

# CONSTITUTION

## 1. NAME

- 1.1. The name of the organisation shall be the Southern Africa Arms and Ammunition Collectors' Association, KwaZulu Natal, which may be abbreviated to SAAACA, KZN.

## 2. MISSION

The mission of SAAACA KwaZulu Natal, a non-profit organisation is:

- 2.1. To promote the collection, study, research , restoration, preservation and responsible recreational use of collectible arms and ammunition.
- 2.2. To promote the collecting, study, research, restoration, preservation and use of accessories and other items related to arms and ammunition.
- 2.3. To work with any other body or bodies, for legislation and other purposes supportive of this Association's primary mission.
- 2.4. To promote the appreciation and acceptance of Collectors and Collecting amongst all Stakeholders, and to encourage responsible and ethical behaviour of its members in this regard.

(Stakeholders shall include, but not be limited to, Private and Institutional Collectors of Arms, Ammunition, and related artefacts, and all Public, Private and Government bodies affecting, affected by, or interested in the bona fide collection of Arms, Ammunition and related artifacts).

## 3. MEMBERSHIP

- 3.1. Membership will only be open to persons who have satisfied the Executive Committee, through a sub-committee established for that purpose, and in accordance with such sub-committee's Terms of Reference as approved by the Executive Committee , that they are, or desire to become, bona-fide collectors of arms and ammunition.
- 3.2. There will be Ordinary membership and Junior membership. Junior membership shall be open to juniors up to the age of twenty one years, and fulltime students up to the age of twenty five years, whereupon they will automatically become eligible for Ordinary membership.
- 3.3. Life Membership: Members who have been in good standing with the Association for a period of five (5) years or who have been active Executive Committee members for three (3) years, may apply in writing to become Life Members. Life membership fees will be ten times the annual subs. Life membership contributions will be kept in a separate fund.
- 3.4. Applications for life membership will be assessed on the basis of the members' contributions to the Association, and/or the benefit to the Association of such membership.
- 3.5. Life membership will be limited to 10% of current ordinary members.
- 3.6. Membership shall be self-governing and selective but open to all collectors, including beginners, modest collectors and experienced collectors.
- 3.7. There shall be no upper age limit.
- 3.8. A prospective member shall be introduced by two members of good standing.

- 3.9. Mechanism for revoking membership. Should the actions of a member be deemed to be in contravention of this Constitution or contrary to the spirit of the Association:
- 3.9.1. The Membership Sub-Committee, acting as a disciplinary committee in accordance with its Terms of Reference, will put the allegations to the member concerned, who will be given the opportunity to answer the allegations.
- 3.9.2. The majority decision of the disciplinary committee will be referred to the Executive Committee, and
- 3.9.3. The Executive Committee will make the final decision regarding membership of the member concerned.
- 3.10. Should membership be revoked due to a member being in contravention of the Law or misusing their membership of the Association, the relevant authorities shall be notified.

#### 4. EXECUTIVE COMMITTEE (ExCo)

- 4.1. The ExCo of SAAACA(KZN) will consist of a Chairman, Secretary, Treasurer plus a minimum of two additional members. The past Chairman shall be an ex officio member of ExCo until such time as a new Chairman is elected.
- 4.2. ExCo shall be elected at the Annual General Meeting.
- 4.3. A majority of votes cast by the designated representatives of the Members present at the Annual or Special General Meeting shall constitute an election.
- 4.4. A vacancy in the office of Chairman shall be filled by the Secretary/Treasurer until such time as a General or Special Meeting can be called to elect a new Chairman. Other vacancies on ExCo shall be filled by nominations by the ExCo for the remaining term.
- 4.5. ExCo will operate according to the ExCo Terms of Reference, and be responsible for the development and implementation of Plans and Actions to further the aims and objectives of the Association as espoused in the Mission.
- 4.6. The Secretary/Treasurer shall ensure the management of correspondence, funds, and governance matters.
- 4.7. ExCo shall appoint and dissolve such sub-committees as are, from time to time, deemed necessary by them to further the objectives and manage the day-to-day affairs of the Association.
- 4.8. ExCo will be authorized to protect the interests of the Association through appropriate Legal Action, other than High Court Action, which shall be authorized through a Special General Meeting.
- 4.9. SAAACA KwaZulu Natal, its members, and Office Bearers, may not be held liable by any other member for anything done in accordance with this Constitution.

