**CONSTITUTION TOUR GUIDE ASSOCIATION E.C.**

3 November 2021

**PREAMBLE.**

The Constitution is aimed at directing the structure, administration and control of the

Membership of the Tourist Guides of Eastern Cape Region as well as its continued and ongoing professional development.

A professional Tourist Guide is defined as a person who has acquired, either through formal

Training, or a combination of formal training and appropriate life skills, relevant information about the geography, history, cultures and the life of different communities within a locality.

This should be supplemented by ahigh level of interpersonal skills, together with a broader, mature

knowledge of current events, and everyday social issues.

The Guide must be able to share these confidently with visitors, whilst acting as a cultural broker displaying appropriate competencies, values and attitudes to present a balanced and holistic view of the host location, the country in general, and its people, that benefits both the hosts and the visitors.

Successful completion of a recognized Guide Training program, is a compulsory prerequisite of membership.

**ARTICLE 1 : NAME**

**1.1**  The name of the association shall be **TOUR GUIDE ASSOCIATION E.C.**

Hereinafter referred to as “**The ASSOCIATION”.**

**1.2** The Association will be administered and controlled by an **COMMITTEE.**

The abbreviated title will be “**TGAEC”.**

**ARTICLE 2 : AIMS AND OBJECTIVES**

**2.1** The aims and objectives are:-

**2.1.1** To promote and maintain amongst members of The Association the highest standards of

Professionalism. To this end The Association shall publish and promote a code of ethics for the

Conduct of members, which shall be updated from time to time as deem necessary.

 **2.1.2**  To promote, project and develop the interests of its members and to represent them in

Dealings with the relevant Governing Authorities, Tour and Travel related Operators , Agents and the general public.

**2.1.3.** To seek affiliation with appropriate industry bodies or associations.

**2.1.4.** To provide benefits of membership that are tangible and worthwhile.

**2.1.5.** To develop and maintain a consistently high level of professionalism and competency amongst

Its members.

**2.2** Membership fees are to be used only for the benefit of the members and not for any profit or gain.

**ARTICLE 3 : MEMBERSHIP.**

**3.1** Application for membership shall be in the manner and form as determined by the Committee.

**3.2**  Membership shall compromise Full Members, Trainee Members, Honorary Members and

Associate Members.

**3.3.** The qualifications for membership are as follows:-

**3.3.1. *Full Membership.***

The committee shall consider all applications and decline or award full membership to legally registered

Tourist Guides in accordance with the criteria determined by it.

Every legally Registered Tourist Guide who is a fully paid up member of The Association shall have full

voting rights,

**3.3.2. *Trainee Membership***

Any person who is in the process of training to become a legally Registered Tour Guide, through an

Officially accredited Training Institution, may be granted Trainee Membership by the Committee.

Trainee members shall have no voting rights.

**3.3.3*. Honorary Membership***.

The Committee may grant honorary membership to persons who , in its opinion, have made a consistent and major contribution to furthering the aims and objectives of The Association.

Only Honorary Members who are legally registered Tourist Guides shall have full voting rights.

**3.3.4. *Associate Membership***

Corporations, Firms and such organizations who subscribe to the objectives of The Association may

apply for Associate Membership, Associate members may attend meetings of The Association, but shall have no voting rights.

**3.3.5. *Tour Operators***

Tour OPERATORS MUST SUBSCRIBE TO THE OBJECTIVES OF The Association and registered and

Compliant with the Transportation Board.

**ARTICLE 4 : COMPOSITION, ELECTION AND TERM OF OFFICE.**

**4.1.** The Association may not have less than 7 [seven] members resident or operating from its area.

**4.2.** The Association shall be subject to the jurisdiction and authority of the Committee.

the following year.

**4.4.** The appropriate number of persons required to serve on the Committee shall be decided by the Committee itself, but shall not be more than 7[seven]

**4.5.** The Committee shall, at its first meeting after the Annual General Meeting, which must be held

within 1 [one] month of such an Annual General Meeting, elect a Chairperson, Secreta y and Treasurer.

