



# **MOTH CONSTITUTION AND GENERAL STANDING ORDERS**

**Issued by MOTH General Headquarters**

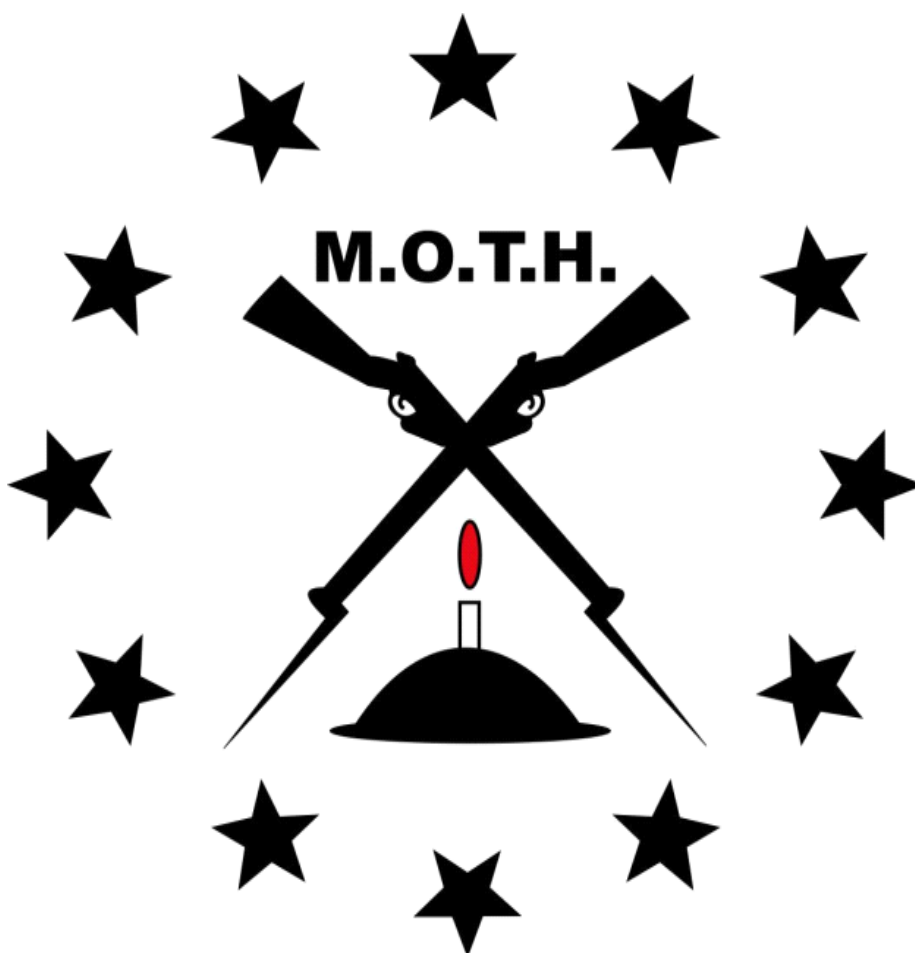
**Durban**

**REVISED NOVEMBER 2018  
And UPDATED as at NOVEMBER 2020**

## **It's The Spirit that Counts**

**“There never has been, nor ever can be, a perfect constitution; nor will new laws cease. The most we common mortals can do is to observe the rules and then between the lines discover the simple truth ... that in true brotherhood ‘It’s the spirit that counts.’”**

**MOTH O**



## MEMORABLE ORDER OF TIN HATS

### DEFINITIONS

In the MOTH Constitution and General Standing Orders, unless inconsistent or irreconcilable with or unless the context otherwise indicates:

1. **COMMAND DUGOUT** means a Provincial Dugout that operates independently outside the borders of South Africa in terms of its own Constitution and General Standing Orders of which a copy shall be supplied to MOTH General Headquarters. Any amendments made from time to time to a Command Dugout's Constitution and General Standing Orders shall be advised to MOTH General Headquarters.
2. **FRONT LINE** means any operational area.
3. **IN GOOD STANDING** means in respect of a Moth, who has paid all  
Nov10 subscriptions or other dues to his Shellhole or any other MOTH Unit and  
whose name appears on its nominal roll, or a Unit of the Order which has  
submitted all necessary returns and nominal rolls and paid all subscriptions to  
May11 the next senior Unit as well as paid any amounts owing and has submitted  
any returns outstanding to any other MOTH Unit.
4. **MESCA** means the MOTH Ex-Servicemen's Cottage Association which has a constitution approved by the Department of Social Development with branches established in Provinces.
5. **MOTH** means an abbreviation of "The Memorable Order of Tin Hats" which is  
Nov11 a voluntary organisation with its own Constitution and General Standing  
Orders and all members are bound by a membership Oath and the Code of  
Conduct.
6. **Moth** means a member of the MOTH.
7. **MOTH CAUSE** means any activity which has been approved by the National  
Executive and is controlled by a Unit or the Order with emphasis given, firstly,  
Nov04 to activities for the benefit of the Order, or the MOTHWA its members and  
their dependants, and secondly, to activities for the benefit of ex-servicemen,  
ex-servicewomen and their dependants which shall not be in conflict with  
Clause 2.2 of the MOTH Constitution.
8. **PROPERTY MANAGEMENT COMMITTEE (PMC)** means the committee  
May06 controlling all MESCA other MOTH Cottages and all MOTH properties and is  
a sub-committee of the Full National Executive and as such is a Unit of the  
Order.

9. **PROVINCIAL DUGOUT** means a Dugout which is representative of and controls a MOTH Province.
10. **RECRUIT** means a prospective Moth.
11. **TRADING UNIT** means any MOTH Club, MOTH Memorial Centre or MOTH Cottage Scheme. It includes any other MOTH building on which there is a bond or which has a monthly fixed commitment in excess of R2 000.00.
12. **UNIT** means a Shellhole, Cottage Scheme, a MOTH Club, a MOTH Memorial Centre, a District Dugout, a Provincial Dugout, the Property Management Committee and any Branch of such committee.  
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13. **AUDIT** means either
- 13.1 A registered or retired Chartered Accountant shall undertake an auditing assignment in accordance with professional standards prevailing from time to time without restriction.
- OR**
- 13.2 A competent person shall have unrestricted discretion in performing his duties as an auditor when examining the financial statements of Units of the Order.
14. **A MOTH Cottage Scheme** includes any Unit with one or more cottages. Where a Shellhole directly administers only one such cottage, and/or accommodation unit, then such Shellhole or Unit may upon written request to the Property Management Committee be granted exemption from certain specified levy/levies and written returns.  
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15. **OUTPOST** means a Unit whose physical location is remote in relation to other Units in a Province.  
May00 The Full National Executive shall determine which Units shall be considered outposts.
16. **MASS MEDIA** means any form of communication, electronic or otherwise, which has the technical capacity to deliver information to millions of people over a relatively short space of time.  
Nov12
- June 2020
17. **POPI.** "The Protection of Personal Information" as defined in the Act of 2013.
18. **Operator.** The Person who updates the information on the MOTH Nominal Roll Data Base.
19. **Information Officer.** The Moth who is nominated at a National Level to ensure compliance to POPI.

## **INTERPRETATION**

In the interpretation of the MOTH Constitution and Standing Orders:-

1. Masculine shall be deemed to include feminine and neuter.
2. Singular shall be deemed to include the plural.

## **MEMORABLE ORDER OF TIN HATS**

### **CONSTITUTION**

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## **MEMORABLE ORDER OF TIN HATS CONSTITUTION**

### **1. NAME**

The name of the Order is the Memorable Order of Tin Hats and means only the brotherhood founded in 1927 by Charles Alfred Evenden, better known as EVO or Moth "O".

### **2. OBJECTS**

The Order is based on concord and harmony and operates independently of race, religion or politics, in the same way as front line service, but with full democracy.

#### 2.1 Its Ideals are:-

To maintain the living spirit of front line comradeship through the ideals of;

2.1.1 T.C. (True Comradeship) by practising front line friendship in civilian life;

2.1.2 M.H. (Mutual Help) by acknowledging the personal and collective obligation to help each other as in front line service;

2.1.3 S.M. (Sound Memory) by remembering the fallen as a living companionship and to serve their memory in practical actions which rise above divisions of social status, race, or politics.

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These ideals permeate every aspect of the existence of the MOTH, and all of the activities and objects are carried out within the context of the said ideals.

2.2 Its objectives are to protect and advance the interests of war veterans and their kin, by carrying out benevolent activities of an ex-service character.

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2.3 The principal objects of the Order are :

2.3.1 the care or counselling of poor and needy persons where more than 90 percent of those persons to whom the care or counselling are provided are over the age of 60, in compliance with paragraph 1(b) of Part I of the 9th Schedule of the Income Tax Act.

2.3.2 the provision of poverty relief, in compliance with paragraph 1(f) of Part I of the 9th Schedule of the Income Tax Act.

2.3.3 the provision of residential care for retired persons, where:

2.3.3.1 more than 90 percent of the persons to whom the residential care is provided are over the age of 60 and nursing services are provided by the organization carrying on such activity, and

2.3.3.2 residential care for retired persons who are poor and needy is actively provided by that organization without full recovery of cost, in compliance with paragraph 3(c) of Part I of the 9th Schedule of the Income Tax Act;

2.3.4 the provision of funds, assets, services or other resources by way of donation to any

2.3.4.1 public benefit organization which has been approved in terms of Section 30;

2.3.4.2 institution, board or body contemplated in section 10(1)(cA)(i), which conducts one or more public benefit activities in this part (other than this paragraph); or

2.3.4.3 association of persons carrying on one or more public benefit activities in this part (other than this paragraph), in the Republic

in compliance with paragraph 10(a)(i) to (iii) of Part I of the 9th Schedule of the Income Tax Act.

2.3.5 the provision of support services to, or promotion of the common interests of public benefit organisations contemplated in section 30 of the Income Tax Act or institutions, boards or bodies contemplated in section 10(1)(cA)(i) of the Income Tax Act, which conduct one or more public benefit activities contemplated in Part I of the 9th Schedule of the Income Tax Act,

in compliance with paragraph 11(a) of Part I of the 9th Schedule of the Income Tax Act.

