

CONSTITUTION

and Memorandum of Inclusion

V04



***NATIONAL
HUNTING AND SHOOTING
ASSOCIATION NPC***

Trading as Natshoot

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1. NAME AND TERRITORY

- 1.1 The name of this Association is the **NATIONAL HUNTING AND SHOOTING ASSOCIATION NPC**; trading as NATSHOOT (hereafter referred to as “The Association” or “Natshoot”).
- 1.2 Natshoot has been recognized as a public benefit organization and is a Non-Profit Company incorporated in terms of section 14 of the Companies Act, 2008 by the Companies and Intellectual Property Commission.
- 1.3 Natshoot is open for membership to members of the public and renders a service to its members and to members of the public.
- 1.4 The territory in which members are recruited and contributions are raised and in which this Association operates, is the Republic of South Africa and elsewhere.

2. MOTTO

The Motto of the Association is **Responsible and Accountable Firearm Ownership** with the Association and its members observing the purpose as contained in its Motto.

3. HEADQUARTERS

- 3.1 The headquarters of the Association will be situated in the Republic of South Africa.
- 3.2 The current street address of the Association is: 59 Mackenzie Street, Brooklyn, Pretoria, 0181, which address may from time to time be changed by the Executive Council if required.

4. OBJECTS

- 4.1 Natshoot’s principal objects are to be an Association of firearm owners, hunters, and sports shooters and to protect its members’ rights and interests.
- 4.2 To be accredited as a Hunting and as a Sports Shooting Association as provided for in the Firearms Control Act (Act 60 of 2000) and to assist it’s members to legally own and use firearms and to obtain and renew licences for such firearms.

- 4.3 To, in its widest interpretation, develop and promote hunting and sport shooting as hunting with firearms and other hunting equipment (with exception of all aspects related to Professional Hunting); as well as sport shooting in all its forms, including competitive rifle, handgun, shotgun and semi-automatic rifle/carbine sport shooting, as well as the research, development, and reloading of firearms cartridges and cartridge loads for competition, target shooting, hunting and sports-shooting purposes.
- 4.4 To educate practitioners in hunting and in sport shooting and in the safe use of firearms and educate the public regarding firearms and shooting in general; the safe and responsible use of firearms for ethical hunting and for competitive sports shooting purposes and, environmental conservation and general ethical standards related to the use of firearms for hunting and sport shooting.
- 4.5 To raise funds to carry out or assist programmes to promote hunting and sport shooting in all its forms in Southern Africa and elsewhere;
- 4.6 To promote and support the conservation of the world's natural habitat and the sustainable utilization of wildlife based on scientific data and on sound economic principles, with special emphasis on these aspects pertaining to the Republic of South Africa.
- 4.7 To co-operate with the Government and Authorities of the Republic of South Africa in the promotion of hunting and sport shooting, as well as with the Governments and Authorities of the various countries in which the Association has members or in which Natshoot members hunt and take part in sport shooting.
- 4.8 For the attainment and implementation of the above objects, the Association aims and is authorized:
- 4.8.1 To establish and/or support hunting and shooting reserves, hunting and sports-shooting rights, suitable land, shooting ranges, shooting centres, hunting and or sports-shooting clubs or associations and to assist in the administration thereof if the need arises.
- 4.8.2 To support associations, institutions, and other bodies and where such do not exist, to establish or to assist in the establishment thereof to promote the objects of the Association.
- 4.8.3 To conclude agreements with other like-minded organizations to promote the objects of the Association.

