



TheBusinessConnection

since 2001

Constitution of The Business Connection

1. Preamble

THE BUSINESS CONNECTION ("TBC") is a business referral group that encourages the growth of each Member's business by the passing of qualified referrals. The highest standard of ethics is upheld and Members are expected to act in a professional and honest manner.

2. Corporate status

TBC shall -

- 2.1 be a body corporate;
- 2.2 not be carried on for the purpose of gain;
- 2.3 have perpetual succession notwithstanding any change in the number or identity of its members from time to time;
- 2.4 The income and assets of TBC shall be applied towards the promotion of the object for which it is established;
- 2.5 No part of that income or those assets shall be paid, directly or indirectly, by way of dividend, donation or otherwise, to the members of TBC;
- 2.6 The liability of each member of TBC is limited to any unpaid subscription that may be owing by that member;
- 2.7 TBC shall be entitled to sue and be sued in its own name.

3. Membership

- 3.1 Membership of TBC is open by invitation to all natural persons operating businesses for their own account, or members/directors of Close Corporations or Private Companies operating businesses with an annual turnover of less than R 5 million. This requirement may be waived by TBC in respect of a particular prospective member.
- 3.2 Only one member in respect of a particular good sold or service provided shall be admitted into membership.

4. Meetings

- 4.1 Meetings of TBC shall be held once a week on a weekday at a time and place to be determined by TBC from time to time. Members are expected to arrive punctually for such meetings.

- 4.2 Propositions put to or decisions of TBC referred to in this document will refer to propositions put to the weekly meetings of TBC and resolutions passed at such meetings by simple majority of the members who are present and entitled to vote at a regular meeting of TBC respectively, unless otherwise stated.

5. Absenteeism

- 5.1 Each member may miss not more than four meetings (or three consecutive meetings) of TBC during any six-month period, unless TBC has waived this requirement in respect of a particular member.
- 5.2 In the event of a member failing to meet the above requirement, the matter shall be referred to the Management Committee, which shall investigate the matter and attempt to ensure that the member shows greater commitment to TBC.
- 5.3 In the event of a member having been referred to the Management Committee three times for absenteeism, the Management Committee may propose to TBC on the third such occasion that the member's membership of TBC terminated. In that event:
- 5.3.1.1 The member concerned shall be given one week's notice that the proposal will be put to TBC;
 - 5.3.1.2 The member concerned shall be entitled to explain the reason for his failure to adhere to the requirement set out above to TBC in person before the proposal is voted on, and
 - 5.3.1.3 If the proposal is carried by majority vote, the member's membership of TBC shall be terminated forthwith.

6. Referrals

Members shall attend to referrals given them by other members as soon as possible, and should they obtain business as a result of a referral, provide a reasonable level of service or a reasonable quality of good as the case may be.

7. Service complaints

- 7.1 Should a member have reason to complain about the quality of the goods or services provided by another member as a result of a referral given by that first member, that first member may refer the matter to the Management Committee.
- 7.2 Upon receipt of such a complaint, the Management Committee shall investigate the matter and attempt to ensure that the member who is the subject of the complaint provides goods or services of the appropriate quality in future.
- 7.3 In the event of a member having been referred to the Management Committee three times for complaints in terms of this clause, the Management Committee may propose to TBC on the third such occasion that the member's membership of TBC be terminated. In that event:
- 7.3.1.1 The member concerned shall be given one week's notice that the proposal will be put to TBC;
 - 7.3.1.2 The member concerned shall be entitled to explain the reason for his failure as set out above to TBC in person before the proposal is voted on, and
 - 7.3.1.3 If the proposal is carried by majority vote, the member's membership of TBC shall be terminated forthwith.

8. Membership subscriptions

- 8.1 A membership subscription shall be paid to TBC as determined by TBC from time to time.
- 8.2 Should a member leave TBC for any reason, no refund shall be given in respect of subscriptions paid.

9. Exemption

TBC and its members shall be exempted from and not be liable under any circumstances whatever for any direct, indirect or consequential damages of any kind or any loss of profit or special damages of any kind, whether in contract or in delict and whether in the contemplation of the parties or not, which members (which shall include previous members for these purposes) may suffer as a result of any negligent act or omission on the part of TBC, its members, officers or servants, or as a result of any action taken by TBC in terms of this Constitution or in the furtherance of its purpose.

10. The Management Committee

- 10.1 The Management Committee shall be responsible for the day-to-day administration of the affairs of TBC.
- 10.2 The Management Committee shall consist of the following office bearers:

President

10.2.1 The President shall

- 10.2.1.1 chair meetings of TBC;
- 10.2.1.2 notify members of important events;
- 10.2.1.3 ensure that the Management Committee is functioning correctly and chair meetings of the Management Committee;
- 10.2.1.4 resolve, with the aid of the vice president, conflicts between members;
- 10.2.1.5 attend to other duties as set out in this Constitution.

Vice president

10.2.2 The Vice president shall

- 10.2.2.1 chair meetings of TBC in the absence of the President;
- 10.2.2.2 maintain records of member's attendance at meetings, the details of weekly referrals, arrange for speakers at meetings and other duties as may be designated by TBC from time to time;
- 10.2.2.3 attend to other duties as set out in this Constitution.

Secretary / Treasurer

10.2.3 The Secretary / Treasurer shall

- 10.2.3.1 administer and keep records of TBC bank account;
- 10.2.3.2 collect membership fees when due;
- 10.2.3.3 report on the financial status of TBC as requested from time to time;

10.2.3.4 attend to other duties as set out in this Constitution.

10.3 The Office Bearers shall be elected by simple majority of the members who are present and entitled to vote at a regular meeting of TBC upon one week's notice to all members of such meeting.

11. Dissolution

On the dissolution of TBC, its assets shall not be distributed among the members, but will be utilised in another organisation with similar aims and goals.

12. Amendments to this Constitution

No amendment to the constitution shall be of any effect unless the resolution affecting that amendment is passed by a majority of not less than three-fourths of the members who are present and entitled to vote at a meeting.