2.3.6 The promotion, establishment, protection, preservation or maintenance of areas, collections or buildings of historical or cultural interest,

national monuments, national heritage sites, museums, including art galleries, archives and libraries,

in compliance with paragraph 6(b) of Part I of the 9th Schedule of the Income Tax Act.

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2.4 The activities and resources of the Order shall be exclusively applied in the furtherance of the aforesaid objects.

### **3. POWERS AND DUTIES OF UNITS**

3.1 All Units of the Order, subject to the prior written approval of the Provincial Dugout and the National Executive, have the right to;

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3.1.1 Purchase, receive by donation or otherwise acquire, add to, alter, improve, maintain, renovate and refurbish immovable property and mortgage upon security thereof subject, in the case of Units falling under the jurisdiction of a Provincial Dugout, to the approval of such Provincial Dugout which will in turn advise MOTH General Headquarters PROVIDED ALWAYS THAT the title deeds of such immovable property shall, inter alia, contain a clause which will state that the property or a portion thereof, which is covered by the title deeds, may not be sold or otherwise alienated without the prior written approval of the National Executive. (To be read in conjunction with Clause 12, Movable and Immovable Assets, and sub-clauses under Clause 12 where applicable and Annexure "H" in MOTH General Standing Orders).

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3.1.2 Sell or donate or otherwise alienate immovable property subject to the approval of the National Executive, which shall be sought through the correct channel of communication as provided herein. In the event of a sale of immovable property, the nett proceeds thereof shall be subject to clause 12.3. in MOTH General Standing Orders.

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3.1.3 On security of their immovable property pass mortgage bonds, and/or to pass notarial bonds over movable property.

### **4. MEMBERSHIP**

4.1 The Order is an independent brotherhood of ex-service men and women as well as serving men and women whose membership is confined to those who served or currently serve their country in the armed services in an active theatre of operation.

4.2 MOTH General Headquarters may in its discretion accept affiliation to the Order of MOTH Units located in other states or countries and the Memorable Order of Tin Hats Women's Auxiliary (MOTHWA).



## **5. CONTROL**

The control and well-being of the Order is vested in a governing body which shall be known as MOTH General Headquarters and shall always be located in Durban. The composition of and election to MOTH General Headquarters shall be as defined in General Standing Orders.

## **6. GENERAL STANDING ORDERS**

The control and operation of the Order shall be administered and operated under the authority of such General Standing Orders as may be prescribed by MOTH General Headquarters from time to time.

## **7. WINDING UP**

In the event of the Order being dissolved or wound up, the procedure to be followed shall be as prescribed in General Standing Orders, Clause 16.8.

## **8. AMENDMENTS TO CONSTITUTION**

No clause or part of this Constitution shall be amended, amplified or rescinded except by a two thirds majority of MOTH General Headquarters.

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Any amendment to this Constitution shall be submitted to the Commissioner for Inland Revenue in terms of Section 30(b)(3)(vi) of the Income Tax Act.

## **9. EMBLEM**

The emblem of the Order is a tin hat surmounted by a lighted candle, flanked by reversed crossed rifles, and surrounded by twelve stars. Members of the Order shall at all times wear a Tin Hat as approved and supplied by MOTH General Headquarters.

## **10. FLAG/CEREMONIAL BANNER**

10.1 The Flag of the Order is composed of three equal perpendicular panels of dark blue, red and sky blue representing the three services from which the Order originates and carries the Tin Hat and Candle symbol in the centre.

10.2 The Ceremonial Banner of the Order is 1 150mm x 920 mm composed of three equal perpendicular panels, the colours to conform as nearly as possible to those of the 1939 – 1945 Star, i.e. blue, red and sky blue, with the official MOTH badge of crossed rifles and Tin Hat surrounded by twelve stars in gold on a black background encircled by laurel branches, worked in gold in the centre of the banner. The banner shall be fringed in gold.

10.3 The flag and banner shall only be supplied by and obtained from MOTH General Headquarters.

## **11. MOTH SALUTE**

The salute of the Order is the “rest on arms reversed” position and shall be used on all MOTH occasions.

## **12. CONDUCT AND DRESS**

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All Moths shall dress and conduct themselves according to the laid down Provincial General Standing Orders.

## **13. PROHIBITED ACTIVITIES**

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The Order shall, in terms of Section 30(3) of the Income Tax Act:

- 13.1 be prohibited from directly or indirectly distributing any of its funds to any person (otherwise than in the course of undertaking any public benefit activity) and is required to utilise its funds solely for the object for which it has been established;
- 13.2 be prohibited from accepting any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A of the Income tax Act; Provided that a donor (other than a donor which is an approved public benefit organisation or an institution board or body which is exempt from tax in terms of section 10 (1) (cA) (i) of the Income Tax Act, which has as its sole or principal object the carrying on of any public benefit activity) may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation;
- 13.3 not pay any remuneration, as defined in the Fourth Schedule of the Income Tax Act, to any employee, office bearer, member or other person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.

## **14. APPROVAL OF UNIT CONSTITUTIONS**

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The General Headquarters shall have the power to approve individual Constitutions for the various Units of the Order, and to approve any amendments to such Constitutions.

**MEMORABLE ORDER OF TIN HATS**  
**MOTH GENERAL STANDING ORDERS**

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## **MEMORABLE ORDER OF TIN HATS**

### **GENERAL STANDING ORDERS**

The following MOTH General Standing Orders shall be observed and adhered to by all Units of the MOTH.

#### **1. MEMBERSHIP**

##### 1.1. Qualifications

Membership is confined to those whose qualifications conform strictly to Clause 4.1. of the Constitution. Qualifications for membership are as defined in these General Standing Orders and associate membership of the Order is not permitted.

##### 1.2. Conditions

###### 1.2.1 Member in Good Standing

No person may be, or continue to be, a member of the Order or of any Unit thereof unless he is in good standing.

###### 1.2.2 Proprietary Rights

Membership of the Order of any Shellhole shall not confer upon a member any proprietary rights in the assets of the Order or of a Unit thereof.

###### 1.2.3 Dual Membership

Nov14                      Dual membership is no longer applicable.

###### 1.2.4 Right of Entry

There is no right of entry to the MOTH even for a person whose eligibility is beyond doubt. Every Shellhole has the right to refuse

admission to an applicant whose membership is not desired by the majority of its members.

#### 1.2.5 Members Known as Moths

Members of the Order shall be styled “Moths” and shall be so addressed at MOTH gatherings and meetings.

#### 1.2.6 Re-admission to Membership

An ex-member of the Order who seeks re-admission to a Shellhole shall complete the application form prescribed. In such a case no financial responsibility shall be imposed upon the ex-member for prior subscriptions.

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On completion of the Application Form prescribed, a copy of the previously tendered Letter of Resignation from the Order must be attached to said Application for Re-Admission, and both documents forwarded to the next senior Unit for consideration before any decision to re-admit and induct the proposed recruit. See paragraph 1.3 Admission of New Members, Clause 1.3.1. of GSO's. After due consideration of both documents, a decision to accept or decline the Application of the Recruit shall follow normal procedures.

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Any ex-member who has been expelled from the Order may not be re-admitted as a Member of the Order and may not attend any meeting or function held under the auspices of the MOTH.

#### 1.2.7 Honorary Membership

While non-Moths may be welcomed to any Shellhole, there are no honorary members of the Order and this title may not be used.

#### 1.2.8 Life Membership

There is no life membership of the Order. Shellholes may accord life membership of a Shellhole to a member. Such Shellholes are bound never to remove his name from the nominal roll of the Shellhole while he lives except as provided for in Clause 1.4. or in the following circumstances:

May 19

At the member's request or should the member resign, then his Life Membership is rescinded. If the member requests a transfer to another Shellhole, or should the Shellhole close or amalgamate with another Shellhole, then the member's Life Membership status is no longer valid and becomes a normal member.

### 1.2.9 New Members

New members including transferees must be advised to MOTH General Headquarters immediately after enrolment and observing the recognised lines of communication.

### 1.2.10. Transfers

When a Moth is transferring from another Shellhole, located within the borders of South Africa, he shall produce an official transfer certificate or letter approved by the Shellhole Executive, after which the transfer may be confirmed at a general meeting of his new Shellhole.

May 19 The Transfer Certificate/Letter must confirm until when the Moth remains in Good Standing. Transfer Certificates should only be valid until the end of that current Financial Year. Once the Moth is accepted to the new Shellhole, that new Shellhole must notify the new member's previous Shellhole of their acceptance of him within 30 days

May99 A Moth seeking transfer from any Unit of a Command Dugout shall be subject to the procedure for new recruits. The names and addresses of new members and capitation fees, where applicable, as well as those members transferring into the Shellhole shall be advised to MOTH General Headquarters through the recognised lines of communication immediately after acceptance.

### 1.2.11. Command Dugout Members

A member of a Command Dugout has no right of membership of a MOTH Unit located within the borders of South Africa. Such members who wish to obtain membership of a Unit shall satisfy the eligibility requirement of Annexure "B" of these General Standing Orders.

## 1.3 Admission of New Members

### 1.3.1. Application Form

Applicants shall furnish their full names and identity numbers on the application form GHQ1 and be sponsored and seconded by two members of the Shellhole who are in good standing, who shall vouch for the worthy motives of the applicant.

If the Shellhole is satisfied that all requirements are met then the form must be submitted to District for verification. Once the District has

ratified the form it will then be returned to the Shellhole and the recruit may be inducted. If the District is in any way unsure then the application must be forwarded to the Province.

#### 1.3.2. Sponsors

Sponsors should introduce applicants to the meeting stating their names, units and particulars of service.

#### 1.3.3. Items to be issued

Each recruit on payment of the dues prescribed by the Shellhole shall be furnished with a bronze Tin Hat and certificate of membership.

