



CONSTITUTION OFCONSERVANCY

1. Name

The Conservancy is called theConservancy, hereinafter referred to as “organisation”.

2. Objectives

The objectives of the organisation within the area as outlined on the attached map are:

2.1 Place the objectives of the organization in here. These can be gathered from the list of objectives in the conservancy summary document. The number of objectives should be about 5, therefore choose those objectives that suit your conservancy.

2.2 Objective 2

2.3 Objective 3

2.4 Objective 4

3. Membership and fees

3.1 The following persons qualify for membership of the organisation:

3.1.1 The registered owner of land within the defined area and approved by management; or

3.1.2 The registered owner of land adjacent to the defined area who wants to add his land to the defined area and is approved by management; or

3.1.3 The tenant of any land referred to in clauses 3.1.1 and 3.1.2, with the consent of the owner; or

3.1.4 Any other person who is approved by management under special circumstances; and

3.1.5 Who pays the membership fees as determined in accordance with this constitution set out from 3.1.1 to 3.1.4.

3.2 Members shall pay the membership fees as determined by the founding meeting and thereafter as determined by annual general meeting. No later than 60 days after the general meeting.

4. Defined area

The defined area of the organisation includes the land that the conservancy consists of indicated on a 1: 50 000 Topographical map. The external boundary of the conservancy should represent at least 80% of the land, whose owners are members of the conservancy.

5. Juristic person

The organisation is a juristic person and has the full capacity to perform all juristic acts necessary for the attainment of its objectives which include, without detracting from the generality of the foregoing, to open and operate one or more bank accounts and invest funds; employ or dismiss persons; ect.

6. Financial

- 6.1 The financial year of the organisation runs from the date it is founded until 28 February of the following year and thereafter from the first of March of each year until the 28th of February of each subsequent year.
- 6.2 All financial transactions of the organisation are recorded by the treasurer or in his absence or inability to act, the secretary.
- 6.3 Each year, after conclusion of the financial year, the treasurer or secretary, as the case may be, presents a complete financial report to the annual general meeting.
- 6.4 The Chairman and every other person who serves in the management of the organisation sign the report referred to in Clause 6.3.
- 6.5 Every paid-up member is entitled to have insight into the financial records of the organisation.
- 6.6 Should the assets of the organisation exceed the value of R 20 000.00 (TWENTY THOUSAND RAND) a certificate by an auditor shall accompany the financial statements.

7. Annual meeting

- 7.1 The annual general meeting is convened by the management within 90 days after the end of the financial year of the organisation, i.e., 90 days after the 28th of February.
- 7.2 Notice of the annual general meeting is given in writing to each member not less than 21 days prior to the intended meeting.
- 7.3 A quorum will exist at an annual general meeting if one third of the paid-up members are present in person or are represented by another person in terms of a written proxy. If a quorum is not present at an annual general meeting, the meeting shall be reconvened on notice of not less than 7 days. At the meeting so convened the members present shall constitute a quorum.
- 7.4 The following matters shall be dealt with by the annual general meeting-
 - 7.4.1 A report by the chairman concerning the year's activities;
 - 7.4.2 The election of the management for the following year;
 - 7.4.3 The financial report;
 - 7.4.4 The determination of membership fees;
 - 7.4.5 Any other matter placed on the agenda by paid up member 2 days before the meeting; with the secretary;
- 7.5 Only members, whose membership fees have been paid at the time of the annual general meeting, or their authorised representatives, shall be entitled to speak at the annual general meeting or to cast a vote during the meeting.
- 7.6 Notice of an annual general meeting is done by ordinary post to the address on membership list.

8. Special general meetings

- 8.1 A special general meeting may be called at any time by the management in the same way as an annual general meeting is convened, except that the period of notice may be reduced to 14 days.
- 8.2 A special general meeting must be convened by management if-
- 8.2.1 20% of paid-up members request such a general meeting;
 - 8.2.2 Or the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative requests such a general meeting.
- 8.3 The request is in writing and contains the signatures of the members requesting the meeting; and
- 8.4 The request reaches the management not less than 30 days before the date of the special general meeting.
- 8.5 The notice of the special general meeting shall clearly set out the matters in relation to which the special general meeting is requested.
- 8.6 Only those matters placed on the notice shall be discussed at the special general meeting and no other matters.
- 8.7 Notice of a special general meeting is given by ordinary mail to the address of members as it appears in the records of the organisation.
- 8.8 A quorum will exist at a special general meeting if one third of the paid-up members are present in person or are represented by another person in terms of a written proxy.
- 8.9 Only members whose membership fees have been paid at the time of the special general meeting, or their authorised representatives, shall be entitled to speak at the meeting or to cast a vote during the meeting.

