

Certified a true copy of  
the original document

## CONSTITUTION

<i>Belinda</i>
<b>BELINDA WHITE</b>
COMMISSIONER OF OATHS
Professional Accountant (SA) ex officio:
Republic of South Africa
Date: <u>4 October 2016</u>
Place: <u>Bedfordview</u>
Address: <u>#52 The Meridian</u>
<u>AG de Witt Drive</u>
<b>Page</b>

### Table of Contents

1. Name .....	2
2. Body Corporate.....	2
3. Objectives.....	2
4. Membership Categories of IOP(SA).....	3
5. Applications for Membership.....	4
6. Alterations to Member Information.....	4
7. Resignations.....	5
8. Insolvency/Assignment.....	5
9. Entrance Fee and Membership Fee.....	5
10. IOP(SA) Regional Returns.....	6
11. Member Register.....	6
12. Complaints.....	6
13. Disciplinary.....	7
14. Emblem and Reference to Association.....	8
15. Office Bearers.....	8
16. Duties of Office Bearers.....	10
17. Removal of Office Bearers.....	10
18. Duties and Key Performance Areas of Executive Director.....	11
19. National Executive Committee.....	11
20. Nomination and Election of National Executive Committee.....	12
21. Powers and Responsibilities of National Executive Committee.....	12
22. Meetings of National Executive Committee.....	14
23. IOP(SA) Committees.....	15
24. IOP(SA) Business and Finance Committee.....	16
25. Functions of Business and Finance Committee.....	16
26. Biennial and Special Meetings.....	17
27. Practice Committee.....	19
28. Regional Branches.....	19
29. Amendments to Constitution.....	19
30. Indemnification.....	20
31. Dissolution.....	21
32. Right to and Distribution of the Organisation's Property.....	21
33. Limitation of Liability.....	22



1

Certified a true copy of  
the original document

<i>Belinda White</i>
<b>BELINDA WHITE</b>
COMMISSIONER OF OATHS
Professional Accountant (SA) ex officio:
Republic of South Africa
Date: <u>4 October 2016</u>
Place: <u>Bedfordview</u>
Address: <u>452 The Meridian</u>
<u>AG de Witt Drive</u>

## 1. NAME

1.1 The organisation hereby constituted will be called:

INSTITUTE OF PLUMBING SOUTH AFRICA

1.2 The shortened name will be IOP(SA) (Herein referred to as the organisation)

## 2. BODY CORPORATE

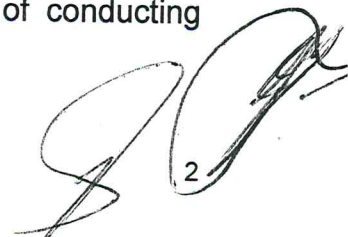
The organisation shall:

- Exist in its own right separately from members
- Continue to exist even when its membership changes and there are different office bearers.
- Be able to own property and other possessions.
- Be able to sue and be sued in its own name.

## 3. OBJECTIVES

The objectives of the Institute are:

- 3.1 To watch over, promote and protect the interests of its members in the Plumbing Industry.
- 3.2 To encourage and promote a regulated plumbing environment through the upholding, upliftment and abiding of the South African plumbing industry installation and product standards be it mandatory or voluntary.
- 3.3 To promote market growth in the plumbing sector of the building industry by co-ordinating endeavours aimed at establishing a wide awareness of the IOP(SA) members and the credibility of the Institute.
- 3.4 To foster and encourage the technical skills and business management education of all members through all legislated training and qualification training schemes, and further detailed plumbing education schemes through manufacturers workshops, lectures and group discussions.
- 3.5 To promote to members the application of excellence in work, just and honourable practices in the conduct of business amongst members, consumers and others engaged in the building industry.
- 3.6 To enhance public opinion of the services and value of conducting business with IOP(SA) members.



2

Certified a true copy of the original document

*Belinda*  
BELINDA WHITE  
COMMISSIONER OF OATHS  
Professional Accountant (SA) in office:  
Republic of South Africa  
Date: 11 October 2016  
Place: Bedfordview  
Address: 452 The Meadows  
Acacia Unit Drive

- 3.7 To co-operate with other bodies, persons or associations in enforcing and giving effect to its objectives.
- 3.8 To promote and identify the need for the national registration of plumbers, in co-operation with the appropriate Government authorities.
- 3.9 To provide the IOP(SA) membership with current local and international plumbing news, together with the activities of similar plumbing associations.
- 3.10 To borrow, invest, lend, subscribe or donate money for the furtherance of the purposes of IOP(SA) and the plumbing industry.
- 3.11 To promote good conduct of members through the administration of the Code of Conduct and Disciplinary Procedure.
- 3.12 To perform such other lawful actions as may be in the interests of the members and the plumbing industry.

#### 4 MEMBERSHIP CATEGORIES OF IOP(SA)

Membership shall comprise of the following types of members, as defined hereunder:

- 4.1 **Plumbing Contractor**  
Shall mean any legal entity trading as a plumbing contractor who employs one or more PIRB Licensed and registered plumbers. 'Adequate control' a qualified plumber will ensure the use of competent people that complete installations in line with all the relevant regulation. This shall mean must have 1 licensed plumber for each 5 employed people who are actively working on plumbing installations.
- 4.2 **Merchant**  
Shall mean any legal entity trading in the practice/business of storage, distribution, and/or supply of plumbing products or materials. Where applicable materials in storage/distributed and or supplied must be certified to SANS Standards.
- 4.3 **Manufacturer**  
Shall mean any legal entity trading as a manufacturer of plumbing products or materials. Where applicable plumbing products and materials must be certified to SANS standards.
- 4.4 **Associate**  
Shall mean any legal entity who provides a service either directly or indirectly to the plumbing industry.
- 4.5 **Honorary Life**  
Shall mean membership granted to persons in the recognition of outstanding and meritorious service or assistance rendered in the



promotion of plumbing industry and/or the Institutes aims and objectives. Such members shall have all the rights pertaining to membership except that such members will be exempted from the payment of entrance fees, subscriptions and other dues.