#### 5. ARTICLE 5: GENERAL MEETINGS

- 5.1. The Annual General Meeting shall be held on such date, time and at such place as ExCo designate. Notice of the meeting site, date and agenda shall be sent to Members two weeks before the meeting.
- 5.2. Special General Meetings shall be called by ExCo when called upon to do so by two thirds of the fully paid-up members under the rules of Article 5 Section 1.
- 5.3. Only fully paid-up members may vote at Annual or Special General Meetings. Other members may attend.
- 5.4. Amendments to the Constitution may only be made by a vote of two-thirds majority of the fully paid-up members present at an Annual or Special General Meeting called

under the rules in Article 5 Section 1. Notice or motion to amend the Constitution must be given on the appropriate agenda.

6. DUES, FEES

- 6.1. Members shall pay an annual fee and new members shall pay an additional once off registration fee as determined by ExCo from time to time.
- 6.2. The onus rests on members to ensure timeous payment of all fees and dues.
- 6.3. Fees for junior members shall be 50% less than those due for Ordinary members.
- 6.4. There shall be no fees payable for circulation of documentation to fully paid-up Members.

Chairman: Carel de Jager                      Secretary: Bruce Shaw      Date: March 2005

Annexures :

- (6/4/1)      Executive Committee Terms of Reference
- (6/4/2)      Membership Committee Terms of Reference
- (6/4/6)      Appeals Committee Terms of Reference

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Annexure 6/4/1                      Executive Committee Terms of Reference

Name of the Body

SAAACA (KwaZulu Natal) Executive Committee ( ExCo)

1. Purpose or Description

To manage the day-to-day running of the Association , in order to ensure the achievement of SAAACA (KwaZulu Natal) Mission and Purpose, as outlined in its Constitution , to the satisfaction of its Members , and in compliance with prevailing Legislation and Regulation .

2. Composition

- Chairman,
- Secretary
- Treasurer
- A minimum of two additional members
- The past Chairman (ex officio) until the new Chairman is elected

3. Responsibilities and delegated Authority

- ExCo will represent the “legal persona” of the Association to the degree permitted in the Constitution for a given term
- § ExCo members will not be held personally liable by any other member of the Association for anything done in accordance with the Constitution.
- Evaluation of the Mission and Constitution of the Association and preparation of any amendments for adoption at the AGM
- Arrangement of the AGM, and such Special Meetings as may be called.
- Approval of the Annual Business Plan, which Business Plan shall outline how the aims and objectives of the Association will be promoted in a given term
- Development and Preservation of the Membership base , in accordance with the Membership Committee’s Terms of Reference .
- Open and operate Bank Accounts on behalf of the Association
- Represent the Association in any legal actions or representations involving affected legislation
- Creation and Appointment of members of the following sub-committees or Portfolios :
  - Membership
  - Monthly Events
  - Major events
  - Website Development
  - Archives
  - Administration
  - Legislation
  - Valuation
- Sub delegation , without derogation of responsibility, of any of its functions to appropriate sub-committees where necessary.
- Endorsement or approval of the decisions of sub committees where required
- Promote sound relations with all Stakeholders

#### 4. Processes and Procedures

- ExCo shall be elected at the AGM
- Terms of Reference of ExCo shall be confirmed annually at the AGM
- The past Chairman will continue to serve on ExCo until a new Chairman is appointed
- A vacancy in the Office of Chairman will be filled by the Secretary/Treasurer, until a General or Special meeting can be called

- Other vacancies on ExCo shall be filled by nominations by ExCo for the remaining term.
- A Quorum shall be the majority of elected ExCo members
- ExCo will adopt a consensus seeking approach .
- Decisions not affecting the purpose or Constitution of the Association shall be approved by a simple majority
- Decisions which may affect the Purpose , Credibility , or Constitution of the Association shall require a 75% vote , including that of the Chairman .
- Any ExCo member may nominate another member to vote on his/her behalf, on a specific issue, provided such proxy is communicated to the Chairman or Secretary in writing beforehand.
- All circulated resolutions shall be consensus resolutions , except where a member is out of the country .
- The Chairman shall not have a casting vote.
- After due process , any deadlock or dispute shall be referred to Special Meeting of Members for decision.
- Any sub-committee member may attend ExCo meetings
- A minimum of 5 ExCo meetings shall be held in any term
- Any ExCo member may request a special ExCo meeting , which request shall not unreasonably be denied .
- All ExCo meetings shall be minuted