### 1.4. Expulsion and Suspension

#### 1.4.1. Contravention of Rules

Any Unit or member of a Unit who wilfully breaks or disregards any of the rules of the Order, or whose conduct, in the opinion of the Executive of a Provincial Dugout having jurisdiction, or in the opinion of the National Executive, is injurious or calculated to be injurious to the interests of, or to the character of the Order, may be expelled from the Order or have his membership or Charter suspended for a period at the discretion of the Provincial Dugout.

In the case where such a Unit is a Provincial Dugout, the Full National Executive shall have jurisdiction exercising the powers and duties as delegated by MOTH General Headquarters in Clause 2.5.4, and in sub-clause 2.5.4.7.

May99 1.4.2. The Power of Expulsion or Suspension shall only be exercised by a Provincial Dugout

Nov02 1.4.2.1. The power of expulsion or suspension shall be exercised by a Provincial Dugout having jurisdiction over a member or Unit concerned. A Shellhole may only recommend suspension or expulsion of a member through the District Dugout to the Provincial Dugout with jurisdiction over the member, and that Provincial Dugout shall effect the expulsion/suspension of the member concerned.

Nov11 Where the members of the National Executive maybe implicated in whatever possible misdemeanours the Rules of Annexure "I", Clause 9.2 must be taken into account.

Nov10

The Provincial Dugout shall inform the member of the action being taken against him, in writing, by registered post to his last known address, as well as by hand delivery of the letter against his signature (if possible), and at the same time advise him of a pending hearing which he may wish to attend at the Provincial Dugout, should he wish to defend the allegations giving rise to the expulsion/suspension. He may bring a Moth in good standing who is not a legal practitioner to represent/defend him.

May13

**NB:** The notice of Suspension/Expulsion must be accompanied by a Charge Sheet setting out explicitly the Charges against the Member/Unit.

The Provincial Dugout having jurisdiction over a member or Unit shall exercise expulsion/suspension procedures against a member or Unit with or without the recommendations of a District Dugout or from that member's Shellhole. The same notification procedures in writing, as set out above, will apply.

After the hearing procedure by the Provincial Dugout, the member or the Executive of the Shellhole concerned shall be served with a letter regarding the Provincial Dugout's final decision against his/its signature on the duplicate of the letter.

Should the member or the Executive of the Shellhole fail to attend the hearing meeting, the Provincial Dugout shall inform the member or the Executive of the Shellhole concerned of its decision. The decision shall be sent by registered letter to the last known address and the letter shall, if possible, also be hand delivered against signature on the duplicate of the letter.

Nov11

Any Appeal must be submitted by the person, or Unit, which/who has been Suspended or Expelled by a Provincial Dugout after a disciplinary hearing has been held, within a time limit of 30 days from the date of such decision. Should a hearing not take place within thirty days from the Date of the Suspensions/Expulsion, such decision will become void. If a person(s) or Unit wishes to appeal against the decision of the Provincial Dugout, such Appeal must be lodged with the National Executive, (copied through the lines of communication to the Provincial Dugout,) within

May13	<p>thirty days of the decision of the Provincial Dugout concerned. Such Appeal must clearly state his/their grounds upon which it is based. On a timeously lodged Appeal, the decision of the National Executive shall be final.</p> <p><b>NB:</b> The authority to Uplift Suspensions, or set aside Expulsions, imposed by a Provincial Dugout is vested solely in the Full National Executive, subject to Appeal procedures as stated above, or at the request and motivation of a Provincial Dugout having jurisdiction.</p> <p>At the completion of a period of Suspension by Expiry, the Provincial Dugout having jurisdiction shall inform the National Executive of such termination of the period of Suspension, so that a Letter of confirmation for the Upliftment of Suspension can be sent to the Member/Unit.</p>
May99	<p>1.4.2.2 The Full National Executive as delegated by MOTH General Headquarters, having jurisdiction over a Provincial Dugout concerned, shall have the powers to suspend or expel certain or all members of a Provincial Dugout Executive. Such notice of expulsion or suspension shall be served by registered mail or by hand against signature as proof of delivery.</p>
Nov11	<p>Where a Provincial Dugout or certain or all members of a Provincial Executive has/have been Suspended or Expelled by the National Executive, they may appeal against the decision by lodging with MOTH General Headquarters through the normal lines of communication a written Appeal within thirty days of receipt of the decision of the Full National Executive, giving grounds for such Appeal. The decision of an Appeal Committee as constituted by the MOTH GHQ on a timeously lodged Appeal. shall be final.</p>
May03	<p>On the expulsion of any person/s from the Order, the full names and identity number/s of such person/s shall be included in circular/s announcing the expulsion/s.</p> <p>During any period of Suspension or Expulsion of a Provincial Dugout, or members of its Executive, any essential duties and responsibilities shall be</p>

under the jurisdiction of the Full National Executive or the National Executive Administrative Committee or their appointed representatives.

- May05                    1.4.2.3.            Any member who has been suspended may not resign both from the office or offices he/she fills or from the MOTH until such time as the suspension has been lifted or a disciplinary hearing is heard and/or a decision made in respect of the reason for the suspension being imposed.
- Nov10                    1.4.2.4.            In the event that a Shellhole or District is suspended, those members who hold office in senior positions within the Order, outside the Unit suspended, may carry on performing such duties, provided that this does not interfere with the on-going investigation of the suspended Units and that the cause of the suspension was not due to their own wrong doing.
- May 16                    1.4.2.4.1.            **ADMINISTRATION ORDER.**  
A Unit may be placed under ADMINISTRATION by a Provincial Dugout having jurisdiction. This decision is applied following a request of a next senior Unit [District Dugout or Provincial Dugout where no District structure exists] for a period of ADMINISTRATION to be instituted to rectify certain outstanding requirements as per GSOs, SOPs and Circulars.  
A Unit under ADMINISTRATION is effectively not in Good Standing for the period of Administration, and all functions of this Unit will devolve on the Administering Unit, thus being the next Senior Unit as directed by the Provincial Dugout. While the Unit is under ADMINISTRATION, the Unit's members may not resign until all outstanding issues have been resolved.  
As soon as a Unit is placed under ADMINISTRATION the Unit must be advised in writing, by email, courier and /or hand delivery. Reasons to be provided why it has been placed under ADMINISTRATION. Consider advising the Executive of the Unit or all the members of the Unit to obviate unnecessary spreading of rumours and to prevent outside interference from other Moths or Units.  
Such ADMINISTRATION shall remain in force until the Unit [or trading Unit] concerned has complied with all requirements in terms of the proper



submissions of Nominal Rolls, Financial returns and requirements that may be outstanding as per GSOs. The MOTH Office must be advised immediately as soon as a Unit is placed under ADMINISTRATION.

The Executive, [or Moths appointed by the Provincial Dugout] of the Unit under Administration, must send a progress report to the Provincial Dugout on a regular basis within 30 days until outstanding issues have been resolved. When all outstanding matters have been satisfactorily complied with, the Provincial Dugout may uplift the ADMINISTRATION. The Unit to be advised in writing that it is now in Good Standing again. The MOTH Office to be advised accordingly. Where all efforts to resolve outstanding matters in a short period, say ten [10] weeks, have been unsuccessful, the Provincial Dugout having jurisdiction must consider formal Suspension Procedures and/or Disciplinary measures that should be applied as set out in GSOs and SOPs. As far as Cottage Units, MESCA and/or MOTH are concerned the PMC Chairman and his Committee may, due to serious Administrative problems, decide to place such Units under Administration for longer periods until all problems have been resolved.

#### 1.4.3. Combination of Provincial Dugouts

If a Unit is instructed by the National Executive to combine with another Unit, then such Unit may appeal against the instruction giving details of its objection and lodge it within thirty days of the receipt of the instruction. The decision of the Full National Executive on a timeously lodged appeal or in the absence of an appeal shall be final.

## 2. FORMATION AND ADMINISTRATION OF UNITS

### 2.1. Charters

#### 2.1.1. Authority

No Unit of the Order shall function without a Charter issued by MOTH General Headquarters through Provincial Dugouts.

#### 2.1.2. Withdrawal

In the case of a Charter issued to anybody other than Provincial Dugouts, District Dugouts or Shellholes, such Charter may at any time

be withdrawn by MOTH General Headquarters, in the event of it being satisfied in its discretion, that such withdrawal shall be in the interests of the Order.

## 2.2. Executive Officers

### 2.2.1. Definition

The Executive Officers of all Provincial and District Dugouts and Shellholes shall be:

- |       |          |                             |
|-------|----------|-----------------------------|
| Nov98 | 2.2.1.1. | Old Bill / Commander        |
|       | 2.2.1.2. | Deputy Old Bill / Commander |
|       | 2.2.1.3. | Adjutant                    |
|       | 2.2.1.4. | Paybill / Paymaster         |

All Units may appoint further members to assist the Executive Officers in the work of the Order. Units may appoint special sub-committees from members specially qualified, the respective Old Bill and Paybill being Ex Officio members of all such sub-committees.

- |       |   |
|-------|---|
| May00 | Units may utilize non-Moths to undertake the work for the positions of Adjutant or Paybill/Paymaster and may be paid for by way of out of pocket expenses |
| Nov06 | for these services. Only Moths shall serve on the Executive and have voting rights.   |
| May06 | Executive Officers of any MOTH Unit may not serve on the Executive of any Club which operates on or from a Unit's property.                               |

### 2.2.2. Disqualification

An Executive Officer of a Unit shall cease to hold office –

#### 2.2.2.1. Imprisonment and Insolvency

If he is sentenced to a term of imprisonment or has become of unsound mind; if he has become insolvent, assigns his estate, suspends payment of his debts, or files a petition for the surrender of his estate. Such a member may be elected to an Executive office (excluding the position of Paybill) on provision of satisfactory proof of his rehabilitation or discharge from insolvency.

#### 2.2.2.2. Removal from Office

An Executive Officer of a Unit may be removed from office by a two-thirds majority vote of members present at a properly constituted meeting of that Unit.