**4.6 Platinum**

Shall mean any of the membership categories applying for this member category and be approved and administered in terms of Annex D.

**5 APPLICATIONS FOR MEMBERSHIP**

- 5.1 A candidate for membership shall apply in writing on such form and giving such particulars as may be prescribed by the National Executive Committee from time to time. Such application shall be accompanied by the prescribed entrance fee and subscription for the current year.
- 5.2 An application for membership of IOPSA shall be lodged with the relevant IOPSA region and the IOPSA Regions Executive Committee shall approve the applicant's membership with in the 10 working days and/or in the absent there of the Business & Finance committee.
- 5.3 A member whose membership has been terminated due to non-payment of subscriptions, may, on application for re-admission as a reinstated member, be liable to pay the new members entrance fee in addition to the annual subscription and any arrears outstanding membership fees.
- 5.3 Platinum membership application and criteria is administered in terms of Annex D
- 5.4 The process for granting Honorary Life membership is a formal request is made by the proposer with motivation in writing to the National Executive Committee. The National committee will ratify the motivation to be approved by the President, vice President and Treasurer at a National Executive meeting. **The requirements** to be met are the induvial has been an executive committee member, IOPSA member for more than 20 years and given their time to the Institute and the sector to better the plumbing industry.

**6 ALTERATIONS TO MEMBER INFORMATION**

Every Member shall notify IOP(SA) National Office in writing of any changes to member's hip details including but not limited to change in member name, postal address, contact details, and/or any other significant changes, within fourteen (14) days of the date on which the change took place.

*Belinda*  
**BELINDA WHITE**  
COMMISSIONER OF OATHS  
Professional Accountant (SA) ex officio:  
Republic of South Africa  
Date: 4 October 2016  
Place: Bedfordview  
Address: #52 The Mendenham  
AG de Witt Drive

Certified a true copy of  
the original document



## 7 RESIGNATIONS

- 7.1 A member, desirous of resigning membership of IOP(SA) shall advise the National office thereof in writing.
- 7.2 Unless notice of resignation be given before the 30<sup>th</sup> April in any particular year, a member, shall be liable for the annual subscription in respect of such year. Until the resignation of a member is noted and accepted, such member shall remain bound to the conditions attaching to membership and no resignations shall take effect until all subscriptions and charges due to the Association have been paid.

## 8 INSOLVENCY/ASSIGNMENT

If any member shall become insolvent or bankrupt, he shall automatically cease to be a member of IOP(SA).

## 9 ENTRANCE FEE AND ANNUAL MEMBERSHIP FEE

- 9.1 Funding of the INSTITUTE OF PLUMBING SA shall accrue from annual membership fees and entrance fees payable to the National Office by members.
- 9.2 Funding for membership fees shall be used for the running of National and regional activities and operations.
- 9.3 Funding from PLATINUM SPONSORS shall accrue to IOP(SA) National Office for the development of membership benefits, projects and services.
- 9.4 The National Executive Committee of IOP(SA) shall from time to time determine the entrance fee and annual membership fees payable by the different classes of membership.
- 9.5 ANNUAL MEMBERSHIP FEES are due and payable on the first day of March of any year and must be paid directly into the IOP(SA) National Office banking account
- 9.6 Members admitted during the financial year shall, upon admission, be liable for the entrance fee and the annual membership calculated on a pro rata basis in relation to the quarter of admission.
- 9.7 A member whose subscription is in arrears on 30th June of any year shall be suspended from any rights of membership unless the National Executive Committee otherwise decides, but should any member's subscription be in arrears by the 31st July of any year, such member, ~~without prejudice to IOP(SA) rights to recover arrear subscriptions,~~ shall automatically cease to be a member unless the National Executive Committee determines otherwise.

<i>Belinda</i>
<b>BELINDA WHITE</b> Executive
COMMISSIONER OF OATHS
Professional Accountant (SA) ex officio:
Republic of South Africa
Date: <u>4 October 2016</u>
Place: <u>Bedfordview</u>
Address: <u>452 The Mendian</u>
<u>Ag de Wit Drive</u>

Certified a true copy of  
the original document



- 9.8 The National Executive Committee shall have the power to exempt an applicant for membership from the payment of an entrance fee under such conditions as the National Executive Committee may deem fit.
- 9.9 After a Members first year of membership the member may choose to pay their annual membership fee by means of a monthly debit order.
- 9.10 Members who choose to pay their annual membership fee by means of a monthly debit order will be liable for all and any cost or charges incurred as result of this method of payment.
- 9.11 The National Executive Committee reserves the right not to allow; or remove any member from/on the debit order method of payment.
- 9.12 The IOP(SA) shall have the right to institute any legal proceedings for the enforcement or recovery of all or any outstanding membership fees or entrance fees of a member.

**10 IOP(SA) REGIONS REGIONAL RETURNS**

- 10.1 An agreed percentage of the Plumbing Contractors Membership fee for each members received in any month, shall be paid form IOP(SA) National Account to the relevant regions approved bank account.
- 10.2 The National Executive Committee of IOP(SA) shall determine the percentage as contemplated in 13.1.
- 10.3 The National Executive Committee reserves the right to withhold any regional returns if the National Executive Committee felt dishonest or fraudulent activities are taking place with in the region.
- 10.4 The IOP(SA) National Executive shall have the right to institute any legal proceedings for the enforcement or recovery of all or any Regional returns monies paid to a region if it is found that dishonest and fraudulent activities are taking place with in the region.
- 10.5 All regional returns disbursements shall be subject to the conditional requirements as agreed by the National Executive Committee.

**11 MEMBERS REGISTER**

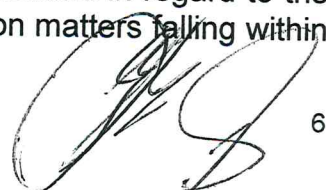
A register of all members of IOP(SA) shall be kept by the National Office in such form as may be prescribed from time to time by the National Executive Committee.

