an amendment may not be moved, but may be suggested to the mover of an amendment, who may vary his amendment only with the consent of the meeting.

## 9.7 Rules of Debate

9.7.1 A Councillor desiring to speak shall rise in his/her place and address himself/herself to the Chair.

9.7.2 When a Councillor rises to speak he shall be called by the Chair, and if more than one Councillor rises at the same time the Councillor who is called shall be entitled to speak first.

9.7.3 The Chair may rule how often a Councillor may speak on a question or in debate and may rule as to the time permitted to any speaker.

- 9.7.4 Whenever the Chair rises during a debate any Councillor then speaking or offering to speak shall sit down and all present shall be silent so that the Chair may be heard without interruption.
- 9.7.5 A Councillor may speak on:
- 9.7.5.1 The question before the Council; or
  - 9.7.5.2 Upon any amendment proposed thereto; or
  - 9.7.5.3 Upon a question or amendment to be proposed by himself; or
  - 9.7.5.4 Upon a question of procedure; or
  - 9.7.5.5 Upon a question of order arising out of the debate; or
  - 9.7.5.6 To move closure; not otherwise.
- 9.7.6 By the indulgence of the Council, a Councillor may explain matters of a personal nature although there be no question before the Council, but such matters may not be debated, and he must confine himself strictly to the vindication of his own conduct.
- 9.7.7 In asking any question, no argument or opinion shall be offered, and in answering any question a Councillor shall not be entitled to debate the matter to which it refers.
- 9.7.8 The Chair, after calling the attention of the Council to the conduct of a member who persists in irrelevance or tedious repetition of either his own arguments or of the arguments used by other member in debate, may direct him to discontinue his address.
- 9.7.9 A Councillor may not:
- 9.7.9.1 interrupt another Councillor whilst speaking except:
  - 9.7.9.2 to request that his words be taken down;
  - 9.7.9.3 to call attention to a point of order or privilege suddenly arising;
  - 9.7.9.4 to call attention to "no quorum".
  - 9.7.9.5 refer to the Head of State or the Chair with disrespect in debate, or use offensive, insulting, libellous or unbecoming language in reference to any other Councillor or any subject under discussion.

9.7.10 Any Councillor having used objectionable words and not explaining or retracting them, or not offering any apology for the use thereof to the satisfaction of the Council, shall be censured or otherwise dealt with as the Council may think fit; and any member called to order shall sit down unless permitted by the Chair to explain.

9.7.11 A Councillor who has moved or seconded a motion without speaking to it may address the Council on the subject of such motion at any subsequent period in the debate.

9.7.12 A reply shall be allowed to a member who has moved a substantive motion or who has moved an order of the day. Such reply closes the debate and no new matter may be introduced in support of the proposition. No reply, however, is allowed to any member who has moved a motion of procedure or any amendment. The mover of a substantive motion shall have the right to speak on each amendment thereto which may be before the Council.

9.7.13 Every Councillor present and wishing to speak shall have the opportunity of doing so before the reply is made, except where the meeting, on the motion of any Councillor, resolves that a vote be taken without further discussion, in which event the mover shall reply forthwith subject to the provisions under 9.7.12.1 above.

## 9.8 Voting

9.8.1 All voting at meetings, except when officers and Executive Committee members are elected, or when a division or ballot is called for by any Councillor, shall be by show of hands and the count shall be conducted by the Chair and/or the Executive Director who may invite other person/s not being Councillors entitled to vote, to assist in such counting.

9.8.2 Every Councillor present in the Council when a division is held shall be required to vote in accordance with the full voting power vested in him in the Constitution.

9.8.3 After the Chair shall have declared the result of the putting of any question, a Councillor may demand a division of the Council upon that question, whereupon a division shall take place without further debate.

## 9.9 General Conduct

9.9.1 Order shall be maintained in the Council by the Chair.

- 9.9.2 The Chair shall order a Councillor whose conduct is grossly disorderly to withdraw immediately and a Councillor ordered to withdraw shall do so forthwith and for the remainder of the day's sitting.
- 9.9.3 A Councillor desiring to leave the meeting while it is in session shall first engage the attention of the Chair or the Secretary and make due sign to either of his intention to leave the meeting.
- 9.9.4 A Councillor while present at the Meeting shall not converse aloud, and shall not during a debate read any book, newspaper or document except in connection with the business of such debate or the affairs of the Council.
- 9.9.5 In the case of great disorder arising in the Council, the Chair may adjourn the Council without question put or suspend any sitting for such time as he will specify.

9.10 The Council In Committee

All meetings shall be in "Open Session" except upon the motion of a Councillor when the meeting may be declared by the Chair to be "In Committee" for such period as he will allow. Records, if any, made of discussions taking place during such time as the meeting is "In Committee" shall not be for publication.

9.11 Suspension of Rules

Any Regulation may be suspended upon a motion made and carried by at least two-thirds of the Councillors present, and such suspension shall be limited in its operation to the particular purpose for which the suspension was sought.

9.12 Interpretation

In the event of any dispute arising out of an interpretation of the Constitution, the Chair shall not interpret any point on which the Constitution is silent but shall submit such point of dispute to the Council for decision by majority vote without any discussion thereon.

9.13 Procedure for the election of the President, Deputy-President and Treasurer

9.13.1 This election procedure shall be conducted by the Executive Director, or, in his absence, by another person nominated by him who shall be a person not entitled to vote.

### 9.13.2 Nominations –

- (1) Prior to the Annual General Meeting (AGM), each candidate shall be nominated on a nomination form as set out in Annexure E. Nominations must reach the Executive Director by not later than three weeks before the AGM and the Executive Director shall circulate all the nominations together not later than two weeks before the AGM to Branches and Sectoral bodies.
- (2) A separate nomination shall be lodged in respect of each candidate and shall be signed by the proposer and seconder who themselves must be Councillors.
- (3) A Councillor may only nominate one candidate for a particular position.
- (4) However, the candidate may indicate on the consent form, his willingness to be available for nomination to an alternative office should he fail to be elected to the position for which he was originally nominated.
- (5) Simultaneously with the lodging of a nomination, a candidate shall lodge the following documentation with the Executive Director:
  - (a) His consent to be nominated as set out in Annexure E.
  - (b) A manifesto of not more than 300 words (including a biosketch), and contact details where the candidate may be reached.
- (6) In extraordinary circumstances where the above procedure cannot be followed, the provisions of Section 27.5 of the Constitution shall apply.