*Carel de Jager (Chairman)*

*Bruce Shaw ( Secretary)*

*March 2005*

## Annexure 6/4/2 : SAAACA (KwaZulu Natal) Membership Sub Committee Terms of Reference

### 1. Name of the Body

SAAACA ( KwaZulu Natal) Membership Sub Committee

### 2. Purpose or Description

- To assess, process and approve applications for new membership in terms of the applicant's personal suitability, potential contribution as a member and, as applicable, conformation to the legal requirements covering the status of Firearms Collector.
- To assess, process and approve the Membership Categorisation status of all members or potential members or applications for change therein.
- To assess, process, and approve the relevant Field(s) of Interest , and/or Theme(s) of the member or potential member , and changes thereto .
- To assess and, if necessary, suspend or terminate membership of members who have brought the Society into disrepute.

### 3. Composition

- The Membership Sub-Committee consists of a minimum of five members
- The sub-committee chairman is appointed by EXCO and is thereafter responsible to EXCO for the establishment and affairs of the committee
- If not already a member of ExCo, the sub-committee chairman will automatically be co-opted onto ExCo.
- The other members shall be appointed by the Executive Committee from amongst its own members or co-opted with its approval, and as required from the Association membership in good standing.
- Persons chosen to serve on the Membership Committee shall be selected in cognizance of their standing within the Association, their knowledge of a field representative of Association interests and their understanding of the relevant legislation.

### 4. Responsibilities and delegated Authority

- Scrutiny, evaluation and approval of new applications for membership, or applications for upgrading of existing membership, of the Association.
- In this regard due cognizance will be taken of the requirements and contents of the Firearms Control Act of 2000 pertaining to Collectors , and the Associated Regulations as promulgated or amended from time to time . (see Section 6 Annexure B )
- Recommendations concerning Category 'A' (Prohibited) and Category 'B' (Restricted) categorization will be referred to ExCo for final ratification .
- Assessment and decisions regarding the membership of any member who may have, or be in the process of, bringing the Association into disrepute
- In the event of any dispute, deadlock or appeal, the matter may be referred to ExCo.

### 5. Processes and Procedures

#### 5.1. Meeting arrangements

- A minimum of three members is required for a quorum

- Meetings (for the handling of normal business) are generally held on the last Thursday of each month from 19h00 in the SAAACA(KZN) Committee room
- Additional meetings may be called by the sub-committee chairman as required.

## 5.2 Application Process:

- Copies of SAAACA(KZN)'s constitution, application forms and questionnaires are available on request from the office
- The completed application form and questionnaire is to be completed and signed by the applicant and delivered to the office in hard copy.
- The application should as far as possible, be proposed and seconded by two existing SAAACA(KZN) members in good standing.
- All applications are subjected to preliminary assessment at the first meeting after receipt
- On the basis of a preliminary assessment of the application one of the following actions will be taken:
  - § application approved or rejected
  - § more information requested
  - § suggestion that membership of another chapter may be more appropriate (based on geographical location)
  - § suggestion that membership of another organisation may be more appropriate (i.e. accredited 'hunting' or sporting' bodies based on stated interest/s)
  - § the applicant requested, in writing, to make him/herself available for an interview (interview to be scheduled by applicant with administrative secretary).

It is to be noted that the absence of a personal interview, acceptance of membership in either the Uncategorised or C Category will be considered most exceptional. In confirmation of membership or upgrade into either the B or A categories, an interview by the Membership Committee and ExCo. approval is mandatory.

## 5.3 Interview Process

- When an interview takes place, it will be conducted in an informal and non-intimidatory manner and in the language of the interviewee's choice (English and Afrikaans only catered for at this time)
- A request by the applicant for non-disclosure/confidentiality of any information *which is not essential to the process* is to be respected
- Subjects such as religion, politics, gender, race etc. will be avoided unless in direct response to an applicant's comments or enquiries
- However any organisational affiliation as required in terms of Regulation 2.8(h) of the FCA Regulations must be declared .
- The objectives of an interview are:

- § to clarify any elements of the application (application form or questionnaire) which may be incomplete, ambiguous or unclear
- § to gain additional information, not requested in the questionnaire, which may be relevant to the applicant suitability for membership
- § to provide an opportunity for the applicant to provide information relevant to his application which he/she may prefer not to commit to paper
- § to expose and/or explore any contradictions arising from the person's written application and his/her views, interests, opinions, statements or intentions as stated during the interview
- § and to attempt to ensure that 'coaching' of applicants (i.e. guidance by other person/s – SAAACA(KZN) member or not - into giving 'correct' answers) is exposed /or kept to a minimum .
- § to ascertain what skills or expertise the applicant may possess which may be used to further SAAACA(KZN)'s objectives.

