



CONSTITUTION OF THE NATIONAL ASSOCIATION OF SOUTH AFRICAN SHERIFFS.

1. NAME.

The Association shall be called THE NATIONAL ASSOCIATION OF SOUTH AFRICAN SHERIFFS and shall hereinafter be referred to as NASAS.

2. OBJECTIVES VALUES & AFFILIATES.

2.1 NASAS principal objective shall be to do all that enhances the sheriffs' industry and vigorously oppose all that negates this.

2.2 Uphold and enforce all the human rights values as enshrined in the RSA Constitution, 1996.

NASAS shall strive to:

2.3 Promote and safeguard the interests of the industry;

2.4 Determine, by voluntary, open discussion and deliberation, the views of the majority of the stakeholders and act accordingly thereon;

2.5 Operate as a non-sexist, non-racial, non-aligned, transparent, democratic and independent association with any national association of deputy sheriffs and staff as affiliate subject to such affiliate constitution being endorsed by NASAS Executive Committee (Exco);

3. MEMBERSHIP, & VOTES.

3.1 Membership shall be open to any sheriff or acting sheriff after completion of an application form, (Form A hereto), subject to the approval of Exco.

3.2 Such member will be entitled to attend all Annual General Meetings and each member's vote will be counted as one vote despite the member operating more than one office.

3.3 Such member may appoint, by way of proxy, (as per para 6 hereunder) a representative to attend a general meeting on his or her behalf.

3.4 Any national association of deputy sheriffs and staff, being an approved affiliate, will be granted 5 votes at any Annual General Meeting(AGM).

4.THE NOTIFICATION PLATFORM AND MODES OF ALL MEETINGS.

4.1 On consultation, with members, Exco can decide the mode of notice to any meeting and the platform where such meeting is to take place.

4.2 These meetings will include the AGM, Special Meetings and Exco Meetings.

4.3 The notices of any of these meetings may be sent out by email or WhatsApp.

4.4 The platform and discussions at each of these meetings may be face-to-face (Venue to be decided by Exco after consultation with members), via social media, on-line, or telephonically or a combination of these best suited for the meeting.

5. ANNUAL GENERAL MEETINGS.

5.1 An Annual General Meeting (AGM) shall be called and held, on a date to be determined by the members of the Exco of a particular year.

5.2 A period of 1 months' notice with a draft agenda shall be given.

5.3 Notice shall be deemed to have been given by way of e-mail or WhatsApp.

5.4 A quorum for the AGM shall be 20 members present at the meeting in order to avoid the necessity of convening another meeting. For the purpose of calculating this quorum, proxies will be included.

6. PROXIES.

6.1 Paid up members shall be entitled to cede their voting rights to proxies, in writing and in a form as close as possible to annexure "B" hereto.

6.2. Proxies shall be counted as if the members are present and to establish whether a quorum has been attained.

6.3 Only such members who have paid for the current year of membership and whose names appear in the paid-up members register for that particular year shall be entitled to vote at such AGM.

6.4 Proxy forms must be handed to the Secretary at least 24 hours before any AGM.

7.VOTING PROCEDURE OF THE AGM.

7.1 Voting shall be by secret ballot unless otherwise decided and agreed upon by the House.

7.2 Resolutions shall be determined by majority vote.

7.3 In the event of a tie, the chair shall have a casting vote.

8. SPECIAL MEETING.

8.1 Exco, may at any time, or upon request by no less than five (5) paid up members, call for the holding of a special meeting to discuss and vote on any urgent issue deemed to affect NASAS, or its members.

8.2 The purpose for such special meeting shall be reduced in writing and distributed to the members of the Exco for their consideration prior to the holding of such meeting.

8.3 The Secretary shall thereafter and as soon as possible but no more than seven (7) days' notice convene such meeting.

8.4. Four (4) members shall constitute a quorum.

VOTING PROCEDURE OF A SPECIAL MEETING.

8.5 Resolutions shall be determined by majority vote.

8.6. In the event of a tie, the chair shall have a casting vote.

9. EXECUTIVE COMMITTEE

9.1 At an AGM, an Executive Committee -Exco- of no less than six (6) members shall be elected.

These are: -

The Chair

The Deputy Chair

The Secretary

The Assistant Secretary

The Treasure

Deputy Sheriff and Office Staff Representative

9.2 Exco shall have the general power to promote the interests of NASAS as well as to carry on its work and shall have the power to appoint further paid-up members.

