

CONSTITUTION OF THE PRETORIA CAGE BIRD CLUB

1. NAME OF THE CLUB

a. The name of the club shall be PRETORIA CAGE BIRD CLUB hereinafter referred to as "the Club". The abbreviation PCBC may also be used when referring to the club.

2. HEADQUARTERS

a. The Headquarters of the Club shall be in a magisterial district of the Tshwane Metropolitan Area.

3. LEGAL PERSONA

a. The Club shall be a separate legal persona, distinct from its members, and capable of suing and being sued in its own name in a court of law.

4. OBJECTIVES

- a. The objectives of the Club shall be as follows:
- i. To study and advance the interests of various breeds of canaries, African, South African and foreign cage and aviary birds, parrot types and budgerigars (hereinafter referred to as cage birds), and to promote their proper care.
 - ii. To promote good fellowship and understanding among members of the Club, and between the Club and other bird clubs and societies,
 - iii. To assist in the advancement of scientific knowledge and accumulation of data on cage birds, and the dissemination of such knowledge and data among members of the Club.
 - iv. To protect the interest of breeders and exhibitors.
 - v. To support and encourage the exhibition of cage birds by holding shows, meetings and lectures.
 - vi. To counteract any fraudulent or dishonourable practice affecting breeders and exhibitors of all cage birds in any way.
 - vii. To acquire and hold in perpetual succession property and, from time to time, to dispose of, mortgage, or otherwise encumber, or in any manner deal with any property or assets in the interests of the Club.
 - ix. To affiliate, act jointly, confer and co-operate with other clubs or societies directly or through a Provincial Association and the South African National Cage Bird Association (SANCBBA) when necessary and in the interest of members of the Club.
 - x. To promote the popularisation of aviculture and public interest in the objectives of the Club.

5. MEMBERSHIP

- a. Membership of the Club shall be open to all persons approved by club members,
- b. The club reserves the right to refuse applications.
- c. The Club shall consist of the following types of members:
 - i. Full members
 - ii. Junior members.
 - iii. Honorary members or patrons.
- d. A member shall pay a membership fee but will have no claim on funds or assets of the Club on termination of membership.

6. LIABILITIES

- a. Membership fees shall be paid annually.
- b. Each member shall be liable for any indebtedness for goods or services supplied by the Club to such a member.
- c. Membership fees shall be determined from time to time in terms of the Club's by-laws.

7. MEETINGS

- a. Ten members of the club shall constitute a quorum at ordinary, annual general and special general meetings. If within half an hour of the appointed time a quorum is not present, the meeting shall continue and the members present at that time shall constitute a quorum.
- b. Minutes shall be recorded for all meetings and shall be ratified for correctness at the following meeting.
- c. An attendance register, wherein the names of those present, apologies and visitors shall be recorded, shall be kept for every meeting.
- d. An agenda shall be prepared for all meetings, and all meetings shall be held according to the agenda. Additions to the agenda may be made at the meeting.
- e. Ordinary meeting shall be held monthly, except in December.
- f. Annual general meetings shall be held no later than August of each year. Special annual general meetings shall be called by the Club committee at the written request of at least seven voting members of the Club.

8. CLUB COMMITTEE

- a. The Club Committee shall consist of elected officers who shall be nominated from club members and elected from year to year at the AGM. Any Club Committee member may be elected for a further term of office.
- b. The elected officers shall be:
 - i. Chairperson.
 - ii. Vice- Chairperson
 - iii. Secretary
 - iv. Treasurer
 - v. Chairperson of the Show Committee.
 - vi. Accounting Officer.
- c. The executive officers (the Executive) of the Club shall be the
 - i. Chairperson,
 - ii. Vice Chairperson,
 - iii. Secretary
 - iv. Treasurer.
- d. The Club shall also elect a President at the Annual General Meeting.
- e. No funds or property shall be distributed to any Office Bearer or committee member other than re-imburement for direct expenses incurred on behalf of the club or for services rendered to the club.

9. DISCIPLINARY CODE

- a. A disciplinary code will be promulgated by the Committee for compliance by all members

10. FINANCIAL YEAR

- The financial year of the Club shall end on 30 June annually.

11. DISSOLUTION

- a. The Club shall not be dissolved if at least seven members should decide to continue and carry on the affairs of the club.
- b. On dissolution of the Club the funds shall, after all liabilities have been met, be disposed of in favour of SANCBA.

