



CONSTITUTION OF THE FREE SOCIETY INSTITUTE

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1. BACKGROUND

The Free Society Institute aims to encourage intellectually honest debate on topics which are vulnerable to influence and/or suppression by pre-scientific traditional dogmatism, debate on those influences and suppression, as well as debate on the nature and role of reason and rationality itself. The Free Society Institute holds supernatural views of reality to be one of the more powerful threats to individual liberty of thought, and strives to remove this threat on a socio-political level in both South African and international contexts, to ensure the freedom to debate any issue in a manner which leads humanity closer to Enlightenment and Secular Humanist ideals.

2. NAME

The name of the organisation hereby constituted will be the *Free Society Institute*, or the abbreviated “*FSI*”, hereafter referred to as “the Institute”)

3. OBJECTIVES

- 3.1. The principal objectives of the Institute shall be:
 - 3.1.1. The promotion or advocacy of human rights and democracy, in particular to defend the right of free speech;
 - 3.1.2. The promotion of, or engaging in, philosophical activities, in particular the promotion of rationalism and a scientific worldview and the defence of secularism on a political level;
 - 3.1.3. Research, particularly political and social research.
- 3.2. To this end, its subsidiary objectives shall be:

- 3.2.1. Opposing any limitations imposed on the freedoms aforementioned, be they at the instance of the State, the private sector, civil society or any individual or individuals, that in the opinion of the Institute constitute censorship;
- 3.2.2. To create a sense of unity and community among free-thinkers in South Africa;
- 3.2.3. To defend and promote liberal, humanist (as defined by the IHEU Minimum statement: <http://www.iheu.org/minimumstatement>), and Enlightenment (whereby reason, rather than authority or dogma, is understood to be the primary source of legitimate points of view) ideals;
- 3.2.4. To monitor the effects of religious discourse, and activities of religious associations, in South Africa;
- 3.2.5. To engage in solidarity with groups promoting rationalism locally and internationally;
- 3.2.6. To promote local and international debate;
- 3.2.7. To provide commentary on issues relating to the strategic aims of the Institute, including controversies and events in the domains of religion, ethics and politics.
- 3.2.8. To engage in and fund campaigns, promotions, projects and other activities in furtherance of the above aims;
- 3.2.9. To raise and disburse funds for legal services as provided for in this constitution in support of the Institute's objectives;

4. LEGAL STATUS

The Institute is a body corporate with its own legal identity which is separate from its individual members. The Institute shall continue to exist even if the members or office-bearers change. The Institute has its own rights and duties, including but not limited to the right to own, purchase, sell and burden property and other assets, and to enter into contracts. The Institute may sue or be sued in its own name.

5. NON-PROFIT DISTRIBUTING CHARACTER

- 5.1 The income and property of the Institute shall be used solely for the promotion of its stated objectives. The members and the office-bearers shall have no rights to the property or other assets of the Institute solely by virtue of them being members or office-bearers. No portion of the income or property of the Institute shall be paid or distributed directly or indirectly to any person (otherwise than in the ordinary course of undertaking any public benefit activity) or to any member of the Institute or Executive Committee, except as:
 - 5.1.1 Reasonable compensation for authorised services actually rendered to the Institute;
 - 5.1.2 Reimbursement of actual costs or expenses reasonably incurred on behalf of the Institute;
 - 5.1.3 Remuneration for an employee of the Institute, whether such employee is a member of the Institute or Executive Committee or not.
- 5.2 Upon the dissolution of the Institute, after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst

members, but shall be transferred by donation to some other non-profit organisation which the Executive Committee (and failing which any division of the High Court) considers appropriate and which has objectives the same or similar to the objectives of the Institute; and should the Institute become an approved public benefit organisation:

- 5.2.1 Is a similar public benefit organisation which has been approved in terms of section 30 of the Income Tax Act, or
 - 5.2.2 Any institution, board or body which is exempt from tax, and which has as its sole or principal object the carrying on of any public benefit activity.
- 5.3 The Institute intends to apply to the Commissioner for the South African Revenue Service for exemption from appropriate taxes and duties.

6. POWERS

The Institute, acting through its Executive Committee, or at an Annual General Meeting or a General Meeting, shall have all the powers necessary for it to carry out its stated objectives effectively. Such powers shall include, but not be limited to, the General Investment and Administrative Powers set out in the attached Schedule A.

