

KOGELBERG VILLAGES



ENVIRONMENTAL TRUSTEES

KOGELBERG VILLAGES ENVIRONMENTAL TRUSTEES CONSTITUTION

1. Name

1.1 The organisation hereby adopting this constitution is called the Kogelberg Villages Environmental Trustees.

1.2 Its shortened name will be K.V.E.T (hereinafter called the organisation).

2. Body Corporate

The organisation shall:

- 2.1 Exist, separately from its beneficiaries, office bearers and task team members;
- 2.2 Continue to exist even when its beneficiaries change and there are different office bearers and task team members;
- 2.3 Be able to own property and other possessions; and
- 2.4 Be able to be sued in its own name.

3. Objectives

3.1 The organisation's main objective is to record and analyse the data collected by the appointed KVET Baboon Information Officers (BIOs) on a daily basis in Pringle Bay, a village situated in Kogelberg Biosphere of the Overstrand Municipality.

3.2 The purpose of this objective is to study the daily habits of the troop of baboons living in Pringle Bay in order to mitigate the ongoing human-baboon conflict and to promote harmonious co-existence. Baboon troops from the neighbouring villages of Rooiels and Betty's Bay may be recorded if they enter the Pringle Bay proximity.

3.3 KVET activities include:

3.3.1 The appointment and appropriate training of vetted individuals who live in the Overstrand Municipal area to fulfil the job description of Baboon Information Officers (BIO's)

3.3.2 Record and preserve the data collected by the BIO's;

3.3.3 Compile data and reports for scientific research;

3.3.4 Liaise with experts in the field of Primatology, Ecology, Environmental Conservation, wildlife behavioural specialists, wildlife veterinarians and others;

3.3.5 Liaise with organisations and individuals who have similar objectives and visions;

3.3.6 Liaise with the Overstrand Municipality, Cape Nature, Department of Forestry, Fisheries and the Environment who are currently responsible for the management and protection of the Chacma baboons;

3.3.7 Whilst collecting data on the baboon behaviour the BIO's will report negative behavioural activities to their supervisors, these include the following:

- 3.3.7.1 Where the baboons have gained entry to a resident's home because window or door has not been secured;
- 3.3.7.2 Where waste management protocols are abused;
- 3.3.7.3 Where residents or visitors are feeding baboons;
- 3.3.7.4 Where questionable decisions have been taken by the Municipal appointed Eco Rangers which could endanger the baboons and or residents of Pringle Bay
- 3.3.7.5 Where residents or visitors to Pringle Bay are intentionally harming the baboons
- 3.3.8 Organise and carry out environmental education and public awareness activities including:
 - 3.3.8.1 Alerting the businesses if baboons enter the CBD.
 - 3.3.8.2 Assisting shoppers to and from their cars with their grocery bags.
 - 3.3.8.3 Alerting the general public when baboons are in the area.
 - 3.3.8.4 Educating the general public about baboon behaviour.

4 Code of Conduct

KVET and the appointed BIO's will not violate any fundamental human or non-human rights, with which each is endowed. All humans and non-humans are born free and equal in dignity. KVET and the appointed BIO's are sensitive to the moral values, religion, customs, traditions and cultures of the community they serve.

5 Income and Property

- 5.1 The organisation will keep a record of everything it owns.
- 5.2 The organisation may not give any of its money or property to its office bearers and task team members. The only time it can do this is when an office bearer or task team member needs a welfare grant or when it pays for work that an office bearer or task team member has done for the organisation. The payment must be a reasonable amount for the work that has been done.
- 5.3 An office bearer or task team member of the organisation can only claim money back from the organisation for expenses that they have paid on behalf of the organisation.
- 5.4 Beneficiaries, office bearers and task team members of the organisation do not have any rights over any income or property that belong to the organisation.

6. Membership and General Meetings

- 6.1 Membership is available to all persons who have an interest in the preservation of the Kogelberg Biosphere Reserve and the conservation of the genetic resources, species, ecosystems, and landscapes, without uprooting any of the inhabitants.

- 6.2 If a person wants to become a beneficiary of the organisation, he or she must apply to the office bearers. The office bearers have the right to decline the application.
- 6.3 Beneficiaries and office bearers of the organisation must attend its annual general meetings. At the annual general meeting, the office bearers exercise the right to determine the policy of the organisation.

7. Membership Fees

- 7.1 Membership fees will be determined by the committee.
- 7.2 Any adjustments must be approved at the AGM.
- 7.3 All fees are payable to the K.V.E.T treasurer.
- 7.4 Membership fees are payable annually, on or before the AGM.

8. Status

- 8.1 The Kogelberg Villages Environmental Trustees (K.V.E.T) is a group of not-for-profit members who are not liable for any debt or obligation of the organisation.
- 8.2 Postponed General or Special Meetings
- 8.3 In case a quorum of members is not present after ten (10) minutes after the appointed time of the meeting, the meeting shall be postponed for at least ten (10) days.
- 8.4 Members present shall decide on the date, place, and time for the postponed meeting.
- 8.5 At any postponed meeting, the members who are present will form a quorum and may attend to the business for which the meeting was called originally.

9. Management

- 9.1 A management committee of office bearers will manage the organisation. The management committee will be made up of not less than five (5) members. They are the office bearers of the organisation.
- 9.2 Office bearers will serve for one year, but they can stand for re-election for another term in office after that. Depending on what kind of services they provide to the organisation, they can stand for re-election repeatedly, provided their services are needed and they are willing to continue providing those services.
- 9.3 If an office bearer of the management committee does not attend 3 (three) management committee meetings in a row, without having applied for and obtaining leave of absence from the management committee meeting, then the management committee may terminate such an office bearer's membership.
- 9.4 The organisation has the right to form sub-committees. The decisions that sub-committees make must be given to the management committee. The management committee must agree to them or not at its next meeting. The

meeting should take place soon after the subcommittee's meeting. By agreeing to decisions, the management committee ratifies them.

