

SAVE THE VAAL ENVIRONMENT

(An Association of Concerned People)

CONSTITUTION

1 CONSTITUTION

There shall be constituted a body known as the Save the Vaal Environment - An Association of Concerned People (SAVE) with sub-committees called SAVE Vaal Dam and SAVE PARYS. The provisions herein contained shall be known as the Constitution of the Association, which provisions may be altered by a majority of those members present at a general meeting of members, save:

- 1.1 that the precise terms of any proposed alteration shall be set out in the notice convening the meeting; and
- 1.2 the purposes and objects of the Association shall not be altered without the consent of 75% of all the members present at any general meeting.

2 OBJECTS

The objects of the Association shall be to assist its members in every possible way and in particular:-

- 2.1 To protect and maintain the environmental integrity of the Vaal River , Vaal Dam (and its' tributaries) and its environs for current and future generations with specific focus on the area between the tributaries of the Vaal Dam, the Vaal River Barrage Reservoir and its tributaries and the Vaal River to Schoemansdrifit.
- 2.2 To procure the Klein Rietspruit area (Free State) to be declared a protected natural environment in terms of the Environment Conservation Act No. 73 of 1989.
- 2.3 To identify other appropriate areas for similar protection.
- 2.4 To address any environmental degradation of the Vaal River and Vaal Dam including the prevention of pollution of the River and Dam any of its tributaries.
- 2.5 To identify environmental issues which may be detrimental to the River< Dam and River and Dam users and to take steps to prevent and / or reduce negative impacts on the River and Dam and its environs.

- 2.6 To conserve the natural environment of the Vaal River and Vaal Dam and to protect public use areas against degradation and non-environmental development.

3 **MEMBERSHIP**

- 3.1 The following persons are eligible as members of the Association:

any person who subscribes to the objects of the Association and is approved by the committee as a member.

- 3.2 A person desiring to join the Association shall lodge with the secretary an application for this purpose.

- 3.3 An application for membership shall be considered and decided by the committee whose decision as to whether an applicant qualifies for membership, shall be final and binding.

- 3.4 In the event of the member not being a natural person, such juristic person may nominate a natural person to become a member in its stead.

- 3.5 A member's membership shall terminate upon receipt of resignation of a member or if a member becomes inactive. A decision by the committee that a member has become inactive shall be final and binding.

4 **INCORPORATION**

The Association shall be capable in its own name of suing and being sued and of purchasing of other or otherwise acquiring, holding or alienating property, whether movable or immovable, and/or any interest therein and open a banking account in its own name. If and where necessary it may appoint one or more of its members to hold any property in trust for it or to act for it in any matter including legal proceedings.

5 **MANAGEMENT**

- 5.1 The interests of the Association shall be managed by a twelve-member committee consisting of a chairperson, vice-chairperson, honorary secretary (if necessary), honorary treasurer and eight additional members who shall be elected at each annual general meeting, save for the first committee members who were elected at a general meeting held on 10 June 1996.

- 5.2 Committee members shall appoint amongst themselves a chairperson, vice-chairperson and treasurer and shall allocate such portfolios to committee members as they deem advisable from time to time.
- 5.3 Retiring committee members are eligible for re-election.
- 5.4 Only members of the Association are eligible for election as committee members.
- 5.5 The committee may co-opt a member to the committee in the event of a vacancy occurring for the remaining period of the term of office of the person who vacated the position.
- 5.2 The committee of the Association may appoint sub-committees as it deems fit in its discretion.
- 5.3 Each sub-committee shall be chaired by a committee member and may consist of so many members as the committee may decide from time to time.
- 5.4 A sub-committee may co-opt any member to such sub-committee.

6 **MEETINGS**

6.1 **Committee Meetings**

6.1.1 Committee meetings shall be convened by the Secretary on the instructions of the chairperson or vice-chairperson or when half plus one of the committee members jointly and in writing apply for such a meeting to be convened. Three committee members shall form a quorum.

6.1.2 Committee decisions shall take place by voting. In the event of the voting being equal the chairman shall have a casting vote.

6.1.3 Should a committee member absent himself from two successive committee meetings without valid reason, he shall forfeit his committee membership.

6.1.4 No member of the committee shall have a direct or indirect interest in or benefit from any contract which the committee may conclude with any company.

6.1.5 Paid officials of the Association may serve on the committee in an advisory capacity but will have no voting rights.