9.3 No sheriff, acting sheriff or deputy sheriff who is serving on the SA Board for Sheriffs (Board) shall be eligible for membership of this committee, and if already an Exco member at the time of appointment to the Board, shall immediately vacate his or her position from Exco, however such member will retain NASAS membership.

9.4 Exco shall be elected at the AGM by way of majority vote and secret ballot, or as otherwise guided by the voting convener, after consultation with all present at the AGM.

9.5 Exco shall appoint interim officers and members to fill vacancies occurring between the AGM's.

9.6 An election for any interim vacancy(ies) will then be conducted to newly appoint or ratify the interim officer's(s') position at the next AGM.

9.7 Any member of Exco shall be deemed to have relinquished their membership if they fail to attend at least three consecutive meetings without valid reason.

9.8 An ordinary meeting of the Exco shall be held, unless by notice to all its members, once a month. The date of the subsequent meeting shall be fixed at the previous meeting.

9.9 Four (4) Exco members attending a formal meeting of the Executive shall constitute a quorum.

9.10 Should a quorum not be present at such Exco meeting; the meeting shall stand adjourned whereafter a seven (7) day period of notice of a date for the holding of a subsequent Exco meeting shall be given to members. The minutes of the unquorumed meeting must be forwarded to the absentee members for approval or rejection within 7 days of the unquorumed meeting. The members present at such adjourned meeting together with absent members shall be deemed to form a quorum for this purpose.

9.11 Alternatively, the meeting may proceed without a quorum, and decisions made can only be confirmed once any absent member(s) ratify such decision within 7 days of the meeting.

9.12 The Chair will convene meetings and have a casting vote where necessary.

9.13 The Deputy Chair will act in the place of the Chair where this is so necessitated and shall have the power of a casting vote in the absence of the Chair.

9.14 The Secretary, after consultation with Exco, will be responsible for preparing all meetings, distributing such to members, arranging AGMs, retaining records of all communication, retaining files of all correspondence both in hard and soft copy, retaining and updating membership forms, dealing with proxy forms, distributing documentation for comments, and preparing responses subject to the Chairs and members' consent. The Assistant Secretary will provide assistance when so requested.

9.15 The Treasurer will update all financial statements at least once a year and present same 1 month prior to any AGM for members to consider and adopt. Any member may request an updated summarised financial statement for scrutiny via the chair by giving 14 days' notice thereof. The Treasurer shall, after having been furnished with contact details of each member by the Secretary, post an annual subscription fee invoice to each member and will follow up such payment at the Treasurer's own discretion.

9.16 The deputy sheriffs and office staff representative will represent their members' interest and will not participate in talks should there be a conflict of interest between sheriffs and Deputy sheriff /staff

9.17 It is hereby recorded that any labour related issues will not be dealt with by NASAS but must be referred to any platform dealing with labour issues.

9.18 Exco shall have the authority to appoint any external party for assistance in achieving its mandate and decide the remuneration to such party.

10.VOTING PROCEDURE OF EXECUTIVE COMMITTEE MEETING.

10.1. Resolutions shall be determined by majority vote.

10.2 In the event of a tie, the chair shall have a casting vote

11. TERM OF OFFICE.

11.1 Any member shall be free to serve in Exco in any portfolio for as long as such member desires, but no longer than a period of 3 consecutive years,

subject to the proviso such member may be removed by the Exco by valid reason.

11.2 For the sake of continuity, the Deputy Chair and Treasurer will be exempt from clause 11.1 hereabove, should he or she stand for election as Chair or continue as Treasurer.

11.3 Any aggrieved members may call upon Exco for the removal of any Exco member as a result of any act that undermines the objectives of NASAS. Such request must be done in writing and distributed amongst all members.

12. SPECIAL MEETINGS.

12.1 Special meetings of Exco may be convened as deemed necessary.

12.2 Such meeting shall be called by the chair upon request by no less than four (4) members of Exco or by any 4 ordinary members.

12.3 The date of such meeting shall be arranged at a normal meeting of Exco and as agreed upon by the members concerned.

12.4 The special meeting shall be held after the giving of seven (7) days' notice to the other Exco members.

12.5 A quorum shall be attained as set out in para.8. 9. hereabove.

VOTING PROCEDURE FOR SPECIAL MEETINGS.