### 9.13.3 Procedure at the AGM –

- (1) The President, Deputy-President and Honorary Treasurer shall be nominated and elected in that order. The nomination and election procedure for each office shall be completed and the successful candidate announced before the next position is considered.
- (2) The Chair shall call the meeting to order and declare the election procedure open.
- (3) Only Councillors may nominate or be nominated in accordance with Section 29.4 of the Constitution. The proposer must identify himself, state his wish to nominate a particular person and identify his seconder. No motivation is allowed.

- (4) The written nominations received prior to the AGM in accordance with 9.13.2 above, must be confirmed by a proposer and seconder as per 9.13.3 (3) above.
- (5) Once all nominations have been made, the Chair will ask each nominee to declare their willingness to accept the nomination.
- (6) If the nominee is unable to be present at the time of his nomination, he must have provided both a reason for his absence and written consent to accept nomination for the position. Such written consent must have been lodged with the Chair before the election procedure begins.
- (7) The Chair may invite other persons, not being Councillors' entitled to vote, to assist in conducting the ballot.
- (8) Failure of a candidate to secure election to a position does not preclude his/her nomination to other positions.
- (9) During the time of the counting of votes, the election procedure may be suspended and the normal business of the AGM may be continued.

## **10 DOCUMENTATION DISTRIBUTION**

- 10.1 The Executive Committee shall from time to time determine the most practical and effective method of distribution of documentation relevant to the activities of the Executive Committee to ensure that Branches and Sectors, as well as their respective Councillors are informed and in a position to take a meaningful part in decision making both at Branch or Sector level and at meetings of the General Council.
- 10.2 The Executive Committee shall at all times retain the right to place an embargo, whether of a temporary or permanent nature, upon the circulation or disclosure of any document where, in its opinion, its circulation at that time, or in the future, could be prejudicial to the interests of the Society or the Profession.
- 10.3 The draft minutes of a meeting of the Executive Committee should be circulated to the Executive Committee, as described in section 29.2 of the Constitution, within 15 working days of the meeting being held provided that in exceptional circumstances the President may authorise an extension of this period.

## 11 CODE OF PRACTICE

The Code of Practice of the Society is embodied in the following statements. Recognition of and adherence to these principles is a requirement for membership of the Society.

### 11.1 Preamble

Membership of a professional organisation presupposes both privileges and responsibilities.

As a member of the Profession of Pharmacy you may enjoy the privilege of becoming a member of the Pharmaceutical Society of South Africa, which exists to safeguard and promote your professional interests. In turn it is expected of you to recognise and abide by those principles and policies which over the years have been determined and will continue to be determined by the insight and experience of the leaders of your profession who are elected by you to serve on the highest authority of the Society – the General Council.

### 11.2 The Constitution of the Society

The Constitution lays down in broad terms the aims and objects of the Society and these constitute the fundamental purposes of the Society. Members are expected to adopt this Constitution and dedicate themselves to the principles enshrined therein in a spirit of service and unity towards fellow members.

### 11.3 The Members

11.3.1 Members are expected to exercise their rights and privileges as specified in Section 7 of the Constitution through the committees of the Branch to which they have been allocated and the committees of the Sector to which they have chosen to belong in accordance with the relevant constitutions of those Branches and Sectors.

11.3.2 It is essential that every member should understand the process of decision making of the Society and recognise that he has a responsibility to his colleagues, his profession and the Society to abide by these decisions. Membership of the Society involves recognition and acceptance of a mutual responsibility and commitment between the Society and the pharmacist in his individual right.

### 11.4 The Branches and Sectors

The duty of a Branch and Sector shall be:

- 11.4.1 to carry out in its area of jurisdiction all the objects of the Society;
- 11.4.2 to ascertain and to place the needs, opinions and interests of its members before the Executive Committee and/or Annual General or Special Meeting of the General Council; and
- 11.4.3 to do all such things in its respective area of jurisdiction as may advance the interests of its members in regard to all or any matters delegated to it by the Executive Committee of the Society.

#### 11.5 The General Council

The General Council is the supreme body of the Society constituted in terms of Section 21 of the Constitution. It is a fully representative body and its decisions are binding on all members, Branches and Sectors.

#### 11.6 The Executive Committee

It is the responsibility of the Executive Committee, as constituted in Section 29 of the Constitution, and its Administration to strive to achieve and carry out the decisions and directives of the Annual General Meetings of General Council.

The Executive Committee shall manage the affairs of the Society between Annual General Meetings in accordance with Section 31 (Powers and Duties of the Executive Committee) of the Constitution.

## **12 PROCESS FOR THE DEVELOPMENT AND MAINTENANCE OF PROFESSIONAL POLICY OF THE SOCIETY**

### 12.1 Process for the development and adoption of professional policy and position statements

12.1.1 In terms of Section 7 of the Constitution, ordinary members have the right to present any matter for consideration to their Branch or Sectoral committees whose Councillors, in turn, may present such matter as a motion to the Annual General Meeting of General Council for adoption as policy for the Society.

12.1.2 In addition to the requirements of 12.1.1 above, the process as described in 12.1.3 below shall be followed in order to adopt a position statement on any matter requiring consideration between Annual General Meetings of General Council.

12.1.3 The process will involve 7 distinct steps:

12.1.3.1 Identification of the issue and the format to be followed:



Issues may be identified in one of two ways: Firstly, any member or structure of the Society may identify issues that deserve attention. Such issues should be presented to Branch Committees, who will decide if the issue is already being addressed by some means, and whether it is of local or national concern. Issues identified as deserving national attention will be brought to the notice of the Executive Committee, as outlined below. Secondly, it will be particularly important for the interest groups and national portfolio holders to identify issues within their areas of responsibility or activity. Along with identifying the issue, a proposal to the Executive Committee should also indicate whether this should be dealt with in the form of a position statement or a practice standard. Position statements identify the Society's view with regard to an issue, usually one of a controversial nature. A practice standard will stipulate the minimum and desirable standards of practice or behaviour that the Society believes should be adhered to and aspired to by all its members, relevant to a particular topic. Submissions will be dealt with at the ordinary meetings of the Executive Committee. In addition, members of the Executive Committee may also identify topics at its meetings.