7. MEMBERS AND MEMBERSHIP

- 7.1 Members may be individuals, companies formed and incorporated under section 21 of the Companies Act, Act 61 of 1973 (or a similar provision in a later Act), trusts, associations of persons that have been incorporated, formed or established in the Republic, or any branch within the Republic of any company, association or trust incorporated, formed or established in terms of the laws of any country other than the Republic that is exempt from tax on income in that other country. All these entities with the exception of individuals, are in this Constitution referred to as “an organisation” or “organisations”.
- 7.2 There shall be three classes of members, patrons, full members and associate members:
 - 7.2.1 Patrons shall be people or organisations who are (a) recognised for their commitment to the cause of a free society and (b) invited by the Executive Committee to serve as patrons.
 - 7.2.2 Patrons shall be entitled to vote at an Annual General Meeting and a General Meeting and have the same rights as full members.
 - 7.2.3 Full members shall be individuals and not-for-profit organisations as contemplated in section 7.5 below, and who have paid their subscriptions, if required, as prescribed by the Executive Committee, and who have been duly accepted as such and have been enrolled.
 - 7.2.4 Associate members shall be individuals and not-for-profit organisations as contemplated in section 7.5 below who choose not to become full members, and who have paid subscriptions, if required, as prescribed by the Executive Committee, and have been duly accepted as such and have been enrolled.

- 7.2.5 Associate members shall not be entitled to vote at an Annual General Meeting or General Meeting but shall be entitled to speak.
- 7.2.6 A member, being an organisation, shall only have one vote at an Annual General Meeting and General Meeting. Only one representative of an organisation shall be entitled to speak at such a meeting. With the consent of the meeting, additional representatives of an organisation shall be entitled to speak.
- 7.3 The initial membership shall be those persons whose names and signatures appear on the attached Schedule B.
- 7.4 The Executive Committee may admit further members from time to time, subject to due compliance with any conditions of membership (including payment of any membership fees) which the Executive Committee may stipulate from time to time.
- 7.5 Not-for-profit organisations will be eligible for membership only if:
 - 7.5.1 Their constitutional objectives are consistent with those of the Institute;
 - 7.5.2 They promote, in a verifiable manner, freedom of expression and access to information;
 - 7.5.3 They are associations incorporated, formed or established not for gain, and their members, if organisations, are organisations incorporated, formed or established not for gain; and
 - 7.5.4 They are not party political organisations or organs of state.
- 7.6 Members shall not become liable for any of the obligations and liabilities of the Institute solely by virtue of their status as members of the organisation.
- 7.7 The Executive Committee may suspend or terminate the membership of any member provided that:
 - 7.7.1 At least fourteen (14) days prior written notice is given to all members of the Executive Committee of the intention to terminate or suspend a membership; and
 - 7.7.2 At least fourteen (14) days prior written notice is given to the member concerned. The notice shall invite the member to make written or verbal representations to the Executive Committee as the member may consider appropriate.
- 7.8 The decision of the Executive Committee to admit an applicant to membership, or to suspend or terminate a membership shall lapse unless confirmed by a resolution of two thirds ($\frac{2}{3}$) of the members of the Institute present at the next Annual General Meeting or General Meeting.
- 7.9 Neither the Executive Committee nor the Institute shall be required to give reasons for their decisions with respect to membership.
- 7.10 Annual subscriptions shall be determined by the Executive Committee, who shall also have the discretion to charge no subscription at all or to exempt particular classes of members from paying subscriptions or to levy different subscriptions for different classes of members.

8. STRUCTURE OF THE INSTITUTE

8.1 Founder

- 8.1.1 The Founder of the Institute is Jacques Rousseau of 2 Brunswick Flats, 7 Brunswick Road, Tamboerskloof 8001.
- 8.1.2 The Founder shall perform the duties set out in s 13 of the Constitution which are prerequisites for the adoption of the Constitution.
- 8.1.3 By adopting the Constitution as set out in s 13 hereof, the Special Meeting referred to in the section will ratify the necessary pre-adoption activities and reasonable expenses (if any) of the Founder.
- 8.1.4 After the adoption of the Constitution the position of the Founder shall merge with that of the Committee Chairperson and the designation of Founder shall no longer be used in the structure of the Institute.