**12 COMPLAINTS**

In the event of a complaint being lodged in writing in per Annexure E with the National Office or a Regional Office by a member of the Institute in regard to the conduct of another member or a client of such a member on matters falling within

*Belinda*  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) ex officio:  
 Republic of South Africa  
 Date: 4 October 2016  
 Place: Bedfordview  
 Address: 452 The Mendon

**Certified a true copy of  
 the original document**



the jurisdiction of IOP(SA), the Complaints procedure shall be concluded in terms of Annex E.

### 13 DISCIPLINARY

- 13.1 All members shall make themselves conversant with and shall be bound by; the Constitution, rules, by-laws, regulations, code of ethics, instructions or directives of IOP(SA) and the National Executive Committee, and for the purpose of disciplinary action members shall be deemed to be conversant therewith.
- 13.2 A member may be suspended, fined or expelled as may be determined by the National or Regional National Executive Committee based on the recommendations of the Practice Committee if the member infringes any of the terms of this Constitution, rules, by-laws, regulations, code of ethics, instructions, directives or acts in a manner which is detrimental to the interests of IOP(SA).
- 13.3 The member may have the right of appeal against suspension, fine or expulsion. Notice of any such appeal shall be given to the National or Regional Office in writing within fourteen (14) days after the date on which the decision of the National or Regional National Executive Committee was initially communicated to the member concerned. The member shall have the right to present his appeal personally.
- 13.4 No member may be suspended, fined or expelled unless he has been afforded an opportunity to state his/her case personally at a meeting of the Practice Committee, of which he/her has received not less than ten (10) days' notice in writing from the National or Regional Office. The matter with which the member is charged shall be set out in such notice.
- 13.5 A member shall be entitled to call witnesses in support of his case when attending a meeting of the Practice Committee.
- 13.6 Any decision taken by the Practice Committee in terms of this clause shall, whether an appeal has been lodged or not, be subject to ratification within three (3) months by the National or Regional Executive Committee.
- 13.7 Upon expulsion of a member, all moneys due to the Association by such member shall become payable. If payment thereof is not made within fourteen (14) days the Association may take such steps as it deems necessary to secure a settlement.
- 13.8 Should the member duly summoned fail to appear, the Practice Committee may determine the matter in absent of the member.

*Belinda White*  
**BELINDA WHITE**  
COMMISSIONER OF OATHS  
Professional Accountant (SA) ex officio:  
Republic of South Africa  
Date: 4 October 2016  
Place: Bedfordview  
Address: 452 The Menden  
AG de Witt Drive

Certified a true copy of  
the original document

*[Signature]*

- 13.9 A member shall be obliged, forthwith, to satisfy any fine imposed, and IOP(SA) shall have the right to institute legal proceedings for the enforcement or recovery of all or any fines imposed on any member.
- 13.10 Any technical breach of the observance of the rules and procedure hereby laid down shall not invalidate any act unless substantial prejudice be suffered by the member affected thereby, and no member shall have any claim against IOP(SA) or any of its employees, or a member thereof, for any act performed in good faith.
- 13.11 IOP(SA) reserves its right to notify and publish to all members, and other persons, the reasons and terms of suspension or expulsion.
- 13.12 In the event of the suspension or expulsion of any member, such member shall have no claim against IOP(SA), or any of its members.
- 13.13 A suspended member shall not be entitled to any benefits of membership but shall be answerable for all the obligations of membership. A member may not be suspended for longer than twelve (12) months.
- 13.14 Any member summoned in writing and wilfully failing or refusing to attend any meeting of the Practice Committee or National or Regional Executive Committee, may, for such failure or refusal, forthwith be fined or expelled, upon such terms as the National or Regional Executive Committee may determine.

**14 EMBLEM AND REFERENCE TO ASSOCIATION**

- 14.1 On resignation or expulsion the former member must immediately remove from all his property and advertising, any emblem, sign or indication of membership of IOP(SA) and must cease to claim membership of IOP(SA).
- 14.2 Should the removed member fail to do so within thirty (30) days, IOP(SA) reserves its rights to instigate legal proceedings for both the misappropriation of the intellectual property as well as the inherent passing off by the former member.

**15 OFFICE BEARERS**

**Election of:**

- 15.1 The Office bearers of IOP(SA) Association shall be: President, Vice-President, Immediate Past President and Treasurer and as many additional members as the National Executive Committee may decide from time to time. It is desirable that, if the President is not a practising plumber, that the Vice-President shall be.

*Belinda White*  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) ex officio:  
 Republic of South Africa  
 Date: 4 October 2016  
 Place: Bedfordview  
 Address: 452 The Mendkin  
AG de Witt Drive

Certified a true copy of  
 the original document

*[Signature]* *[Signature]*



- 15.2 A Practicing Plumber is defined as an individual who owns or is in a senior position in a plumbing practice/business and is actively involved in the day to day managing and running of their practice/business.
- 15.3 The Office bearers of IOP(SA) shall be elected from the residing National Executive Committee and be ratified at the Annual General Meeting,
- 15.4 The Office bearers shall hold office for a two-year period subject to clause 18.11.
- 15.5 There shall be no restriction placed on any member on the number of times that they may serve as an officer bearer, providing that they have been officially nominated prior to the Annual General Meeting, and are willing to stand as an office bearer.
- 15.6 Nominations for each of the Office bearer's position shall be called for 30 days before the Biennial General Meeting and must be in writing, bearing the signature of the proposer and seconder, and must be in the hands of the Executive Director 15 days before the Biennial General Meeting.
- 15.7 The Nominated Executive Member must acknowledge in writing their willingness to stand for office 10 days before the Biennial General Meeting.
- 15.8 In the event of that no nominations are received for any of the position of Office the National Executive Committee, having satisfied itself that such Office position cannot be fulfilled from the residing National Executive Committee, the National Executive Committee may nominate a member or members outside of the National Executive Committee to fulfil the vacant office position.
- 15.9 In the case of more than one (1) member being nominated for an office, a ballot of the National Executive entitled to vote shall be held for that office and the member who receives the absolute majority, that is, more than the combined votes cast for the other candidates, shall be declared elected. If three (3) or more candidates are nominated for an office and should none of them secure an absolute majority on the first ballot, the candidate receiving the least number shall fall out, and another ballot be taken of the remaining candidates. This process shall be repeated until one (1) candidate receives an absolute majority of the votes cast.
- 15.10 The current President of IOP(SA) shall be entitled to a single vote, and one casting vote if required.