The latter two positions may be combined if desired. The Committee shall also elect a Vice-Chairperson

Who will serve as Chairperson in the absence of the elected Chairperson.. An elected Chairperson shall have served as a member on a Tourist Guide Association committee prior to his/her election.

**4.6.** Nominees for the Committee shall be full members of The Association.

**4.7.** Nominations shall be in writing and forwarded with the nominee’s acceptance to The Association’s

Secretary not less than 10 [ten] days before the date of the Annual General Meeting. Alternatively members may be nominated from the floor during the proceedings of the Annual General Meeting

**4.8** All members of the committee, shall retire each year but ,shall be eligible for re-election, subject

To a maximum of 5 [five] years elected service, after which re-election is not permitted.

**4.9** All members shall be elected at the annual general meeting by those eligible to vote either

or by proxy.

**4.10**  The committee may if necessary employ a paid secretary / treasurer.

**4.11** The committee shall meet not less than every 3 [three] months. A quorum shall consist of not

less than 3 [three] of the elected members of the committee.

**4.12** Should any member of the committee miss more than 3 [three] committee meetings without

Proper excuse in writing such a member shall be regarded as no longer being interested and his/her

Membership shall be terminated from the committee.

**4.13** In the event of vacancies occurring, or or committee members having to be replaced,

The remaining members shall have the power to fill such vacancies with a full member of the Association who may hold office until the next annual general meeting.

**ARTICLE 5: PRIMARY FUNCTIONS.**

**5.1** To organize and arrange Educational courses, lectures and excursions and to distribute

pertinent information to members.

**5.2** To work towards fulfilling the objectives of the Association.

**5.3** To determine membership fees from time to time, to notify members thereof and to collect

fees due. Membership fees shall be due on the first day of June each year.

**5.4** To issue an official receipt to members in respect of membership fees which have been paid.

**5.5** To be accountable for all funds administered.

**5.6** To hold hearings concerning complaints about members or by members and decide on further action as outlined in article 10 of the constitution.

**5.8** To appoint such sub-committees as shall be necessary from time to time.

**5.9** To regulate the manner in which the Association is run, provided that this is not in conflict

With the constitution.

**5.10** The Chairperson, and his/her delegated representative may give statements on behalf

Of the of the Association to the Media, to be back by a written statement **.**

**ARTICLE 6: MEETINGS**

**6.1** The Association shall hold an annual general meeting, which shall take place within

3 [three] months after the close of the financial year.

**6.2** At such annual general meeting there shall be included for discussion **:**

**-** the minutes of the previous annual general meeting, for ratification and adoption.

-a Treasurer’s report and supporting financial statements for the year so ended.

-a Chairperson’s report adequately summarizing the Association’s activities for the year.

-the election of Committee members for the ensuing year, and transaction of any other business.

**6.3** The Committee may convene an extraordinary general meeting by giving not less than 30 [thirty]

days notice of such a meeting to its members.

**6.4**  TheCommittee and any sub-committees shall record minutes of their proceedings. Such minutes,

when confirmed at the next meeting, shall be signed by the Chairperson of such committee as evidence of their correctness.

**6.5** Non-members of the Association may attend annual general Meetings, but shall not have the right to speak or vote.

**ARTICLE 7: QUORUM AND VOTING.**

**7.1** Each member of the Association eligible to vote and who has paid all outstanding fees due, shall be

entitled to one vote at any meeting and voting shall be by simple majority.

The Chairperson shall have the casting vote in case of a deadlock.

**7.2** A quorum at an annual general or extraordinary meeting shall consist of one third of those members eligible to vote either in person or by proxy. If there is no quorum present, the meeting

shall, either stand adjourned for not less than 30 [thirty] minutes and the members attending such

a reconvened meeting subsequent to adjournment, shall constitute a quorum, or the members can by show of hands elect to continue proceedings forthwith in which event the members attending the meeting shall constitute a quorum.

**7.3** Election of office bearers .shall be by secret ballot. Voting on other matters shall be either by secret ballot or show of hands as determined by the meeting.

**7.4** Members eligible to vote may do so by proxy. Such proxy shall be on an official form provided by the Association.

**ARTICLE 8 : NOTICES.**

**8.1** For the purpose of properly constituting an annual or extraordinary general meeting , not less than 30 [thirty] days within, written notice, or via e-mail or SMS or fax, shall be given to members of the Association.

**8.2** Any notice of such meetings sent by the Association to a member, may delivered by hand or posted

To the members at the address recorded against their name in the register.

**8.3** The notice convening an annual or extraordinary general meeting shall include an agenda of matters for discussion as well as the proxy form and as applicable, nomination forms and the minutes of the previous annual general meeting.

**ARTICLE 9: DISCIPLINARY HEARINGS.**

**9.1** If a complaint is received about a member then the Executive Committee may hold a hearing

at which the member concerned shall be given the opportunity to state his/he case. The complaint may be dismissed with or without a caution.

**9.2** However, if the Committee at such a hearing decides by simple majority that the member has

Behaved in a manner prejudicial to the objectives of the Association, whether by omission or commission, then such a member may either be given a warning or membership may be terminated.

This shall be confirmed in writing to the member within 30 [thirty] days.

**9.3** Moreover, if termination of membership is decided, then a two thirds majority of the Committee

Is required

**9.4** All matters concerning such complaints shall be strictly confidential.

**ARTICLE 10: TERMINATION OF MEMBERSHIP.**

 **I0.1** Membership shall be terminated if fees are outstanding for more than 3 [three]

months after the start of each financial year. Membership may be reinstated on payment

of all outstanding and current amounts due and at the discretion of the Committee.

**10.2** The Committee has powers to terminate membership in the event of deemed misconduct

by a member as detailed in article 9.

**10.3** The Committee reserves the rightto make it publicly known that such membership

Has been terminated, but is not obliged to state the reason thereof.

**ARTICLE 11: AMENDMENT OF CONSTITUTION.**

**11.1** A notice of motion for the amendment of this Constitution shall be supported in

Writing by no fewer than 10 [ten] full members of the Association,, and shall be received by the Association’s Secretary at least 90 [ninety] days before the date at which such motion is to

**11.2** Amendments to this Constitution may only be adopted with the approval of no fewer

Than two thirds of members eligible to vote either in person or by proxy.

**12.1** The Association is nor formed for any purpose of gain and no member shall be liable for any debts or obligations of the Association, save only to the extent of any unpaid fees.

**ARTICLE 13: LOANS TO MEMBERS.**

**13.1** This Constitution specifically prohibits the granting of private loans to its members and office bearers.

**ARTICLE 14: WINDING UP AND DISSOLUTION.**

**14.1** If the continued existence of the Association is for any reason considered no longer to be

justified, then a decision shall be taken at an extraordinary meeting convened for that purpose.

**14.2** A decision of dissolution shall require the approval of no fewer to than two thirds of the members eligible to vote either in person or by proxy.

**14.3** Upon a decision of dissolution, the meeting shall decide by simple majority vote, as to

the disposal of the assets of the Association, preferably to another Tourism Association.

**ARTICLE 15: RECIPROCAL MEMBERSHIP.**

**15.1** Tour Guides Association Eastern Cape shall provide reciprocal membership with any other registered Tourist Guide Association with a properly drawn up constitution and committee.

**ARTICLE 16: ENTIRE CONSTITUTION.**

**16.1** This constitutes the entire Constitution of the TOUR GUIDES ASSOCIATION EASTERN

CAPE, and may only be amended at an Annual General Meeting or Extraordinary Meeting and notices

As detailed in article 8 [eight] shall apply

CHAIRMAN: SEAN MITRI

SECRETARY: TONY NEVELING