8.2 The Executive Committee

8.2.1 Powers

- 8.2.1.1 The affairs of the Institute shall be controlled and managed by the Executive Committee. Subject to the terms of this constitution and to the resolutions of members at an Annual General Meeting or a General Meeting, the Executive Committee may exercise all the powers of the Institute.
- 8.2.1.2 At an Annual General Meeting and a General Meeting, the Institute may review, approve or amend any decision taken by the Executive Committee but no such resolution of the Institute shall invalidate any prior action taken by the Executive Committee in accordance with the provisions of this Constitution.

8.2.2 Election

- 8.2.2.1 The members of the first Executive Committee shall be appointed by the Founder who shall also be the first Chairperson. The first Executive Committee shall hold office until the first Annual General Meeting after such appointment, when all of them shall resign. At the first Annual General Meeting, a new Executive Committee shall be elected by secret ballot, and they shall serve in office for two (2) consecutive years. A new Executive Committee shall be elected by a secret ballot at every second succeeding Annual General Meeting.
- 8.2.2.2 Resigning Executive Committee members shall be eligible for re-election or co-option.
- 8.2.2.3 Executive Committee members shall be members of the Institute.
- 8.2.2.4 The representative of a member-organisation shall be eligible for election or co-option. Such representative, as individual person and not the organisation he or she represents, shall then become a member of the Executive Committee.

8.2.3 Composition

- 8.2.3.1 The Executive Committee shall comprise at least three but not more than eight members, with a membership consisting of at least:

1. The Chairperson;
2. The Vice-Chairperson;
3. The Secretary;
4. The Treasurer.

8.2.3.2 The Executive Committee may co-opt up to four additional non-voting members as it may consider appropriate from time to time. The co-opted members shall serve for such period as the Executive Committee considers appropriate but not for longer than the period of office of that Executive Committee.

8.2.4 Executive Committee Member Vacating Office

8.2.4.1 The office of a Executive Committee member shall be vacated if a member:

1. Resigns; or
2. Becomes unfit and/or incapable of acting as such; or
3. Would be disqualified, in terms of the Companies Act or equivalent legislation in force from time to time, from acting as a Director of a Company; or
4. Is removed by the Executive Committee, by resolution adopted by at least two-thirds ($2/3$) of its members in office from time to time, being not less than the required minimum of two. The Executive Committee shall not be obliged to furnish reasons for its decision/s regarding removal except to the member removed and to the members of the Institute at an Annual General Meeting or a General Meeting.

8.2.4.2 Should a position on the Executive Committee fall vacant, the Executive Committee, by resolution adopted by at least two-thirds ($2/3$) of its members, may (and if the vacancy reduces the number of members to less than three [3], shall) co-opt a member/s to fill the vacancy/ies. The office of any person so co-opted as member of the Executive Committee shall lapse unless confirmed by resolution of members at the next Annual General Meeting or General Meeting. The period of office of such co-opted member shall only be for the remaining period of office of the Executive Committee.

8.2.5 Procedure at Executive Committee Meetings

8.2.5.1 The Executive Committee shall conduct its meetings and regulate its proceedings as it finds convenient, provided that:

1. The Chairperson, or in his or her absence, the Vice-Chairperson, shall chair all meetings of the Executive Committee which he or she attends. In the absence of the Chairperson and the Vice-Chairperson, the remaining members of the Executive Committee shall elect a chairperson from those attending.

2. The Chairperson shall convene a meeting of the Executive Committee, bi-annually and at the written request of any two (2) members of the Executive Committee and may convene such a meeting at any other time. If all Executive Committee members consent, such meetings may be held electronically.
3. The quorum necessary for the transaction of any business by the Executive Committee shall be two-thirds (2/3) of the Executive Committee members serving at any given time.
4. At meetings of the Executive Committee each member shall have one (1) vote.
5. Questions arising shall be decided by a majority of votes. Should there be an equality of votes the Chairperson shall have a casting or second vote.
6. Proper minutes shall be kept of the proceedings of the Executive Committee, and a record of the persons present at each meeting. The minutes shall be submitted for approval at the next meeting of the Executive Committee, and thereafter be signed by the member who chairs the meeting. The minutes shall be available at all times for inspection or copying by any member of the Executive Committee, and on two (2) days' notice to the Secretary or his or her deputy, by any member of the Institute.
7. A resolution signed by all members of the Executive Committee shall be as valid as if passed at a duly convened meeting of the Executive Committee.
8. In the absence of a Chairperson the Vice-Chairperson shall carry out all the duties of the Chairperson. In the absence of both, the members present shall elect an Acting Chairperson from those attending.
9. Only the Founder, and thereafter the Chairperson, shall be entitled to issue press statements on behalf of the Institute and delegate that authority.