#### 2.2.2.3. Authority of Provincial Dugout

Nothing in the foregoing shall be construed as negating or diminishing in any way whatsoever the authority of the Executive of a Provincial Dugout to expel or suspend or remove from office any member whatsoever under its jurisdiction in terms of Clause 1.4.1 and 1.4.2.

### 2.2.3. Paid Officials

Paid officials in any Unit of the Order shall not be eligible to hold Executive Office, nor shall they be eligible to vote on any matter connected with or arising during the course of their duties. Paid officials of other national ex-service organisations shall not be eligible to hold committee or Executive Office in Units of the Order or in any project undertaken by a Unit of the Order.

### 2.2.4. Old Bill's Qualifications

A Provincial Old Bill or a District Old Bill may be nominated for the Full National Executive and, if elected, shall resign as a Provincial Old Bill. A Command/Provincial Old Bill shall not be eligible to be Old Bill of any District Dugout in that Command/Province. A District Old Bill shall not be eligible to be Old Bill of any Shellhole in that District provided that this arrangement may be permitted with approval of the Provincial Executive.

Where no District Dugout exists in the Province of a Provincial Dugout, that provincial Old Bill may not hold office as a Shellhole Old Bill in that Province at the same time.

### 2.2.5. Conflicts of Interest

May05      Should that or any member who has an interest in any matter which is a subject of discussion at a meeting must declare such interest however distant and must furthermore refrain from entering into the debate to influence the outcome of the debate and furthermore also refrain from participation in a vote if taken.

### Nov09 2.2.6. Conflicts of Interest - Executive Officers

In the event of a member being elected to an Executive Post it shall be minuted at that meeting that such member is a member of other organisations which must be specified in the minutes of such meeting.

### 2.2.7 Committee members

Nov12      The following posts may be allocated each MOTH year together with the election of the Executive Posts and need to be installed in the normal MOTH manner:

Training Officer (This post should be filled by the immediate past Old Bill or if this officer is not available by a past Old Bill or in a worst case situation a past Executive Officer. This post is to ensure that the Constitution and Standing Orders, Standard Operating Procedures, Units Standing Orders and other MOTH training material is conveyed to the Executive Officers and other interested Moth's and is a post required at all levels).

Sergeant Major (This post is to ensure discipline within the Unit as far as conduct, dress and the general organisation is upheld in terms of the MOTH Constitution and General Standing Orders, Standing Operating Procedures and accepted parade discipline and is a post required at all levels).

Supply Bill / Quarter Master (This post is to ensure stores of all description as required by the Unit concerned are available should they be required by the members and is a post required at all levels).

Recruiting Officer (This post is usually given to the Deputy Old Bill and is required at all levels).

Rag Bill (This post is to prepare and submit monthly, if possible, reports and photographs for incorporation on to the Unit's web page via the MOTH Office and is a post required at all levels).

Welfare Bill / Sick Bill (This post is to keep in touch with Shellhole members and report on their well-being at meetings).

Play Bill / Entertainment / Project Organiser or Facilitator (This post is to insure that the Shellhole has an active program of events to attract and retain members together with their families and could include activities such as darts, braais, bowls, golf, fetes etc.).

In the event of Units requiring additional committee members to suit their particular needs these positions should be filled as mentioned above or in terms of paragraph 2.2.1.

## 2.3. UNITS

### 2.3.1 Shellholes

#### 2.3.1.1. Minimum Membership

Subject to the prior approval of the Provincial Dugout, the minimum number of qualified persons required to form a Shellhole is six.

2.3.1.2. New Shellholes

An application to form a new Shellhole, including its proposed name, shall be submitted through the nearest District Dugout or if no District Dugout exists through the Provincial Dugout or if no Provincial Dugout exists direct to the National Executive for approval. The Provincial Old Bill or District Old Bill will open that new Shellhole, initiate new members and install its Executive Officers.

2.3.1.3. Naming of Shellholes

To avoid the duplication of names the proposed name of a Shellhole shall be submitted to MOTH General Headquarters by the Provincial Dugout concerned. Names of Shellholes should be associated with wartime comradeship. The use of names of living persons is to be avoided. The names of deceased persons may only be used with written approval of the next-of-kin.

2.3.1.4. Executive Officers

The control and administration of a Shellhole is vested in its Executive Officers as defined in Clause 2.2.1. of these General Standing Orders.

2.3.1.5. Election

All members of a Shellhole in good standing shall have a vote and are eligible for election to office. A member not present at a meeting cannot be nominated for office, unless his acceptance in writing is obtained prior to the meeting. The election of officers of a Shellhole shall be held not later than September each year, and their installation shall take place either at the election meeting or the following meeting.

2.3.1.6. Vacancies

In the event of a vacancy occurring on the committee, the Executive Officers shall have the power of co-option to fill such vacancy subject to confirmation at the next general meeting of the Shellhole.

2.3.1.7. Activities

The activities of every Shellhole shall be in complete harmony with the Order's ideals and objects and in keeping with the recruit's declaration in the Founder's Ritual (see Annexure "A" of these General Standing Orders).

2.3.1.8. Meetings

Shellholes shall meet once a month or at such other time or venue as may be approved at a general meeting of the Shellhole. All monthly meetings shall be considered general meetings as well as any meetings convened by the Executive Officers on at least six day's written notice to all members in good standing. A special general meeting may be convened by the Executive Officers on a writing request signed by not less than fifty per cent of members of the Shellhole in good standing, or by the Executive who at their own discretion may call such a special general meeting to deal with a matter of urgency. At least six days' notice shall be given of such a meeting. A monthly meeting in each year shall be the Annual General Meeting, unless the Executive shall convene a special general meeting in that month as the Annual General Meeting. At a general meeting a quorum shall be not less than twenty per cent of members of the Shellhole in good standing. At meetings of the committee a quorum shall be four members of which at least two shall be Executive Officers.

2.3.2. District Dugouts

2.3.2.1. Formation

Nov07 District Dugouts may be formed where five or more Shellholes can conveniently be administered by a District Dugout, which shall only be formed with the approval of the Shellholes concerned and of their Provincial Dugout.

Nov07 Districts with fewer than five Shellholes may not continue without the written approval of the Provincial Dugout, which approval must be given on an annual basis.

2.3.2.2. Executive

The District Dugout's Executive Committee shall be elected and installed at the Annual General Meeting. A Provincial Old Bill shall not be eligible to be Old Bill of any District Dugout in that Province.

A Shellhole Old Bill shall not be eligible to be a District Old Bill in that District, provided that this arrangement may be permitted with the approval of the Provincial Executive. Where no District Dugout exists in the Province of a Provincial Dugout, that Provincial Old Bill may not hold office as a Shellhole Old Bill in that Province at the same time.

A member absent from a meeting at which elections are held shall not be nominated for office, unless his acceptance in writing is obtained prior to the meeting.

May13

VACANCIES: In the event of a Vacancy occurring on the District Dugout Executive Committee, the Executive Officers shall have the power of co-option to fill such vacancy subject to confirmation at the next General Meeting of the Dugout.

#### 2.3.2.3. Shellhole Representation

Each Shellhole shall be represented at a District Dugout meeting by the Old Bill/Commander and one other delegate. The Old Bill may nominate a delegate to a District meeting if he is unavailable to attend.

#### 2.3.2.4. District Meetings

The Annual General Meeting, election of office bearers and installation shall take place on or before 30th September in each year. The Dugout Executive shall hold meetings as and when it deems fit. A quorum of three Dugout Executive Officers shall constitute a Dugout Executive meeting. The Dugout and all Shellholes shall, within fourteen days of the installation of Executive Officers, hold a special Executive meeting to enable them to be conversant with the financial state of the Dugout; administration arrangements, inclusive of nominal rolls and capitation fees, and to obtain the signatures of those members of the Executive appointed as signatories for the Dugout.

#### 2.3.2.5. Voting

Nov07

Representation at MOTH District Dugout meetings may be by a maximum of two delegates from each Shellhole

whose representatives shall carry collectively the voting powers of their respective Shellholes on the following basis:-

One vote per six full members or part thereof as reflected on the current nominal rolls (full members do not include dual members) where votes shall be calculated as follows:-

The total members on a Shellhole's nominal roll divided by 6. For example should a Shellhole have 38 members on its nominal roll that Shellhole shall have 7 votes. No Shellhole irrespective of their size shall have more than seven votes. The four Executive members of the District Dugout shall each have one vote.

#### 2.3.2.6. Control

The Dugout shall be subject to the control of the Provincial Dugout under whose jurisdiction it operates, in all matters pertaining to the policy and welfare of the MOTH.

#### 2.3.2.7. Powers

The District Dugout shall be empowered:

To recommend the establishment, suspension or disbandment of any Shellhole upon request or on a decision taken at a monthly meeting, provided that in any instance of disbanding, a Shellhole shall be subject to confirmation of the Provincial Dugout and the exercise of the right to appeal by the Shellhole to be disbanded. Such appeal shall be lodged within thirty days of receipt of notice to disband through the normal channels of communication. In the event of the suspension, disbandment or a Shellhole ceasing to operate, the Dugout shall take possession of all movable effects thereof, of all monies on hand, due and invested, and all immovable property. It shall be responsible for the payment of all creditors.

To enquire into affairs of any Unit under its control and to call for and examine accounts, ledgers and other records where it considers such action justified, as may be necessary to maintain reasonable control or to safeguard the good name of the MOTH.

To control all questions affecting membership of the Order within the District excluding those that relate to



expulsion and suspension, which initially shall be dealt with by the Provincial Dugout having jurisdiction. To control the affairs of the MOTH within the District Dugout subject to any directives given by the Provincial Dugout.

To exercise all such powers as are vested in it by members of the District Dugout.

To purchase, own, hire, receive, mortgage or otherwise deal in/or raise loans upon movable or immovable property, subject to approval of the Provincial Dugout.

To exchange, sell or otherwise alienate immovable property subject to approval of MOTH General Headquarters, which shall be sought through the correct channels of communication.