*Subrule* 15.11  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) ex officio.  
 Republic of South Africa  
 Date: 4 October 2016  
 Place: Bedfordview  
 Address: 452 The Mendham  
AG de Witt Drive

In the event of an Office bearer duly elected being unable to carry out his duties due to death, resignation, removal in terms of clause 20 hereof, or any other reason, the National Executive Committee, having

Certified a true copy of the original document



satisfied itself that such Office bearer is no longer able to fulfil the duties of his office, shall elect a member of the Association to the office in question and the Office bearer thus elected shall hold office until the next Biennial General Meeting in the same manner as if he had been elected at the previous Biennial General Meeting.

## 16 DUTIES OF OFFICE BEARERS

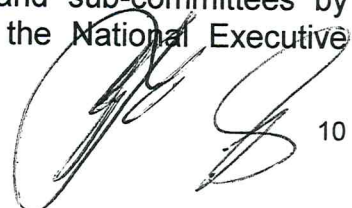
The duties of the Office Bearers shall be: -

- 16.1 The President shall preside at all meetings at which he is present. He may, however, delegate this function to any one of the other Officers. He shall conduct meetings in manner that is effective and valuable to IOP(SA) activities, sign the minutes of the previous meeting after confirmation, sign all documents necessary to give effect to the decisions of the National Executive Committee or a General Meeting of Members, and generally exercise supervision over the affairs of IOP(SA). He shall sign all cheques jointly with the Executive Director or his duly nominated representative.
- 16.2 The Vice-President shall exercise the powers and carry out the duties of the President in the absence of the President.
- 16.3 The Honorary Treasurer shall have responsibility for the funds of IOP(SA). Such funds will be handled and invested in accordance with the decisions of the Business and Finance Committee as ratified by the National Executive Committee.
- 16.4 The Treasurer shall, in collaboration with the Executive Director or his duly nominated representative, prepare a statement of the income and expenditure of IOP(SA), together with a balance sheet reflecting the financial position of IOP(SA) as at the 28<sup>th</sup> (29<sup>th</sup>) February, (being the financial year end) of the preceding year for submission on a yearly basis to the National Executive Committee and Biennial to the Members at the Biennial General Meeting. He shall have such balance sheet examined and audited by a registered public accountant, appointed by the National Executive Committee, and a copy of such balance sheet shall be available at the National Office to be scrutinized by all members each year.
- 16.5 The Treasurer shall, in collaboration with the Executive director or his duly nominated representative, prepare a financial budget of IOP(SA) National for the National Executive Committee approval at the commencement of each financial year.

## 17 REMOVAL OF OFFICE BEARERS

<i>Belinda</i>	
<b>BELINDA WHITE</b>	Any Office bearer of IOP(SA) may be removed from office or may be
COMMISSIONER OF OATHS	deprived of his right to sit on committees and sub-committees by
Professional Accountant (SA) ex officio	resolution of a Special General Meeting of the National Executive
Republic of South Africa	
Date: <i>4 October 2016</i>	
Place: <i>Bedfordview</i>	
Address: <i>452 The Meridian</i>	
<i>AG de Witt Drive</i>	

Certified a true copy of  
the original document



Committee. The meeting convened in conformity with clause 25 and adopted by a majority of two-thirds of the National Executive Committee present and entitled to vote.

- 17.2 Any office bearer may be removed from office;
- 17.2.1 If he/she infringes any provision of this Constitution; and/or  
17.2.2 If he/she acts in any manner which is detrimental to the interests of IOP(SA).
- 17.3 The Office bearer named in the resolution above shall have at least seven (7) days' notice of the meeting served on him by registered post.
- 17.4 Such Office bearer shall have the same rights as those conferred on a member in clause 16.
- 17.5 If any member of the National Executive Committee ceases to be a member of the National Executive Committee, the powers and duties of the National Executive Committee will not be invalidated because of such vacancy.

## 18 DUTIES AND KEY PERFORMANCE AREAS OF THE EXECUTIVE DIRECTOR

- 18.1 **Job Purpose.** The Executive Director is responsible for the successful leadership, management and core activities of the Institute of Plumbing of South Africa as per a registered Non Profit Employers Organisation, according to the strategic direction set by the Executive and the Constitution of the Institute.
- 18.2 **Primary Duties and Responsibilities.** The Executive Director shall be responsible and accountable for his responsibilities and primary duties to the Executive of the Institute and in the furtherance of those responsibilities liaise on an ongoing basis with the Office-Bearers of the Institute.
- 18.3 The Executive Director Primary Responsibilities shall be as indicated in **Annex G:**

## 19 NATIONAL EXECUTIVE COMMITTEE

### Constitution

The National Executive Committee shall consist of the

- The President,
- The Vice-President,
- The Treasurer,
- Immediate past president
- The Chairman of representing regions
- Marketing & Communication Officer
- Technical Officer
- Training and Qualification Officer


<b>BELINDA WHITE</b>
COMMISSIONER OF OATHS Professional Accountant (SA) ex officio: Republic of South Africa
Date: <u>4 October 2016</u>
Place: <u>Bedfordview</u>
Address: <u>452 The Meridian</u> <u>AG de Witt Drive</u>

Certified a true copy of  
the original document



- Merchant & manufacturer representative
- Any member co-opted from Time to Time by the National Executive Committee

**20 NOMINATION AND ELECTION OF THE NATIONAL EXECUTIVE COMMITTEE**

- 20.1 All IOPSA Regions shall be entitled to appoint not more than one (1) member, to serve on the National Executive Committee of IOPSA.
- 20.2 Ratification of the National Executive Committee shall take place at the Biannual General Meetings of IOPSA.
- 20.3 Committee members are expected to attend all National Executive meetings, apologies for non-attendance shall be addressed to Executive Director at least two days prior to a National Executive meeting.
- 20.4 A member of the National Executive Committee who absents themselves without leave from two consecutive meetings of the National Executive Committee without valid reasons shall, subject to the discretion of the Executive, cease to be a member thereof.
- 20.5 A member of the National Executive Committee must not use their positions and/or knowledge gained through their relationship with IOP(SA) for private or personal gain, or in such a manner that a conflict or an appearance of conflict arises between IOP(SA) interests and their personal interests.
- 20.6 Where a conflict of interest cannot be avoided by Members they must immediately disclose the nature of the conflict to the Chairperson and must excuse themselves from any related decision making. All such disclosures made to the President and must be recorded in writing, together with the decision taken on the recusal and the motivation therefore.
- 20.7 Marketing, Communication Officer, Technical Officer, Training and Qualification Officer and Merchant & manufacturer representative National committee members shall be elected by the President, Vice president, past president, Honorary treasurer and Executive Director and approved by the Regional chairman and business and finance committee.

*Belinda*  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) ex officio  
 Republic of South Africa  
 Date: *4 October 2016*  
 Place: *Bedfordview*  
 Address: *452 The Mendian*  
*AG de Wit*

**21. POWERS AND RESPONSIBILITIES OF NATIONAL EXECUTIVE COMMITTEE**

The National Executive Committee will have power to regulate its own proceedings and is entrusted with the following specific powers, subject to the general direction and control of Meetings and in terms of the provisions of this Constitution:

Certified a true copy of the original document



- 21.1 Appoint a firm of certified Auditors to prepare annual Financial Statements for members.
- 21.2 To acquire either by purchase, lease or otherwise, any movable or immovable property and also to sell, let, mortgage or otherwise deal with or dispose of same, or any other assets, belonging to IOP(SA) or to use such property or assets for such purposes as the members may approve.
- 21.3 To oversee and approve the appointment of senior staff appointments of IOP(SA), and to determine their duties
- 21.4 To regulate the form of procedure at meetings of the Committee.
- 21.5 To expel or suspend any member from membership, or fine any member, or both fine and suspend, or both fine and expel any member, and to totally or partially rescind or vary any penalty imposed.
- 21.6 To regulate the admission of visitors to Executive meetings.
- 21.7 To take custody of the funds and other property of IOP(SA) and the delegation to such of the National Executive Committee as may be decided upon from time to time, the power to sign and endorse cheques, transfers and all powers of attorney, agreements, negotiable instruments and other documents on behalf of IOP(SA).
- 21.8 To apply the funds in payment of the Agents and servants of IOP(SA), and for the promotion of the objectives of IOP(SA), or for any purpose in connection with same.
- 21.9 To appoint among themselves or co-opt persons to committees or to represent IOP(SA) on external bodies or committees and to delegate any of their powers to such Committees or persons which shall report back to the National Executive Committee for confirmation unless otherwise specifically decided.
- 21.10 To take professional advice on legal or other matters, and to institute or defend legal proceedings on behalf of IOP(SA) or, in the case where a member personally is involved in litigation on a matter which is of general interest to the members of IOP(SA), to make a contribution of money towards the legal costs of such member.
- 21.11 To do, subject to the rules and regulations for the time being in force, all other things which they may consider conducive to the interests or good management of IOP(SA) or the promotion of its objectives.

To establish and dissolve Regional Branches on such conditions as it may determine.

*Belinda White*  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) ex officio:  
 Republic of South Africa  
 Date: 4 October 2016  
 Place: Bedfordview  
 Address: 452 The Mendocino  
AG de Wilt Drive

**Certified a true copy of  
 the original document**



- 21.13 To recover subscriptions, fines and levies by legal proceedings and enforce all penalties imposed.
- 21.14 To open and operate the banking account/s of IOP(SA) and to control its finances.
- 21.15 May propose resolutions to change the IOP(SA) Constitution, as may be necessary from time to time, provided that such changes are approved or rejected by the members at a Special Meeting or the next Biennial General Meeting of the Institute.
- 21.16 To do all matters not specially provided for in this Constitution as the National Executive Committee may determine, subject to confirmation or otherwise, at the first Biennial Meeting following the decision of the Committee.
- 21.17 To constitute a board of arbitration for the settlement of disputes between members.

**22 Meetings of National Executive Committee**

- 22.1 Meetings of the National Executive Committee shall be held at least twice a year, at such time and place as may be decided upon by the President and the Executive director of IOP(SA).
- 22.2 Special Meetings may be called by the President and the Executive Director of the Association when deemed necessary, and shall be called by written request of not less than three (3) members of the National Executive Committee, which request shall state the nature of the business to be transacted and the motivation for the meeting.
- 22.3 Quorums for meetings of the National Executive Committee shall be 7 of the elected committee plus one, of which 4 of the seven must be regional chairman representatives. If within thirty (30) minutes of the time fixed for any meeting a quorum is not present, the meeting shall stand adjourned, to such other date as the Officers may determine and at such adjourned meeting the members present shall form a quorum.
- 22.4 The meetings of all Committees shall be strictly private and any member who violates the secrecy of any meeting, or makes known the business transacted or discussed thereat without the permission of such Committee may be dealt with in terms of clause 20.

<i>Inklude</i>	22.5	All matters for decision by the National Executive Committee shall be decided by the majority vote of the persons present and shall be executed by a show of hands, provided that a secret ballot is requested by three or more Committee members.
<b>BELINDA WHITE</b> COMMISSIONER OF OATHS Professional Accountant (SA) by office Republic of South Africa Date: <u>4 October 2016</u> Place: <u>Bedfordview</u> Address: <u>#52 The Meridian</u> <u>AG de Witt Drive</u>		

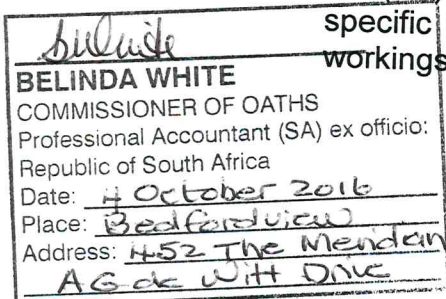
Certified a true copy of the original document



- 22.6 The Executive director shall keep minutes of all National Executive Committee meetings, which shall always be termed confidential and not for publication.
- 22.7 Minutes of National Executive Committee meeting shall be circulated to all members within 30 days after a meeting.
- 22.8 All nominated National Executive Committee members shall have one vote, with the exception of being that in the case of a split vote, the President/Chairman may have the casting vote.
- 22.9 All person co-opted to National Executive Committee shall have no vote.

