



## CONSTITUTION OF ADOPT MORELETASPRUIT FORUM

### 1. NAME

1.1. The name of the organization is: **Adopt Moreletaspruit Forum.**

### 2. OBJECTIVES OF FORUM

2.1. **Main objective:** To create awareness of the value of the Moreletaspruit and all the tributaries within its catchment as well as their riparian zones and wetlands and to provide an opportunity for the community to volunteer their support and assistance in conserving and improving the Spruit, its tributaries, riparian zones and wetlands to a state that is an asset to the people of the City of Tshwane.

#### 2.2. Ancillary objectives:

- 2.2.1. To assist the relevant authorities in drafting and implementing an Environmental Management Plan (EMP) for the Moreletaspruit, and all its tributaries, riparian zones and wetlands within the catchment.
- 2.2.2. To promote an understanding amongst the members of the Forum and everyone who lives and works in the catchment of the Moreletaspruit that most of the land-use activities within the catchment may affect the resource quality of the Spruit, its tributaries, riparian zones and wetlands within the catchment.
- 2.2.3. To create a forum for its members and other interested and affected parties and persons to assist the relevant authorities in restoring the Moreletaspruit, its tributaries and their riparian zones as well as wetlands within the catchment to the best possible ecological state and maintaining them so that they can serve as a wildlife refuge for indigenous fauna and flora.
- 2.2.4. To provide opportunities for members of the Forum, communities, educational institutions, businesses as well as other interested parties to be involved in restoring and maintaining the Moreletaspruit and its tributaries, riparian zones and wetlands within the catchment in the best possible ecological state.
- 2.2.5. To help, in co-operation with the relevant authorities and with participation of the members of the Forum and other interested and effected parties and persons, in identifying pollution and other environmental problems in the Moreletaspruit, all its tributaries riparian zones and wetlands within the catchment, and to assist in finding solutions to these problems.
- 2.2.6. To assist in co-operation with the relevant authorities, in co-ordinating activities of members of the Forum and volunteer interest groups and persons in the Moreletaspruit catchment according to an approved Environmental Management Plan.
- 2.2.7. To assist in creating a pleasant recreational zone where residents can enjoy activities such as birding, hiking and cycling.

- 2.2.8. To provide opportunities for communities, educational institutions and businesses to be involved in education and research related to water resource quality and quantity and ecosystem health management.
- 2.2.9. To monitor the Moreletaspruit and its tributaries in the spirit of citizen scientists and to report to the relevant authorities and other interested and effected parties on the water resource quality and the health of its ecosystems.
- 2.2.10. To provide a platform for reporting and sharing of information on interesting sightings, monitoring results and problems.

### **3. POWERS DUTIES AND FUNCTIONS**

- 3.1. The powers, duties and functions of the Forum shall be to do what is necessary to give effect to the objectives of the Forum.

### **4. MEMBERSHIP**

- 4.1. All parties and persons interested the well-being and management of the Moreletaspruit and its tributaries, riparian zones and wetlands within the catchment of the Spruit, including the relevant authorities, organizations, members of the public, all educational institutions as well as the business sector are welcome to become members of the Forum.
- 4.2. Members shall complete and sign a membership application form signifying commitment to the mission statement and objectives of the Forum.
- 4.3. Members will have no rights to the property or other assets of the organisation solely by virtue of their being members of the Forum or management committee.

### **5. ORGANIZATIONAL STRUCTURES AND MECHANISMS FOR GOVERNANCE**

- 5.1. The Forum shall act as a body corporate and have an identity and existence distinct from its members and office bearers.
- 5.2. The Forum may be affiliated to appropriate programmes of the organs of state responsible for water resource management and other organizations such as the existing Adopt-a-River Programme of the National Department of Water and Sanitation (DWS) and to the Wildlife and Environmental Society of South Africa (WESSA) in order to ensure support and provision of existence notwithstanding changes in the composition of its membership.
- 5.3. The Forum shall be managed by a Management Committee, which is responsible for the management of the affairs of the Forum.
- 5.4. A committee including a Chairperson, Secretary, Treasurer and other office-bearers shall be elected for a term of four years at an Annual General Meeting (AGM).
- 5.5. The Chairperson chairs the Management Committee meetings and the AGM's, and if he/she is absent or cannot chair it another member of the Management Committee will chair the meeting concerned.
- 5.6. Management committee meetings shall not be more than 90 days apart.
- 5.7. Nominations for a Chairperson, Secretary, Treasurer and other office-bearers shall be submitted in writing to the Secretary at least ten days before the AGM, giving proposer, seconder and the written agreement of the nominee. Nominations may also be proposed and seconded at the AGM.