### 2.3.3. Provincial Dugouts

#### 2.3.3.1. Formation

Provincial Dugouts shall be formed for provincial administration of the Order in all areas defined as a Province by MOTH General Headquarters. Such Dugouts should be formed of District or Shellhole Old Bills and other District or Shellhole delegates if required. An alternate may be appointed for delegate. The Annual General Meeting, election of office bearers and installation shall take place before 30<sup>th</sup> September in each year.

#### 2.3.3.2. Executives

Executive officers shall be elected from the following:

For the post of Provincial Old Bill and/or Deputy Old Bill;

- a. Retiring Provincial Old Bill;
- b. Retiring Provincial Deputy Old Bill;
- c. All former or retiring Provincial Executive Officers who have attended at least fifty per cent of the current year's meetings including the AGM of the Provincial Dugout.
- d. All former District Executive Officers who have attended at least fifty per cent of the current year's meetings, including the AGM of the Provincial Dugout.

For the post of Provincial Adjutant;

Moths who are fully conversant with the ideals and requirements for the Order.

For the post of Provincial Pay Bill;

Moths who are fully conversant with the ideals and requirements of the Order and who have a working knowledge of bookkeeping.

2.3.3.3. Voting for Executive Officers:  
Each District Dugout representative shall cast a vote either personally, by proxy or in writing in the election of each Executive Officer. Voting shall be by a show of hands or by secret ballot.

2.3.3.4. The result of the election for each position shall be made known before proceeding to the election of the next senior position. Election shall be by simple majority. In the event of an equality of votes, further secret ballots shall be held until a simple majority has been obtained. A nominee elected to an Executive post shall not be a candidate for election to fill other Executive positions.

2.3.3.5. Elected Provincial Executive Officers shall be installed in office at the Annual General Meeting.

2.3.3.6. The Provincial Dugout shall comprise of the following members:-

The Provincial Executive Officers as defined in Clause 2.2.1. of these General Standing Orders; the Old Bill and one other Executive Officer from each District Dugout or their alternates; Former Provincial Dugout Executive Officers in good standing. Any Moth co-opted by reason of his special qualifications by a three quarters majority vote at a regularly constituted meeting of the Provincial Dugout; in the case of the Provinces where there are no Districts, read the word "Shellhole" for "District".

2.3.3.7. Meetings

The Dugout shall hold meetings monthly or at such times and places as may be decided from time to time. A Dugout meeting shall be deemed to be properly constituted when:-

- notice of the meeting has been circulated to all Districts and/or if a regular day and month have been agreed upon by the Dugout, and

- a quorum is present. A quorum at a Dugout meeting shall consist of not less than two Provincial Executive Officers and representatives of fifty per cent of Districts/Shellholes. Special or emergency meetings shall be held as required, provided that at least seven days' notice is given, on a written request giving reasons, submitted by any District or Provincial Executive Officer and shall comply with the above paragraph. In the event of extreme urgency the Provincial Old Bill may call an extraordinary emergency meeting at not less than two hours' notice provided that the Old Bill of all member Districts or in his absence the senior available representative is contacted either by telephone or in person. A quorum for the meeting shall be as stated in the third paragraph of this Clause. A Provincial Rally and Annual General Meeting shall be held annually.

2.3.3.8. Voting

Nov07

Representation at MOTH Provincial Dugout meetings may be by a maximum of two delegates from each District Dugout whose representatives shall carry collectively the voting powers of their respective Districts on the following basis. The total number of votes shall be as per Clause 2.3.2.5. The four Executive members of the Provincial Dugout shall each have one vote.

2.3.3.9. Powers

Nov08

The Provincial Dugout shall be empowered:-

To recommend the establishment, suspension, disbandment or expulsion of any Unit under its jurisdiction either upon request of, or as a result of decisions taken at a regularly constituted meeting, provided that such Unit shall have the right to appeal to the National Executive. Such an appeal shall be lodged within thirty days with the Full National Executive or the National Executive Administrative Committee upon receipt of written notice of suspension or disbandment and which shall be forwarded through the normal channels of communication. To investigate or cause to have investigated, any irregularities which may from time to time be revealed in the conduct of any member of, and/or, any Unit under its jurisdiction and to take any action necessary to protect the good name of the Order.

To control and administer the affairs of the Order in the Province and to represent MOTH General Headquarters to local authorities as necessary.

To buy, own, hire, exchange, sell, receive, mortgage or otherwise deal in and/or raise loans on immovable property in accordance with the MOTH Constitution and General Standing Orders.

To install into office the Province's District Executives. New executives shall have no authority until officially installed into office.

## 2.4. National Executive

### Nov 20 2.4.1. Definition

The Full National Executive shall comprise a maximum of ten members made up as follows:

- 2.4.1.1. The National Chairman;  
The National Vice-Chairman  
The National Treasurer;  
The National Information Officer;  
The Chairman, Property Management Committee;  
The Chairman, MOTH Museums and Memorials  
Four additional members
- 2.4.1.2. The Full National Executive is to comprise of the following members who are to be elected in terms of the MOTH Constitution and Standing orders paragraph 2.4.2.

In order to ensure that the members of the Full National Executive represent the various Provincial Dugouts, and their members at National Executive meetings, the largest Province (as per nominal roll) will have two members whilst the remaining Provinces will be represented by one member each.

In addition to this Provincial allocation, three suitably qualified additional members, resident in any Province, shall be appointed to the following positions:

- National Treasurer - 1 member (appointed in terms of MOTH GSO's Clause 2.4.2.1)
- Chairman Property Management Committee - 1 member (appointed in terms of MOTH GSO's Clause 2.4.2.1 and Annexure "H")
- Chairman Moth Museums and Memorials

The members of the National Executive are assigned portfolios and serve on, or chair the following sub-committees of the National Executive with powers to co-opt committee members

where necessary and these committees may be chosen and amended from time to time by the National Executive and /or the Chairmen:

- 1) Property Management Committee.
- 2) MOTH Museums and Memorials Management Committee.
- 3) National Recruitment Committee.
- 4) Public Relations and Marketing Committees.
- 6) Information Committee (Website, Nominal Roll, and POPI).
- 7) MOTH History and Archives Committee
- 8) Finance Committee
- 9) Communication and Training Committees

The National Executive may also establish any other ad-hoc Committees as required.

Representation will also be provided on the following Organisations committees:

- 1) Council of Military Veterans Organisations (CMVO).
- 2) National War Fund.

2.4.1.3. In addition to the Sub-Committees described in 2.4.1.2 a National Executive Administrative Committee shall be appointed annually which shall comprise of at least five members of the National Executive as follows, with three members in attendance regarded as a quorum,

- National Chairman or National Vice Chairman
- National Treasurer
- At least three other members

This Committee will perform the functions as set out in 2.4.5.2

2.4.2. Election

2.4.2.1. Full National Executive

With the exception of the National Treasurer, the Chairman Property Management Committee, and the Chairman MOTH Museums and Memorials, whose conditions of appointment shall be the prerogative of MOTH General Headquarters, the members of the Full National Executive shall be elected at the Annual General Meeting of MOTH General Headquarters and shall hold office for the terms set out herein or until otherwise ceasing to hold office prior to expiry of their term. Casual vacancies occurring during any year may be filled by the Full National Executive as a temporary measure and subject to ratification of their appointment at the next Annual General Meeting of MOTH General Headquarters.

#### 2.4.2.2. Nominations

Nominations for election shall be submitted to the General Secretary by Provincial Dugouts at least two months before the date set for the Annual General Meeting of MOTH General Headquarters.

The members nominated by their respective Dugout must be the incumbent National Executive member, or should have served on a Provincial Executive, or is serving on their respective Provincial Dugout in any of the four executive positions of the Provincial Dugout.

#### 2.4.2.3. Rotation

At least two members who serve on the Full National Executive, shall retire each year by rotation; the intention being that no member of the Full National Executive shall remain in office for a period in excess of three years without submitting him/herself for re-election in terms of Clause 2.4.2.1.

Exceptions shall be The National Treasurer, The Chairman of the Property Management Committee and The Chairman MOTH Museums and Memorials, who shall retire each year, and who are appointed annually by GHQ as per Clause 2.4.1.2.

#### 2.4.2.4. National Chairman and National Vice-Chairman

The National Chairman and National Vice-Chairman shall be appointed annually by MOTH General Headquarters from members of the Full National Executive. Should the National Chairman be removed from or cease to hold office for any reason, he shall be succeeded by the National Vice-Chairman who shall act for the unexpired period of the National Chairman's term of office. In the event of the National Vice-Chairman so succeeding the National Chairman, and thereafter being removed from or ceasing to hold office for any reason, the Full National Executive shall appoint a National Chairman and a National Vice-Chairman who shall hold office for the unexpired period of his term.

#### 2.4.2.5. Ex-Officio Members

A member who has served on the National Executive for a continuous period of ten or more years shall, on the termination of his membership automatically become an Ex-Officio member of the Full National Executive, and shall remain as such subject to continued membership of the Order. An Ex-Officio member shall not have voting rights at meetings of the Full National Executive or at meetings of MOTH General Headquarters.

### 2.4.3. Meetings

Meetings of the Full National Executive shall be held in May and November and also in at least two other months each year at the discretion of the National Chairman.

Meetings of the National Executive Administrative Committee shall be held monthly.

### 2.4.4. Quorum

Not less than seven of all members shall constitute a quorum at all meetings of the Full National Executive. The quorum for meetings of the National Executive Administrative Committee shall be not less than three members.

### 2.4.5. Duties and Powers

#### 2.4.5.1. Full National Executive

Notwithstanding any provisions contained in these General Standing Orders the Full National Executive shall be authorised and empowered to deal with all matters pertaining to the central administration of the Order; to consider and to recommend to MOTH General Headquarters in regard to the matters set out under Clause 2.5.4. and such other matters as it may wish to refer to MOTH General Headquarters for consideration and decision.

#### 2.4.5.2 National Executive Administrative Committee

This committee shall attend to the daily administration of the Order involving finance, correspondence, and awards, Charters, discipline, MOTH General Headquarters Special Fund, Museums and Memorials, Property Management Committee decisions and making recommendations to Full National Executive if necessary.

## 2.5. MOTH General Headquarters

### 2.5.1. Definition

The governing body of the Order shall be MOTH General Headquarters, which shall consist of:

2.5.1.1 All Provincial Old Bills/Commanders or their authorised alternates, and one delegate

2.5.1.2 All members of the Full National Executive;

May06 2.5.1.3 Chairman, Property Management Committee.

#### 2.5.2. Meetings

Nov04 The Annual General Meeting of MOTH General Headquarters shall be held in Durban on a Sunday in November each year.

Nov04 2.5.2.1. For May and November GHQ Meetings, travelling expenses for one delegate per Province will be paid by MOTH General Headquarters. The term “travelling expenses” shall deem to include approved hotel accommodation, airfares or aid fares in lieu of vehicle allowances.  
May15

2.5.2.2. A Provincial Dugout which is not in good standing when MOTH General Headquarters meetings are held in May and November each year shall have representation only but without voting power at such meetings.

#### 2.5.3. Quorum

The quorum at meetings of MOTH General Headquarters shall be fifteen members.

#### 2.5.4. Duties and Powers

The duties and powers of MOTH General Headquarters, which shall be delegated to the Full National Executive who will report back to the next succeeding MOTH General Headquarters meeting, shall be to:

2.5.4.1 uphold the MOTH Constitution and MOTH General Standing Orders;

2.5.4.2 further and safeguard the interests of the Order.

2.5.4.3 make rules from time to time for the conduct of the affairs of MOTH General Headquarters provided that such rules shall be framed strictly within the provisions of the MOTH Constitution and these General Standing Orders;

2.5.4.4 institute, conduct, compromise, or defend any legal proceedings by or against MOTH General Headquarters.

2.5.4.5 make decisions on all matters affecting the Order which are outside the powers of the Full National Executive, including matters for which no provision has been made in these General Standing Orders.



- 2.5.4.6 control all matters of policy, and to represent the Order to the State, and in general sense, internationally.
- 2.5.4.7 in its discretion suspend the activities or functions of any Unit, or close down or resuscitate any Unit.
- 2.5.4.8 consider notices of motion and emergency items submitted by Provincial Dugouts.

#### 2.5.5. Voting

Nov09 Representation at MOTH General Headquarters meetings may be by a maximum of two delegates from each Provincial Dugout whose representatives shall carry collectively the voting powers of their respective Dugouts on the following basis:-  
One vote per 100 full members as reflected on the current nominal rolls where votes shall be calculated as follows:-  
The total members on the nominal roll for each Provincial Dugout shall be divided by 10. The resulting figure shall then be either rounded up or down to the nearest whole number. If a Provincial Dugout has less than 200 full members, then it shall be entitled to a minimum of two votes. Members of the Full National Executive shall each have one vote.

#### 2.5.6. Visitors

All Moths in good standing may attend meetings of MOTH General Headquarters as visitors.

#### 2.5.7. Annual General Meeting

The duties and powers of a MOTH General Headquarters Annual General Meeting shall be to conduct the business of an Annual General Meeting or MOTH General Headquarters in accordance with the agenda approved by the Full National Executive.

#### 2.5.8. Financial Statements

The audited financial statements of MOTH General Headquarters shall be presented annually to MOTH General Headquarters by the National Treasurer and copies thereof distributed to all Provincial Dugouts.

### 2.6. Other Units

#### May09 2.6.1. Shellholes and Cottage Schemes

Shellholes and Cottages Schemes shall be Units of the Order and their constitutions and standing orders shall be subject to approval by the National Executive. (Refer to Annexure “E” for the Shellholes and to Annexure “H” for MOTH Cottages).

The Full National Executive may instruct a Province to implement the decision to combine District Dugouts or Shellholes when deemed expedient to do so.

## 2.6.2. Trading Units

2.6.2.1 Trading Units shall produce on a quarterly basis financial statements and a balance sheet which will be submitted within sixty days to next senior Unit having jurisdiction. The senior Unit will examine these financial statements to ensure that trading is solvent, a maintenance fund has been established and that adequate insurance cover has been provided. These trading Units shall also prepare and submit to the next senior Unit for approval and having jurisdiction, an annual budget not later than three months before the commencement of its next financial year. The senior Unit shall have the responsibility of comparing quarterly returns with the authorised budget and no trading Unit will be allowed to operate at a loss.

In the event of a trading Unit not complying with these requirements, the next senior Unit shall take control of all its books, accounts and vouchers and suspend the controlling committee thereof. It may also employ the services of a registered public accountant to ascertain the financial position of the defaulting Unit which will bear all costs involved with the investigation.

## 2.6.3. Name Restriction

No organisations, groups, associations or persons or sports bodies may describe themselves as Moths, or make use of the term “Dugout” or “Shellhole”, if the membership is not confined to Moths and they are not a Unit as defined herein.

## 2.7. Lines of Communication

The official lines of communication which shall be adhered to in all instances are:

2.7.1 Shellhole to District Dugout;

2.7.2 District Dugout to Provincial dugout;

2.7.3 Provincial Dugout to MOTH General Headquarters.

2.7.4 Provincial Dugout Paybills may communicate laterally with one another.

2.7.5 Provincial, District and Shellhole Paybills may communicate directly with one another.

2.8. Communication between Paybills and National Treasurer

The National Treasurer may communicate directly with any Paybill, and will send a copy of any such correspondence to the Provincial Dugout having jurisdiction.

2.9. Communication between Adjutants

Nov05 Provincial Adjutants may communicate directly with Shellhole Adjutants/Cottage Secretaries within their Provincial Dugouts, provided that this communication is copied to the District Dugout having jurisdiction. This communication system is not intended to bypass the Districts and is not a decision making process. In all other instances, the official lines of communication, Clause 2.7., remain unchanged.

3. CLOSURES OR COMBINATION OF UNITS

3.1. Units Becoming Defunct

A Unit shall be deemed to have become defunct in the following circumstances:-

3.1.1. Below Minimum Number

If its membership falls below six or below the minimum number provided by its Standing Orders, the Unit may not automatically become defunct if a Provincial Dugout recommends to the National Executive, and it agrees, that the Unit shall continue.

3.1.2. Voluntary Winding Up

If its members decide at a general meeting of the Unit that it shall cease to function and that its affairs shall be wound up. A Unit will give ninety days clear notice prior to the date of closure to allow the senior Unit to exercise control over the disbursement of the Shellhole's funds and the disposal of its regalia in terms of Clause 3.2. Assets of Defunct Shellholes.

3.1.3. Decision by the National Executive

If the National Executive decides after enquiry into the affairs of a Unit that it is to cease to function or that it should be expelled

from the Order, the National Executive may resolve that the Unit be deemed to have become defunct or to have been expelled provided always that in the instance of expulsion the Unit should be afforded an opportunity to show good cause to the National Executive why it should not be so expelled.

#### 3.1.4. Combination of Shellholes

May99

If membership of a Shellhole/Unit falls below twenty-five and the opinion of a District Dugout or Provincial Dugout it would be better for administration purposes and more practical that two or more Shellholes combine, then the Unit which has jurisdiction may take a decision and instruct that these Units combine and advise the next senior Unit accordingly.

The Full National Executive may instruct a Province to implement the decision to combine District Dugouts or Shellholes when deemed expedient to do so.

##### 3.1.4.1. Shellhole Declared an Outpost

May00

When a Shellhole is declared an Outpost, it will fall directly under the control of the next senior Unit or a Unit designated by the Full National Executive. All financial and administrative matters shall then be submitted directly by its Executive to the designated Unit. For other Units the normal lines of communication shall prevail (Refer Clause 2.7).

#### 3.1.5. Combination of Provincial Dugouts

May99

As a result of dwindling members and to achieve more efficient administration, the Full National Executive may decide that one or more Provincial Dugouts shall combine. (Refer Clause 1.4.2.3.).

#### 3.2. Assets of Defunct Units

May09

Subject to the provisions of clause 16.8. If a Unit becomes defunct for any reason, ALL assets, fixed or movable, shall be frozen and a financial statement shall be drawn up. The next senior Unit shall proceed without delay to ascertain the position regarding the assets and liabilities of the Unit.

The senior Unit after winding up shall lodge the nett proceeds with the MOTH General Headquarters Special Fund referred to in Clauses 12.3.

of these General Standing Orders. THE DISPOSAL OF ASSETS IN EXCESS OF R1 000 (See Clause 12.5.) TO OTHER THAN MOTH CAUSES IS SUBJECT TO THE APPROVAL OF THE NATIONAL EXECUTIVE WHICH SHALL BE SOUGHT THROUGH THE CORRECT CHANNELS OF COMMUNICATION.

### 3.3. Retention of Documents

Units of the Order shall adhere to the under mentioned requirements in the sub-clauses numbered hereunder:-

#### 3.3.1. Minutes of Unit Meetings and Nominal Rolls

May00

These documents shall be retained indefinitely to form part of the history and heritage of Units. If a Unit becomes defunct, the minutes and nominal rolls shall be handed over to the next senior Unit for safekeeping.

#### 3.3.2. Correspondence & Financial Statements

May00

These documents shall be retained by all Units for a minimum period of five years after which time they may be destroyed. If a Unit becomes defunct before five years, all documents held by that Unit shall be handed over to the next senior Unit which may destroy them five years after the Unit became defunct.

## 4. REPRESENTATION OF THE ORDER

### 4.1 Politics

No Unit of the Order shall in any circumstances co-operate with any other group or society that functions, in the opinion of the Order, with a political bias. Under no circumstances shall any MOTH property or premises be used by any political party or organisation for any purpose whatsoever.

### 4.2. Local and Other Authorities

#### 4.2.1. At District Dugout Level

A District Dugout shall represent the Order in its own area to civic and other local authorities. Any wider representation shall be made by or with the authority of the Provincial Dugout.