12. AMENDMENTS TO THIS CONSTITUTION

- a. Save as otherwise provided, no alteration shall be made to this Constitution except by a two thirds majority of members present at an annual general meeting or special annual general meeting called for this purpose.
- b. Any proposed alteration to this Constitution shall be submitted in writing to the Secretary at least twenty-eight days before the annual general meeting or special annual general meeting called for this purpose not less than twenty-one days after notice has been served.

13. THIS CONSTITUTION CANCELS, SUPERSEDES AND IS SUBSTITUTED FOR ANY PREVIOUS EXISTING CONSTITUTION OF THE CLUB AS FROM THE DATE HEREOF.

EXECUTIVE MEMBERS:

CHAIRPERSON _____

VICE CHAIRPERSON _____

SECRETARY _____

TREASURER _____

RATIFIED BY THE PRESIDENT ON

PRETORIA CAGE BIRD CLUB BYE-LAWS

1. MEMBERSHIP

- a. Disputes in respect of application for membership shall be submitted to the Club Committee for further investigation.
- b. Membership of the Club shall be terminated by:
 - i. Resignation in writing.
 - ii. Failure to effect payment of dues after receiving written notification.
 - iii. Failure to show interest in Club activities.
 - iv. Sanctions imposed by the Disciplinary Committee.
- c. Full members.
 - i. Persons who wish to keep and breed cage birds and participate in shows may apply to join the Club as members.
 - ii. Application shall be made in writing on an enrolment form supplied by the club. The applicant shall be proposed and seconded by two members of the Club. Affiliation fees and the annual membership fee, or such sum as may be determined and laid down, shall accompany the application form.
 - iii. Full members shall be entitled to voice their opinion at meetings and vote on Club matters.
 - iv. Full members shall be entitled to stand for election to Club office.
 - v. To promote enrolment in the Club and to foster interest in aviculture, full members shall attend at least six monthly meetings per year. Apologies tendered on behalf of a member by another member in the attendance register shall be accepted as involvement.
 - vi. Members who live outside the municipal boundaries of the Tshwane Metropolitan Area shall not be expected to attend all meetings but are urged to do so. They shall be entitled to receive Club correspondence by post.
- d. Junior members.
 - i. Provision is made for juniors, desirous of practising aviculture, to join the Club as junior members. Junior members shall be under the age of 18 years as at 1 January of the year for which membership fees are paid.
 - ii. Juniors who wish to keep and breed cage birds and participate in shows may apply in writing to join the Club as junior members.
 - iii. Application shall be made in writing on an enrolment form supplied by the Club. The applicant shall be proposed and seconded by two members of the Club. Affiliation fees and the annual membership fee, or such sum as may be determined and laid down, shall accompany the application form.
 - iv. Junior members shall be entitled to voice their opinion at meetings but shall not be entitled to vote on Club matters.
 - v. Junior members shall not be entitled to stand for election to Club office, but may serve on the Show Committee.
 - vii. To promote enrolment in the Club and to foster interest in aviculture, junior members shall attend at least six monthly meetings per year. Apologies tendered on behalf of a junior member by another junior member or member in the attendance register shall be accepted as involvement. Junior members who fail to attend or to tender apologies for three consecutive monthly meetings shall be deemed to have resigned from the Club.
 - viii. Junior members who live outside the municipal boundaries of the Tshwane Metropolitan Area shall not be expected to attend all meetings but are urged to do so. They shall be entitled to receive Club correspondence by post.

- e. Honorary members. Honorary members (being Club members) who have given exceptional service to the Club or aviculture fraternity may be considered for election to the Club Committee.
- i. Nominations for honorary membership or patrons shall be submitted to the Club Committee at least two calendar months prior to an annual general meeting. Such nomination shall be notified to all Club members in writing at least one month prior to the Annual General Meeting.
 - ii. Appointment of honorary members or patrons shall be ratified by Club members at an Annual General Meeting.
 - iii. Honorary members shall have full voting rights at all Club meetings and shall be entitled to serve on the Club Committee.
 - iv. Honorary members shall be liable for payment of ring fees. The annual membership fees to the Provincial Association and SANCBA shall be paid by the club.
 - v. Honorary members shall be appointed for a period of three years which may be extended by a similar period if so desired. The status of all existing Honorary members to remain as is until termination.
- f. Patrons. Patrons (being non-Club individuals) who have rendered exceptional service to the Club or aviculture fraternity:
- i. Nominations for patrons shall be submitted to the Club Committee at least two calendar months prior to an annual general meeting. Such nomination shall be notified to all Club members in writing at least one month prior to the Annual General Meeting.
 - ii. Appointment of patrons shall be ratified by Club members at an Annual General Meeting.
 - iii. Patrons may be considered for election to the Club Committee.
 - iv. Patrons shall be entitled to voice an opinion on any Club matter but shall not be entitled to cast a vote at any meeting.