12.6 Resolutions shall be determined by majority vote.

12.7. In the event of a tie, the chair shall have a casting vote

13. SUB COMMITTEES.

13.1 Exco shall have the power to appoint various sub-committees from time to time and shall have the power and authority to delegate certain of its functions to such subcommittee(s).

13.2 At least one member of the Executive shall serve on such sub-committee; however, a sub-committee shall have the power to appoint its own chair.

13.3 Exco shall have the power to determine the rules governing the re-appointment and dissolution of such sub-committees.

13.4 The committee will determine its own set of rules on voting issues and the determination of resolutions.

14. MEMBERSHIP FEES AND FINANCES.

14.1 A minimum annual membership fee of R1000.00(One Thousand Rands) shall be payable before the AGM by every member.

14.2 The said amount may be reviewable from time to time.

14.3 NASAS will also accept donations subject to its constitutional values and objectives.

14.4 Only fully paid members will be allowed to vote.

14.5 The current membership fee paid shall be deemed to cover the period from 1st of March in the year of payment to the end of February in the succeeding year.

14.6 A register of paid-up members shall be compiled by the Treasurer and made available 1 month before any AGM in a particular year.

14.7 All funds of the association shall be deposited into a bank account to be held at any commercial bank and to be opened on behalf of NASAS by the Treasurer in office.

14.8 These proceeds will be used solely for administrative purposes and not for remuneration.

14.9 The signatories to the account shall be the treasurer and another elected member from the Exco.

14.10 All withdrawals from such account shall be authorised by both the treasurer and the elected member of Exco, or in the event that either the said member or the treasurer is unavailable, then by any member of Exco duly authorized by Exco and recognised the said bank,

15. MEMBER'S LIABILITY.

15.1 The liability of any of the members of NASAS shall be limited to the amount, if any, of arrear subscriptions.

15.2 No member shall be eligible to vote at any AGM or Specially convened meeting unless their subscriptions for the current year are paid in full as per para 14 hereabove above.

15.3 No member, whether Exco or ordinary, shall have the right or authority to incur any liabilities on behalf of NASAS, of whatsoever nature.

15.4 NASAS shall not be held responsible and liable for any opinion expressed by any of its members, whether at an AGM or privately or in any other form.

16. THE CONSTITUTION.

This constitution, once adopted, shall be deemed to be binding, in its entirety, on all Executive, subsidiaries and paid-up members of NASAS.

17. AMENDMENT OR ALTERATIONS.

17.1 The constitution in its adopted form can only be amended or altered by a resolution carried by a vote wherein a majority, of no less than two thirds ($\frac{2}{3}$) of the paid up members, is obtained at any AGM or Special Meeting called for such purpose.

17.2 Any proposal for amendment or alteration of the Constitution must be reduced to writing and submitted to the secretary no more than thirty (30) days before the date of the meeting at which the proposed amendment/alteration is to be heard.

17.3 The proposed amendment or alteration, in its original form, must be submitted to the members no more than fourteen (14) days before the date of such meeting.

18. NOTICES.

18.1 All formal notices regarding meetings and other business shall be in writing and shall be given/delivered by post, or WhatsApp, e-mail or by hand at the addresses of those paid-up members as held in the Secretaries register.

18.2 Service of notice, shall be within the abovementioned notice periods respectively, at the address given by the members. Notice shall be deemed to have been received at such address within the time periods as stipulated above.

18.3 A register of delivered notices shall be kept by the secretary as proof that notices have been hand delivered, posted, WhatsApped or e-mailed and on the date, this was done.

19. DISSOLUTION.

19.1 NASAS shall be dissolved by a resolution carried by the vote of a two thirds ($\frac{2}{3}$) majority of the members attending a meeting specifically called for this purpose.

19.2 Upon attaining this majority, NASAS shall be dissolved and its executive shall be disbanded and its assets shall be disposed of in a manner as may be decided by the majority mentioned in para.10.1 above.

20. ADOPTION OF THIS CONSTITUTION.

This constitution was adopted at the General Meeting of the NASAS held on:

Date:

10th October 2023.

Place:

Port Alfred.

Signed Secretary:



Name:

L Makwetu