#### 12.1.3.2 Identification and appointment of the drafting team

The Executive Committee will identify, from within its own members, Branch or Sector committees, interest groups or the broader membership, those persons who could quickly and with authority draft such a document. They will be mandated to do so on behalf of the Executive Committee. However, it will also be acceptable for proposers of such policy documents to suggest possible members of the drafting team.

#### 12.1.3.3 Drafting of the practice standard or position paper

The drafting team will use whatever material is available, may garner advice in any manner deemed appropriate and will draft the appropriate document for submission to the Executive Committee within a stated timeframe. The team will ensure that all documentation produced has taken into account the particular demands of all practice settings in which Society members might find themselves.

#### 12.1.3.4 Ratification by the Executive Committee

Once deemed complete by the drafting team, the document will be submitted to the next ordinary meeting of the Executive Committee for ratification. Copies of the draft will thereafter be distributed to all Branches and Sectors, so that discussion at Branch and Sector level may occur. However, if the circumstances that gave rise to the preparation of the document are of such a nature that the Executive Committee deems it necessary to reach completion without discussion at Branch and Sector level, this will be allowed. Where necessary, voting on the matter at the Executive Committee will follow the ordinary procedure as stipulated in the Constitution.

#### 12.1.3.5 Discussion and adoption by the Branches of the Society

Before any documentation on professional policy is accepted as representative of the views of the Society, such documentation will (unless the circumstances mentioned above apply) be presented at Branch and Sector committees for comment and adoption. This must be done within a period specified by the Executive Committee. In the case of either a practice standard or position paper being so fundamentally different from previous Society policy as to require direction from General Council, then a motion to that effect should be put to the Executive Committee by any member who feels that this is the case. The document will then be submitted to the next meeting of the General Council in the form of a formal motion.

#### 12.1.3.6 Final approval and dissemination by the Executive Committee

Once comment has been received from the Branch and Sector committees, or on expiration of the period given for such comment, the position statement or practice standard will be finalised by the Executive Committee and disseminated as an official, numbered Society document and will then be available for use by all members. Where appropriate it will also be published in the SAPJ and/or posted on the PSSA web site.

#### 12.1.3.7 Listed in a Schedule to the regulations.

- 12.2 All position statements developed in terms of 12.1.3 above will be presented and tested at the next General Meeting of General Council for adoption as official policy of the Society.
- 12.3 All policies and position statements of the Society shall be listed in the Regulations in a Schedule thereto.
- 12.4 The Executive Director will act as custodian of these policies and position statements. It will be his duty to ensure that they are updated regularly and are considered by the earliest General Meeting of General Council for ratification and adoption as official policy of the Society.

### **13 PUBLIC STATEMENTS**

- 13.1 The President is the chief spokesperson of the Society. The chief spokesperson of a Sector is the relevant Vice-President of the Society. The chief spokesperson of the Branch is the Chairman of the Branch.
- 13.2 In consultation with the President, the Executive Director of the Society may make public statements and represent the Society.
- 13.3 On occasion the President may authorise other members of the Society to speak on behalf of the Society on specific matters. Should the matter refer to a specific Sector, the relevant Vice-President of the Society, should be the person delegated to speak on that matter. If the matter is of regional concern, the relevant Branch Chairman should be delegated to speak on that matter.
- 13.4 Branch and Sector representatives, before making public statements or presentations, shall consult with the President and Executive Director prior to the event.
- 13.5 Members are urged to avoid entering into public argument in the Press, over Radio or TV or to make statements through these media unless authorised by the President to do so. Any invitation by the Press or anyone else to do so should be referred to the President or the Executive Director.
- 13.6 All public statements should be made in accordance with the policies and position statements of the Society. If in doubt, any Society spokesperson shall consult with the Executive Director before making a public statement.

### **14 REPRESENTATION OF THE SOCIETY**

- 14.1 When making representation on a national level to Government or other Bodies, the delegation of the Society should include at least the

President, the Executive Director and Vice-President of the relevant Sector involved.

- 14.2 Similarly, at a local or regional level, a delegation of the Society should include, at least, the Branch Chairman, the Branch Director (or Branch Secretary) and the Chairperson of the relevant Sector Branch committee. Branches must consult with the Executive Director before making such representations.
- 14.3 In cases where it would seem prudent for various Sectors to make separate submissions, e.g. to Portfolio Committees of Parliament, such submissions will be made by the various Vice-Presidents of the Society in consultation with the President and the Executive Director. The opening remarks of such submissions should include the policy of the Society on the matter being addressed and a clear explanation as to the representivity of the Sector and its position within the Society.

## **15 RE-IMBURSEMENT OF EXPENSES**

- 15.1 The Society shall be responsible for all costs relevant to the holding of meetings of the Executive Committee or its sub-committees.
- 15.2 These costs shall include all costs incidental to holding the meeting such as venue and equipment hire, meals and refreshments etc. and the personal expenses of attendance at these meetings of anybody normally entitled or authorised to do so including a substitute for a Branch or Sector representative.
- 15.3 Personal expenses shall include travel and economical airfare, hotel accommodation, reasonable claims for meals as well as any out of pocket expenses and incidental costs as specified in Annexure B and as amended from time to time by the Executive Committee.
- 15.4 The Executive Committee may, in its sole discretion reimburse the expenses incurred by anybody authorised to attend to the business of the Society, including attendance of meetings, conferences, seminars or any occasion at which their presence is required. Such reimbursement will be made in accordance with 15.3 above.
- 15.5 The Executive Committee may grant financial assistance to Sectors for the holding of meetings.
- 15.6 Reimbursement claims for personal expenses must be submitted in the format as attached in Annexure B.
- 15.7 The Executive Committee may further develop policy on this matter.

## **16 ESTABLISHMENT OF SUB-COMMITTEES**

- 16.1 The Presidential Committee as contemplated in Section 30.1 of the Constitution will deal with urgent matters in between the Executive Committee meetings including the duties as listed in Section 31.4.1, 31.4.3, 31.4.4, 31.4.5, 31.4.7, 31.4.9 and 31.4.15.
- 16.2 Notwithstanding the provisions of regulation 16.1. The Financial and Human Resource Committee, will comprise of the President, Deputy-President, Immediate Past President and the Honorary Treasurer.
- 16.3 The Financial and Human Resource Committee shall, in the event of a vacancy occurring in the position of Executive Director, recommend to the Executive Committee which member of staff shall, in any interim period, act in that position.

## **17 DISCIPLINE**

### **17.1 General**

- 17.1.1 In terms of section 41 of the Constitution the Society must investigate complaints received against members, Associate members, Branches and Sectors;
- 17.1.2 The Executive Committee may instruct a branch or Sectoral Division to deal with a complaint received;
- 17.1.3 When the complaint is investigated by the National structure such investigation shall initially be conducted by the Investigating Sub Committee;
- 17.1.4 Should the ISC find grounds for discipline, a recommendation to this effect shall be lodged with the Advisory sub-committee who shall investigate the matter further;
- 17.1.5 The findings of the Advisory sub-committee will be submitted to the Executive Committee for approval and implementation;
- 17.1.6 It shall be the duty of the Executive Director and the right of any member or aggrieved person to lay before the Investigating sub-committee or the Executive Committee any facts or circumstances which indicate that a member may be subject to a disciplinary enquiry;
- 17.1.7 The Investigating and Advisory sub-committees shall remain in office and function until the date of the next Annual General Meeting, provide, however, that if at that date either of the said sub-committees has still before it for investigation or hearing an uncompleted case, those members who comprise such sub-

committee shall continue to act as such for the purpose of completing such case only; and

17.1.8 All new cases arising to be dealt with after the date of the Annual General Meeting shall be dealt with by the new sub-committee.

## 17.2 Investigating Sub-Committee

17.2.1 The Investigating sub-committee shall consist of the Deputy President who shall be Chairman, the Executive Director and the Vice-President of that Sector to which the member against whom the complaint has been made, belongs. In the event of a complaint against a Sector, the Investigating sub-committee shall consist of the Deputy-President who shall be Chairman, the Executive Director and the Vice-President of a Sector not involved in the complaint either as the complainant or as the accused;

17.2.2 The Investigating sub-committee shall be entitled either to co-opt a practising advocate or attorney as additional members of the Investigating sub-committee or to appoint a practising attorney as legal advisor of the Investigating sub-committee;

17.2.3 Two members of the Investigating sub-committee shall constitute a quorum;

17.2.4 Under no circumstances shall a member of the Executive Committee who is identified with either the complainant or the prosecution in a particular matter serve on an Investigating sub-committee sitting on the same matter;

17.2.5 On the recusation or unavailability of any of the above mentioned, the Investigating sub-committee shall have the power to fill any vacancy from among members of the Executive Committee or the ranks of practising advocates or attorneys, as the case may be;

17.2.6 The Investigating sub-committee may investigate the complaint in any manner it deems fit but shall, however, endeavour to obtain all evidence, especially that of the complainant, by way of sworn affidavits;

17.2.7 If the Investigating sub-committee considers that there appears to be grounds for the complaint, it shall advise the member, Branch or Sector by registered post, of the conduct imputed, and afford, an opportunity of giving an explanation in writing within seven days from the date of such notice.

17.2.8 If, on receipt of the explanation, the Investigation sub-committee is not satisfied therewith, or if no explanation is forthcoming, the Investigation sub-committee shall refer a formal complaint against the member, Branch or Sector to the Advisory sub-committee.

### 17.3 Advisory Sub-Committee

17.3.1 The Advisory sub-committee shall consist of those members of the Executive Committee who constitute the Presidential Committee. The Deputy-President or the Immediate Past President shall act as Chairman;

17.3.2 The said Advisory sub-committee shall be entitled to co-opt a practising advocate or attorney, as additional member of the Advisory sub-committee;

17.3.3 Five members of the Advisory sub-committee shall constitute a quorum;

17.3.4 Under no circumstances shall a member of the Executive Committee who is identified with either the complainant or the prosecution in a particular matter, serve on an Advisory sub-committee sitting on the same matter;

17.3.5 On the recusation or unavailability of any of the above mentioned members, before the commencement of disciplinary proceedings, the Advisory sub-committee shall have the power to fill any such vacancy from among the members of the Executive Committee or the ranks of practising advocates or attorneys as the case may be;

17.3.6 The Advisory sub-committee shall have the power to enquire into complaints against, and to recommend charges against members on receipt of a formal complaint from the Investigating sub-committee;

17.3.7 On receipt of a formal complaint, the Advisory sub-committee shall forthwith give notice to the member, Branch or Sector by registered post to the last known address, of its intention to consider the complaint;

17.3.8 The Advisory sub-committee shall give such member, Branch or Sector, an opportunity of being heard before it and shall, if the member so desires, permit such member to be represented before it by Council or by a practising attorney;

17.3.9 Should the member, Branch or Sector against whom the complaint is preferred, neglect or fail to attend before the Advisory sub-committee at the time and place indicated in the

said notice, the Advisory sub-committee shall be entitled to proceed with its consideration of the complaint;

17.3.10 The Investigating sub-committee may request a member of the Investigating sub-committee or may instruct an attorney or brief Council to present the formal complaint of the Investigating sub-committee;

17.3.11 All evidence given at the hearing of a complaint by the Advisory sub-committee shall be *viva voce*, but the Advisory sub-committee shall also be entitled to obtain sworn affidavits from any person if it considers them necessary for the better investigation and consideration of the complaint;

17.3.12 The Advisory sub-committee shall also have the power to order the production, for inspection, of any books, documents and papers in the possession of or under the control of the member against whom the complaint has been made;

17.3.13 The Chairman of the Advisory sub-committee shall be permitted to engage the services of an attorney or Council at any stage of a hearing of the Advisory sub-committee to advise him on points of law and procedure;

17.3.14 The form of reference and conduct of the procedure before the relevant committee shall be decided *ad hoc* by the President in consultation with the legal advisors of the Society;

17.3.15 If, in the opinion of the Advisory Sub-committee:

17.3.15.1 the alleged misconduct of a member is a contravention of the Pharmacy Act, No 53 of 1974, as amended, or of any of the rules framed in terms of the said Act, and

17.3.15.2 if the member concerned is a registered pharmacist it shall forthwith refer the matter to the South African Pharmacy Council together with all information relating thereto which it has at its disposal.

