

Constitution and Rules



1 Preliminaries

1.1. Name of the Association

The full name of this Association is the “Groundwater Association of KwaZulu-Natal” and abbreviated to the "GAKZN".

1.2. Administrative Offices

The administrative office of the GAKZN shall be the office of the Secretary or any such place as the Executive Committee of the GAKZN may decide.

2 History and Purpose

2.1. History

The GAKZN was established in 1995/96 as a non-profit organization and was an association representing its members to promote groundwater awareness and to share information among the members. The members who played key roles during the formation of the GAKZN included Theo van Niekerk, who was the first GAKZN Chairman, *inter alia* other respected individuals within the groundwater community, such as Muller Retief, Dr Rodney Maud, Bradley van Blomenstein, Selwyn Govender, Charles Goodspeed, Richard Duckworth, Bevan Winn, Craig Jones, Rob Bell, Mario Toniolo and Ian Jackman, just to name a few. The inaugural GAKZN meeting was held on the 29th of February 1996 and was attended by 51 members.

2.2. Purpose

The GAKZN has centred its activities around the following:

- To build a sense of community amongst like-minded members of the groundwater industry in KwaZulu-Natal,
- To act as a conduit for sharing, transfer and dissemination of relevant scientific and technical groundwater data and information between the industry, the Regulatory Authorities, Water Service Authorities, Water Service Suppliers, Consultants and the General Public,
- To promote the advancement of the science and technology around groundwater development, and
- To create awareness around protection and sustainable management of groundwater resources.

3 Divisions, Membership and Voting Rights

3.1. Divisions:

Essentially six (6) divisions have been incorporated into the membership structure. These are as follows:

- Consultants Division
- Drilling Division
- Yield Testing Division
- Suppliers Division
- Services Division
- Institutional Division

3.2. Membership:

3.2.1. Members wanting to join the GAKZN can apply for membership as Ordinary, Individual and Student members.

3.2.2. It is compulsory that Ordinary and Individual members specify at least one division (listed under 3.1 above) during the application process and provide proof of professional registrations, affiliations and relevant experience.

3.2.3. The Executive Committee will determine the placement of members based on the information supplied.

3.2.4. Ordinary members: Shall be Corporate Members whose subscriptions to the GAKZN are fully paid. Ordinary Members may apply to the Executive Committee for membership to more than one Division and if such membership is granted, the Ordinary Member will be required to pay an additional subscription for each additional Division listing.

3.2.5. Individual members: Shall be individual members associated with the groundwater industry not represented by Corporates in the Ordinary Membership category whose subscriptions to the GAKZN are fully paid.

3.2.6. Student members: Shall be bona fide students who are registered at a recognised institution for higher education and who are under the age of 26 whose subscriptions to the GAKZN are fully paid.

3.2.7. Honorary members: Shall be special individuals whom the GAKZN, through the Executive Committee, desires to honour for outstanding service in the field of groundwater.

3.3. Voting Rights

3.3.1. Shall be limited to one representative of each Ordinary Member of the GAKZN provided that subscriptions are paid up.

4 The Executive Committee

4.1. The Executive Committee of the GAKZN shall consist of a Chairman, a Secretary, a Treasurer and a representative of each of the Divisions of the GAKZN.

4.2. The Executive Committee shall be elected from representatives of Ordinary Members of the GAKZN only.

4.3. Representatives of all Ordinary Members will be eligible for election provided that such individuals undertake to regularly attend meetings of the Executive Committee.

4.4. Representatives of Ordinary Members of the GAKZN shall elect the Executive Committee.

4.5. The term of office shall be two (2) years and shall not exceed two (2) consecutive terms of office. A period of one (1) year must elapse prior to standing again for nomination to EXCO. Further, it is required that each member of the Executive Committee shall retire at the end of his/her first term of office but shall be eligible for a second consecutive term.

4.6. A notice calling for nominations to the Executive Committee shall be sent to the Members of the GAKZN not later than 1 February annually, where positions become available after members have served their respective terms.

4.7. All nominations to be supported by two members from different companies, both of whom must be representatives of Ordinary Members, shall be lodged not later than 1 March of the same year with the Secretary of the GAKZN. A motivation must accompany the nomination.

4.8. Provided that the number of nominations exceeds three (3), the Executive Committee shall forward a ballot list of valid nominations to all Members at least 10 days prior to the Annual General Meeting of the GAKZN.

4.9. Duly completed ballot lists shall be returned to the Secretary of the GAKZN to reach him/her not later than ten (10) days before the Annual General Meeting of the GAKZN.

4.10. Votes shall be cast for not more than three of the nominees.

4.11. The Executive Committee shall appoint office bearers from amongst its duly elected members.

4.12. Office bearers and members of the Executive Committee shall hold office until the names of their successors have been announced at the Annual General Meeting.

4.13. The duties of the Executive Committee shall be to manage the affairs of the GAKZN in the interest of the Members of the GAKZN and in accordance with its own Constitution.

4.14. A quorum of the Executive Committee shall comprise four (4) members.

4.15. In the event of a vacancy occurring on the Executive Committee, the Executive Committee may, at its discretion, either continue with a reduced membership (provided that the quorum requirement is satisfied) or alternatively co-opt a representative of the appropriate Ordinary Member to serve on the Committee.

4.16. The Executive Committee shall have the right to co-opt Members to assist with the running of the affairs of the GAKZN. Such co-opted Members will, however, have no voting power on the Executive Committee.

4.17. The Chairman of the Executive Committee or an alternate suitable member of the Committee shall represent the GAKZN at the Ground Water Division meetings.

5 Annual General Meeting

5.1. The Annual General Meeting

5.1.1. The Annual General Meeting of the GAKZN shall take place within the first quarter of each year to consider the Chairman's Report, the Financial Statement, to announce the names of the newly elected members of the Executive Committee and to conduct any other business allowed by the Chairman.

5.1.2. A quorum shall be ten (10) Members.

5.1.3. Members shall be notified of the meeting at least 21 days in advance thereof by the Secretary.

5.2. Extraordinary General Meeting

5.2.1. Extraordinary General Meetings may be called at any time by the Executive Committee of the GAKZN or by a petition signed by not less than ten (10) Members provided that 21 days notice is given by the Secretary to the Members.

5.2.2. The nature of the business and resolutions to be considered shall be sent to Members with the notice of the Extraordinary General Meeting.

6 Finance

6.1. Membership dues shall be set by the Executive Committee.

6.2. All funds raised by the GAKZN shall be used in the interest and promotion of the GAKZN.

6.3. The financial year shall run from 1st March to 28/29th February.

6.4. The funds of the GAKZN shall be deposited in a bank or institution or invested in a manner approved by the Executive Committee

6.5. A minimum of two (2) members of the EXCO to be nominated as signatories on the bank account. A third signatory can be nominated at the discretion of the EXCO.

7 Branches

7.1. The GAKZN, through the Executive Committee, may establish Branches of the GAKZN on the request of Members in regions where this is considered feasible/desirable/appropriate.

7.2. A Branch shall be represented by a Member based in the region.

7.3. The Branch representative shall be elected by Members of the GAKZN.

7.4. The term of office shall be two (2) years and shall not exceed two (2) consecutive terms of office. Further, it is required that a Branch representative shall retire at the end of his/her first term of office but shall be eligible for a second consecutive term.

7.5. A notice calling for nominations for a Branch representative shall be sent to Members not later than 15 February annually.

7.6. All nominations for a Branch representative, duly signed by a Proposer and a Seconder (both of whom must be Members), shall be lodged not later than 1 March of the same year with the Secretary of the Division.

7.7. Provided that the number of nominations exceeds one (1), the Executive Committee shall forward a ballot list of valid nominations to Members at least 15 days prior to an Annual General Meeting of the GAKZN.

7.8. Duly completed ballot lists shall be returned to the Secretary of the GAKZN to reach him/her not later than ten (10) days before an Annual General Meeting of the GAKZN.

7.9. Votes shall be cast for not more than one (1) of the nominees.

7.10. A Branch representative shall hold office as an ex officio member of the Executive Committee until the name of his/her successor has been announced at an Annual General Meeting.

