

## BOARD NOTICE 372 OF 2022

**NATIONAL COUNCIL OF SOCIETIES  
FOR THE PREVENTION OF CRUELTY  
TO ANIMALS****R U L E S****1 AMEND RULE 2.1**

A Society shall publish its name, telephone numbers including emergency telephone numbers and its physical address in the telephone directory or similar publication serving its area of operation and all other possible platforms including the Society's website and Facebook page. Outside of office hours the emergency number must be recorded on the main telephone number or the line must be forwarded to the emergency number should this function not be available. The emergency number must also be displayed clearly and legibly on the notice board at the gate of the Society.

**2 AMEND RULE 2.2**

A Society shall appoint a suitably competent and responsible person who can be readily contacted by members of the public both during office hours and after hours.

**3 AMEND RULE 2.4**

A Society shall ensure that its qualified inspectors, trainee inspectors and field officers shall wear uniforms, badges and insignia as provided for by virtue of the criteria in terms of the National Training Policy, approved by Council from time to time.

**4 AMEND RULE 2.5**

A Society shall adopt the Statement of Policy as its own manifesto and will strictly adhere to and advance the commitments therein contained. Any employee or member of the governing body, who fails to adhere to this policy shall not be permitted to continue as an employee or member of the governing body.

**5 AMEND RULE 2.6**

No Society, its employees, members of the Governing Body or other members shall make any statement or do anything, whether intentionally or negligently, that will or is likely to have the effect of undermining or frustrating the aims, objects or policies of the Council. For the purposes of this Rule, the expression "the effect of undermining or frustrating the aims, objects or policies of the Council" shall mean –

- (a) Publicly criticising any other Society or the SPCA Movement in general; or
- (b) Conducting, or failing to conduct, activities in such a manner as to contravene any requirement of the operations manual; or
- (c) Becoming involved in or associated with the activities of any other organisation, the objects of which are not entirely in accord with those of the movement, as expressed in these Rules or in the operations manual;
- (d) Societies shall not make public statements about closing down unless the facts have been discussed and agreed with the Council, or their approved representative;
- (e) make any statement or do anything that will or is likely to bring the name of their Society or the movement into disrepute.

**6 AMEND RULE 2.7**

- (a) A Society shall be established and governed by a memorandum, articles of association, constitution or other founding document according to the Non-Profit Organisations Act and requiring a minimum of five members.
- (b) No member of the governing body or staff of a Society shall be a member, agent, employee, official or representative of another animal welfare organisation, body, committee, interim, temporary or otherwise, or an organisation, body or committee, interim, temporary or otherwise, whose principles, aims, objectives or general policy do not accord with those of the Council and/or which has a function which may affect or have an impact upon the welfare of animals, unless previously approved in writing by the Board, which approval shall not be unreasonably withheld.

**7 AMEND RULE 2.13**

A Society shall within two months of employment or appointment inspect, and record on the prescribed form in the Operations Manual, the premises of any new staff or committee member to ensure compliance with the Rules, Statement of Policy, Animals Protection Act and any other associated legislation, to ensure that the welfare of any animal/s on the premises is/are in no way compromised. National Inspectors will be permitted to inspect the premises of any member of staff or the Management committee in the presence of the staff or committee member concerned, to ensure that they are not in conflict with the Statement of Policy. Thereafter, premises will be inspected at least once annually.

**8 AMEND RULE 2.15**

- (a) A Society shall ensure that at least two (2) members of its Management Committee attend the Committee Training Course presented by Council, every three years.
- (b) Ensure that each member of the Management Committee attends the Committee Training Course on a rotational basis.

**9 AMEND RULE 2.16**

A Society shall not employ the services of an Inspector/Senior Inspector/Field Officer without consulting with the Council first and confirming the status and qualification of the said Inspector/Senior Inspector/Field Officer, and contacting all known references for an employment reference.

**10 AMEND RULE 2.21**

- (a) Every Society shall ensure that it registers an official domain in the name of the Society for the creation of official email addresses.
- (b) All official email communications between Council and the Society, its staff or committee members, shall be sent from these email addresses.
- (c) All office bearers should have an e-mail address reflecting the designation in which they act on behalf of the Society e.g. *chair@[name of SPCA].co.za* or *vicechair@[name of SPCA].co.za* or *treasurer@[name of SPCA].co.za* or *secretary@[name of SPCA].co.za* or *committee1@[name of SPCA].co.za* or the like. These email addresses should be managed, solely by the relevant office bearer or committee member and may not be diverted to one appointed person.

**11 AMEND RULE 3.2**

- (a) A Society shall, within twenty-one (21) days of its Annual General Meeting, notify the Council in writing of the names, addresses and telephone numbers of each of the Society's committee or board, and of any subsequent changes within 21 days of their occurrence.

- (b) All bank and other accounts with financial institutions operated by a Society shall be in the name of the Society and shall be operated reliant upon the signatures of two or more signatories, who shall not be from the same family or household, authorised by a written resolution properly passed by the Governing Body of the Society. In the case of electronic banking, two or more signatories need to load and release any and all payments made via electronic banking, authorised by written resolution properly passed by the Governing body of the Society.