### 23 IOP(SA) Committees

- 23.1 IOP(SA) shall have and maintain the following National standing committees:-
- Marketing & Communication
  - Technical
  - Training and Qualification
  - Merchant & Manufacturers
  - Practice
  - Business & Finance
- 23.2 The National Executive Committee may at any time establish an ad hoc committee for such period and for such purposes as it may require
- 23.3 Each and all committees represented in IOP(SA) are free to meet separately to confer and discuss any business or matter that particularly affects their respective committees, provided always that the interests of IOP(SA) as a whole must remain paramount, and that the rules, protocols and authority of IO(SA) and the National Executive Committee are not infringed or impaired thereby.
- 23.4 Committees of IOP(SA) shall not be entitled to conduct any negotiations with any outside person or body or pledge IOP(SA) to any policy, conditions or expenditure, except with the approval of the National Executive Committee or if mandated by the National Executive Committee to do so.
- 23.5 IOP(SA) committees may on own accord consult with any expertise in a specific field for a specified time and specified task to enhance the workings of the standing-committee.



Certified a true copy of  
the original document




## 24 IOP(SA) BUSINESS AND FINANCE COMMITTEE

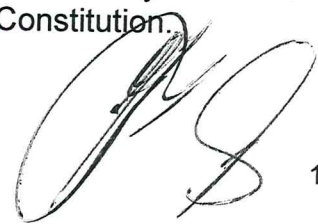
- 24.1 After the Biennial election of the National Executive Committee the Executive shall vote in a Business and Finance Committee consisting of a maximum of five (5) Members.
- 24.2 Business and Finance Committee will consist of the President, the Treasure, the Executive Director (who will be a non-voting member) and 2 other committee members.
- 24.3 The Business & Finance Committee will meet as required between meetings of the National Executive Committee and will have the power to regulate its own proceedings in accordance with the constitution of IOP(SA).
- 24.4 A Member of the Business and Finance Committee shall hold office for a period of two (2) years only.

## 25 FUNCTIONS OF THE BUSINESS & FINANCE COMMITTEE

- 25.1 Subject to the directions of the National Executive Committee, the Business and Finance Committee is responsible for the supervision and control of the everyday management and administration of the IOP(SA)
- 25.2 Without limiting its functions, the Business & Finance Committee must:
  - 25.2.1 Supervise the proper management of all financial matters and make decisions on these matters;
  - 25.2.2 Authorise the expenditure of monies as required for the conduct and purposes of IOP(SA).
  - 25.2.3 Administer the property and advise on the investment of the funds of the IOP(SA).
  - 25.2.4 Approve the payment of any funds from the Trust fund of IOP(SA), at the direction of the National Executive Committee.
  - 25.2.5 Coordinate and supervise the implementation of the policies of the National Executive Committee;
  - 25.2.6 Monitor national policy issues and developments and make recommendations on the adoption of policies by the National Executive Committee;
  - 25.2.7 Manage Staff employment issues including approval of staff appointments ;
  - 25.2.8 Determine budgets and business plans;
  - 25.2.9 Monitor the relations and interactions of IOP(SA) with various organisations representing the Plumbing Industry; and
  - 25.2.10 Perform any other function or duty, delegated to it by the National Executive Committee or conferred by this Constitution.

*Belinda White*  
**BELINDA WHITE**  
COMMISSIONER OF OATHS  
Professional Accountant (SA) ex officio.  
Republic of South Africa  
Date: *4 October 2016*  
Place: *Bedfordview*  
Address: *452 The Mendenhall*  
*AG de Wit Drive*

Certified a true copy of  
the original document





- 25.3 The Business and Finance Committee will be subject to the control of the National Executive Committee and will make regular reports on its activities to the National Executive Committee.

## 26 BIENNIAL AND SPECIAL MEETINGS

- 26.1 The Annual General Meeting of the Association shall be held every year in the month of May each year, or as soon as possible thereafter.
- 26.2 The Annual General Meeting shall provide for but not limited to:
- 26.2.1 The President Report of the activities of the National Executive Committee during their term of office
  - 26.2.6 The adoption of audited accounts.
  - 26.2.7 The appointment of Auditors
  - 26.2.8 Confirm changes or amendments to the Constitution that may have been proposed by the National Executive Committee during their term of office.
  - 26.2.9 Ratification of the Elected President, Vice President and Treasurer.
  - 26.2.10 Ratification of the Elected Chairman to Serve on the National Executive Committee
  - 26.2.11 Ratification of the Marketing, Technical, Training and Qualification Officer and Communication officer
- 26.3 A special meeting may be called by the National Executive Committee to, but not limited to, approve an urgent proposed amendment of the Articles of the Constitution or approve extraordinary matters outside the current Articles of Constitution.
- 26.4 The President, or in his/her absence the Vice-President, when receiving a written petition, and signed by at least 25 (twenty five) members of IOP(SA), convene a Special Meeting of IOPSA.
- 26.5 The National Executive Committee shall within 30 days of
- 26.6 Not less than seven (21) days before the Biennial General Meeting and not less than thirty (30) days before any Special meeting of IOP(SA) the Executive Director shall advise each member by way of a notice giving the date, hour and place of the meeting and the subjects to be discussed.
- 26.7 The notices of any special meeting shall contain a clear exposition of the reason(s) for the convening of the meeting and the matter(s) to be dealt with there at.
- 26.8 The President, or in his/her absence, the Vice President shall chair all Biennial and Special general meetings. The absent of the President and the Vice President, office bearer will preside at such meetings. The presiding officer at any meeting shall confine the proceedings to the matters set out in the agenda of such meetings and shall have the casting vote in case of an equality voting.