9.5 All beneficiaries and task team members of the organisation have to abide by the decisions that are taken by the management committee, at least until the next general meeting, when they can be voted on and ratified or overturned.

10. Powers of the Organisation

10.1 The management committee may take on the power and authority that it believes it needs to be able to achieve the objectives stated in point number 3 of this constitution. Its activities must abide by the law of the land.

10.2 The management committee has the power and authority to raise funds or to invite and receive contributions.

10.3 The management committee has the power to buy, hire or exchange funds for any property that it needs to achieve its objectives.

10.4 The management committee has the right to make by-laws for proper management, including procedure for application, approval, and termination of beneficiaries.

10.5 The organisation will decide on the powers and functions of its office bearers.

11. Meetings and Procedures of the Committee

11.1 The management committee will meet at least once a quarter.

11.2 More than half (50%) of the officer bearers need to be present to make decisions that will be allowed to be carried forward. 50% constitutes a quorum.

11.3 Minutes will be taken at every meeting to record the management committee's decisions. The minutes of each meeting will be given to management committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings by the next meeting of the management committee and shall be signed by the chairperson.

11.4 The chairperson or two members of the management committee can call a special meeting if they want to, but they must inform the other committee members of the date of the proposed meeting no less than seven (7) days before it is due to take place. They must also inform the other committee members what issues will be discussed at the meeting. If, however, one of the matters to be discussed is the appointment of a new office bearer to the management committee, then those calling the meeting must give the other committee members no less than fourteen (14) days' notice.

11.5 The chairperson shall act as the chairperson of the management committee. If the chairperson does not attend a meeting, then the members of the committee who are present shall choose which one of them shall chair the meeting. This must be done before the meeting commences.

11.6 There shall be a quorum whenever such a meeting is held.

- 11.7 When necessary, the management committee shall vote on issues. If the votes are equal on an issue, then the chairperson has either a second or deciding vote.
- 11.8 Minutes of all meetings must be kept safely and always be on hand for office bearers to consult.
- 11.9 If the management committee thinks it is necessary, then it can decide to set up one or more sub-committees or task teams. It may decide to do this to get some work done quickly, or it may want a sub-committee or task team to do an inquiry. The sub-committee or task teams must report back regularly to the management committee on its activities.

12. Annual General Meetings

- 12.1 The annual general meeting must be held once a year after the end of the organisation's financial year.
- 12.2 The organisation must deal with the following business amongst others at its annual general meeting:
- 12.2.1 Agree on the items to be discussed on the agenda
 - 12.2.2 Compile an attendance register, record who is present, who is absent and who sent apologies for being unable to attend
 - 12.2.3 Read and confirm the previous meeting's minutes with matters arising
 - 12.2.4 Chairman's Report
 - 12.2.5 Treasurer's Report
 - 12.2.6 Changes to the constitution that Beneficiaries or Office Bearers may want to make
 - 12.2.7 Elect new office bearers
 - 12.2.8 General
 - 12.2.9 Close the meeting

13. Finance

- 13.1 A treasurer shall be appointed at the annual general meeting.
- 13.2 The treasurer's job is to control the day-to-day finances of the organisation. The treasurer shall arrange for all funds to be deposited into a bank account in the name of the organisation. The treasurer must also keep proper records of all finances.
- 13.3 Whenever funds are withdrawn from the organisation's bank account, at least two members of the committee must approve the withdrawal.
- 13.4 The financial year end of the organisation ends on the 28th of February each year.
- 13.5 The organisation's accounting records and reports must be ready and handed to the Director of Non-Profit Organisations within six (6) months of the financial year-end.

- 13.6 The management committee shall have full authority to decide on the use and/or investment of the K.V.E.T funds. The treasurer is authorised by the committee to arrange for any payments.
- 13.7 If the organisation has funds that can be invested, the funds may only be invested with a registered financial institution. These institutions are listed in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984. Alternatively, the organisations can buy securities that are listed on a licensed stock market exchange as set out in the Stock Exchange Control Act, 1985. The organisation can approach the different banks to seek advice on the best way to look after its funds.

14. Changes to the Constitution

- 14.1 The constitution can be changed by a resolution. The resolution must be agreed upon and passed by no less than two-thirds of the management committee attending the annual general meeting or special general meeting. The management committee must vote at this meeting to change the constitution.
- 14.2 Two-thirds of the beneficiaries and office bearers shall be present at a meeting (the quorum) before a decision to change the constitution is taken. Any annual general meeting may vote upon such a notion if the details of the changes are set out in the notice referred to in 14.3 below.
- 14.3 A written notice must go out timeously, and before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 14.4 No amendments may be made which would have the effect of making the organisation cease to exist.

15. Dissolution / Winding Up

- 15.1 The organisation may close if at least two-thirds of the beneficiaries and officer bearers present and voting at a meeting convened for the purpose of considering such matters, are in favour of closing down.
- 15.2 When the organisation closes, it has to pay off all its debts. After doing this, if there is any property or money left over, it should not be given or paid over to officer bearers of the organisation; it should be given over to the benefactor/s or another non-profit organisation that has similar objectives, once agreed by the benefactor/s. The organisation's general meeting can decide which other non-profit organisation this should be.

As agreed and amended on the 21st Nov 2023: