

**SOUTH AFRICAN BOARD FOR COMPANION
ANIMAL PROFESSIONALS**

AMENDED CONSTITUTION
(Amended 30 January 2020)

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NAME OF THE BOARD

The name of the Board is the South African Board for Companion Animal Professionals.

DEFINITIONS

“Board” - means the South African Board for Companion Animal Professionals (SABCAP) as established in Section 1.1 of this Constitution, which Board is the regulating body of qualifying practitioners, who render a service to the companion animal industry in South Africa.

“Companion animal industry” - relates to services rendered to the public in the keeping and care of companion animals and includes services of behaviourists, welfare organisations, groomers, animal-assisted activity practitioners, handlers of animals used for security, breeders, trainers, shop owners providing stock to companion animal owners and nutritionists.

“Companion animal” - means an animal living in the company of people and that provides company to humans.

“Companion animal professional” - means a practitioner who holds certain minimum qualifications and experience as contemplated in Section 5, and who is rendering a certain professional standard of service.

“Executive Committee” - means members elected, per category, to manage the day to day matters related to the Board

1. SECTION 1

ESTABLISHMENT AND OBJECTIVES OF BOARD

1.1 Establishment of Board and address

The South African Board for Companion Animal Professionals (SABCAP) was established on 4 February 2006 and the address of the Board was, at the date of adoption of the Constitution, the SABCAP, P.O. Box 196, Raslow

0109, however, the Board may change the address when it deems so necessary.

At the AGM held on 10 May 2014, the address of the Board was changed to:

P.O Box 2058,
Southdale,
2135.

1.2 **Objectives of Board**

The Board has the following objectives:

- 1.2.1 To maintain a body that is representative of companion animal professionals rendering a professional service to the companion animal industry;
- 1.2.2 To determine Rules and rulings that will ensure ethical and professional conduct among the members that it represents;
- 1.2.3 To originate and propose amendments to laws of the Republic of South Africa pertaining to services to the companion animal industry;
- 1.2.4 To promote an awareness of and disseminate information on how to improve on positive human-companion animal relationships;
- 1.2.5 To collaborate and enter into reciprocal relations with other bodies acting in the same field;
- 1.2.6 To protect the interests of its members;
- 1.2.7 To protect the interest of the public with regard to companion animal matters;
- 1.2.8 To determine the minimum standards of training in order to ensure professional excellence in the services of members;

- 1.2.9 To pursue legislation that will protect services of SABCAP members and ensure professional services to the public;
- 1.2.10 to determine the requirements for membership of the SABCAP;
- 1.2.11 to undertake related activities and activities incidental to the above.

2. SECTION 2

MANAGEMENT OF BOARD

- 2.1 Income, properties and monies
 - 2.1.1 The income, properties and monies, however, obtained, shall be used solely for the promotion of the objectives as contemplated in Section 1.2, and the maintenance of the bona fide activities of the Board;
 - 2.1.2 The Board may not give or redistribute any of its money or properties to its members or office bearers. Any payments made may be for reasonable compensation for services rendered only by members or office bearers. Such payments will be reflected in the financial statements and presented to members at the Annual General Meeting;
 - 2.1.3 Members and office bearers have no rights to the property or other assets of the Board solely by virtue of their being members or office bearers;
- 2.2 **Financial matters**
 - 2.2.1 An accountant and/or auditor, who may be the same person, must be appointed at each Annual General Meeting;
 - 2.2.2 Proper books of account shall be kept by the accountant and/or auditor which shall be audited not less than once a year. An audited

balance sheet and financial statement of the Board as at the end of the financial year together with the auditor's report shall be prepared and presented at the Annual General Meeting for discussion and adoption;

2.2.3 Financial year-end: The Board's financial year-end is the last day of February each year;

2.2.4 Bank account: The Board shall open a bank account in the name of the Board with a registered South African bank; draw, accept, make and endorse cheques, bills of exchange and promissory notes in connection with the business of the Board, including the use of technological banking developments. All monies received by the board are to be deposited in the above-mentioned bank account as soon as possible after receipt;

2.2.5 Signatories: All cheques, promissory notes and other documents requiring a signature on behalf of the Board shall be signed by two (2) members of the Executive Committee. All electronic transactions or payments must be signed off by two (2) Executive Committee members and proof of such transactions will be kept as deemed necessary by the appointed accountant and/or auditor;

2.2.6 Investments: The Executive Committee may decide to invest the funds of the Board and to change the investment thereof from time to time after discussion at full Executive Meetings.

3. SECTION 3

EXECUTIVE COMMITTEE

3.1 Composition of Executive Committee

3.1.1 Only fully paid up members may stand for election to the Executive Committee. Cadet members are not eligible for election. Election of

Executive Committee members shall be by ballot or a show of hands as decided by the meeting;

3.1.2 The members of the Executive Committee are elected by paid up members at the Annual General Meeting and their positions are as follows:

3.1.2.1 One representative will be elected for each category of professionals serving the companion animal industry, as contemplated herein, provided that a category may elect an additional representative on the Executive Committee for every 10 members;

3.1.2.2 A chairperson, vice-chairperson, secretary, and treasurer, all of whom are to be appointed by the members of the Executive Committee at the first board meeting after the Annual General Meeting;

3.1.3 The Executive Committee may co-opt members with the aim of assisting the Board in the exercise of its activities, such as, but not limited to, an administrative officer, an accountant/and/or auditor and a legal advisor.

3.2 **Terms of service of Executive Committee members**

The term of office of Executive Committee members is two years.

3.2.1 There shall be no limitation upon the number of consecutive terms of office Executive Committee members can serve provided they are re-elected as Executive Committee members by members at the Annual General Meeting;

3.2.2 Co-opted members will serve a term of one year and may be re-elected as Executive Committee office bearers. Co-opted members may also be appointed at any time and for any period of time, but for no longer than a year, as deemed necessary by and at the Executive Committee's discretion.

3.3 **Powers of members of Executive Committee**

The powers of the members of the Executive Committee are as follows:

- 3.3.1 To ensure that the objectives of the Board contemplated in Rule 1.2 are met. The Executive Committee may take on the power and authority that it believes it needs to be able to achieve this;
- 3.3.2 To recruit members for the different categories as contemplated in herein;
- 3.3.3 To resolve disputes between members and their clients;
- 3.3.4 To discipline members who have conducted themselves in an unprofessional and unethical manner, which discipline may take the form of reprimands or suspension of membership;
- 3.3.5 To publish at least one electronic newsletter or journal annually;
- 3.3.6 To undertake any other activity that will contribute to and promote the Board and its members;
- 3.3.7 All bona fide acts by the Executive Committee of the Board shall be valid notwithstanding proof of any defect in the appointment of any Executive Member(s) of the Board;
- 3.3.8 Members and office bearers of the Board do not have rights over things that belong to the Board;
- 3.3.9 The Board shall exist in its own right, separately from its members and be able to own property and other possessions;
- 3.3.10 The Board will continue to exist even when its membership changes and there are different office bearers.

3.4 **Meetings of Executive Committee**

- 3.4.1 Meetings shall be held when necessary, but not less than twice per year;
- 3.4.2 Notice of a meeting must be given to all Executive Committee members at least 14 days before a meeting, which notice may be by electronic mail, letter, fax or any other means suitable at the time;
- 3.4.3 The secretary shall take minutes of the proceedings of each meeting, which minutes must be distributed to all Executive Committee members before the next meeting;
- 3.4.4 A quorum consists of 50% of the members present plus one;
- 3.4.5 The Chairperson of the Board or any other Executive Committee member appointed by the Chairperson shall preside at all Executive Committee meetings and all meetings of the Board;
- 3.4.6 Should the Chairperson fail to arrive within thirty minutes from the time appointed for the meeting, the members present shall choose a member of the Executive Committee to preside at the meeting;
- 3.4.7 A member of the Executive Committee will vacate office if they absent themselves from three (3) consecutive meetings without prior leave of absence.

3.5 **Indemnity**

The Board indemnifies the members of the Exco Team from any damages caused by the members acting in good faith and in the interest of the Board, unless severe damages were caused intentionally or negligently.

4. SECTION 4

ANNUAL GENERAL MEETINGS

4.1 Annual General Meeting (AGM)

4.1.1 The Executive Committee must arrange and call an AGM at any time as the Executive Committee may determine, but not later than up to four months after the financial year end (by 30 June of each year);

4.1.2 Notice of an AGM must be given to all members at least 14 days before a meeting, which notice may be by electronic mail, letter, fax or any other means suitable at the time, and an agenda of the meeting must be attached to the notice; if not

4.1.3 The secretary shall take minutes of the proceedings of each meeting, which minutes must be kept and shall be confirmed at the subsequent Annual General Meeting. The minutes are to be distributed to all members at least one month before the (next) subsequent meeting;

4.1.4 Member attendance can be in person, via online platforms and votes will be accepted via online meetings;

4.1.5 The balance sheet, financial statement and accountant/auditor's report of the Board must be approved at the Annual General Meeting;

4.1.6 The Chairperson must submit an annual report on the activities of the Board;

4.1.7 A quorum is constituted by 10 members present at the Annual General Meeting which will include proxies;

4.2 The Chairperson of the Board or any other Executive Committee member appointed by the Chairperson shall preside at all Executive Committee meetings and all meetings of the Board. Should the Chairperson fail to arrive within fifteen minutes from the time appointed for the meeting, the members

present shall choose a member of the Executive Committee to preside over the meeting.

4.3 Changes to the Constitution

4.3.1 The Constitution can be changed by resolution at an Annual General Meeting, and such amendments must be discussed by the members present;

4.3.2 Proposed amendments to the Constitution must be submitted to the Executive Committee at least two (2) months before the Annual General Meeting for discussion;

4.3.3 A notice must be included with the AGM notice to be sent to all members with the proposed changes to the Constitution to be discussed at the AGM.

5. SECTION 5

MEMBERS AND MEMBERSHIP

5.1 Member categories

5.1.1 The categories, which the Board may change after discussion at a full Executive Committee Meeting before being presented at the next Annual General Meeting are as follows:

- Animal-assisted Activity Practitioners;
- Companion Animal Behaviourists;
- Companion Animal Grooming Practitioners;
- Companion Animal Welfare Practitioners;
- Dog Training Practitioners

5.2 **Types of Membership**

Full member

5.2.1 A person who complies with the requirements contemplated in Section 5.3 may be granted full membership for any one or more of the categories as determined by the Board. They have voting rights at a meeting of the Board or Annual General Meeting

Cadet member

5.2.2 A person who has completed a Certificate contemplated in Section 5.3, but who still has to –

- Complete practical experience or;
- Finalise his or her examinations, may be granted cadet membership, and such person has no voting rights at a meeting of the Board or Annual General Meeting

5.2.3 The Board may create such other types of membership as it deems necessary after discussion at a full Executive Committee meeting before being presented at the next Annual General Meeting.

5.3 **Requirements for membership**

5.3.1 Membership is open to citizens or permanent residents of the Republic of South Africa. A separate Register will be held for members from other countries.

5.3.2 A person who wishes to become a member of SABCAP:

- Must be in possession of a Certificate/s in an outcome-based course, for which the person was registered for a period of two years, in one of the categories contemplated in Section 5.1, which course preferably be accredited by the South African Qualification Authority or otherwise recognised;

- Submit proof of two years' experience in the field of the category in which is being applied for as contemplated in Section 5.1;
- Over an eighteen (18) month period, undertake to participate in two (2) webinars (at least one of which is presented by SABCAP) and to submit a relevant article or case study for the journal, which may or may not be published.