17.3.16 Where the Advisory sub-committee has found a member, Branch or Sector guilty, it shall report its finding and make recommendations with regard to appropriate disciplinary action to the Executive Committee.

#### 17.4 Executive Committee

17.4.1 On receipt of a report from the Advisory sub-committee, the Executive Committee shall accept or reject such findings and recommendations at its first meeting after receiving the report.



- 17.4.2 A conviction or finding by the South African Pharmacy Council may be accepted by the Advisory sub-committee as sufficient evidence of the contravention or misconduct in respect of which the member was found guilty.
- 17.4.3 No disciplinary action shall be taken against a Branch, Sector or a member by the Executive Committee unless a disciplinary enquiry was conducted by the Advisory sub-committee.
- 17.4.4 The Executive Committee shall have the power to reprimand, fine, suspend or expel members, or to reprimand or fine Branches and Sectors, who/ which have been found guilty.
- 17.4.5 Notice of the finding and decision of the Executive Committee shall be given forthwith to the member, Branch or Sector concerned.
- 17.4.6 All findings and decisions of the Executive Committee shall take effect when made.
- 17.4.7 Where the Executive Committee has found a member guilty, it shall report its finding and decision to members of the Society by circular, for their exclusive and confidential information.
- 17.4.8 The report to members referred to in the foregoing section shall in all such cases include the name of the member concerned, unless in a particular case the Executive Committee considers that there exist special circumstances which justify the omission of the name from such report.

## 17.5 Appeals

- 17.5.1 An appeal shall lie from any decision or order made by the Executive Committee to the next ensuing Annual General Meeting of the General Council (excluding those members of the Executive Committee who were party to that particular decision) provided that:
- 17.5.1.1 a notice of appeal shall be lodged with the Executive Director within one month of the date of the decision or order appealed against; and
- 17.5.1.2 at the hearing of such appeal the quorum of the General Council shall be two-thirds of the Councillors who are entitled to be present.
- 17.5.2 The Annual General Meeting of the General Council shall have the power to confirm, alter or set aside in any manner whatever any such decision or order of the Executive Committee.

## 18 DISPUTE RESOLUTION AND FACILITATION

- 18.1 In the event of a dispute arising regarding the interpretation of the Constitution or the rights and duties of any person and/or body in respect of any matter under the Constitution (other than a dispute as defined in 18.3 below) which in the opinion of the President of the Society, **in consultation with the Presidential Committee**, would properly be resolved by reference to the Dispute Arbitration Committee, the President shall then, refer such dispute to the Dispute Arbitration Committee for determination.
- 18.2 In the event of a dispute arising between two or more Sectors and/or Branches and/or substantial groupings of members of the Society regarding matters which in the opinion of the President, **in consultation with the Presidential Committee**, are of substance and concern policy, ethics, the relationship between the Society and third parties and/or the public, the President shall refer such dispute to the Disputes Facilitation Committee.
- 18.3 The President shall be obliged to refer a dispute to the relevant Disputes Committee if petitioned to do so by one third of the members of the Executive Committee.
- 18.4 The Disputes Arbitration Committee shall consist of the immediate past President of the Society who shall be chairman, a partner and/or director of the legal advisors of the Society who deals with the Society's work nominated *ad hoc* and an immediate past chairman of a Branch or Sector of the Society appointed *ad hoc* by the President.
- 18.5 The Disputes Facilitation Committee shall consist of the President or Deputy President of the Society who shall be the convenor and a representative nominated by each of the parties to the dispute appointed *ad hoc*.
- 18.6 Should the Disputes Facilitation Committee fail to resolve the dispute between the two parties concerned, the convenor may, in consultation with the Presidential Committee, employ the services of a professional facilitator to resolve the dispute satisfactorily.
- 18.7 The Disputes Arbitration Committee and the Disputes Facilitation Committee shall be convened at such venue as the Chairman or Convenor of the relevant committee may appoint due regard being had to convenience.
- 18.8 The form of reference and conduct of the procedure before the relevant Disputes Committee shall be decided *ad hoc* by the President in consultation with the legal advisors of the Society.

## **19     REFERENDUM**

Where a referendum is determined in accordance with the provisions under Section 43 of the Constitution, the Executive Committee shall:

- 19.1   Prepare a document setting forth clearly the subject matter and reason for which the referendum is to be taken and embodying a clear YES or NO response by the parties to which the referendum is addressed.
- 19.2   With the referendum document there shall be enclosed two envelopes – the one bearing only the word “Referendum” and the other a return address.
- 19.3   The recipient of a referendum document shall complete the form as directed and place and seal it in the envelope marked “referendum”. This in turn shall be placed in the return, addressed envelope, sealed and posted.
- 19.4   The referendum document shall embody a date on which the referendum closes which shall not be less than 30 days after the date of posting.
- 19.5   The Executive Committee shall appoint at least two scrutineers, one of whom shall be an Executive member and one an independent person representing the Society’s legal advisers, who shall, within 48 hours after expiry of the closure date, open all “Referendum” envelopes, record the result and append their signatures thereto.
- 19.6   The Result of a referendum shall be reported to the parties participating therein by personal communication, or published in the SA Pharmaceutical Journal, or both.
- 19.7   A referendum conducted by a Branch or Sector shall follow the same procedure as for the Executive Committee except that the scrutineers shall be:
  - 19.7.1   the Chairman of the Branch or Sector – or his nominee;
  - 19.7.2   a representative of the Branch’s or Sector’s legal advisers – or a member of the Executive Committee who is not a member of that Branch or Sector.