#### 4.2.2. At Provincial Dugout Level

A Provincial Dugout shall represent the Order in its Province to all provincial authorities. Any wider representation shall be made by or with the authority of the National Executive.

#### 4.2.3. At National Executive Level

A member of the National Executive shall represent the Order to national and international authorities and to any provincial, district or civic authorities at the request of the Provincial Dugout concerned.

#### 4.2.4. At Solitary Shellhole Level

In an area or town where there is only one Shellhole, that Shellhole is authorised to represent the Order to civic and local authorities.

### 5. MINUTES OF MEETINGS

Provincial Dugouts shall furnish the Full National Executive with copies of minutes of all Provincial Dugout meetings. In turn, the Full National Executive and the National Executive Administration Committee shall furnish Provincial Dugouts with copies of all minutes of meetings of MOTH General Headquarters and of their own meetings.

### 6. MOTH GENERAL CONVENTION

#### 6.1. When Convened

A MOTH General Convention shall be convened at a venue, date and time by the Full National Executive when so directed at a meeting of MOTH General Headquarters. Convention will deal with matters affecting policy of the Order and such other matters as are considered to be within its Province.

#### 6.2. Representation and Voting Rights

Representation at Convention shall be by a maximum of two delegates from each Provincial Dugout whose representatives shall carry collectively the voting power of their respective Dugouts on the following basis:-

Six votes per 1 000 full members as reflected on the current nominal rolls where votes shall be calculated as follows:-

The total full members on the nominal roll for each Provincial Dugout shall be divided by 1 000 and then multiplied by 6.

The resulting figures shall then be either rounded up or down to the nearest whole number. If a Provincial Dugout has less than 400 full members, then it shall be entitled to a minimum of two votes.

#### 6.3. Provincial Dugouts not in Good Standing

A Provincial Dugout which is not in good standing at 31st December each year shall have representation but without voting power at any Convention held during the following year.

6.4. Representation of Full National Executive and Voting Rights

MOTH General Headquarters shall be represented at Convention by the National Chairman and the National Treasurer. Additional Full National Executive delegates shall be permitted to attend Convention.

The voting strength of the Full National Executive shall be 12 per cent of the combined votes of all the Provincial Dugouts rounded up to the nearest number.

6.5. Voting Procedure

Voting shall be signified verbally by calling the roll or by secret ballot if so decided by two thirds or those present and entitled to vote.

6.6. Chairman and Voting Rights

The Chairman of Convention shall be chosen by the Provincial Dugout in whose area the Convention is to be held. The Chairman shall have no deliberative vote, but shall have a casting vote.

6.7. Expenses

Each Provincial Dugout shall be responsible for the travelling and other expenses of its representatives. No liability shall devolve upon MOTH General Headquarters in this connection.

6.8. Responsibilities of Host Province

The host Province shall be responsible for the ceremonial and social aspects of Convention.

7. RIGHT OF APPEAL

Nov11 For right of Appeal refer to Clauses 1.4.2.1 and 1.4.2.2 (pages 30 & 31)

8. BADGES AND REGALIA

8.1. Dealership and Copyright

Stores shall be maintained and supplied only by MOTH General Headquarters to Provincial Dugouts. All badges of membership, blazer badges, emblems, certificates, books, items of apparel such as MOTH ties, cravats, bearing the MOTH badge or emblem, MOTH flag and

banner are registered and have copyright. No Unit or member of the Order has authority to procure these items from any other source.

## 8.2. Membership Badge

The registered membership badge is a miniature bronze Tin Hat, engraved or embossed with the letters MOTH and always remains the property of the Order. It is to be worn only by members in good standing.

## 8.3. Badges of Office

### 8.3.1. Gold Badge

The gold badge is to be worn by the Old Bill, Deputy Old Bill, Adjutant and Paybill of Provincial Dugouts; the Full National Executive Offices and all Proxies representing Provincial Dugouts at MOTH General Headquarters.

In the case of other Dugouts and Shellholes, a gold badge is to be worn by the Old Bill. In all cases the badges referred to shall be handed to successors in office.

### 8.3.2. Silver Badge

In case of District Dugouts and Shellholes, the silver badge is to be worn by the Deputy Old Bill, Adjutant and Paybill.

### 8.3.3. Precious Metal Badges

The holders of gold badges presented prior to January 1943, are permitted to retain them, but these should be worn only at Shellhole meetings or when on duty.

The presentation of precious metal badge to any member of the Order subsequent to January 1943 is forbidden, except the Old Bill of the Order which he may at all times wear for the rest of his life.

All members of the Order shall wear the bronze badge. Office bearers of the Order who are entitled to wear gold and silver badges may wear them only when functioning in their official capacity.

## 9. MOTH HONOURS



MOTH honours are as follows:

9.1. Certificate of Merit

This certificate is the highest award in the MOTH and is presented to Moths whose loyalty and devotion to the Order has been outstanding over a considerable period and in a sphere wider than their Shellholes.

Recommendations for the award shall be made and submitted to either the Full National Executive or to the National Executive Administrative Committee by a Provincial Dugout, together with a citation in the format approved by the Full National Executive. This does not preclude District Dugouts, or Shellholes through their District Dugouts, submitting names of Moths they consider will be worthy recipients through their Provincial Dugouts.

The grant of this award shall be recorded in the minutes of the relevant meeting of either the Full National Executive or the National Executive Administrative Committee.

The Full National Executive shall have the sole right, either at its own instance or upon very good reason being advanced to it because of some special circumstance, to approve the award of a Certificate of Merit to a particular Moth.

Holders of the Certificate of Merit shall be entitled to wear a round badge divided into equal parts of dark blue, red and sky blue with the letter "M" in the middle. Such badges shall only be supplied by MOTH General Headquarters.

9.2. Certificate for Excellent Service

This certificate is an award by a Provincial Dugout supported by a citation to a Moth for Excellent Service in a Shellhole or in a sphere slightly wider than a Shellhole, District Dugout, or Provincial Dugout in order to fill the gap between the Certificate of Merit and the Certificate of Comradeship.

Holders of the Certificate for Excellent Service shall be entitled to wear a round badge with red background with the letter "E" in the middle. Such badges shall be supplied by MOTH General Headquarters for the cost of the Unit concerned.

9.3. Certificate of Comradeship

This certificate is an award by a Unit to a member whose service to the Unit is of exceptional merit. The award of a Certificate of Comradeship shall be recorded in the minutes of the Unit concerned.

Holders of the Certificate of Comradeship shall be entitled to wear a round badge with dark blue background with the letter “C” in the middle. Such badges shall be supplied by MOTH General Headquarters for the cost of the Unit concerned.

9.4. Certificate of Good Comradeship

This certificate is a similar token of recognition for presentation by a Unit to a non-Moth who has earned the gratitude of the Unit for outstanding efforts on behalf of the MOTH. The award of a Certificate of Good Comradeship shall be recorded in the minutes of the Unit concerned and advised to the next senior Unit.

Holders of the Certificate of Good Comradeship shall be entitled to wear a round badge with sky blue background with the letter “G” in the middle. Such badges shall be supplied by MOTH General Headquarters for the cost of the Unit concerned.

9.5. Old Bill of the Order

He shall be appointed annually by the Full National Executive. The position shall be honorary, and the holder of the office may be invited to take the chair at the Annual General Meeting of MOTH General Headquarters.

The Executive of the Provincial Dugout of the member concerned will be advised in confidence and in writing of the appointment. It will be invited to advise the Full National Executive whether in the opinion of the Dugout’s Executive, there is any objection to the proposed appointee.

This procedure shall not be construed as giving the Provincial Executive the right to veto the appointment. The Full National Executive shall give due consideration to any submission placed before it.

9.6. Moth Service Ties, Service Badges and Badges for MOTH Certificates

May04

9.6.1. MOTH service ties embroidered with the number “10”, “25”, and “50” years of continuous service by members of the Order as may be approved by the Full National Executive from time to time. Such ties shall be available from MOTH General Headquarters only to Moths who have completed the required period of qualifying service.

- May04
- 9.6.2. MOTH service badges with the number “10”, “25” and “50” years of continuous service for optional wear by members of the Order as may be approved by the Full National Executive from time to time. Such badges shall be available from MOTH General Headquarters to Moths who have completed the required period of qualifying service.
- 9.6.3. Badges for MOTH Certificates as awarded in terms of Clauses 9.1., 9.2. and 9.3. above may not be worn simultaneously and holders of more than one certificate may only wear the badge for the most senior certificate in his/her possession.
- 9.6.4. That all past Executive members who have served a minimum of one year, from Shellhole level upward may be awarded with a lapel badge with the approval of the next senior Unit. The badge shall be gold, with the letters “X” in black.

## 10. NOMINAL ROLLS, CAPITATION FEES AND MEMBERSHIP CARDS

### 10.1. Nominal Rolls

Each Shellhole shall submit to the Provincial Dugout, through District Dugout or direct, as the case may be, a nominal roll made up to 30th June each year showing the names of all members, not later than 30th September each year.

### 10.2. Capitation Fees

May11

Together with the nominal roll, each Shellhole shall remit, to its District Dugout, such capitation fees per member as advised by the District and Provincial Dugout concerned. These amounts to be submitted as follows – Shellholes by the 31st July, Districts by the 31st August and Provinces by the 30th September each year.

May11

One copy of the nominal roll, together with capitation fees and levy for each member on the roll, shall be sent to MOTH General Headquarters, by the responsible Provincial Dugout not later than 30<sup>th</sup> September of each year. Provincial Dugouts who fail to remit capitation fees and nominal rolls in full will be penalised in terms of Clause 11.5.1., by the loss of their voting right at General Headquarters meetings for the following MOTH financial year.

### 10.3. Membership Cards

MOTH General Headquarters shall, not later than the month of August each year, issue membership cards in bulk to Provincial Dugouts on the basis of total membership of each Dugout reflected on the nominal rolls of the previous year. In the event of an increase in membership, the Provincial Dugouts shall apply for additional cards. No other

membership card is permitted to be printed or issued. Members joining after 31<sup>st</sup> August will be supplied with an official membership card.

