



Botswana  
Institute of  
Arbitrators

## **MINUTES**

### **ANNUAL GENERAL MEETING**

**HELD ON 5 APRIL 2016**

in Mogopong Conference Room of Botswanacraft Marketing - Gaborone  
(Plot 20716, Magochanyama Road, off Western Bypass, Block 3)

PRESENT (BIArb members):

1. A Allen
2. G Manis
3. A Ginder
4. T Rubadiri
5. S Miglani
6. M Bathuleng-Mookodi
7. E L Fashole II
8. P Palmitessa-Savric
9. M Pinard
10. P Lyamuya
11. C Jongman
12. L Radikwata
13. K Osei-Ofei
14. B Liu
15. J S Bookbinder
16. L Moseki
17. W Lee

PRESENT (by proxy):

- |                   |                               |
|-------------------|-------------------------------|
| 18. J M Marinelli | (proxy – the Chairman)        |
| 19. M Marinelli   | (proxy – the Chairman)        |
| 20. S A Moss      | (proxy – the Chairman)        |
| 21. D Glendinning | (proxy – S Miglani / G Manis) |
| 22. G Maotwanyane | (proxy – T Mosimawedtsile)    |
| 23. M Kindiano    | (proxy – the Chairman)        |
| 24. O Otladisa    | (proxy – the Chairman)        |
| 25. C Kekanetse   | (proxy – the Chairman)        |
| 26. S Mokobi      | (proxy – the Chairman)        |

PRESENT (non BIArb members):

- 27. G Radikwata
- 28. Y Chilume
- 29. T Mosimawedtsile

APOLOGIES

- 1. J Griffiths
- 2. D Stuart

The Chairman Mr A M D Allen opened the meeting at 18:15 by welcoming all present.

**1. ADOPTION OF THE AGENDA:**

It was proposed by Mr S Miglani and seconded by Mr T Rubadiri that the Agenda of the Meeting be adopted.

The Agenda of the Meeting was adopted unanimously.

**2. CHAIRMAN'S ADDRESS:**

Mr A M D Allen delivered his Address, in which he thanked to the members of the Executive Committee and reported in general on activities and challenges faced by the Institute since the previous AGM. The full text of the address is attached.

The Address is attached to the minutes.

**3. REPORT BY THE SECRETARY**

The secretary informed all present that the required quorum of members, being 51% of the members in good standing is present (there are 47 members in good standing and 25 members in good standing are present in person and by proxy)

The secretary reported on the membership numbers. It was noticed that it has remained same since May 2015, being 63 individual and 4 corporate members. Two new associate members joined, two associate members left and one associate member was changed to the status of fellow.

The secretary reported that the Institute continued, during the year, to interact with and answer to the queries of general public, Government and its members.

The secretary reported on other activities of the Institute, being appointment of arbitrators, as well as two Committees under rule 8 and one Tribunal under rule 39.

Also, the Institute finished its re-branding and new Certificates of Membership are ready for collection. The evening lectures have restarted but with very poor attendance.

Further challenges remain the attendance of the evening lecture and upgrading of the existing web site.

The Report is attached to the Minutes.

#### **4. TREASURER'S REPORT**

In the absence of the treasurer, Mr A M D Allen presented the Treasurer's Report and Financial Statement for 2015, which are attached to the Minutes.

It was proposed by Mr A Ginder and seconded by Mr G Manis that the annual financial statements for 2015 be adopted.

The annual financial statements for 2015 were adopted unanimously.

#### **5. ELECTION OF THE EXECUTIVE COMMITTEE**

Mr Allen notified the meeting that he was resigning from the committee.

In terms of the constitution Mr Manis resigned by rotation.

A Ginder, S Miglani, J Marinelli, T Rubadiri and M Bathuleng-Mookodi have confirmed their willingness to continue in office.

G Manis held himself available for re-election.

He was re-elected unanimously.

Nomination of W Lee by D Glendinning was received. W Lee accepted the nomination,

W Lee was elected unanimously.

#### **6. FEE PROPOSALS**

The treasurer requested approval for 2017 membership fees, being:

Fellow P 1000

Associate P 750

Member P 500

Corporate P 1000

It was proposed by Mr. K Osei-Ofei and seconded by Ms. M Bathuleng-Mookodi that the fee proposal be adopted.

The fees were adopted unanimously.

## **7. GERRIT VLUG PRIZE**

Members present were informed that since no results were received from Association of Arbitrators in respect of any candidates taking examinations since the last AGM there will be no Gerrit Vlug prize awarded this year.

## **8. ANY OTHER BUSINESS**

- Discussion was held regarding possible change of the Constitution in respect of the quorum required for AGM. Mr J Bookbinder suggested that the existing quorum, being 51% of the members in good standing was explicit requirement of the Registrar of Societies and it is highly unlikely that any reduction of the quorum would be accepted. It was decided not to attempt to try to change the present quorum
- Discussion was held regarding possible direct election of the office bearers by the membership instead of election of the Executive Committee, which elects office bearers internally. It was argued by the members present that the existing system functions and that there is no need for change.
- Discussion was held regarding poor attendance of the evening lectures organized by the Institute. Number of members present joined the discussion and in general the following was suggested:
  - Clear division between presentations aimed to the general public, experienced members and students should be made
  - Core topics should be identified and general membership could also be consulted regarding topics that would interest them
  - Much more aggressive marketing is required, including marketing in the newspapers and on BTV

## **9. CHAIRMAN'S SPEECH**

The Chairman, Mr A M D Allen delivered his speech "50 Years in Business", after which the meeting was closed at 20:50 and all present were invited for light refreshment.

**The Executive Committee and members of the Institute are thankful to the outgoing Chairmen, Mr A M D Allen for his long and successful chairmanship and representation of the Institute.**

The above minutes were confirmed as correct during a meeting held on .....

..... Chairman

..... Secretary