6.2 **General Meetings**

6.2.1 The annual general meeting of the Association shall take place annually at 10h00 within a period of two months after the financial year end.

6.2.2 The financial year shall terminate on 31 March of every year.

6.2.3 A special general meeting may be convened by the committee on the signed, written request of at least ten registered members of the Association which request must be accompanied by a motivated proposal for the requesting of such a meeting.

6.3 The committee may call a general meeting as it deems fit.

6.4 The following procedures shall apply to all general meetings:

6.4.1 At least seven days' notice of a general meeting must be given from date of posting thereof. Such notice must be forwarded to all members at the last known e-mail address or postal address by ordinary mail.

6.4.2 A minimum of five members will form a quorum. In the absence of such a quorum, the members present may adjourn the meeting for a period of seven days where the members present at the adjourned date will automatically constitute a quorum.

6.4.3 Decisions shall be taken by a majority vote.

6.5 **Finances**

6.5.1 All the income of the Association shall be deposited in an account at a bank and/or other approved financial institution. Any two members, consisting of either the chairperson or vice-chairperson and any one other member of the committee shall be empowered to withdraw funds for the use of the Association.

- 6.5.2 Proper accounts shall be kept of all finances of the Association as set out in the regulations published in terms of the Fund-raising Act, 1978.
- 6.5.3 A financial report shall be produced by the treasurer at the annual general meeting or upon request from the committee.
- 6.5.4 Financial contributions will be collected from all persons and/or organisations, worldwide, who support the objects of the Association.
- 6.5.5 Funds available for investment may be invested only with registered financial institutions as defined in section 1 of the Financial Institutions (Investments of Funds) Act, 1984 or in the acquisition of securities listed on a licensed stock exchange as defined in the Stock Exchange Control Act, 1985.
- 6.5.6 All property shall be registered in the name of the Association.

7 **RIGHT TO VOTE**

Each registered member has one vote at any meeting.

8 **CONSTITUTIONAL AMENDMENTS**

8.1 Save as is provided in clause 8.2, any amendment to this Constitution shall only be effected by a two thirds majority decision at a general meeting or special general meeting and further provided that seven days' prior notice was given of the proposed amendment. Notice is to be given in the same manner as a notice for a general meeting. Amendments to the constitution must be submitted to the Director of Fund-Raising for approval.

8.2 This constitution shall be automatically amended to comply with all laws of the Republic of South Africa.

9 **DISSOLUTION**

9.1 The Association may be dissolved, or merged with any other Association with similar purposes and objects in each case only:

- 9.1.1 On a resolution passed by the majority of members present at a duly constituted general or special general meeting of members; or
- 9.1.2 On an application to a court of law by any member on the ground that the Association has become dormant or is unable to fill its purposes and objects.
- 9.2 On a merger, the assets of the Association shall accrue to the Association with which the merger is effected.
- 9.3 On dissolution, the assets of the Association shall be realised by a liquidator appointed by the general meeting or the court, as the case may be, and the proceeds shall be distributed equally amongst such associations which is registered in terms of the Fund - Raising Act, 1978 with similar objects as may be nominated by the last committee of the Association.

10 **MISCELLANEOUS**

- 10.1 Every officer and member of the Association shall be entitled at all reasonable times to inspect all books of account and other documents of the Association which the custodian thereof shall accordingly be obliged to produce.
- 10.2 Every member of the committee or sub-committee, officer, member, agent or servant of the Association shall be indemnified out of its funds against all costs, charges, expenses, losses and liabilities incurred by him in the conduct of the Association's business or in the discharge of his duties and no such person shall be liable for the acts or omissions of any other such person by reason of his having joined in any receipt of money not received by him personally, or for any loss on account of defect in title to any property acquired by the Association, or on account of the insufficiency of any security in or upon which any moneys of the Association shall be invested, or for any loss incurred upon any ground whatever, fraudulent activities excluded.
- 10.3 The Association will render its services in the Republic of South-Africa.

- 10.4 Should the services of a fund-raiser be made use of for the collection of contributions, the expenses (remuneration and/or commission included) may not exceed 40% of the total turnover of the collection.
- 10.5 No competition, contest, game, scheme, arrangement or system in connection with which any prize may be won shall be conducted or caused to be conducted by the Association unless an authority in terms of any other Act, requiring such authority, has been obtained beforehand.

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