2. RIGHTS AND RESPONSIBILITIES OF MEMBERS

- a. When joining the Club, each member shall receive a copy of the Club Constitution and by-laws and shall be required to update them from time to time.
- b. Each member shall have the right to vote at all meetings, subject to payment of annual membership fees.
- c. Renewals of membership fees shall be due on the date of the July Club Meeting of each year.
- d. A member who fails to pay membership fees within two months from the due date, after receiving written notification and failing to respond to such notification within twenty-one days, shall cease to be a member of the Club. Members who, however, pay their membership fees after the due date but within the two months grace shall pay a penalty of 10% (ten percent) per month.
- e. Members whose membership has been cancelled due to non-payment of the membership fees shall be required to re-apply for membership and the prescribed enrolment fee shall again be payable.
- f. Members shall be responsible for the due observance of all articles and by-laws of the Club Constitution and shall be deemed to have full knowledge thereof at all times.
- g. Written notice of resignation from the club shall be given by the member to the Secretary, and the member shall be entitled to a clearance certificate provided he/she qualifies.

- h. A member shall have no claim on funds or assets of the Club on termination of membership.
- i. All funds of PCBC are subject to the control of the Committee. All funds shall be applied for the purpose of giving effect to the objective of PCBC.
- j. The Committee will issue instructions to the Treasurer regarding utilisation of the funds.
- k. No single item of expenditure shall be paid from the Club's funds unless such expenditure has been authorized by members of the Club.
- l. No Office bearer or Committee member shall have any claim on the funds or property of the club.
- m. No funds or property shall be distributed to any Office Bearer or committee member.

3. ANNUAL MEMBERSHIP FEES AND SUBSCRIPTIONS

- a. Annual Membership fees and subscriptions shall be due by the July meeting of each year and shall be as follows:
 - i. Member R250-00 per year
 - ii. Concession Fees are to be determined by the Club Committee
 - iii. Enrolment Fees (All new members on joining) are to be determined by the Club Committee.
 - iv. New members joining in January and thereafter shall be required to pay the portion of the annual subscription for the remaining months.
 - v. An amount of R10,00 may be credited against the following year's annual fee to the account of the member introducing a new member should the member so request.

4. CLUB RINGS

- a. Rings shall be closed, numbered and, dated aluminium rings in the colour of the year as determined by SANCBA.
- b. Rings shall only be issued to bona fide paid up members of the Club who have paid the full annual membership fee irrespective of their date of joining.
- c. Transfer of rings shall not be permissible without the knowledge of the Treasurer in writing.
- d. Surplus rings may be returned to the Treasurer for issue to other members, without refund, if required.

5. SHOWS

- a. Shows refer to the organised exhibition of cage birds by the Club or specialist sections of the Club, according to the rules of SANCBA.
- b. A specialist section may run a specialist section of a show.
- c. The Club may hold closed shows as the Club Committee deems expedient. It shall be left to the discretion of the Show Committee to offer special prizes to be competed for at shows to be approved by the Club Committee. Members may suggest alternatives during ordinary meetings.

6. AFFILIATION FEES AND LEVIES

- a. Affiliation fees and levies refer to those moneys due to SANCBA and Provincial Body by the club as determined by those bodies from time to time.
- b. Affiliation fees shall be paid over on 31 July of the year but no later than 30th September of the year.

c. Annual levies shall be based on the number of paid up members as at 31st July of the year and shall be paid over not later than 30th September of the year, accompanied by a comprehensive list of Club members.

7. MEETINGS

- a. All matters arising from meetings shall be decided by majority vote of half of the members present plus one and, in the case of an equal division of votes, the chairperson shall have the casting vote.
- b. At an ordinary meeting, members shall indicate their choice by a show of hands.
- c. Should any member object to a show of hands, however, voting shall continue by closed ballot.
- d. At annual general meetings and special annual general meetings, voting shall take place by means of closed ballot.
- e. Members not able to attend may vote by proxy, which shall be submitted to the Secretary prior to the meeting.
- f. Matters discussed and finalised at a previous meeting may not be re-opened for discussion at subsequent meetings by any member who was absent from the meeting at which the matter was discussed and finalised.