- 4.8.4 To actively cooperate with like-minded organizations in Southern Africa and in other countries in the interest of achieving the objects of the Association.
- 4.8.5 To collect funds, to receive subscriptions, levies, fees allowances and bequests and to acquire income by selling or hiring services, articles, publications, and other items.
- 4.8.6 To obtain publicity and to advertise to make its objects and activities known.
- 4.8.7 To give financial assistance for the exchange between countries or persons who are engaged in hunting and sport shooting, studies, and research on conservation, on sustainable wildlife utilization, the development thereof, coaching and the general conservation of the natural environment.
- 4.8.8 To give financial support for development, training, and coaching and or training programmes, surveys and research concerning sustainable wildlife utilization, conservation, hunting and hunt guiding, and sport shooting in general.
- 4.8.9 To organize field trials, competitions, conferences, seminars, lectures, meetings and coaching and training clinics, and discussions in furtherance of its objects and to give financial assistance in this respect.
- 4.8.10 To negotiate and to cooperate with State and public bodies, sport clubs, sport associations professional societies, educational institutions, conservation organizations and other bodies in the interests of hunting and sport shooting;
- 4.8.11 To purchase, receive, hire, or otherwise acquire land, buildings, and other property, movable or immovable, corporeal, or non-corporeal, and to administer, develop, donate, assign, sell, exchange, lease, pledge or mortgage such property.
- 4.8.12 To lend, put out at interest, invest, or re-invest any monies not immediately required on such conditions as may be considered necessary from time to time.
- 4.8.13 To open and operate bank accounts, including the right to overdraw accounts, to sign, make, accept, endorse, promissory notes, debentures, bills and other liquid or negotiable instruments.
- 4.8.14 To obtain or to borrow money or to guarantee payment of any such amount in any manner and on such conditions as the Association may deem suitable in promoting its objects.

- 4.8.15 To enter into agreements and contracts.
- 4.8.16 To sign and execute deeds and to undertake or execute any representation or trust.
- 4.8.17 To appoint office-bearers and officials and to terminate their services, draw up their conditions of employment, define duties, determine their salaries, compensations, allowance, and other benefits, remunerate them, and incur all expenses necessary for the effective administration of the Association.
- 4.8.18 To act in any other legitimate manner to realize its objects.
- 4.8.19 To bear all expenses incurred in the formation, development, establishment, and registration of the Association.
- 4.8.20 To enjoy such privileges and bear such responsibilities as a natural person engaged in the objects of the Association would enjoy and bear.
- 4.8.21 To carry out all such matters as are wholly or in part connected with or advantageous to the objects set out above, so that the word “Association” when employed in this Constitution otherwise than to designate this Association shall be regarded as including any partnership or other body or association of persons whether incorporated or not, established in South Africa or elsewhere, and in order that the objects set out in each paragraph of this Constitution shall be regarded as distinct and separate objects and, in consequence, shall in no manner be restricted or confined by reference to the objects in any other paragraph or to the name of the Association, but shall be carried out in a manner so complete and liberal and be interpreted in such a broad sense that each of the paragraphs mentioned shall determine the objects of a separate, different and self-contained Association.

5. LEGAL PERSONALITY

The Association will be a body corporate with perpetual succession and may sue and be sued in its own name and may bring applications in South African Courts to protect Natshoot or its members’ individual or collective rights and interests and to join as a party or *amicus curiae* in any court case or application.

6. ACTIVITIES

- 6.1 The income and property of the Association shall be applied solely towards the promotion of its objects as set forth in this Constitution and no portion thereof shall be paid or transferred by way of bonus or dividends or otherwise to members or to any other persons; yet nothing herein contained shall prevent the Association from remunerating any person for services rendered in the interest of the Association.
- 6.2 If, upon termination or dissolution of the Association, there remain, after the satisfaction of all its debts and liabilities, any assets, these shall not be distributed among or be paid to the members of the Association, but shall be transferred to such institution or institutions as may be determined by the Executive Council of the Association before or at the time of dissolution and, in default thereof, by the Minister of Sport or Education or Police (in that order) provided that such body or bodies are authorized to raise contributions under the Fund Raising Act, 1978 (as amended), provided further that such body or bodies pursue objectives similar to those of the Association.