## **20     AWARDS AND DISTINCTIONS**

- 20.1   The Awards and Distinctions Committee shall comprise of the President, the Deputy President, the four Vice Presidents and the last three past Presidents of the Society.
- 20.2   Procedure in awarding awards and distinctions

- 20.2.1 All awards and Distinctions will be bestowed on recipients at a meeting of the General Council of the Society, on a resolution of the National Executive Committee.
- 20.2.2 All nominations for awards and distinctions shall be forwarded to the Executive Director not later than 31 January of each year.
- 20.2.3 Only Branches or Sectors may submit nominations, in confidence, together with supporting motivation in which the grounds for the proposal are fully set out. In addition, nominations for Fellowship and Honorary Fellowship may be submitted by a Fellows Committee established by the Fellows of the PSSA and recognised by the National Executive Committee in accordance with 20.3.3 below.
- 20.2.4 Once the Awards and Distinctions Committee has evaluated the nomination and after the resolution of the Executive Committee, shall the intended recipient be informed of the intention to confer the award or distinction upon him/her at the next meeting of the General Council.

## 20.3 Awards

### 20.3.1 Honorary Life Membership

20.3.1.1 Any ordinary member who by long and active membership of the Society for at least 15 years has been substantially responsible for the promotion and attainment of any of the objects of the Society at national level AND/OR who has rendered distinguished services in or to the profession of Pharmacy, may be selected an Honorary Life Member.

20.3.1.2 Honorary Life Members shall be exempted from payment of Society membership subscriptions.

### 20.3.2 William Paterson Award

20.3.2.1 Purpose of the award  
The purpose of the William Paterson award is to demonstrate recognition to those rare and outstanding members of the PSSA who have shown outstanding focus on the attainment of objectives for the PSSA, and through exceptional and consistent involvement in the Society's activities, involvement in associated professional, business and educational or other relevant health care organizations have contributed significantly to the Society's and the profession's

development to the benefit of all members of the profession and that of the consumers of health care.

#### Nature of the award

An illuminated certificate of appropriate size, design and quality incorporating wording describing the attributes of the recipient and befitting of the award to be issued by the PSSA recording the honour bestowed on the recipient.

In addition a medallion in sterling silver metal, the mould for which is held by the National Office of the PSSA, is to be issued simultaneously. The reverse side of the medallion is to be engraved with the name of the recipient and the date of the award.

#### Guideline Criteria

The awarding of this honour to a member of the Pharmaceutical Society of SA is not contingent on that person having been awarded either the Fellowship of the PSSA or Honorary Life Membership of the PSSA. However, it can be anticipated that the majority of recipients of this award will, by their very nature, have been recognised earlier for their unstinting contribution to their profession and to the PSSA. Awards of this nature would normally only considered in those instances where the nominee has been a continuous member of the PSSA for a minimum of 25 years. However, it is not a long service award and consequently the duration of membership cannot be the prime or sole criterion for adjudication.

#### Criteria

1. The nominee is or has been a member of the Pharmaceutical Society of SA for a significant period of time.
2. Has held or holds a position on the National Executive Committee of the PSSA or any one of its Sectors for an extended period of time.
3. Holds or has held a chairmanship of a portfolio committee at National level and has achieved major objectives set for that committee from time to time.
4. Has experienced involvement in associated professional, business and educational or other relevant health care organisations such that it has contributed significantly to the Society's and the profession's development to the benefit of members of the profession and that of the consumers of health care.

5. Demonstrates or has demonstrated exceptional tenacity of purpose in reaching objectives.
6. Demonstrates or has demonstrated diligence in his / her preparation of data to substantiate convincing points of argument and debate.
7. Demonstrates an ongoing passion for the profession of pharmacy.
8. Is or has been dedicated to the Pharmaceutical Society of SA and the pursuit of its objectives.
9. Demonstrates or has demonstrated exceptional initiative in resolving problems relevant to the profession that are of national importance.
10. Demonstrates or has demonstrated a healthy, positive community spirit.
11. Is an individual of impeccable character, honesty and integrity

### 20.3.3 Fellowship and Honorary Fellowship

#### 20.3.3.1 The Fellows Committee

The Fellows shall elect from amongst themselves a committee to co-ordinate the activities of the Fellows.

This Committee will support and assist in the promotion of all formal, agreed initiatives of the Pharmaceutical Society. In addition the Fellows Committee will have the following specific objectives:

- To promote the values of professional fellowship.
- To provide a leadership role, including closer collaboration between Sectors of the Society.
- To nominate, consider and make recommendations i.r.o of candidates for Fellowship of the PSSA.
- Ensure the maintenance of an accurate register of names and contact details of Fellows and Honorary Fellows of the Society.
- Maintain contact between Fellows of the Society.
- Assume responsibility for and co-ordinate activities/functions for Fellows, including the associated costs thereof.
- Facilitate the collection of relevant historical data for compilation and safe-keeping in a suitable repository such as the National Pharmacy Museum.

#### 20.3.3.2 Fellowship

- 20.3.3.2.1 Any member of the Society who has significantly furthered the aims of Pharmacy in any sphere of the Profession may be invited to be elected a Fellow.

- 20.3.3.2.2 A nominee for election as a Fellow shall normally, but not necessarily, have been a member for not less than five continuous years immediately preceding his nomination.
- 20.3.3.2.3 Fellows shall enjoy all rights and privileges of ordinary members of the Society.
- 20.3.3.2.4 Fellows shall be liable for the normal Society subscriptions according to their Ordinary Membership of the Society.
- 20.3.3.3.5 Fellowship of the Society shall be designated by the letters FPS.

#### 20.3.3.3 Honorary Fellowship

- 20.3.3.3.1 The award of Honorary Fellowship of the Society shall be made only to persons who are not ordinary members.
- 20.3.3.3.2 Honorary Fellowships of the Society shall be designated by the letters Hon. FPS.
- 20.3.3.3.3 The awarding of Honorary Fellowship does not confer upon such person any of the rights or privileges of an Ordinary member of the Society save that he/she shall be entitled to attend and participate in any meeting or function of Fellows but shall not have a vote.

#### 20.3.3.4 Nominations

- 20.3.3.4.1 All nominations for Fellowship or Honorary Fellowship shall be forwarded to the Chairman of the Fellows Committee not later than 31 October of each year.
- 20.3.3.4.2 Branches, Sectors, or the Fellows Committee may submit nominations, in confidence, together with supporting motivation in which the grounds for the proposal are fully set out
- 20.3.3.4.3 Once the Fellows Committee has evaluated the nomination and has agreed to support the nomination, it will be forwarded to the National Executive Director by 31 January of each year, who will forward these to the Awards and Distinctions Committee.