8. MATTERS FOR DISCUSSION AT MEETINGS

- a. Ordinary monthly meetings
 - i. The order of business at an ordinary meeting shall include:
 - (a) Opening by the chairman.
 - (b) Additions to the agenda.
 - (c) Confirmation of previous minutes.
 - (d) Matters arising from previous minutes.
 - (e) Financial report.
 - (f) New members.
 - (g) Minutes of the national and provincial bodies.
 - (h) Correspondence.
 - (j) New matters.
- b. Annual general meetings
 - i. Notification of an annual general meeting shall be given in writing to all members by the Secretary at least twenty-eight days prior to the meeting.
 - ii. Matters for discussion at the annual general meeting shall be given in writing to the Secretary at least forty-five days prior to the meeting.
 - iii. An agenda for an annual general meeting shall be given in writing to all members by the Secretary at least fourteen days prior to the meeting.
 - iv. An annual general meeting may immediately precede or follow on any ordinary meeting, but shall be recorded separately.
 - v. Business of the annual general meeting shall be:
 - (a) Welcoming address by the Chairperson.
 - (b) Confirmation of the minutes of the previous annual general meeting and any special annual general meeting held in the interim.
 - (c) Matters arising.
 - (d) Chairperson's report.
 - (e) Treasurer's report (to include a detailed income and expenditure account, verified balance sheet for the previous year or interim period, and a proposed budget for the new financial year.

- (f) Confirmation of annual fees.
- (g) Honoraria.
- (h) New matters as per written notice.
- (i) Election of new office-bearers.

c. Special Annual General Meetings

- i. A special annual general meeting shall be convened within forty-two days of receipt of such a request.
- ii. Only matters for which such a special annual general meeting has been called may be dealt with and finalised.
- iii. A special annual general meeting may immediately precede or follow on an ordinary Club meeting but shall be recorded separately.

9. POWERS AND DUTIES OF THE CLUB COMMITTEE

- a. The Club Committee shall meet monthly, except in December.
- b. To nominate members, confirmed at a Club meeting, to represent the Club on a body and in the capacity that is desirable or necessary for the Club to be represented.
- c. To make and enforce by-laws, confirmed at a Club meeting, not inconsistent with the terms of this Constitution.
- d. To appoint, from time to time, such sub-committees or to co-opt additional members for such purposes as deemed fit and proper.
- e. To undertake such activities not in conflict with this Constitution which, in the opinion of the Club Committee appear to be in the interests of the Club.
- f. To ensure that no single item of expenditure shall be paid from Club funds, unless such expenditure has been authorised by the Club Committee or the Executive and confirmed by a meeting.
- g. The Chairperson. The Club Chairperson or, in his/her absence, the Vice-Chairperson, shall be responsible for the management of the Club through the Club Committee.
- h. The Chairperson or, in his/her absence, the Vice-Chairperson, or if neither are present, the President, shall preside at all meetings and shall sign minutes as by usage and custom appertaining to the office.
- i. The Chairperson shall be one of the co-signatories of financial transactions.
- j. The Secretary. The Club Secretary shall:
 - i. Keep such records as may be prescribed by the Club.
 - ii. Receive requests to issue notice of meetings.
 - iii. Attend meetings and record minutes of the proceedings.
 - iv. Deal with correspondence of the Club, keeping a record of correspondence received and copies of letters dispatched since the last meeting.
 - v. Keep record, showing the names, addresses and dates of enrolment of every member of the Club, and a record of resignation or expulsion of members.
 - vi. Be responsible for all secretarial work of the Club.
 - vii. The Secretary shall be one of the co-signatories of financial transactions.
 - viii. In the absence of the Secretary a member shall be deputised to record the proceedings of the meeting.
- k. The Treasurer. The Club Treasurer shall:
 - i. Keep books of the Club with reference to all financial matters, assets and liabilities.
 - ii. Open a bank account with a commercial bank in the magisterial district of the Tshwane Metropolitan Area in the name of the Club and manage all financial

matters with his/her co-signatories. Said banking account should include electronic banking facilities.