7. EXECUTIVE COUNCIL

7.1 Number:

- 7.1.1 The number of members of the Executive Council shall not be less than 2 (two) and the first Executives to take office upon the coming into force of this Constitution will be as listed in the annexure marked "A1" hereto.
- 7.1.2 Executives shall hold office for life or until resignation.
- 7.1.3 The Executives may, by a resolution passed by a majority of two-thirds of their total number, remove any Executive from office.
- 7.1.4 The members of the Executive Council may fill vacancies on the Council and appoint additional Executives being persons selected based on their personal qualifications and suitability for the office.

7.2 Power and Duties of Executive Council:

- 7.2.1 The business of the Association shall be controlled by the Executive Council, who shall be entitled to exercise all such powers of the Association as are not hereby directed or required to be exercised in General Meetings, but subject, nevertheless,

to any provisions of this Constitution and to stipulations as laid down by the Association in General Meetings.

- 7.2.2 No stipulations laid down by the Association in General Meetings shall invalidate any prior action by the Executive Council which would have, at the time of decision, been valid.

7.3 Powers entrusted to Managers:

- 7.3.1 The Executive Council may, from time to time, entrust to, or confer upon a manager such of their powers as they may deem desirable for a period in their discretion, to be exercised with a view to certain aims and objectives and upon such conditions and with such limitations as they may think proper.
- 7.3.2 These powers shall be conferred either collectively with, or exclusively of all or some of the powers of the Executive Council, and they may, from time to time, withdraw or modify all or some of these powers.

7.4 Advisory Committees:

- 7.4.1 The Executive Council may appoint Committees or Councils consisting of persons qualified to advise them, and may, from time to time, also appoint other Advisory Committees of the Association.
- 7.4.2 Such Committees shall consist of such persons as the Executive Council of the Association may nominate from time to time.
- 7.4.3 The Chairman of the Executive Council shall *ex officio* be a member of any such Committee and any Executive will be entitled to attend the meetings of any such Committee.
- 7.4.4 The powers and authority of such Committees shall be determined by the Executive Council from time to time and the Executive Council may entrust to or confer upon such Committees any of their powers which they may deem fit, and they may confer such powers for such period and to be exercised for such aims and purposes and on such conditions and with such limitations as they may deem appropriate.

7.5 Minutes:

- 7.5.1 The Executive Council shall cause Minutes to be duly entered into the books of the Association.

7.5.1.1 Detailing the names of the Executives present at each meeting of the Council and of each Committee of the Executive Council; and

7.5.1.2 Detailing all resolutions and proceedings of meetings of the Association and of the Executive Council and of the Committees of the Executive Council.

7.6 **Executives entitled to hold other Office in the Association:**

7.6.1 An Executive is not disqualified to act as Executive by virtue of his holding any other office or post within the Association to which a benefit is attached.

7.6.2 Such appointment to an office or post shall be made and the remuneration connected with it shall be determined at a meeting of Executive Council at which the Executives present constitute a quorum and at which the appointment(s) are made with the full consensus of all Executives present.

8. **MEMBERSHIP OF THE ASSOCIATION**

8.1 Membership of the Association is strictly on an individual basis and is restricted to the following categories of membership:

8.1.1 **The Executive Chairman** of the Association.

8.1.2 **Founder Members:** the first members of the Executive Council of the Association as well as such other persons as are nominated as Founder Members by the first meeting of the Executive Council.

8.1.3 **Honorary Members:** persons elected by the Executive Council as Honorary Members in recognition of extraordinary services rendered to the Association or to hunting and or sport shooting in general.

8.1.4 **Life Members:** persons of any age invited by the Executive Council and who have undertaken to comply with the conditions of the Constitution of the Association, or members who have paid a life subscription as determined from time to time by the Executive Council, and who have been accepted as such.

8.1.5 **Regular Members:** persons between the ages of 21 and 59 who are accepted as members of the Association after they have applied to become members of the Association in the prescribed manner and who undertake to comply with the

conditions of the Constitution of the Association, and who pay an annual subscription as is determined by the Executive Council from time to time.

8.1.6 **Senior Members:** persons of 60 years and older who are accepted as members of the Association after they have applied to become members of the Association in the prescribed manner and who undertake to comply with the conditions of the Constitution of the Association, and who pay an annual subscription as is determined by the Executive Council from time to time.