7.11. The Branch representative shall keep an updated register of all Branch members.

7.12. The Branch representative shall keep a financial record of income and expenditure related to all activities of the Branch. This shall form the basis of a Financial Statement to be provided to the Secretary of the GAKZN together with a Branch Representative's Report for tabling at an Annual General Meeting.

8 General

8.1. Key alterations or amendments to the Constitution of the GAKZN shall be made by the EXCO and distributed to all GAKZN Members for an opportunity to review and to comment across a period of 21 calendar days. All relevant comments and suggestions received, will be

discussed and voted on by the EXCO prior to finalisation. In the instance that no comments are received from GAKZN members within the 21 day period, all proposed changes will be accepted and the revised constitution will be finalised and signed off by members of the EXCO.

8.2. On dissolution of the GAKZN, any assets left after settlement of debts shall be transferred to the successor organization.

8.3. The Executive Committee may prepare Rules for the conduct of the business of the GAKZN.

8.4. The Secretary of the GAKZN shall keep an updated list of Members (both active and inactive).

8.5. Members not renewing their GAKZN membership after three (3) consecutive months shall have their contact information removed from all website postings.

8.6. The Executive Committee may from time-to-time award a Certificate of Merit or any other award to any individual or organization that, in the opinion of the Executive Committee, has made a significant contribution to the advancement of the science and technology around groundwater development or sustainable management. These shall be presented at a suitable occasion to be decided by the Executive Committee.

9 Rules

9.1. Membership of the GAKZN is conditional on Members agreeing to uphold the General Code of Conduct and accepting decisions and rulings of the Executive Committee unconditionally.

9.3. Every membership applicant shall be duly notified by the Secretary when accepted but shall only be confirmed as a Member on payment of the duly applicable subscription fee to the GAKZN, following which, a certificate of membership will be issued.

9.4. Any member of the Executive Committee who does not demonstrate reasonable and regular attendance to the Executive Committee meetings shall be expected to resign from office.

9.5. Members of the GAKZN shall notify the Secretary and/or the Treasurer in writing of any change of address.

9.6. Annual subscription fees shall become due in advance on 1st March of each year and payable within 30 days.

10 General Code of Conduct

In order to support the GAKZN's commitment to promote and advance the science and technology around groundwater development and sustainable management, all Members must accept responsibility for their own actions, and the actions of their staff or representatives and ensure compliance with the General Code of Conduct outlined below:

Each Member will:

10.1. Conduct their business within their respective disciplines, qualifications and experience with reasonable care and skill.

10.2. Besides complying with the General code of conduct of the GAKZN, Professional consultants must in addition abide by the code/s of conduct/practice prescribed by their respective professional bodies i.e., SACNASP, EAPSA, ECSA etc.

10.3. Act professionally and ethically at all times, taking the reasonable interests of all stakeholders into account.

10.4. Ensure that individuals, contractors, vendors working for the Member will be accountable for their conduct.

10.5. Conduct their business in a manner that is fair and in particular does not mislead anyone or misrepresent the products or services offered.

10.6. Not knowingly supply a defective or dangerous product or service.

10.7. Take reasonable account of the interests of the community in which it operates.

10.8. Respect Client confidentiality.

11 Breach of Conduct

11.1. Any Member reported to be in breach of the Code of Conduct of the GAKZN will be notified of the alleged breach by the Chairman and given 14 days' notice to submit his/her comment on the alleged breach or misconduct in writing to the Chairman.

11.2. The Chairman will notify the Executive Committee of the issue and call a meeting of the Committee and the Member in question. Rules.

11.3. At this meeting the Member in breach will be given opportunity to make representation to the Committee to refute the claim of breach and allow members of the Executive Committee to pose questions relevant to the issue.

11.4. The Executive Committee will thereafter have an opportunity to deliberate on the issue and will by majority vote decide on whether or not to terminate the membership of the Member in question.

11.5. The Chairman will thereafter communicate this decision to the Member within 7 days of the meeting and if the Member was found to be in breach of the Code of Conduct his/her membership will be terminated with immediate effect.

11.6. Notice of termination of membership will be circulated to all Members and posted on the GAKZN website.

Signed at Durban on 15 November 2024

	
Sagadevan Kisten	Andile Gumede
Chairman	Secretary