8.2.6 The Executive Committee may delegate any of its powers to any of its members, or to a special purpose committee, employee or agent. The member, committee, employee or agent to whom such delegation is made shall conform to any regulations and procedures that may be stipulated by the Executive Committee from time to time.

8.2.7 The Executive Committee may appoint a Chief Executive and other officers and employees as it may consider necessary from time to time upon such terms and conditions as it may consider appropriate.

8.3 General Meetings

8.3.1 Annual General Meeting

8.3.1.1 An Annual General Meeting of the Institute shall be held within a period of fifteen (15) months of the adoption of this Constitution. Subsequent Annual General Meetings shall be held within three (3) months of the end of each financial year.

- 8.3.1.2 The Chairperson of the Executive Committee shall be the Chairperson of an Annual General Meeting. Subsection 8.1.5.1 par. 1 shall apply mutatis mutandis in the event of the absence of the Chairperson.
- 8.3.1.3 Annual General Meetings shall be convened by the Chairperson on not less than twenty-one (21) days prior written notice to all members entitled to attend the meeting. This notice shall state the date, time and place of the meeting and in broad terms the business to be transacted at the meeting.
- 8.3.1.4 The business of an Annual General Meeting shall include:
1. The presentation and adoption of the Annual Report of the Chairperson;
 2. The consideration of the Annual Financial Statements;
 3. The election of members to serve on the Executive Committee for the following two years;
 4. The appointment of Auditors;
 5. Other matters as may be considered appropriate.

8.3.2 Other General Meetings

- 8.3.2.1 Other General Meetings of the Institute shall be convened at any time by the Chairperson or at the written request of:
1. The Executive Committee;
 2. The lesser of one quarter ($\frac{1}{4}$) or fifty (50) of the members of the Institute.
- 8.3.2.2 The Chairperson of the Executive Committee shall also be the Chairperson of an Annual General Meeting. Subsection 8.1.5.1 par 1 shall apply mutatis mutandis in the event of the absence of the Chairperson.
- 8.3.2.3 A General Meeting shall be convened on not less than fourteen (14) days written notice to all members. The notice shall state the date, time and place of the meeting and in broad terms the business to be transacted at the meeting: provided that: should the Chairperson, having been requested to give such notice, fail to give it within seven (7) days of the request, the persons requesting the meeting shall be entitled themselves to give notice of and to convene the meeting.

8.3.3 Quorum

- 8.3.3.1 A quorum constituting an Annual General Meeting or a General Meeting of the Institute shall be the lesser of:
1. Fifty (50) members; or
 2. One quarter ($\frac{1}{4}$) of the members.
- 8.3.3.2 Should any Annual General Meeting or General Meeting have been properly convened but no quorum be present, proposals arising from that meeting will be circulated to all members by the Secretary,

following which an electronic ballot can be conducted. Resolutions that attract a simple majority vote (50% +1) in this ballot will be adopted, providing that at least 50% of members cast a vote. Should there be an equality of votes the Chairperson shall have a casting or second vote. Alternatively, the meeting shall stand adjourned to another date, which shall be within seven (7) days following the date of the scheduled Annual General Meeting or General Meeting. The notice reflecting such adjournment shall be given to the persons and in the manner provided for in this Constitution. At such reconvened meeting, the members then present or represented shall be deemed to constitute a quorum.

8.3.4 Resolutions and Voting

- 8.3.4.1 At all Annual General Meetings and General Meetings, a resolution put to the vote shall be decided by means of a show of hands or by ballot. A vote by ballot shall be held only if prescribed by the Constitution or if demanded by the Chairperson or not less than one third ($\frac{1}{3}$) of the persons voting in person or by proxy. The result of the vote shall be the resolution of the meeting.
- 8.3.4.2 A member who is unable to attend an Annual General Meeting or a General Meeting may exercise his or her right to vote by way of proxy. Such a member shall execute a proxy in writing in the favour of another member of the Institute and submit the proxy to the Secretary of the Executive Committee five (5) days before the date of the meeting. The Executive Committee shall consider each proxy and accept or reject same. At the commencement of the Annual General Meeting or General Meeting the Chairperson shall announce the decision of the Executive Committee on each proxy.
- 8.3.4.3 Each member present or represented at such meeting shall be entitled to one (1) vote.
- 8.3.4.4 Questions arising and motions proposed shall be decided by a simple majority (50% +1) of votes unless otherwise required by the Constitution. Should there be an equality of votes the Chairperson shall have a casting or second vote.