- 5.8. The Forum undertakes to hold an Annual General Meeting (AGM). The following business shall be transacted at the AGM:
  - 5.8.1. Presentation of the Chairman's Annual Report
  - 5.8.2. Presentation of the financial statements
  - 5.8.3. Discussion and formal acceptance of these reports
  - 5.8.4. Election of committee members when due.
  - 5.8.5. Any other business that the chairman at his/her discretion may allow.
  - 5.8.6. Each registered member, whether an individual or an organisation, will have one vote and a quorum of not less than 10% will be required. By prior arrangement a proxy vote will be accepted.
- 5.9. Regular business meetings, training sessions as well as other appropriate events shall take place to share skills and ideas amongst members and with the public
- 5.10. Minutes shall be kept of all business meetings and AGMs.
  - 5.10.1. Special General Meetings may be held if requested by members of the Forum or the Management Committee.
  - 5.10.2. The code of conduct for the Management Committee members or members of the Forum defines that if any member of the Forum should act against the mission statement or objectives of the Forum, his/her membership may be terminated.

## **6. FINANCIAL RESPONSIBILITIES**

- 6.1. The Forum may open and operate an account in its own right with a commercial bank. All moneys accruing to the Forum shall be administered wholly by the Forum.
- 6.2. The Forum may levy an annual subscription to cover administration costs. Alterations to this amount must be ratified at the next AGM.
- 6.3. The Forum may collect monies and other donations from members and the general public and other organizations to fund specific projects related to the management of the Moreletaspruit and the tributaries within the catchment including riparian zones and wetlands.
- 6.4. The Forum shall keep a proper set of accounts and submit an audited financial statement at each AGM.
- 6.5. Provision shall be made for the Forum's financial transactions to be conducted by means of a banking account.
- 6.6. The end of the Forum's financial year shall be the end of March of each year.

## **7. LIABILITY AND LEGAL ACTIONS**

- 7.1. Members or office-bearers shall not be liable for any of the obligations and liabilities of the Forum solely by virtue of their status as members or office-bearers of the Forum.
- 7.2. Members or office bearers may not singularly institute or defend legal action in the name of the Forum.
- 7.3. Office-bearers shall not be personally liable for any loss or injury suffered by any person because of an act or omission which occurs in good faith while the office-bearer is performing functions for or on behalf of the Forum.
- 7.4. The Forum shall have no legal power in itself, but shall refer environmental transgressions to the relevant authorities.

## **8. AMENDMENTS TO THE CONSTITUTION**

- 8.1. Shall only be possible by a majority decision of members present at an AGM.
- 8.2. Shall be clearly set out in a written memorandum with reasons for this amendment submitted with a notice and agenda of the AGM to all members.
- 8.3. May, if the Management Committee considers that the matter is urgent, be dealt with prior to the AGM by polling members using an electronic or postal vote. In such a case, a “no response” will be deemed to be to a “yes response” i.e. no response will be taken as a “yes”. A “negative response” must be recorded by electronic or postal statement.
- 8.4. May be modified at the AGM if in discussion of the proposed amendment, a majority is in favour of such a modification to the proposed amendment.

## **9. DISSOLUTION**

- 9.1. In the event of the cessation of the existence of the Adopt Moreletaspruit Forum, all assets not already committed for use of projects related to the management of the Spruit shall be entrusted to the responsible authorities or to the Friends of the Moreleta Groups affiliated to WESSA until the Forum is reconstituted. Should the decision be that the Forum not be reconstituted, such assets shall be used in the project/subject for which they were originally raised.