8.1.7 **Junior Members:** persons between the ages of 12 and 20 years who are accepted as members of the Association after they have applied to become members of the Association in the prescribed manner, who have parental approval (12 to 17 years of age), and who undertake to comply with the conditions of the Constitution of the Association, and who pay an annual subscription as is determined by the Executive Council from time to time.

8.1.8 **Dedicated Members:** members who are designated as such by the Executive Council after having complied with the requirements and standards as set from time to time to qualify for this status of membership, with no additional membership fee attached to this category of membership.

8.1.9 **Sponsor Members:** persons, companies, corporations, or other bodies invited by the Executive Council and who have undertaken to comply with the conditions of the Constitution of the Association, who have been accepted as members and who pay an annual subscription as from time to time is determined by the Executive Council.

8.2 **Register of Members:**

8.2 A register shall be kept of members of the Association and each member shall receive a certificate or other proof of his membership for the applicable period. Mailing and or electronically mailing of such proof of the postal address or electronic address of the member shall be deemed as acceptable delivery of the proof.

8.3 **Termination of Membership:**

8.3.1 Subscriptions, if required by the Executive Council, are payable annually in advance, at the end of the month of a member's original month of enrolment in the Association.

8.3.2 Membership shall be terminated automatically after 90 days of notice date if a member fails to pay subscription as set by the Executive Council, after having once been duly notified of such an impending action.

8.3.3 Any member may resign from the Association upon written notification addressed to the Association.

8.3.4 The Executive Council may, at any time in their sole discretion, but on reasonable and motivated grounds, request a member in writing to resign from the Association and a member to whom such a request has been addressed shall, *ipso facto*, cease to be a member within fourteen days (14 days) of the date of such a request.

8.4 **Discipline:**

By accepting membership of the Association, members automatically declare their adherence to the Disciplinary Code of the Association marked as annexure “A2” hereto, which code may from time to time be amended by the Executive Council as required.

8.5 **Membership Fees and Differentiated Payment Methods**

8.5.1 The Association may offer members more than one payment method for the payment of membership fees, including but not limited to electronic funds transfer (EFT) and third-party electronic payment platforms.

8.5.2 The Association may determine different membership fee amounts applicable to different payment methods, provided that:

8.5.2.1 The full membership fee applicable to each payment method is clearly disclosed to members prior to payment; and

8.5.2.2 Such fees are published on the Association’s official communication platforms, including its website and membership portal.

8.5.3 Any fees charged by third-party payment service providers may be incorporated into the membership fee applicable to that payment method.

8.5.4 The Association may, at its discretion, offer discounted membership fees for specific payment methods as an incentive, provided that such discounts are clearly communicated to members in advance.

- 8.5.5 A member shall be deemed to have accepted the applicable membership fee upon selecting a payment method and effecting payment thereof.

9. LIABILITY OF MEMBERS

The liability of the members is limited to the amount of their unpaid subscription and any money which they may otherwise owe to the Association.

10. GENERAL MEETINGS

10.1 Time and Place:

- 10.1.1 An ordinary General Meeting of members of the Association shall be held once in each calendar year, at a time and place as determined by the Executive Council;

- 10.1.2 The Executive Council, however, has the right to convene an Extraordinary General meeting of members whenever it deems fit.

10.2 Notice of Meetings:

- 10.2.1 Notice of any General Meeting of members must be given at least 21 days before such a meeting and must specify the place, the day and hour of the meeting as well as the agenda, and, in the event of special business, the general nature of such business.

10.3 Special Business:

- 10.3.1 All business transacted at an Extraordinary Meeting shall be deemed special, as well as all business transacted at an Ordinary Meeting, accepting the consideration of the accounts and balance sheets and the general report of the Executive Council and Accountants, and fixing of the remuneration for the Accountants.

10.4 Quorum:

- 10.4.1 No business shall be transacted at a General Meeting unless a quorum of members is present at the commencement of such business.