8.3.5 Minutes

Proper minutes shall be kept of the proceedings of all Annual General Meetings and General Meetings, and a record of the persons present at each meeting. The minutes shall be signed by the chairperson of the meeting after its approval by the meeting, and shall be available for inspection or copying by any member on two (2) days notice to the Secretary or his or her deputy.

8.3.6 Powers

Subject to the provisions of Subsection 8.2.1.2 above, a duly convened Annual General Meeting or General Meeting of the Institute, at which a quorum is present, is competent to carry out all the objectives and to exercise all the powers of the Institute as set out in this Constitution.

8.3.7 Notices

- 8.3.7.1 Notice of all meetings provided for in this Constitution, shall be delivered by electronic mail to the registered address of each member, and also posted on the Institute's website.
- 8.3.7.2 The accidental omission to address notice/s to any person shall not invalidate the proceedings of any meeting.
- 8.3.7.3 If posted, notices shall be deemed to have been received seven (7) days after posting.

9. FINANCIAL MATTERS

9.1. Bank Account

The Executive Committee shall open a bank account in the name of the Institute with a bank registered in terms of the Banks Act, Act No 94 of 1990, or with a mutual bank registered in terms of the Mutual Banks Act, Act No. 124 of 1993. The Executive Committee shall ensure that all monies received by the Institute are deposited in the abovementioned bank account as soon as possible after receipt.

9.2. Signatures

All cheques, promissory notes and other documents relating to the finances of the Institute requiring signature on behalf of the Institute, shall be signed by the Treasurer and one other member of the Executive Committee.

9.3. Financial Year End

The Institute's financial year end shall be the last day of February each year.

9.4. Financial Records

The Executive Committee shall ensure that the Institute keeps proper records and books of account which fairly reflect the affairs of the Institute.

9.5. Annual Narrative Report and Financial Statements

- 9.5.1 The Executive Committee shall ensure that the Institute prepares an annual narrative report describing the Institute's activities and an Annual Financial Statement for each financial year. The Annual Financial Statements shall conform to generally accepted accounting principles and shall include a statement of income and expenditure and a balance sheet of assets and liabilities.

- 9.5.2 Within two (2) months after drawing up the Annual Financial Statements, the Executive Committee shall ensure that:

the Institute arranges for an accounting officer to certify that the annual financial statements are consistent with the financial records of the Institute and that its accounting policies are appropriate and have been appropriately applied in the preparation of its financial statements.

OR

the books of account and financial statements are audited and certified in the customary manner by an independent practising chartered accountant.

- 9.5.3 A copy of the Annual Financial Statements and annual narrative report shall be made available to all members as soon as possible after the close of the financial year.

10. AMENDMENTS TO THE CONSTITUTION AND DISSOLUTION

The terms of this Constitution may be amended, the name of the Institute may be changed and the Institute may be dissolved by resolution of sixty six per cent (66%) of the members present at an Annual General Meeting or a General Meeting: provided that proper notice of the meeting is given not less than twenty-eight (28) days prior to the date of the meeting and such notice states the nature of the resolution to be proposed.

11. INDEMNITY

- 11.1 Subject to the provisions of any relevant statute or the common law, members of the Executive Committee and other office bearers shall be indemnified by the Institute for all acts done by them in good faith on its behalf. It shall be the duty of the Institute to pay all costs and expenses which any such person incurs or becomes liable for as a result of any contract entered into, or act done by him or her, in his or her said capacity, in the discharge, in good faith, of his or her duties on behalf of the Institute.
- 11.2 Subject to the provisions of any relevant statute or the common law, no member of the Executive Committee and/or other office bearer and/or member of the Institute shall be liable for the acts, receipts, neglects or defaults of any other member or office bearer, or for any loss, damage or expense suffered by the Institute, which occurs in the execution of the duties of his or her office, unless it arises as a result of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law.