### 20.4 Withdrawal of Awards and Distinctions

- 20.4.1 If a person upon whom an award or distinction has been bestowed:

- 20.4.1.1 is struck off the roll of pharmacists by the South African Pharmacy Council; or
- 20.4.1.2 is found guilty after disciplinary proceedings by the Society and is sentenced to more than a reprimand; or
- 20.4.1.3 behaves in such a manner that his/her conduct is a disgrace to the award or distinction, then the Executive Committee shall be entitled forthwith and without affording such person the opportunity of stating his case, to strip such person of the award or distinction.

20.4.2 If a person is stripped of an award or distinction, he/she shall immediately return the award or distinction to the Executive Committee.

20.4.3 Fellows of the Society who lose their membership or who are disqualified to be a member will automatically lose their Fellowship.

## **21. CONSTITUTIONS OF BODIES IN TERMS OF SECTION 5.12 OF THE PSSA CONSTITUTION**

### **21.1 Foundation for Pharmaceutical Education**

21.1.1 The name of the Foundation shall be “The Foundation for Pharmaceutical Education”.

21.1.2 The objects of the Foundation shall be the promotion of pharmaceutical education by:

- 21.1.2.1 Assisting qualified pharmacists to obtain higher qualifications and to broaden their knowledge, experience and professional background.
- 21.1.2.2 The investigation of specific projects of interest to the pharmaceutical profession, trade and industry in the Republic of South Africa.
- 21.1.2.3 The procuring of funds for the provision of scholarships and bursaries and administering such funds and controlling the awarding of bursaries.
- 21.1.2.4 Providing, subsidising or otherwise assisting deserving pharmacy students.

21.1.3 The Foundation shall be managed by FPE sub-committees. The FPE sub-committees will be:

- 21.1.3.1 FPE sub-committee – Undergraduates; and



21.1.3.2 FPE sub-committee – Postgraduates.

21.1.4 The FPE sub-committee for undergraduates would consist of the following 4 members:

21.1.4.1 FPE Manager

21.1.4.2 Three additional PSSA members, two of which are staff members of the PSSA, Branches or Sectors. In selecting the third member, cognisance must be taken of the ability of such a member to be readily available to attend meetings.

21.1.5 The Executive Committee of the PSSA will appoint the two branch representatives annually.

21.1.6 The Treasurer will exercise his authority in ensuring proper financial control and reporting of the finances administered by the FPE.

21.1.7 The functions of the FPE sub-committee – undergraduate are the following but not limited to:

21.1.7.1 Evaluation process of applicants according to pre-defined criteria.

21.1.7.2 Revise and finalise scoring criteria annually before evaluation process starts.

21.1.7.3 Provisional allocation of bursaries where sponsors referred responsibility to the FPE.

21.1.7.4 Identifying suitable candidates for later potential bursaries, should the preliminary candidates not comply with the conditions of the bursaries.

21.1.7.5 Decide on any special requests by bursary candidates.

21.1.7.6 Will report to the National Executive Committee.

21.1.8 The FPE sub-committee for postgraduates would consist of the following:

21.1.8.1 Academy Exco members

21.1.8.2 FPE Manager

21.1.9 The functions of the FPE Sub-committee – postgraduate are the following but not limited to:

21.1.9.1 Evaluation and preliminary allocation of applicants according to pre-defined criteria.

21.1.9.2 Revise and finalise scoring criteria annually before evaluation process starts.

- 21.1.9.3 Identifying suitable candidates for later potential bursaries, should the preliminary candidates not comply with the conditions of the bursaries.
- 21.1.9.4 Decide on any special requests by bursary candidates.
- 21.1.9.5 Will report to the National Executive Committee.
- 21.1.10 The National Office of the Foundation shall be situated in the office of the Pharmaceutical Society of South Africa.
- 21.1.11 The Pharmaceutical Society of South Africa shall perform the secretarial and administrative work of the Foundation without any remuneration or secretarial charge.
- 21.1.12 All funds and moneys accruing to the Foundation from whatever source shall be applied solely towards the promotion and furtherance of the objects of the Foundation.
- 21.1.13 The FPE sub-committees shall be entitled to investigate, realise, retain, reinvest and vary investments of all funds, securities and monies of the Foundation.
- 21.1.14 The FPE sub-committees shall determine from time to time and at any time any and all matters relating to their meetings and to the procedure and operations of the Foundation.
- 21.1.15 The FPE sub-committees shall give effect to the objects of the Foundation and shall have the necessary authority for this purpose.

## **22. ATTENDANCE AT MEETINGS OF THE NATIONAL EXECUTIVE COMMITTEE**

- 22.1 An Executive Committee member who is unable to attend a particular meeting of the National Executive, may nominate and empower by proxy, any other Executive Committee member attending such meeting to vote on his behalf in respect of any matter at that particular meeting as specified in 36.4 of the Constitution.
- 22.2 The holder of a proxy shall tender to the Chairman of the meeting no later than half an hour prior to the notified time of the commencement of the meeting the proxy which he holds.
- 22.3 Only a proxy duly completed and attested in the form set out as Annexure D shall be recognized by the Chairman of the meeting.
- 22.4 In the event of an appointee to the Executive Committee of a Sector or Branch being unable to attend a particular meeting of the National Executive, the relevant Sector or Branch may nominate a substitute to attend the meeting in his stead. Such nomination must reach the

Executive Director timeously in order for a formal invitation to attend the meeting to be extended to the nominee by the President.

- 22.5 A substitute attendee as specified in 22.4 above, may only participate in any discussion of the meeting with the permission of the Chairman and may not exercise a vote. Should a vote be required, only the nominated holder of the proxy as specified in 22.1 above may exercise the vote on behalf of the absentee National Executive member in question.

## **23. CONSTITUTIONS OF BODIES IN TERMS OF SECTION 5.6 OF THE PSSA CONSTITUTION**

### **23.1 The PSSA Young Pharmacists' Group**

23.1.1 The name of this body shall be: The Pharmaceutical Society of South Africa Young Pharmacists' Group.

#### 23.1.2 Composition

The YPG network consists of individual members of PSSA who are recent graduates (up to five years after graduation from their first degree in pharmacy) or are below the age of 35 years.

