



BORDER HUNTING CLUB CONSTITUTION

Apr 2009

1. NAME

- 1.1 The name of the Association shall be the Border Hunting Club (hereinafter referred to as "the Association"). The Association will in its own name, be capable of suing and of being sued and of acquiring, owning, possessing, encumbering and alienating movable and immovable property.
- 1.2 It will primarily operate a clubhouse wherein certain activities of a training and recreational description shall be carried out from time to time.

2. OBJECTIVES

- 2.1 To promote and conserve the natural environment;
- 2.2 To promote all forms of lawful hunting;
- 2.3 To assist and co-operate with the authorities and other similar hunting organizations which have similar objectives as well as land owners, in the conservation, protection, replenishment and distribution of wildlife;
- 2.4 To promote ethical hunting and to promote the proficiency grading of all members;
- 2.5 To conduct training and educational courses for its members;
- 2.6 To make available hunting to members of the association;
- 2.7 To promote the strict observance of all laws, ordinances and regulations relating to hunting, conservation and firearm control and possession generally;
- 2.8 To perform all acts to further the interests of the association and its members which are compatible with this constitution;
- 2.9 To organize and control shoots at various locations;
- 2.10 To raise funds by membership fees or for the furtherance of the objects contained in this clause or in terms of its constitution;
- 2.11 To promote the safe and responsible use of firearms;
- 2.12 To publish a newsletter and/or magazine from time to time;
- 2.13 To hold meetings when necessary to promote the objects contained herein.

3. LEGAL STATUS

- 3.1 The Association shall be a non-profit organization;
- 3.2 It shall not be liable for the debts of its members;
- 3.3 It may sue and be sued only in the name of its Chairman in any court of law in the Republic of South Africa. All processes of law will only be served on the Chairman personally. The Chairman shall not be personally liable for any loss suffered.

4. MEMBERSHIP

- 4.1 A member who fails to renew his membership on or before 31 December of any year shall no longer be entitled to the privileges accruing to members and his name shall forthwith be deleted from the register of members. Nothing contained in this clause however, shall prevent a person from reapplying for membership, providing that he pays to the Association any arrear fees or other monies due by him and follows the procedure prescribed for admission as a new member. The obligation to pay an entrance fee will be at the discretion of the Executive Committee.
- 4.2 The Association shall have the following categories of Membership:

Honorary Life Membership

Ordinary Membership

Junior Membership

Honorary Life Membership shall be granted by a majority vote at the Annual General Meeting to persons who, in the opinion of the meeting, have rendered exceptionally valuable services to the Association. Honorary Life Members shall be exempt from payment of entrance and membership fees for their lifetime and shall enjoy the same privileges as ordinary members.

Ordinary Membership shall be at the discretion of the Executive Committee to whom application shall be made in a manner prescribed by that Committee and shall be accompanied by the entrance and subscription fees annually to be fixed by the Executive Committee and by such proof of good

conduct as that Committee may determine, provided that an applicant who has been refused by the Executive Committee may appeal to the next Annual General Meeting.

An Ordinary member shall have one vote at a general meeting provided that he is a member in good standing.

Junior Membership may be granted at the discretion of the Executive Committee to a person who is under the age of 18 years on the 1st day of March of the current financial year.

A Junior Member shall have the rights of and be subject to the obligations of an Ordinary member, except that he shall not have the right to vote at any meeting of the Association until he attains 18 years of age.

5. FINANCIAL YEAR

- 5.1 The financial year of the Association shall be from 1st March to end February.
- 5.2 The association will appoint on an annual basis a competent Accounting Officer who is registered with the South African Institute of Chartered Accounts. In this regard, the Accounting Officer will perform a review engagement in terms of the international standards on review engagements (statement ISRE200400).

6. MANAGEMENT OF THE ASSOCIATION

- 6.1 The management of the association shall be vested in the Executive Committee.
- 6.2 The Executive Committee shall consist of at least six (6), but not more than eight (8) elected members, branch chairman. The elected members will be chosen annually at the Annual General Meeting of the Association by a majority of the members present.

The Branch Chairman will be elected annually at the Annual General Meeting of the branch by a majority of the branch members present. If the branch fails to have an AGM, an interim chairman may be appointed by the Association's Executive Committee.

- 6.3 Nomination of candidates for election to the Executive Committee shall be submitted in writing to reach the Association's head office no later than fourteen (14) days prior to the Annual General Meeting. Candidates so nominated shall

make themselves available for interview by the Executive Committee or such sub-committee as determined by the Executive Committee.