12. DISPUTES

- 12.1 In the event of a serious disagreement between the members of the Executive Committee and/or the Institute regarding the interpretation of this Constitution then any two (2) Executive Committee members or any five (5) members of the Institute shall be entitled to declare a dispute. Such declaration shall be in writing, state the issue in dispute, and be addressed to the Executive Committee.
- 12.2 The Executive Committee shall consider such declaration within two (2) weeks of receiving it. Should the Executive Committee not be able to resolve the dispute to the satisfaction of the person(s) declaring it, the dispute shall be referred either to arbitration or mediation.
- 12.3 Should the dispute be referred to a mediator, the person(s) declaring the dispute and the Executive Committee must agree on a suitable mediator and to the costs of

such mediation. A mediator may recommend an appropriate resolution of the dispute.

- 12.4 In the absence of agreement regarding a mediator or should mediation not resolve the dispute or should the Executive Committee in terms of subsection 12.2 decide not to take the dispute to mediation, the dispute shall be referred to arbitration. The arbitrator shall be such suitably qualified person/s as the person(s) declaring the dispute and the Executive Committee may mutually agree. Alternatively, each of the parties shall be entitled to nominate one arbitrator, who shall act jointly with a third person to be nominated jointly by the respective nominees of the parties; on the basis that a majority decision of the appointed arbitrators shall be final and binding.
- 12.5 The arbitration shall be held on an informal basis, and the arbitrator shall have the power to determine the procedure to be adopted subject to principles of natural justice.
- 12.6 The arbitrator may base her/his award not only upon the applicable law but also upon the principles of equity and fairness.
- 12.7 The person(s) declaring the dispute and the Executive Committee, beforehand, may agree to share the costs of the arbitration. In the absence of such agreement the arbitrator shall decide which party or parties shall be liable for the costs or divide the costs between the parties.
- 12.8 The decision of the arbitrator shall be final and binding upon all parties and capable of being made an Order of Court on application by any of them.

13. ADOPTION OF THE CONSTITUTION

- 13.1 The Founder shall invite at least ten (10) persons to the Special Meeting in writing, stating the purpose of the meeting and attaching a copy of the Constitution. "Persons" in this section includes organisations as described in section 7.1 of this Constitution.
- 13.2 The Founder shall be the Chairperson at this meeting.
- 13.3 Persons at the Special Meeting shall exercise their right to speak and vote in accordance with section 7.1.6 of this Constitution.
- 13.4 Voting shall be by secret ballot.
- 13.5 The persons adopting this Constitution at the Special Meeting shall write their names and addresses on and append their signatures to a document which will become Schedule B of the Constitution.

SCHEDULE A

GENERAL ADMINISTRATIVE AND INVESTMENT POWERS

1. To employ staff and hire professional and other services.
2. To institute or defend any legal or arbitration proceedings and to settle any claims made by or against the Institute.
3. To open and operate accounts with banks registered in terms of the Banks Act, No. 94 of 1990, or with a mutual bank registered in terms of the Mutual Banks Act, No 124 of 1993.
4. To make and vary investments and re-invest the proceeds of such investments on condition that any investments made by the Institute shall be with Financial Institutions as defined in section 1 of the Financial Services Board Act, 1990 (Act No.

- 97 of 1990); and/or in securities listed on a stock exchange as defined in section 1 of the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985).
5. To accept donations made to the Institute and retain them in the form in which they are received, or sell them and re-invest the proceeds.
 6. With regard to movable and immovable property and tangible and intangible assets of whatsoever nature:
 1. To purchase or acquire property and assets;
 2. To maintain, manage, develop, exchange, lease, sell, or in any way deal with the property and assets of the Institute;
 3. To donate and transfer the property and assets of the Institute to organisations with the same or similar objectives and the same exemptions from taxes and duties to those of the Institute.
 7. To borrow and to use the property or assets of the Institute as security for borrowing;
 8. To guarantee the performance of contracts or obligations of any person on condition that any such person is primarily engaged in activities which further the objectives of the Institute.
 9. To execute any act or deed in any deeds registry, mining titles or other public office.
 10. To work in collaboration with other organisations and to amalgamate with any organisation with the same or similar objectives and the same exemptions from taxes and duties to those of the Institute.
 11. To exercise all the management and executive powers that are normally vested in the Board of Directors of a Company.
 12. To exercise all the powers and authority of the Institute not only in the Republic of South Africa but in any other part of the world

Formal adoption of Constitution

The Constitution of the Free Society Institute (FSI), as reflected in this document, was formally adopted at the 2nd annual conference and AGM of the FSI on September 11, 2010.

Jacques Andre Rousseau
Chairman

Kent Solomon
Secretary and Treasurer