- 10.4.2 Unless otherwise stipulated in this Constitution, the quorum shall be one hundred (100) or more members personally present or having been registered to take part in a virtual meeting (i.e., Zoom or Microsoft Teams webinars) and entitled to vote in accordance with this Constitution.
- 10.5 **No Quorum Present:**
Should there be no quorum within half an hour of the time appointed for the meeting, members personally present or who have registered for the virtual meeting will constitute a quorum.
- 10.6 **Chairman:**

The Chairman of the Executive Council of the Association shall take the chair at every General Meeting of the Association.
- 10.7 **Vice Chairman:**

In the absence of a Chairman, or if he is not present at such a meeting, or is unable to act as Chairman, the Vice- Chairman will act as chairman of the meeting.
- 10.8 **Adjournment:**
- 10.8.1 The Chairman may, with the consent of the members, at any meeting at which a quorum is present (and shall, if so, directed by the meeting), adjourn the meeting from time to time and from place to place.
- 10.8.2 No business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 10.8.3 Notice of an adjournment or of the business to be transacted at an adjourned meeting need not be given.
- 10.9 **Method of Voting and Ratification of Resolution:**
- 10.9.1 At a General Meeting, a vote shall be decided by a show of hands and by electronic voting by members who have registered for a virtual meeting (i.e., Zoom or Microsoft Teams webinars).
- 10.9.2 A statement by the Chairman that a resolution has been carried or rejected by show of hands or by an electronic vote and an entry to that effect made in the minute book of the Association, shall be conclusive evidence of the fact without proof of the

number or proportion of the votes recorded in favour of or against such a resolution having to be provided.

10.10 Counting of Votes:

Scrutinisers shall be elected to determine the result of the by show of hands or by an electronic vote, and their finding as announced by the Chairman, shall be considered the resolution of the meeting concerning that vote.

10.11 Casting Vote of the Chairman:

In the event of an equality of votes, either by show of hand, electronically or by ballot, the Chairman of the meeting at which the vote was taken shall have a second or casting vote.

10.12 Member's right to vote:

Every member personally present at a meeting or who has formally registered to take part in a virtual meeting shall be entitled to one vote, whether the vote is taken by show of hands or by ballot or electronically.

11. TRANSACTIONS OF EXECUTIVES

11.1 Time and place of meetings:

The Executives shall meet at least once every calendar year and they themselves shall appoint the time and place of such meeting.

11.2 Meeting and Vote:

11.2.1 The Executives may meet to transact business and adjourn or otherwise arrange meetings at their own discretion.

11.2.2 Questions arising at a meeting shall be decided by consensus, failing which by majority vote and, in the event of an equality of votes, the Chairman shall have a second or casting vote, provided that more than two members be present.

11.2.3 An Executive may, and, at the request of an Executive, the Secretary shall, call a meeting of Executives at any time.

11.3 Quorum:

For the transaction of business of the Executives, a quorum shall be 2 (two).

11.4 Powers of Executives:

The Executives may, despite a vacancy in their midst, transact business, yet, if and as long as their number does not constitute a quorum as stipulated in this Constitution, the remaining Executives may take steps to increase their number to as required or may call a General Meeting of the Association, but for no other purpose.

11.5 Patrons:

The Executive Council shall have the right, if they deem fit, to nominate one or more patrons of the Association upon such conditions and for such term, as they may consider expedient.

11.6 Chairman and Vice Chairman:

11.6.1 The Executive Council will annually elect a Chairman and Vice-Chairman out of their members for a term of one year.

11.6.2 The Vice Chairman will have all powers conferred upon the Chairman if the Chairman can for whatever reason, not execute his duties.

12. COMMITTEES:

12.1 The Executive Council may confer their powers to Committees, which shall consist of such members as they regard suitable.

