

Constitution of the Magaliesberg Valley Conservancy



Registration Number: NWCSA 06

Date Adopted: 18 November 2025

Table of Contents

1. Name and Geographical Location
2. Vision and Mission
3. Objectives
4. Membership
5. Governance Structure
6. Financial Management
7. Meetings
8. Compliance and Reporting
9. Land and Conservation Practices
10. Dispute Resolution
11. Amendments to the Constitution
12. Dissolution
13. Adoption

Appendix A: Map

1. Name and Geographical Location

The organization shall be known as the **Magaliesberg Valley Conservancy**, hereinafter referred to as "the Conservancy." It is situated between the Magaliesberg and Witwatersberg mountain ranges in the North West province and is registered with the North West Conservancy Association.

See attached map (Appendix A) for detailed location and boundaries.

2. Vision and Mission

Vision:

A sustainable and inclusive Conservancy region, where biodiversity thrives, natural resources are responsibly managed, and communities benefit equitably.

Mission:

To conserve the natural, historical, and cultural heritage of the Conservancy area while fostering sustainable development and community participation.

3. Objectives

The objectives of the Conservancy are:-

- 3.1. To preserve and enhance biodiversity and ecological integrity in the defined area.
 - 3.2. To align with the National Environmental Management: Protected Areas Act (NEMPAA) and other relevant laws.
 - 3.3. To promote sustainable use of natural resources for the benefit of local communities.
 - 3.4. To foster environmental education and awareness.
 - 3.5. To act as a hub for collaboration between government, private stakeholders, and communities.
-

4. Membership

4.1. Membership is open to:

- Registered landowners within the Conservancy area.
- Tenants with the landowner's consent.
- Adjacent landowners approved by the Management Committee.

4.2. Members must adhere to the Constitution and any other relevant legislation, and pay annual membership fees determined at the Annual General Meeting (AGM).

4.3. **Rights of Members:**

- Voting rights at meetings.
- Participation in Conservancy initiatives.

4.4. **Liability and Indemnity:**

Every Member of the Conservancy, including Members of the Committee or other officers or servants of the Conservancy, shall be indemnified by the Conservancy in respect of any legal liability devolving upon them for all costs, losses and expenses which they may incur or become liable for by reason of any act or thing done by them in the discharge of their duties

unless caused through their own gross negligence, default, unlawful act, breach of duty or breach of trust.

4.5 Termination of Membership:

- Membership may be revoked by the Management Committee for violations of the Constitution or non-payment of fees.
 - Members may terminate their membership by written notice to the Secretary.
-

5. Governance Structure

5.1. The Conservancy shall be governed by a Management Committee consisting of:

- Chairperson
- Deputy Chairperson
- Secretary
- Treasurer
- Additional members as needed

5.2. Roles and Responsibilities:

- The Chairperson shall lead meetings and represent the Conservancy.
- The Treasurer shall manage finances and prepare annual reports.
- The Secretary shall manage administrative tasks and organise meetings.

5.3. Elections:

Management Committee members shall be elected at the AGM for a term of two years and may be eligible for re-election.

6. Financial Management

6.1. The financial year shall run from March 1 to February 28.

6.2. All funds shall be deposited in a recognised bank account in the Conservancy's name. Withdrawals and payments shall require endorsement by no less than two authorised committee members.

6.3. Audited financial reports shall be presented at the AGM.

6.4. The Conservancy may seek grants and donations, ensuring all funds are used for objectives in this Constitution.

7. Meetings

7.1. Annual General Meeting (AGM):

- Held within 90 days after the end of the financial year.
- Agenda to include financial reports, election of management, and member motions.
- Written proxies must be submitted to the Secretary twenty-four (24) hours before the meeting.

7.2. Special Meetings:

- May be called by the Management Committee or on receipt by the Committee of a written request from 20% of members.

7.3. Management Meetings:

- To be held as and when needed.

7.4. Quorum:

- 25% of paid-up members shall constitute a quorum for AGMs and Special Meetings.
- A quorum for Management Meetings shall consist of the Chairperson or Deputy, the Secretary and the Treasurer.

7.5. Decisions:

- Decisions shall be made by a simple majority of votes.
 - At any meeting, the Chairperson shall have both an ordinary and a casting vote.
-

8. Compliance and Reporting

8.1. The Conservancy shall comply with all applicable South African environmental laws.

8.2. Annual activity and financial reports shall be submitted as needed to the appropriate bodies.

8.3. The Conservancy shall maintain records accessible to all members.

9. Land and Conservation Practices

9.1. General Responsibilities of Members:

- Prevent the introduction and spread of alien invasive plant species.
- Comply with fire safety regulations.
- Comply with erosion management guidelines.
- Cooperate in the protection and maintenance of water sources.
- Cooperate in the protection of historical and ecological resources.

9.2. Collaborative Efforts:

The Conservancy aims to:

- Work with private landowners and stakeholders to promote voluntary participation in biodiversity stewardship programs.
 - Develop co-management agreements for the sustainable use of resources and to safeguard biodiversity.
-

10. Dispute Resolution

10.1. Disputes shall first be addressed through mediation facilitated by the Management Committee.

10.2. If unresolved, disputes may be referred to an independent arbitrator who shall be an attorney, an accountant or other appropriate professional of at least 5 years standing.

11. Amendments to the Constitution

11.1. Amendments require a two-thirds majority vote at an AGM or Special Meeting.

11.2. Proposed amendments must be circulated to members 21 days before the meeting.

12. Dissolution

12.1. The Conservancy may dissolve by a two-thirds majority vote at a Special Meeting, in consultation with the relevant Conservancy Associations.

12.2. Upon dissolution, assets shall be distributed to an organization with similar objectives, as determined by the members.

13. Adoption

This constitution is adopted following the meeting held on 18 November 2025.

Appendix A