9. Management

- 9.1 The management of the organisation is elected annually at the annual general meeting, and comprises the following officers:
- 9.1.1 Chairman;
 - 9.1.2 Deputy Chairman;
 - 9.1.3 Secretary;
 - 9.1.4 Treasurer;
 - 9.1.5 Environmental Project co-ordinator; and
 - 9.1.6 Additional assistant members or committees as required may be elected at an annual general meeting by management.
- 9.2 Management may appoint assistant members or committees as required. An appointed assistant management member or committee shall attend management meetings when required for the duration of his/her appointment, but shall not be entitled to vote.
- 9.3 Management holds their office from the date of appointment, until their successor is appointed by the next annual general meeting.

- 9.4 Should any management member resign or become unable to discharge his/her duties for any reason prior to the next annual general meeting the management may appoint a successor. Such a nominated management member shall be deemed to be appointed by the annual general meeting and his term of office shall expire when the term of office of the management expires.
- 9.5 The organisations management shall control committees and assistant members' tasks.
- 9.6 Management-assistant members and committees may be re-elected after their term of office expires.
- 9.7 Committee members and assistant members are also subject to matters referred to in 9.3 and 9.4.
- 9.8 The management of any management members or committee or assistant member may be discharged by any general meeting prior to the expiry of his/her term of office.

10. Management meetings

- 10.1A representative nominated by the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), shall be entitled to attend management meetings and to address it, but shall not be entitled to vote.
- 10.2The management meets:
- 10.2.1 At least 4 times a year at a time and place as determined by the chairman; and
- 10.2.2 The secretary notifies the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative of the meeting at least 7 days prior to the meeting.

11. Minutes

- 11.1The secretary keeps minutes of each meeting of the management as well as of each general meeting.
- 11.2Minutes must be confirmed and signed by both the chairman and the secretary. A copy of the minutes of each annual general meeting and a copy of the financial report as well as a list of elected management members are submitted to the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative within 30 days after each annual general meeting.
- 11.3Every paid-up member is entitled to have insight into the minutes of the management meetings as well as the minutes of general meetings.

12. Constitution

- 12.1Immediately after the founding of the organisation a copy of the constitution and the minutes of the founding meeting, together with the names of the members of the management, are submitted to the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative.
- 12.2Changes to the constitution may only take place:

- 12.2.1 At an annual general meeting or at a special general meeting convened specifically for this purpose; and
- 12.2.2 At which a quorum is present; and
- 12.2.3 In relation to which a two thirds majority of members, present in person or proxy, approves the changes and
- 12.2.4 Full-particulars of the proposed changes were given to members in the notice of the annual general meeting.
- 12.2.5 The changes to the constitution are in line with government policy, and therefore need to be approved by the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative.

13. Powers of management

- 13.1 Management has the power and capacity to perform all acts required to give effect to this constitution and the attainment of the objectives of the organisation.
- 13.2 Management may delegate any of its powers to any management member or to any other member of the organisation, but remains responsible to the general meeting of the organisation for the execution thereof.
- 13.3 Management members perform their duties without any remuneration, subject thereto that any management member who incurs expenses in the execution of his/her duties with the prior written consent of the management, signed by two members of management, shall be reimbursed by the organisation, and
- 13.4 At a general meeting may award an honorarium to any management member.

14. House rules

Each conservancy is unique and therefore will have its own house rules, which is applicable to the relevant conservancy. These house rules may be inserted here.

15. Dissolution

- 15.1 The organisation may at any time if two thirds of the paid-up members vote for dissolution at a special general meeting convened for that purpose.
- 15.2 If the organisation dissolves:
 - 15.2.1 All assets of the organisation shall be liquidated and decided between the members who were paid-up as at the date of the resolution was taken; and
 - 15.2.2 The Gauteng MEC Agriculture, Conservation, Environment, and Land Affairs, or an appointed representative shall be informed of the meeting at which the resolution to dissolve was taken.
- 15.3 If any of the assets of the organisation resulted from the co-operation between members in projects and in relation to which members made direct contributions which were not borne by other members, the proceeds of such assets shall be divided between the members concerned in ratio of their contributions. Provided such co-operation of members was or is set in writing and approved by management.
 - 15.3.1 Notwithstanding clause 15.2.1; and
 - 15.3.2 Provided that the members concerned can prove to the satisfaction of the management that this clause applies to those assets.

16. Interpretation

10.1 At a general meeting as well as at a management meeting the chairman shall have the deliberating vote, as well as a casting vote in the event of an equality of votes.

17. Cessation of activities

17.1 In case of a cessation of activities the Gauteng MEC for Agriculture, Conservation, Environment and Land Affairs (GDACEL), or an appointed representative may convene a special meeting of those members whose fees are paid with the purpose of dissolving the organisation.

17.2 Reasons for cessation of activities may be:

17.2.1 Activities undertaken that are not inline with the objectives of the conservancy programme;

17.2.2 Constitution of the organisation is not in line to Government policy, and therefore cannot be recognised by a government institution.

Signed at _____ on the _____

Establishing members:

1. _____ *Full name* _____ *Signatures* _____

2. _____

3. _____

4. _____

Chairman: _____ *Full name* _____ *Signature* _____