#### 5.4 Decision making process

- All available information (completed application form, questionnaire and supporting documentation as well as any information obtained during an interview) , as well as due consideration of factors outlined in Section 6 regarding the categories of Collectors, will be assessed by all sub-committee members present, and recorded for future reference.
- All decisions will be taken by a majority vote of members present
- In the event of a dead-lock, the chairman has a deciding vote
- All decisions will be communicated to the applicant in writing by the secretary as soon as possible after the meeting.

#### 5.5 Appeal Process:

- Any decision taken by the membership sub-committee may be appealed by the applicant
- The applicant may introduce further evidence or arguments in support of his/her application
- The decision making process, including the interview if needed, will be repeated
- Any application for membership or category change may be referred, by the membership sub-committee, ExCo or the applicant, to The Appeals Committee for a decision (or confirmation of a decision)
- The Appeals Committee shall be chaired by the Association Chairman, or an ExCo Member delegated by him, and consist of at least two other Association members in good standing who have been appointed by ExCo in consideration of their understanding of the firearms collecting field and the laws regulating it. No member of the Appeals Committee may also hold any position on the Membership Committee or any sub-committee controlled by it.



## 5.6 Suspension and Termination Process :

- Should circumstances involving a member arise which:
  - § bring the credibility of the member as a responsible collector into question and/or
  - § reflect negatively on the Association

The following procedure will be adopted :

- Upon laying of criminal charge relating to possession or abuse of firearms

*Suspension*

- Upon withdrawal of such a charge or not guilty verdict:

*Full re-instatement.*

- Upon being found guilty of the criminal charge in question:

*Cancellation of Membership.*

- Upon being declared unfit to possess firearms in terms of Sections 102 or 103 of the Act

*Placed on suspension*

and case referred to the Membership Committee which will consider the circumstances and make one of the following recommendations to ExCo:

- Cancellation of membership.
- Re-instatement as Associate.
- Conditional re-instatement.
- Re-instatement as a non-categorised member
- Full re-instatement.
- To assist the Membership Committee in considering its recommendation the member under suspension shall provide it with a copy of the Police Board or Appeal decision. Failure to meet this requirement will result in automatic cancellation of membership.
- Should a declaration or criminal conviction in terms of Sections 102 or 103 be appealed the member will remain on suspension until the result of the appeal is handed down. When the appeal succeeds or fails the matter will be proceeded with as provided above.
- In the absence of a conviction or declaration as above outlined, but in the event of a member being considered to have acted in contravention of the SAAACA(KZN) constitution or otherwise contrary to the spirit of the Association as intimated in the Constitution, the matter will be referred to a full meeting of the Membership Committee acting as a disciplinary committee.

Advise the CFR , where appropriate , of the relevant circumstances and decisions/actions taken.

SAAACA (KwaZulu Natal) Membership and Categorisation Appeal Committee  
Terms of Reference

1. The purpose of the Appeal Committee will be to review an applicant's membership or categorisation application , following the refusal of the membership or categorisation sub-committee to accept the applicant as a member of SAAACA(KZN) in the Category applied for , or the granting of a particular category, or a change of category .
2. The Appeal Committee will consist of at least 4 members , namely, the Chairman and Secretary / Treasurer of the SAAACA(KZN) Executive Committee, and two Assessors co-opted for this purpose . None of the Appeal Committee members will have any involvement in the Membership sub-committee, or in the Categorisation sub-committee which originally considered the application , in order to ensure objectivity of the process .
3. The Quorum for the Appeal Committee sitting will be 3 members .
4. The Appeal Committee Assessors will be appointed by the SAAACA(KZN) Executive Committee
5. The Appeal Committee will have a mandatory interview with any applicants who have appealed against their refusal of SAAACA(KZN) membership in a particular category
6. The Appeal Committee may call for , and the applicant may submit, any additional or supporting material or information to assist with the process. Previous information submitted may not be withdrawn,
7. The outcome of the Appeal process will be final and binding
8. This does not however affect the Applicant's right to re-apply after the stipulated period in the Membership sub-Committee Terms of Reference

Approved :

*Carel de Jager* (Chairman)

*Bruce Shaw* ( Secretary)

Date March 2005