#### **12 AMEND RULE 3.3**

Societies shall, together with their audited financial statements, submit to the Council a certificate signed by their auditor confirming the sum of all bequests/legacies and other testamentary dispositions, as well as any trust or similar entity of which the Society is a beneficiary (income or capital) upon the death of any person associated therewith, that was received by them. A certificate signed by the auditor must be submitted, whether or not any of the above was received. This certificate shall be accompanied by copies of the Last Wills and Testaments/testamentary trust documents which constitute the basis for the above.

#### **13 AMEND RULE 3.7**

A Society shall conduct its activities in compliance with all laws including but not limited to the requirements of the Non-Profit Organisations Act, No 71 of 1997, The Fundraising Act, No 107 of 1978, the Animals Protection Act and the associated Acts, The Labour Relations Act No 66 of 1995, The Occupational Health and Safety Act No 85 of 1993, as amended from time to time, etc.

#### **14 AMEND RULE 4.2**

A Society which becomes aware of or involved in a matter of Provincial or National relevance must inform the Council immediately.

#### **15 AMEND TO RULE 5.4**

- (a) All cruelty complaints, complaints against a society, its employees or committee members, shall be investigated, (including those reported anonymously), within 24 hours or within reason, unless immediate attention to the animal(s) is required.
- (b) The findings of such investigations shall be reported to the complainant, if known, in the most appropriate manner within seven (7) days of the complaint being lodged.
- (c) All investigations shall be documented. Warnings shall be in writing and all investigations shall be followed up to prevent suffering.
- (d) When a Society receives a complaint which does not fall in their jurisdiction, the complaint must be followed through until the complaint is resolved. The onus must rest on the reporting Society to ensure that the complaint is attended to and the appropriate action taken.
- (e) When a responding Society receives a complaint from another Society, feedback should be provided by the acting Society to the reporting Society's inspectors in writing with all below supporting documents / information:
- i) A copy of the cruelty complaint form/sheet
  - ii) A copy of the investigating inspectors report and findings
  - iii) A copy of any written warnings/ notices
  - iv) Any video or photographic evidence if available.

**16 AMEND RULE 5.6****Disciplinary Hearings:**

- (1) A Society shall conduct a disciplinary hearing in accordance with the provisions of this Rule, but otherwise in accordance with the labour laws in operation from time to time.
- (2) Members of the management committee shall not preside at a disciplinary hearing.
- (3) The chairperson of a disciplinary hearing shall be an independent person, and the chairperson shall be a qualified legal practitioner or person who has knowledge of labour relations.
- (4) The chairperson shall make a finding on each charge and determine, where appropriate, the disciplinary action, if any, that should be taken against the employee.
- (5) The findings and decisions of the chairperson shall be reported to the management committee.
- (6) Where the employee has been sanctioned the appeal shall be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA), which is a dispute resolution body established in terms of the Labour Relations Act, 66 of 1995.

**17 AMEND RULE 6.3**

A Society shall be alert to and ready to take action against any person guilty of contravening the Animals Protection Act and/or associated Acts and shall take such action as may be available and appropriate to prevent or prosecute such contravention, as the case may be.

**18 AMEND RULE 6.12**

A Society shall not supply live or dead animals to any organisation, body or person for research or teaching purposes unless prior written consent is obtained from the Council. Such consent is reliant on providing proof of submission of same application to a properly constituted Animal Ethics Committee for approval, the research or teachings should be to the benefit of the same species, cause no suffering, are done upon the premises of the Society, and are conducted under the supervision of a veterinarian approved by the Council and upon such terms and conditions as the Council deems fit. The Council may approve in writing the supply of dead animals, including organs, tissues and biological samples for research, or teaching purposes if satisfied that such approval will have a potential immediate or future beneficial outcome for animals.

**19 AMEND RULE 6.24**

Prior to homing an animal including owner claimed or stray, the Society shall ensure that it is micro-chipped. In the event that the Society is unable to do so for financial reasons or reasons that are not practicable then the humane alternative methods of identification shall be adopted. In the case of a dog or cat that cannot be micro-chipped, it must be fitted with a suitable collar and identity disc prior to it leaving the Society. Prior to homing it is mandatory that all farm animals, equine and exotic animals are micro-chipped in the correct manner by a suitably qualified and skilled person and registered on the appropriate data base.

**20 NEW RULE TO BE NUMBERED 6.31**

A Society must ensure that its operational staff are fully vaccinated against Rabies and receive a booster every 3 years as well as ensuring that operational staff are fully vaccinated against Tetanus and receive a booster every 10 years. (Definition: Operational Staff means Inspectors, Trainee Inspectors, Field Officers, Trainee Field Officers, Kennel Staff including Kennel Cleaners and Drivers also employed Veterinarians, Veterinary Nurses and Animal Health Technicians).

It is recommended that it is stated in each Letter of Employment that if an individual leaves the employment of the Society for whatever reason within 3 months of becoming employed, the Society may recover the cost of the vaccinations.