- iv. Receive membership fees and any other moneys.
 - v. Issue the Club's official receipts of all moneys received which shall be banked within seven days of receipt thereof.
 - vii. Prepare and submit financial statements for the Club Committee and ordinary Club meetings.
 - viii. Prepare a detailed statement of income and expenditure and a verified balance sheet for the past financial year, which shall be laid before the annual general meeting of the Club.
 - ix. Keep a proper record of all rings issued to Club members.
 - x. Prepare a draft budget for the following year not later than 1 July (for perusal by the Club Committee) for approval at annual general meeting.
 - xi. Calculate fees for next budget year.
- l. The President. The Club President shall:
- i. Chair meetings in the absence of the Chairperson/Vice Chairman.
 - ii. Interpret and enforce the Constitution.
 - iii. Initiate the constitution of the Disciplinary Committee (consisting of at least three members) with the approval of the Club Committee.
 - iv. Chair disciplinary hearings.
 - v. Act as ombudsman for internal Club matters.
 - vi. Perform duties pertaining to Club matters only.
 - vii. Annually ratify the Constitution.
- m. The Chairperson of the Show Committee. The Chairman of the show Committee shall:
- i. Attend all Club Committee meetings.
 - ii. Bear responsibility for all matters concerning shows hosted by the Club for his/her term of duty in accordance with SANCBA rules.
 - iii. Initiate the constitution of the Show Committee.
 - iv. Bear responsible for financial matters pertaining to shows.
 - v. Prepare a budget for shows.
 - vi. Submit a detailed income and expenditure sheet for each show.
 - vii. Account for all profits or losses in the final official Club statements.
 - viii. Prepare and submit financial statements for the Club Committee and ordinary Club meetings.
 - ix. Ensure that all moneys received in regard to any show are banked within seven days of receipt.
- n. The Accounting Officer. The Accounting Officer shall audit and check on the finances of the Club.

10. DISCIPLINARY ACTION

- a. All complaints against members shall be made in writing to the Secretary of the Club, who shall submit them to the Chairperson of the Disciplinary Committee as soon as possible.
- b. Any member of the Club against whom a complaint has been lodged shall be entitled to a fair and proper hearing, and shall be given a "Notice of Disciplinary Inquiry" detailing such complaint against him/her at least twenty-two days prior to such a hearing.
- c. The member shall sign a copy of the "Notification of Disciplinary Inquiry".

d. The member shall be advised of his/her right to avail himself/herself of the services of an interpreter, the right to be represented by a fellow member of the Club and the right to call witnesses.

e. The proceedings shall be recorded and the member may call witnesses, may cross-examine the Club's witnesses and may see any documents used in the inquiry.

f. The Chairperson of the Disciplinary Committee shall take a decision after all facts/sides have been heard. If the member is found guilty of the offence, he/she shall be given a warning or be expelled from the Club if the nature of the offence warrants severe action.

g. If the member wishes to appeal against the sanction given, he/she member shall lodge a written appeal within twenty-two days after receiving the notification of the sanction.

h. At the appeal hearing no new witnesses shall be permitted.

11. GENERAL

a. Members collecting/paying in more than R200,00 towards Club finances (except fundraising drives initiated through the Club) in cash or kind in any financial year, may allocate 20% (twenty percent) of the total amount to any Club facility which the member deems fit.

b. The allocated amount may not be removed from the Club financial account but may, for example, be utilised for prizes for a specific specie etc. at a club show, be allocated towards the member's annual membership fees for the next financial year.

c. Allocations may not be made for facilities beyond the next financial year.

12. KEEPING OF INDIGENOUS BIRDS (This section should be scrapped in toto as the proposed system of graded permits was not implemented by Gauteng Nature Conservation)

a. Any member or new member who join the Club and who is not in possession of any permit for the keeping of indigenous birds in captivity and who applied to be issued with a permit for the first time shall qualify for a class "A" permit.

b. A member who has been in possession of a class "A" permit for at least one year and has successfully maintained all species of class "A" on his permit may apply for a class "B" permit.

c. A member who has been in possession of a class "B" permit for at least one year and has successfully maintained all species of class "A" and "B" may apply for a class "C" permit.

d. A member who has been in possession of a class "C" permit for at least one year and has successfully maintained all species of class "A", "B" and "C" may apply for a class "D" permit.

e. Any member from above categories who has successfully captive bred all species on his permit may apply to be registered as a breeder and may be supplied with a selling permit to sell any of the captive bred stock of the species on his permit.

13. AMENDMENTS TO THESE BYE LAWS

a. Save as otherwise provided, no alteration shall be made to this Constitution except by a two thirds majority of members present at a normal monthly meeting.

b. Any proposed alteration to these Bye Laws shall be submitted in writing to the Secretary at least twenty-eight days before the meeting.

c. Notification of proposed alterations will be given by the secretary not less than twenty-one days after notice has been served.

14. THESE BYE LAWS CANCEL, SUPERCEDE AND ARE SUBSTITUTED FOR ANY PREVIOUS EXISTING BYE LAWS OF THE CLUB AS FROM THE DATE HEREOF.

EXECUTIVE MEMBERS:

CHAIRPERSON _____

VICE CHAIRPERSON _____

SECRETARY _____

TREASURER _____

RATIFIED BY THE PRESIDENT ON NOVEMBER 2013.