<i>Belinda White</i>
<b>BELINDA WHITE</b>
COMMISSIONER OF OATHS
Professional Accountant (SA) ex officio
Republic of South Africa
Date: <u>4 October 2016</u>
Place: <u>Bedfordview</u>
Address: <u>452 The Meridian</u>
<u>AG de Witt Drive</u>

Certified a true copy of  
the original document

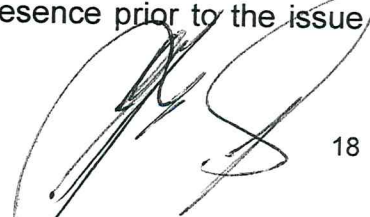


- 26.9 Twelve (12) members shall form a quorum at Biennial General and Special Meetings subject to clause 34. If within thirty (30) minutes of the time fixed for any meeting a quorum is not present, the meeting shall stand adjourned to the date and time as the Officers may determine, and at such adjourned meeting, of which notice shall have been given, the members present shall form a quorum.
- 26.10 Any member may not less than seven (7) days before any Biennial General and/or special Meeting under written notice, require the Executive Director to place any additional matter on the agenda for the meeting and to notify the members thereof. Any matter of importance not on the agenda, may, however, be brought before a Special Meeting by permission of a majority of the members present at such meeting.
- 26.11 Except where otherwise specially provided for, voting on all matters shall be by majority, and shall take place by show of hands, provided that a secret ballot of the members present shall be taken at the request of three or more members.
- 26.12 All paid up Members will be entitled to one vote per firm, partnership or company as the case may be at any biennial general meeting or other special meeting of the IOP(SA). If more than one (1) member of a firm, partnership or company vote at such meeting, all their votes shall be null and void.
- 26.13 Associate and Honorary Life members shall have no vote, unless they are an active serving member of the National Executive Committee.
- 26.14 The proceedings at any particular meeting shall not be invalidated solely on the ground that notice has not been sent to or received by all members of IOP(SA) or that the terms of the notice were inadequate in stating the business of the meeting.
- 26.15 Secret Ballots shall be conducted in the following manner:
- 26.15.1 Two (2) scrutineers shall be appointed by the Biennial General or Special Meeting to supervise any ballot and to ascertain the result thereof.
- 26.15.2 The issue to be voted upon shall be set forth clearly on the ballot papers and such papers shall not contain any information by means of which it will be possible to identify the vote.
- 26.15.3 Each member, in the presence of the Scrutineers, be issued with one (1) ballot paper which he/she shall thereupon complete, fold and deposit in a container provided for the purpose.

26.15.4 Ballot boxes shall be inspected by the Scrutineers and sealed by the Executive Director in their presence prior to the issue of ballot papers.

<i>Belinda White</i>	
<b>BELINDA WHITE</b>	
COMMISSIONER OF OATHS	
Professional Accountant (SA)	
Republic of South Africa	
Date:	<i>4 October 2016</i>
Place:	<i>Bedfordview</i>
Address:	<i>452 The Mendon Ag de Witt Drive</i>

Certified a true copy of  
the original document



- 26.15.5 Ballot papers shall not be signed or marked in any way apart from the mark required to be made by a member in recording his/her vote. Papers bearing any other marks shall be regarded as spoilt and shall not be counted.
- 26.15.6 On completion of a ballot or as soon as possible thereafter the result thereof shall be ascertained by the Scrutineers appointed and made known to the National Executive Committee or the members present at the vote.
- 26.15.7 Ballot papers including spoilt papers, shall be placed in a container which shall be sealed after they have been counted and retained by the Executive Director for not less than three (3) years.

**27 PRACTICE COMMITTEE**

- 27.1 The Practice Committee shall be constituted of at least four (4) individuals from the following:
  - 27.1.1 The President, vice President & Treasurer of the Association;
  - 27.1.2 Past Presidents of the Association; and
  - 27.1.3 Members co-opted by the President.
- 27.2 Any alleged breach of this Constitution shall be referred to the Practice Committee which shall make a finding after consideration of all relevant information placed before the Committee. Should the Practice Committee find that a breach of this Constitution was committed it may recommend a penalty as provided for in this Constitution which shall be ratified by the Executive Committee.

**28 REGIONAL BRANCHES**

- 28.1 Members in each province, may form a Regional Branch with a Regional Executive Committee.
- 28.2 A Regional Provincial Branch shall deal with provincial matters only, provided always that the interests of IOP(SA) remains paramount.
- 28.3 Provincial Branches shall not be entitled to conduct any negotiations with any outside person or body or pledge IOP(SA) to any policy, conditions or expenditure, except with the approval of the National Executive Committee.
- 28.4 The operation duties and organisation of Regional Offices will be concluded in terms of the Regions & Chairman guide Annex A.

**29 AMENDMENTS TO THE CONSTITUTION**

*Signature*  
**BELINDA WHITE**  
 COMMISSIONER OF OATHS  
 Professional Accountant (SA) of the  
 Republic of South Africa  
 Date: 4 October 2016  
 Place: Bedfordview  
 Address: 452 The Meridian  
Agde Witt Drive

29.1 This Constitution may be altered, added to or amended by the votes of ~~three~~ three-fourths of the members present at a Biennial General or Special

Certified a true copy of the original document

*Signature*

Meeting of which not less than twenty (21) days' notice has been given, with a statement of the specific alterations, additions or amendments, which it is proposed to make, provided, however, that such notice may be dispensed with if three-fourths of the members present at any meeting consent to such procedure.

- 29.2 No defect in any of the provisions of the Constitution shall invalidate the remainder of the Constitution, and any provision of whatsoever description found to be inoperative shall not invalidate the remaining provisions which shall in that event constitute the Constitution, of IOP(SA).
- 29.3 No defect arising from bona fide error in the appointment of any member, official, committee member, or officer, shall invalidate proceedings in which such member takes part and IOP(SA) and all members shall be bound by any decision notwithstanding such defect. Any technical breach of the observance of the rules and procedure or Constitution shall not invalidate any act unless substantial prejudice is suffered by the person affected thereby.
- 29.4 All changes to this Constitution shall be submitted to the relevant Authorities.