- 6.4 No member shall occupy the post of Chairman for a total of more than three (3) years.

A candidate for the post of Chairman must have served at least one term on the Executive Committee directly prior to his/her nomination.

- 6.5 The Members of the Executive Committee shall hold office for one (1) year but shall be eligible for re-election.

- 6.6 The Executive Committee shall recommend such members as it seems fit to be eligible for election to the Executive Committee at the Annual General Meeting. The Executive Committee may recommend more than one person for any post, with the members of the Annual General Meeting making the final choice. This will not be a bar to the Annual General Meeting electing anyone they see fit to the Executive Committee, providing such persons have been nominated in writing at least 14 days prior to the Annual General Meeting and such people have presented themselves to the Executive Committee for interview.

- 6.7 A quorum will consist of a minimum of 5 members of the Executive Committee as indicated in point 6.2.

- 6.8 In the absence of the Chairman, the vice chairman shall preside and in the absence of both, the members present shall elect an acting Chairman from amongst their number.

- 6.9 A member of the executive committee who without prior notice or good reason absents himself from three consecutive meetings shall cease to be a member of the executive committee.

- 6.10 Executive committee meetings may be convened at seven days notice by the Chairman or vice chairman, unless in an emergency such notice as is reasonable in the circumstances is given.

7. POWERS AND DUTIES

The Executive Committee shall:

- 7.1 Meet no less than four times during its term of office.

- 7.2 Make rules for the conduct of its affairs as far as they are

compatible with the Constitution.

- 7.3 Purchase and sell movable and immovable property, borrow and invest the Association's funds in such a manner as the Executive Committee deems fit.
- 7.4 Invest the funds and assets of the Association in securities nominated by it and vary, realize and deal with such investments at its discretion.
- 7.5 Open and operate an account with a registered financial institution.
- 7.6 Should it be satisfied that a member has committed a serious breach of the Constitution or a contravention of any law or any other measure of the authorities relating to hunting or the protection of game it shall appoint a sub committee which sub committee shall be entitled to suspend or expel the member after offering the member an opportunity to answer any allegations brought against him. The member concerned may appeal to the Executive Committee whose decision will be final.
- 7.7 It is recorded that members or office-bearers have no rights to the property or other assets of the association solely by virtue of their being members or office-bearers.
- 7.8 The Association's income and property are not distributable to its members or office-bearers, except as reasonable compensation for services rendered.
- 7.9 The Executive Committee may:
 - i) appoint from the association's members, such other committees as it may deem necessary to assist it in achieving the objects of the association.
 - ii) Delegate to any committee so appointed such of its powers and functions, as it may deem expedient.
 - iii) Establish branches of the association subject to the provisions of clause ii.
 - iv) Appoint Regional Representatives of the association in respect of particular areas and assign to them specific functions and duties.
 - v) Employ such staff as it may deem necessary to assist in the work of the association, at such rates of remuneration as it may determine.

8. ANNUAL GENERAL MEETING

- 8.1 The Annual General Meeting of the association shall be held on a date between 01 March and 01 May and at a time and venue to be fixed by the executive committee.
- 8.2 Notice of an annual general meeting shall be given by way of a written notice to all members of the association at their last known address and shall be posted at least 28 days before the proposed meeting.
- 8.3 In the absence of the Chairman, the vice chairman shall preside and in the event of both being absent, the meeting shall elect an acting chairman from amongst the members present.
- 8.4 The members present at an annual general meeting shall form a quorum.
- 8.5 All resolutions at such a meeting shall be passed by an ordinary majority vote, except where provision has been made in this constitution to the contrary.
- 8.6 The business of the annual general meeting shall be as follows:
- i) To approve the minutes of the previous annual general meeting.
 - ii) To receive the report of the executive committee from the chairman.
 - iii) To consider and adopt the audited financial statements of the association.
 - iv) To elect the executive committee for the ensuing year.
 - v) To appoint an auditor
 - vi) To elect Honorary Members.
 - vii) To deal with such matters which usually constitute a part of the functions of the general meeting.

8.7 Special General Meeting

The executive committee shall have the right to call a special general meeting at any time on giving one month's written notice and the chairman shall, after similar notice, call such meeting within six weeks of receiving a requisition therefore, signed by not less than twenty members calling upon him to do so. The

special meeting shall only transact the business for which it has been convened. Unless 15% of the members of the association are present, the meeting shall be adjourned for 14 days and the meeting thus resumed, notwithstanding the number present, shall have the power to dispose of the business of which the meeting has been convened. A special general meeting shall be conducted in the manner prescribed for the annual general meeting.