#### 23.1.3 Mission

The mission of the YPG is to promote the goals of PSSA by encouraging the young members of PSSA to participate in PSSA projects and activities. In so doing, YPG aims to develop individuals who can act as agents of positive change at local, national and international levels, both in the profession and in society.

#### 23.1.4 Relationship within PSSA

The YPG is a network existing within the PSSA whose function is to acquaint its members with the PSSA structure and help them with the transition from being recent graduates to becoming active, contributing members of the PSSA.

#### 23.1.5 Management

##### 23.1.5.1 General Assembly

23.1.5.1.1 The General Assembly is the supreme decision-making body of the YPG. It is composed of all YPG members.

23.1.5.1.2 The General Assembly is responsible for:

- a. The election of the Steering Committee;
- b. The approval and acceptance of the annual report of the Steering Committee and minutes of the previous General Assembly;

- c. The acceptance of the YPG financial report and audited financial statements;
- d. The adoption of official documents and approval of any revisions to those documents;
- e. The provision of feedback and guidance as relates to strategic planning, including, but not limited to, the suggestion of new initiatives and future projects.

23.1.5.1.3 General Assembly decisions will be determined by a simple majority of the members present, unless otherwise specified. Voting will proceed by a show of hands unless a secret ballot is requested and approved of by the General Assembly.

23.1.5.1.4 The General Assembly shall meet at least once a year on a date as close to the PSSA Annual General Meeting (AGM) as possible. Should the AGM be cancelled in a particular year, the General Assembly shall convene in accordance with the provisions made for such an alternative meeting as prescribed in the PSSA Constitution.

#### 23.1.5.2 Steering Committee

23.1.5.2.1 The Steering Committee conducts the day-to-day business of the YPG. It is composed of at least 3 members elected by the General Assembly, or appointed according to Article 5.5.

23.1.5.2.2 The Steering Committee is responsible for all aspects of YPG operations that do not fall under the exclusive authority and control of the General Assembly. These include, but are not limited to:

- a. The organisation of YPG meetings and conference programmes and the coordination of YPG projects;
- b. The approval and management of the annual YPG budget, whose income shall consist of:
  1. A PSSA subsidy
  2. Other income approved of by the PSSA.
- c. The implementation of decisions of the General Assembly;

- d. Maintaining internal communication and providing professional support and guidance to YPG members.
- 23.1.5.2.3 Steering Committee members shall be elected for a one year term with the possibility of re-election for one additional term only.
- 23.1.5.2.4 All members of the Steering Committee shall have a vote in Steering Committee decisions.
- 23.1.5.2.5 In the case of a vacancy or resignation, the incoming Steering Committee, with the outgoing Steering Committee shall have the right to appoint by a simple majority a new member to the Steering Committee.
- 23.1.5.2.6 All Steering Committee members shall respect the general rules of the PSSA regarding activities and ethics.
- 23.1.5.3 Representation
  - 23.1.5.3.1 The YPG shall be represented at the PSSA National Executive Committee (NEC) and AGM by the Chair, or in his/her absence, an alternate who shall be appointed by the Steering Committee.
  - 23.1.5.3.2 The YPG may be represented at any non-PSSA conference or event according to the interests of PSSA. In such a case, the approval of the Steering Committee and informing the PSSA Executive Director is required.
- 23.1.5.4 Operating Guidelines
  - 23.1.5.4.1 The YPG Operating Guidelines is an official document that governs the operations of the YPG and outlines the proceedings of the General Assembly. Nothing in the Operating Guidelines shall contradict the PSSA Constitution and its Regulations.
  - 23.1.5.4.2 It shall be within the power of the General Assembly to enact and/or amend the Operating Guidelines by a 2/3 majority vote of the members present at the Assembly.
- 23.1.5.5 Correspondence Address
  - 23.1.5.5.1 The official address for correspondence shall be the address of the PSSA National office.

## 23.1.6 Amendments to Regulation 23 on conducting YPG activities

- 23.1.6.1 Any amendments to Regulation 23 on the conducting of YPG activities should be accepted by at least two thirds of the votes of the YPG General Assembly and then ratified by the PSSA NEC.
- 23.1.6.2 Proposals of such amendments should be circulated in writing to all YPG members at least two months prior to the General Assembly.
- 23.1.6.3 The effective dates for implementing any of the amendments shall be the date of ratification of Regulation 23 by the PSSA NEC.

#### 23.1.7 Dissolution of the YPG

- 23.1.7.1 A proposal to dissolve the YPG may be submitted by the Steering Committee or at least one third of all YPG members.
  - a. In these cases, the Steering Committee will be obliged to call a special session of the Assembly.
  - b. Notice of this meeting must be sent to all YPG members at least two months in advance of the proposed meeting
  - c. A two thirds majority vote of all members present at this special meeting is needed to accept the proposal.
  - d. Upon acceptance of the proposal, the current Steering Committee shall propose an action plan that will allow it to complete all outstanding YPG responsibilities for the year.
  - e. The next immediate General Assembly will be responsible for the acceptance of the final report of the Steering Committee and the determination of whether dissolution should proceed.
  - f. If this session of the General Assembly deems the question of dissolution to be valid, a two thirds majority vote in favour of such dissolution, all members present, will move the proposal forward to the PSSA NEC, in whose hands the final decision of dissolution will be decided.
- 23.1.7.2 A proposal of dissolve the YPG may come from the PSSA NEC, acting on its own initiative, independent of the YPG.
- 23.1.7.3 The effective date for dissolving YPG shall be the date of the decision by the PSSA NEC.
- 23.1.7.4 In the event of dissolution of the group, all the YPG assets shall revert back to PSSA.

#### 23.1.8 General

- 23.1.8.1 Nothing in Regulation 23 shall be interpreted in such a way as to conflict with the Constitution of PSSA or other Rules of Procedures. No decision of the group

shall be effective if its interpretation conflicts with the Constitution of PSSA. In case of dispute about the interpretation of Regulation 23, the PSSA NEC will decide.