12.2 A committee shall, in exercising its powers, comply with such regulations as the Executive Council may stipulate.

12.3 Chairman of Committee:

12.3.1 A Committee established in terms of clause 12.1 above, may elect a Chairman to preside at its meetings.

12.3.2 If such a Chairman has not been elected or, if at any meeting, he is not present within five minutes after the time appointed for holding such meeting, the members present may elect one of their number to be Chairman of that meeting.

12.4 Committee-meeting and Voting:

12.4.1 A Committee established in terms of clause 12.1 may meet and adjourn its meetings at its own discretion.

12.4.2 Matters arising at a meeting shall be decided by majority vote of the members present and, in the event of an equality of votes, the Chairman shall have a second or casting vote, provided that more than two members are present.

13. WRITTEN RESOLUTIONS:

13.1 A resolution in writing signed by the Executive Chairman and such number of Executives as are together with the Chairman sufficient to constitute a quorum, or alternatively, a resolution in writing signed by the majority of the Executive Council of the Association shall be as valid as a resolution of a meeting of Executives duly called and constituted.

13.2 All such resolutions are termed “Executive Resolutions” and must reach the Secretary, without delay, so that it may be entered by him in the Association’s Minute Book and be submitted by him for information to the first meeting of the Executive Council.

13.3 An Executive Resolution shall not be effective if it purports to exercise or authorize any action in respect of which a meeting of the Executive Council previously resolved that it should not be exercised or authorized, unless ratified by a meeting of the Executive Council.

14. EFFECT OF A DEFECTIVE APPOINTMENT:

14.1 All actions taken by a meeting of the Executive, or a Committee of the Executive Council, or a person acting as Executive, shall be valid, notwithstanding that it is discovered thereafter that the appointment of such Executive or that the persons action in such capacity are found to be defective, or that they or one of them had not been eligible for nomination.

14.2 All such actions shall be valid as if every one of such persons had been duly appointed and as if he had been eligible.

15. ACCOUNTS

- 15.1 Books of Account: The Executive Council shall cause proper books of account to be kept.
- 15.2 Safekeeping: the books of account shall be kept at the headquarters of the Association or at such other place or places as the Executive Council may deem fit and shall always be open for inspection by the Executive Council.
- 15.3 Income and Expenditure Account, Balance Sheet, and Reports: the Executive Council shall cause an Income and Expenditure Account, Balance Sheet, and Reports to be drawn up from time to time to be submitted to the General Meeting of the Association.
- 15.4 Accountants: Accountants for the Association shall be elected at the Annual General Meeting of the Association.

16. ELECTRONIC NOTICES

- 16.1 Notices by the Association to members will be sent electronically to the Email address or SMS number provided to the Association by the member.
- 16.2 Any notice sent to a member shall be deemed to have been served on the date on which the notice was sent.
- 16.3 It remains the responsibility of members to notify the offices of the Association of any changes in any of his/her contact details.

17. SIGNING OF DOCUMENTS

- 17.1 Any document to be signed by the Association shall be deemed to have been duly signed if signed by an Executive or any other person duly authorized thereto by the Executive Council.
- 17.2 Instructions to pay, to investment and withdraw funds shall be signed on behalf of the Association by such signatories as the Executive Council may from time to time direct.

- 17.3 Legal proceedings on behalf of the Association shall be instituted and legal proceedings against the Association shall be defended under the duly authorised signature of the Chairman.

18. AMENDMENT OF CONSTITUTION

This Constitution may at any time, be amended or revoked, by a resolution passed by not less than two-thirds of the members personally present or virtually registered at a duly constituted General Meeting of which notice was given in accordance with the provisions of this Constitution specifying the proposed amendment to the Constitution.

19. DISSOLUTION

The Association may be dissolved by a resolution passed by not less than three-quarters of the members personally present or registered to take part virtually at a duly constituted General Meeting of which notice was given in accordance with the provisions of this Constitution.

20. INTERPRETATION

- 20.1 The interpretation of the Constitution and Regulations by the Executive Council shall be final and binding upon all members.
- 20.2 A copy of the Constitution of the Association signed by the Chairman and Executives as a true copy shall be accepted as proof for any purpose/s whatsoever.