### 30 INDEMNIFICATION

- 30.1 No member shall have any claim of whatsoever nature and howsoever arising against IOP(SA).
- 30.2 No member shall have any claim of whatsoever nature and howsoever arising against any office bearer, committee member or employee of IOP(SA) unless such claim arises from dishonesty, fraud, breach of trust, wilful default or wilful breach of duty.
- 30.3 The President, Vice-President, Treasurer, Past President's Executive Director and any Manager, Secretary, Committee Member or other office bearer or employee of IOP(SA) shall be indemnified and held harmless by IOP(SA) against, and it shall be the duty of the National Executive Committee to pay out of the funds of IOP(SA) all costs, losses and expenses which any such officer, Committee Member, or employee may incur or become liable to pay by reason of any contract entered into, any act or omission done or omitted to be done by him in the discharge of his duties or in his capacity as such officer or employee; provided that the indemnity provided herein shall not apply to any costs, losses or expenses attributable to the dishonesty, fraud, breach of trust, wilful default or wilful breach of duty of any such officer, committee member, or employee.

*Belinda White*  
BELINDA WHITE  
COMMISSIONER OF OATHS  
Professional Accountant (SA) ex  
Republic of South Africa  
Date: 4 October 2016  
Place: Bedfordview  
Address: 452 The Meridian  
AG de Witt Drive

30.4 The President, Vice-President, Treasurer, Past President's Executive Director and any other office bearer or employee of the Association shall not be liable for any act or omission of any other office bearer,

Certified a true copy of  
the original document

committee member, or employee of IOP(SA); or any loss or expense suffered by IOP(SA) in consequence of any absence of, or any defect in any title to any property acquired by order of the National Executive Committee for or on behalf of IOP(SA); or for any absence of or defect in, any security upon which any of the monies of IOP(SA) shall be invested; or for any loss or damage arising from the insolvency or delictual act of any person with whom monies, securities or assets shall be deposited; or for any loss or damage occasioned by any error of judgement or oversight on the part of such officer, Committee Member, or employee; or for any loss or damage occasioned by any advice given or recommendation made by such officer, Committee Member, or employee; or for any other loss, damage or misfortune of whatever nature which shall happen in or in relation to the execution of his office or employment unless the same be attributable to his own dishonesty, fraud, breach of trust, wilful default or wilful breach of duty.

### 31 DISSOLUTION

- 31.1 Should it be necessary to dissolve the affairs of the Institute of Plumbing SA, the decision shall be taken at a Special meeting of the Institute where at least two thirds of the membership of members present must vote in favour of dissolution.
- 31.2 Such meeting to be called for that purpose on not less than one month's notice.
- 31.3 For the purposes of this section a quorum will be seventy five (75) members.
- 31.4 The assets remaining after payment of all debts and liabilities of the Institute, shall be transferred to an Association in South Africa with similar objectives as those of IOP(SA), which shall be registered with the South African Receiver of Revenue as a non-profit making company and which is exempt from income tax.
- 31.5 In the event of dissolving the affairs of the Institute, under no circumstances will the assets be distributed to the members of IOP(SA).

### 32 RIGHTS TO AND DISTRIBUTION OF THE ORGANISATION'S PROPERTY AND INCOME

- 32.1 The Organisation's income and property are not distributable to the members or office-bearers, except as reasonable compensation for services rendered.

<i>Belinda</i> <b>BELINDA WHITE</b> COMMISSIONER OF OATHS Professional Accountant (SA) ex officio Republic of South Africa Date: <u>4 October 2016</u> Place: <u>Bedfordview</u> Address: <u>452 The Meridian</u> <u>AG de Witt Drive</u>
---

Members or office bearers have no rights in the property or other assets of the organization, solely by virtue of their being members or office bearers.

Certified a true copy of the original document



### 33 LIMITATION OF LIABILITY

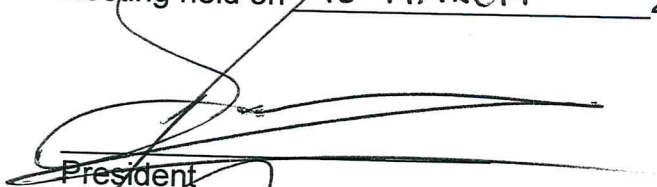
Members or office bearers do not become liable for any obligations and liability of the organisation solely by virtue of their status as members or office-bearers of the organisation.

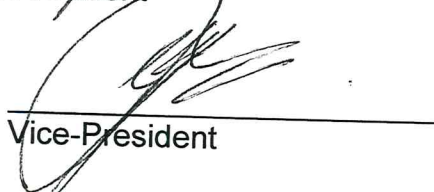
#### ANNEXURES:

- ANNEX A – Regional Offices and Chairman's Guide
- ANNEX B – Disciplinary Procedures and Code of Conduct.
- ANNEX C – Marketing and Communication Policy
- ANNEX D – Platinum Membership Policy
- ANNEX E – Complaints policy and procedure
- ANNEX F – Debt Policy and Procedure
- ANNEX G – Executive Director Duties and Responsibilities
- ANNEX H – Banking Policy and Procedure
- ANNEX I – Practice Committee Policy and Procedure

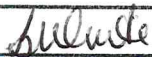
Certified a true copy of  
the original document

This constitution along with the enclosed Annexures A to I was approved and accepted by Members of Institute of Plumbers South Africa at a special general meeting held on 10 MARCH 2016.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Vice-President

\_\_\_\_\_  
National Treasurer

  
\_\_\_\_\_  
**BELINDA WHITE**  
COMMISSIONER OF OATHS  
Professional Accountant (SA) ex officio:  
Republic of South Africa  
Date: 14 October 2016  
Place: Bedfordview  
Address: 452 The Mendian  
AG de Witt Drive