5.3.3 The Board may recognise prior learning based on a portfolio as proof that the person is has been continuously involved in a field of one of the categories contemplated in Section 5.1 for a period of at least 10 years;

5.3.4 The Board may accept any other qualification(s) as it may determine suitable for membership at its absolute discretion;

5.3.5 A person must apply for membership in writing on a form prescribed by the Executive Committee and which shall contain such information as is required by the Board. It must be signed by the applicant. Once the membership application is approved by the Board, the applicant must pay the membership fee as contemplated in Section 5.4. Membership shall then start once proof of payment is received.

5.4 **Membership fees**

5.4.1 Membership fees are to be determined by the Executive Committee and are payable annually before 30th April of each year;

5.4.2 Membership fees not paid within 30 days of due date will attract an additional R50.00 administration fee;

5.4.3 If a member belongs to more than one category as in Section 5.1, additional fees will be levied as determined by the Executive Committee;

5.4.4 Members older than 65 year of age will pay an annual fee of 50% of the membership fee;

5.4.5 Cadet membership fees will be determined by the Executive Committee.

5.5 **Privileges of membership**

5.5.1 All members shall be kept informed of the activities of the Board as contemplated in herein;

5.5.2 A full member present at an Annual General Meeting has voting rights.
5.6 Register of membership;

5.6 **Register of Membership**

5.6.1 The Executive Committee must keep a register of membership, which register must be updated regularly;

5.6.2 The register is the property of the Board and must be filed electronically, and kept safely in terms of the POPI Act;

5.7 **Termination of membership**

The Board may terminate the membership of a member if such member, in the opinion of the Board–

5.7.1 has for a period of 12 months not paid the membership fee after due notice;

5.7.2 Has for a period of 18 months not attended at least one webinar/seminar hosted by SABCAP or failed to submit an article, or case study, in the prescribed format, for publication in the journal;

5.7.3 Has engaged in improper or dishonest conduct or conduct unworthy of the profession;

5.7.4 The member has been afforded an opportunity to state his/her case;

5.7.5 The Executive Committee then has the right to:

5.7.5.1 Expel or deprive such member of any or all their rights; and

5.7.5.2 Advantages of membership during such time period as the Executive Committee at its absolute discretion may deem fit;

6. SECTION 6

CODE OF ETHICS

6.1 Code of Ethics

6.1.1 The Executive Committee shall compile a Code of Ethics for members of the Board;

6.1.2 Before its approval at an Annual General Meeting, the Code of Ethics must be distributed to every member of SABCAP for the purpose of making an input;

6.1.3 Amendments to the Code of Ethics may only be made at an Annual General Meeting, following the same procedure as for making changes to the Constitution.

7. SECTION 7

LEGAL STATUS

The Board shall be able to sue and be sued in its name by any court of law and shall be represented in any legal proceedings by a person or persons delegated for such purpose by the Executive Committee.

8. SECTION 8

DISSOLUTION OF BOARD

8.1 Dissolution of Board

8.1.1 A resolution to dissolve the Board may be taken at an Annual General Meeting only;

8.1.2 The Board may be dissolved if at least 50% of the members present and voting at this meeting convened for the purpose of considering such matter, are in favour of closing down;

8.1.3 If it is agreed that the Board be dissolved, all its debts are to be paid off. After this any remaining money, furniture or apparatus shall not be given or paid to members of the Board. It should be given in some way to another non-profit organisation or Board that has similar objectives. The Board's general meeting can decide what organisation this should be, after a review of proposals.

This first Constitution was adopted at the first General Meeting of SABCAP at Midrand on 8 February 2006.

Signed at JOHANNESBURG on

Chairperson: JA Bezuidenhout

Amendments to the Constitution:

10 May 2014

30 January 2020

Secretary: J Bezuidenhout