9. DISSOLUTION

If there is a proposal at the annual general meeting or if a special general meeting is convened to consider a proposal for the dissolution of the association, then, notwithstanding anything to the contrary herein contained the following provisions shall apply:

- 9.1 A quorum shall be not less than one-third of the total number of members of the association.
- 9.2 If a quorum is not present then the meeting shall be adjourned for fourteen days and the members then present, shall constitute a quorum.
- 9.3 A resolution calling for the dissolution of the association shall be passed by a two-thirds majority of the members present and constituting a quorum.
- 9.4 On dissolution, the assets of the association remaining after all its liabilities have been met, shall be transferred to another body or bodies having similar objectives.

10. CHAIRMAN'S CASTING VOTE

In the event of a deadlock at any meeting the Chairman shall have a casting vote.

11. AMENDMENT OF CONSTITUTION

The constitution and rules of the Association may by a two-thirds majority of the member's present, be repealed, substituted, amended or added to at any General Meeting where due notice of such has been given.

12. COPY CONSTITUTION AND RULES

A copy of the constitution and rules of the association, certified as such by the chairman or an executive committee member, may be accepted as evidence for any purpose whatsoever.

13. CONDUCT AND DISCIPLINARY MEASURES

- 13.1 A member shall be guilty of misconduct if he/she deliberately or negligently:
 - 13.1.1 Conducts him/herself in a way that either in fact is or could be prejudicial to the good name of the Association of the proper conduct of the activities of the association
 - 13.1.2 Infringes and rule of the Association
 - 13.1.3 Refuses to submit to the authority or any legitimate decision of the Association or its office bearers
 - 13.1.4 Encourages a fellow member to commit an act of misconduct
 - 13.1.5 Conducts him/herself in a manner that is unbecoming, improper or disgraceful for a member of the Association
- 13.2 Conviction in a criminal court shall be admissible evidence and *prima facie* evidence of the facts alleged in the charge sheet in that case.
- 13.3 Allegations of possible misconduct shall be brought to the attention of the Chairman of the Association who shall place it before the executive committee, which shall take appropriate action.
- 13.4 Where the executive committee decides to take disciplinary action, it may itself act as a disciplinary committee or appoint a disciplinary committee of three persons to conduct a disciplinary inquiry.
- 13.5 The disciplinary committee shall investigate the allegations of misconduct and may for this purpose receive evidence and generally act in an inquisitorial manner to establish the facts of the matter.
- 13.6 Before finding a member guilty of misconduct, the disciplinary committee shall give due notice the member the material facts upon which the allegations are based and shall allow the member to defend him/herself against the allegations by permitting the member to challenge the allegations against him/her by asking such questions and presenting such evidence as may be necessary to further the ends of justice.
- 13.7 A member shall not as a right and automatically be entitled to

legal representation before a disciplinary committee, but may be assisted by another member, and may upon application to the executive committee be permitted legal representation; at the hearing of such an application, the disciplinary committee shall bear in mind the complexity or seriousness of the charges, and that legal representation of the member may assist the committee in arriving at the correct conclusions.

13.8 In the event that a member is found guilty of misconduct, the committee may impose any appropriate penalty for which provision is made in these rules.

13.9 In the event of a finding of guilty, the finding and the penalty shall not take effect until the member is informed in writing of the finding and the penalty and the reasons for it, and in the event of a disciplinary committee other than the executive committee, until the finding and the penalty is confirmed in writing by the executive committee.

13.10 A disciplinary committee may impose the following penalties:

13.10.1 Warning

13.10.2 Written apology to any specified person or body of persons

13.10.3 Payment of a fine not exceeding twice the annual fee for an ordinary member

13.10.4 Deprivation or forfeiture of all or some of the member's privileges or rights for a specified time including participation in the activities of the association as a member or office-bearer

13.10.5 Suspension from the association for a specified time

13.10.6 Expulsion from the association

13.11 The disciplinary committee may suspend the penalty or any part thereof for such a specified period of time and upon such conditions as may be appropriate.

13.12 The executive committee shall furnish a report in such form and in such a manner as prescribed by law in respect of any member to whom the provisions of regulation 2(12) made under the Firearms Control Act 60 of 2000 and published in Government Gazette 26156 of 26 March 2004 apply.

13.13 Disciplinary proceedings against members shall be conducted in

a manner that is procedurally fair, lawful and reasonable.

DATED AT EAST LONDON THIS DAY OF 2009.

PROPOSED BY:

SECONDED BY:
