

CONSTITUTION OF THE TIMBERWATCH COALITION

A. NAME

The name of the coalition is **Timberwatch**.

B. MISSION

To promote and coordinate action by members, organisations and the public, and to keep such bodies adequately informed, in order to ensure that timber plantations are not established on land where food, other crops, and live stock (indigenous or otherwise) could be farmed to the greater benefit of both local communities and South Africa as a whole.

Also to ensure that timber plantations are located only in appropriate areas where they will:

- a) be sustainable in the long-term,
- b) not impinge on the integrity of the natural flora and fauna (biodiversity),
- c) avoid damaging ecosystems and sensitive natural environments,
- d) not compromise water resources in or around the area,
- e) definitely improve the long-term quality of life of communities, and
- f) not take advantage of people who are desperate for employment.

And where there will be rehabilitation of areas where timber plantation trees have previously damaged and/or invaded the land.

C. OBJECTIVES

1. To achieve acceptance by Municipal, Provincial and State authorities as a credible body of informed opinion on all matters concerning the regulating of timber growing activities.
2. To ensure that timber plantations are located in correct areas even if this means withdrawing existing permits/licences that were originally granted in error, unwisely or in contravention of legislation.
3. To support further research and to monitor research into timber growing which will help inform the regulatory decision-making process.
4. To lobby for the formulation and implementation of strategic land-use plans for affected regions of southern Africa, which will contribute to the long-term sustainability and integration of land-use activities, in order to restrict the expansion of undesirable and unsustainable timber plantation monocultures. This is to be done with input by all interested and affected parties.
5. To ensure that national and international silviculture, forestry and conservation standards are honoured and maintained, and that the conditions under which permits/licences were issued are put into effect by timber growers. Also to ensure that they adhere to the various relevant legal provisions.

6. To work towards the establishment of Monitoring Teams to ensure the implementation of the Objective 5.
7. To encourage and support schemes for the removal of invasive alien vegetation, including escaped timber plantation species, and encourage the rehabilitation of ecosystems that have been degraded.
8. To ensure that natural grasslands, wetlands, forests and woodlands in timber plantation areas are conserved and protected.
9. To obtain or retain representation on Provincial bodies responsible for the issuing of water use licences for new plantations.
10. To investigate, review and comment critically on all applications for timber plantation permits/licences, and where necessary to participate in Environmental Impact Assessment (EIA) processes in respect of applications for new plantations.
11. To document the nature, extent, and impacts of timber plantations in southern Africa.
12. To lobby for the broadening of criteria upon which permit/license applications are assessed.
13. To cooperate with other sectors of civil society (e.g., labour, CBO's, women's groups, youth groups, religious groups, organised agriculture, commerce and industry, etc.) in the achievement of our Mission and Objectives.
14. To liaise with the press and media with the object of creating a broad public awareness of the advantages and disadvantages of timber plantations.
15. To keep Timberwatch's individual members and member organisations fully informed with respect to its activities and views regarding timber plantations.
16. To promote an awareness of the Kyoto Protocol and the Clean Development Mechanism with particular regard to timber plantations and forest restoration projects.
17. To oppose the development and introduction of genetically engineered (GE) timber plantation trees.
18. To document community experiences of industrial timber plantations, and to encourage the empowerment of communities in order that they might be able to make informed choices and decisions around the management of community owned land and natural resources.
19. To cooperate with and support like-minded individuals and organisations in pursuit of attaining our mission and objectives.
20. To be a part of a broad international alliance of non-governmental organisations that shares the general vision and purpose of Timberwatch.

D. MEMBERSHIP

1. Timberwatch membership shall be comprised of persons and organisations aligned to Timberwatch's Mission and Objectives and shall include:
 - a. all current members on the date on which this Constitution is adopted,
 - b. organisations and individuals who are invited by members to join and whose written application is approved by the Committee, and
 - c. any individual or organisation who submits written application to join, and whose application is approved by the Committee.
2. The Committee shall have the discretionary powers to discontinue memberships.
3. Subscriptions, if required, shall be determined from time to time by members in a general meeting.

E. MANAGEMENT

1. Timberwatch shall be managed by a Committee, the members of which shall be elected under the provisions of Clause G.1.
2. As near as possible to a third of the Committee's officers shall retire annually at the Annual General Meeting, but will be eligible for re-election should they wish to stand again.
3. Due to risks of conflicts of interests, no owners of timber plantations, their employees, contractors, and consultants active in, or having ties to, the timber industry, shall be eligible for nomination or co-option to the Committee. Any person on the Committee becoming so involved shall automatically lose his/her membership on the Committee.
This Clause may be changed only by a unanimous vote at an AGM.
4. The Committee shall consist of a Chairperson, Vice-chairperson, Secretary, Treasurer, and three Committee members.
5. The Committee may co-opt up to two members for specific reasons, but such members will not have voting rights on the Committee.
6. Statements, publications, press releases shall be channelled through the Committee, and the website managed by a person(s) elected by it.
7. Subject to any directives from members in a formal meeting, the Committee shall make rules as are necessary for the efficient management of Timberwatch.
8. A quorum shall comprise four Committee members.

F. FINANCE

1. Timberwatch's financial year-end shall be as at the last day of March commencing from the date this Constitution is adopted.
2. The Treasurer shall deposit all monies for investment solely with registered banks approved by the Committee, and ensure that financial records are always full, detailed and accurate.
3. Timberwatch's annual audited accounts shall be submitted for approval at the Annual General Meeting.
4. No profits or gains will be distributed to any person and the funds of Timberwatch will be utilised solely for investment in the Mission and Objectives.
5. Timberwatch shall not carry on any profit-making activity or participate in any business, profession or occupation conducted by any of its members, or provide any financial assistance, premises, continuous service or facilities to its members for the purpose of carrying on any business, profession or occupation by them.
6. With the approval of the Committee, Timberwatch may remunerate persons contracted to undertake work under a funded project.
7. With the approval of the Committee, a person may be remunerated for their time when undertaking specific administrative work for Timberwatch.
8. Bona fide expenses approved by the Committee and incurred by members will be recoverable. Vehicle costs shall be at Automobile Association (AA) rates, or a rate accepted by the member and the Committee.
9. With exception to Clause F. 7., members cannot claim for time devoted to Timberwatch for work undertaken outside of a funded project.

G. MEETINGS

1. Annual General Meetings:

- a. An Annual General Meeting shall be held before the end of June each year.
- b. Members shall be given 14 days notice of the meeting, together with the agenda and any proposals for consideration.
- c. The business of the Annual General Meeting shall be to:
 - (i) receive the Chairperson's report and the annual financial report,
 - (ii) elect committee members
 - (iii) conduct general business and
 - (iv) make amendments to the Constitution.
- d. A quorum shall comprise at least three members of the committee, the Chairperson, Secretary and Treasurer, or nominees from the committee, and an additional 25% of current members.

- e. Voting by proxy will be permitted provided notice is submitted to the Secretary at least 24 hours before the meeting. This must be in writing and signed by the member for whom the proxy is being held. A member may hold maximum of two proxies.
- e. The committee will elect a chairperson, vice-chairperson, secretary and treasurer within 14 days of the AGM.

2. Special General Meetings:

- a. A Special General Meeting may be called either by the Committee or upon the written request of at least five members.
- b. Members shall be given 14 days' notice of such a meeting with the special topic(s) to be discussed and the reason(s) for it/them being raised.
- c. A quorum shall comprise at least three members of the committee, the Chairperson, Secretary and Treasurer, or nominees from the committee, and an additional 25% of current members.
- d. Proxies will be permitted as provided under Section G.1.e.

3. Committee meetings:

- a. Committee meetings shall be held at least once every six months at a venue decided by consensus.
- b. Committee meetings may be held at shorter intervals if the volume of business demands it.
- c. Committee members shall be given 14 days' notice of meetings.

4. Voting:

- a. All decisions, with exception to Sections G.6.a. and I.1., shall be taken by a simple majority vote on a show of members' hands.
- b. A member may vote either as an individual or as representing an organisation, but not both.
- c. The Chairperson shall have both an ordinary vote and a casting vote.
- d. All members shall have one vote and shall vote either as an individual, or for an organisation he/she represents.
- e. A vote may be deferred if an issue requires additional consideration.
- f. Proxies will be permitted as provided under Section G.1.e.

5. Deferring of meetings:

In the event of there not being a quorum present at a meeting, that meeting shall be deferred for a period of at least seven days. The number of members present at such a subsequent meeting shall constitute a quorum.

6. Amendments to the Constitution:

The Constitution may be amended with exception to Clause E.1. The following procedure shall be required for amendments:

- a. A proposal for an amendment of the Constitution must be submitted in writing to the Secretary 30 days prior to an Annual or a Special General Meeting and must be forwarded to members with the notice of the meeting. Any amendment must be passed by a three-quarters majority of those present at the meeting.
- b. The amendment need not be submitted to the Receiver of Revenue except where it may affect Timberwatch's tax-exemption status.

H. LEGAL

1. Timberwatch is a voluntary association not for financial gain.
2. Timberwatch may sue or be sued in the name of Timberwatch.
3. Timberwatch's liabilities shall be limited to the total financial assets it holds.
4. Liability for Timberwatch's official actions, statements or the suchlike cannot be extended to its members.

I. DISSOLUTION

1. Timberwatch may be dissolved by a special resolution passed by a two-thirds majority of all its members at a general meeting called for that purpose. This meeting shall also determine how assets will be disposed of.
2. Timberwatch's property, funds and assets may be given to, or transferred to, another organisation with similar objectives to its own and which is also exempt from income tax.

J. ADOPTION

This Constitution of Timberwatch was confirmed and adopted at a General Meeting of its members held in Durban on 17 April 2004.

Signed:

Chairperson