The current Shellhole membership card of the Order is recognised as the sole medium for all purposes of proving bona-fides and membership.

#### 10.4. Failure to Submit Nominal Roll

In the event of a Shellhole failing to submit a nominal roll, the senior Unit after due investigation, may suspend the Shellhole and report the matter to MOTH General Headquarters. A suspended Shellhole will not be permitted to go into recess and shall meet at least once a quarter as an active Unit.

In the case of a Shellhole not being paid up by 30<sup>th</sup> September in that year, the four Executive Officers of the Shellhole concerned shall be advised by District and Province by registered post that the Shellhole will be dealt with under the provisions of Clause 2.5.4.7. of these General Standing Orders if not paid up by 15<sup>th</sup> October in that year.

#### 10.5. Subscriptions

Subscriptions payable by members to Units shall be as determined from time to time by the Unit concerned.

#### 10.6. Removal of Names

The Executive Officers may cause the name of any member who is in default with his dues to be deleted from the nominal roll of the Shellhole. The Executive Officers, however, may at their discretion pay the dues of any member from Shellhole funds and retain the name of the member on the nominal roll.

#### 10.7. Outpost Reporting Requirements

10.7.1. Nominal rolls and capitation fees shall be submitted to the designated Unit controlling the Outpost Unit.

10.7.2. Once at least every alternate month a report shall be submitted by the Outpost Unit to the Controlling Unit, covering the following points -

10.7.2.1. Copies of minutes of meetings held during the past two months;

10.7.2.2. Activities and projects undertaken by the Outpost Unit;

10.7.2.3. A monthly financial report, with a copy of the financial statement and copy of the bank statement (balance).

- 10.7.3. The Old Bill of the Unit and the Executive shall visit (distance permitting), the Controlling Unit at least once a year, preferably at the AGM of the designated Unit, where the Executive of the Outpost Unit can be installed. Alternatively, the Executive of the designated Unit may visit the Outpost Unit for this purpose.
- 10.7.4. If the Outpost Unit owns any movable or immovable property, then a report on these shall be included in the monthly report.

## 10.8 Protection of Personal Information

June 2020 The Personal Information of all Moths which may be held in nominal rolls or any other lists or databases must be regarded as strictly confidential to the MOTH, and in this regard compliancy to the Protection of Information Act must be ensured as per Annexure "K".

## 11. FINANCE

### 11.1. Control and investments

#### 11.1.1. Control

Funds realised from the sale of fixed assets and moveable assets generally shall accord with the objects and ideals of the Order. The handling of funds derived from the sales of assets shall have the approval of, firstly, District and Provincial Dugouts and, secondly, the National Executive following the recognised line of communication. In particular, Units in possession of memorabilia of financial or historical value shall provide an inventory, of those items to their next senior Unit for verification through the normal channels of communication for submission to MOTH General Headquarters. The memorabilia are to be secured against theft, loss or misappropriation and maintained in good order. Where possible, articles shall be insured at replacement values and the inventory, which shall be updated annually, shall indicate the insured value.

A Unit wishing to dispose of an article considered as memorabilia shall first obtain authority for its disposal from the relevant Provincial Dugout. In the event of a Unit wishing to dispose of an item listed on the above mentioned inventory, permission shall be obtained from the National Executive by the Provincial Dugout concerned.

Sums realised from the sale of memorabilia shall be paid into the MOTH General Headquarters Special Fund.

#### 11.1.2 Investments by MOTH GHQ

May11

The funds of MOTH General Headquarters and of the Special Funds directly answerable to MOTH General Headquarters, which have been or are so formed in future, shall be invested to comply with Regulation 28 of the Regulations made under Section 36 of the Pension Funds Act, 1956.

Meaning – The Regulation lays down the investments allowed and the maximum proportion of funds to be invested in each category.

11.1.2.1 Not less than 25 per cent in either Government or Municipal Stock approved registered building societies and registered banking institutions.

11.1.2.2 Not more than 50 per cent in blue chip equities of acknowledged repute or reputable unit trusts.

11.1.2.3 Not more than 25 per cent in ownership of immovable property, mortgage bonds over immovable property, and preferences shares and debentures of quoted public companies with or without convertible rights.

11.1.2.4 Investment vehicles of major mutual life assurance companies.

#### 11.1.3. Investments by Units

All Units of the Order shall have the right to invest surplus funds in the following type investments, subject to the prior approval of Provincial Dugout:

11.1.3.1 Government or municipal stocks;

11.1.3.2 Approved registered building societies;

11.1.3.3 Registered banking institutions;

11.1.3.4 Ownership of immovable property;

11.1.3.5 Mortgage Bonds over immovable property;

11.1.3.6 Investment vehicles of major mutual life assurance companies;

11.1.3.7 Reputable unit trusts;

11.1.3.8 Loans to MOTH GHQ Special Fund.

#### 11.1.4. Raising of Loans

May06

All Units of the Order shall have the right to raise loans on security of movable and immovable property and to pass mortgage bonds (including notarial bonds) there over, subject to the prior approval of the Provincial Dugout having jurisdiction and the Property Management Committee (PMC). In the case of Provincial Dugouts the approval of the National Executive via the PMC shall first be obtained.

### 11.2. Unit Accounting

In all instances where a Paybill or a Unit of the Order is required in terms of the MOTH Constitution and General Standing Orders or current legislation to submit financial statements or returns, to another Unit of the Order or any state body, such returns shall in all cases be factually correct and complete in every way.

#### 11.2.1. Control and Investment of Funds

11.2.1.1 The funds accruing to and in the possession of a Unit shall be under the charge and responsibility of its Executive Officers. The Paybill shall maintain a proper and correct record of all money received and disbursed by his Unit.

Such records shall be kept either manually or electronically. In the event of these records being electronically maintained on a computer, the Paybill shall extract a printout of all transactions on a monthly basis. The printouts will be retained on file by the Paybill who will furnish a designated member of the Executive with a copy.

11.2.1.2 An account or accounts with a registered banking institution or building society shall be opened as agreed to and recorded at a properly constituted meeting of the Unit, in the name of "Memorable Order of Tin Hats

.... Shellhole/Dugout”, and all moneys received shall be deposited in such an account timeously.

- 11.2.1.3 Withdrawals from accounts shall be made only against authority of at least two signatories of the Unit’s Executive Officers.
- Nov06 11.2.1.4 Non Moths who are the Paybill/paymaster may sign for financial instruments and bank accounts provided that the second signatory to such instruments at all times is a MOTH on the Executive concerned.

This concession that the non-Moth or Moth who will sign such instruments is not a family member, relative girl/boyfriend or common law spouse on the same Executive. This concession is to be strictly adhered to.

Husbands and wives, family members, relative’s girl/boyfriends or common law spouses who are Moths may not both have signing powers if they serve on the same Executive. Therefore it may only be one or other who may sign for financial instruments.

- Nov06 11.2.1.5 Each Unit shall be solely responsible for its own finances and no other senior Unit shall be responsible for the liabilities of a Unit under its jurisdiction unless a specified undertaking or guarantee has been given in respect of a particular liability or transaction.

#### 11.2.2. Financial Returns

The Paybill of each Unit shall submit to his co-Executive Officers quarterly, or monthly should they so desire, a statement reflecting all amounts received and disbursed during the period covered by the statement together with current assets and liabilities and any changes in investment or long term liabilities not previously reported.

#### 11.2.3. Income and Expenditure Accounts



Nov03 All Units of the Order shall submit an annual budget, approved by their Unit, to their next senior Unit, three months prior to the end of the MOTH financial year.

Nov03 All Units of the Order shall submit their monthly income and expenditure accounts to their next senior Unit. These statements shall provide a comparison to the approved budget. Provincial Dugouts, having jurisdiction, must see that Districts monitor this closely.  
Nov13

### 11.3. Financial Statements

#### 11.3.1 Executive Approval

Prior to the Annual General Meeting for the election of office bearers, the Paybill of each Unit shall submit to his co-Executive Officers an income statement and balance sheet prepared in accordance with recognised accounting practice for the Unit's preceding financial year.

#### 11.3.2 Presentation to Members

The annual financial statements as approved by the Executive and audited in accordance with Clause 11.8. shall disclose contingent liabilities and shall be presented to the members of the Unit at the Annual General Meeting or the meeting at which office bearers are installed.

#### 11.3.3 Responsibility of Outgoing Executive

Nov07 The outgoing Executive shall not be relieved of their responsibility for their Unit's finances and all other year end related documentation until all such documentation has been received in order by the incoming Executive as well as the next senior Unit having jurisdiction.  
The next senior Unit having jurisdiction, may at its discretion, refuse to perform the installation of incoming Executive Officers until such time as the year end paperwork has been received by them. Audited financial statements must be presented in accordance with Clause 11.3.2.

#### 11.3.4 Submissions to next Senior Unit

Nov06 11.3.4.1. Not later than 31<sup>st</sup> August in each year, each Unit shall render to its next senior Unit, a copy of its annual financial statements, signed by the Old Bill, Paybill and auditor as submitted to the members of the Unit in accordance with sub-clause 11.3.2. and the Executive of the next senior Unit shall appoint

a person or persons to scrutinise the statements and report to it thereon.

This person or persons shall have the right to discuss the statements in confidence with the auditor and call upon the Paybill or Executive of the Unit for information or explanation considered necessary or desirable.

11.3.4.2. In the event of a trading Unit not complying with the above requirements, the next senior Unit shall take control of all its books, accounts and vouchers and suspend the controlling committee thereof. It may also employ the services of a registered public accountant to ascertain the financial position of the defaulting Unit which will bear all costs involved with the investigation.

#### 11.3.5. Handing over Documents

The outgoing Old Bill/Commander/Chairman of a Unit shall <sup>Nov98</sup> prepare a handing over document which shall specify precious metal Tin Hats, certified copies of lease agreements held, copies of title deeds to properties, inventories of all buildings, insurance policies of either short or long term, fixed deposit receipts and audited financial statements for the past three years. Such handing over document shall reflect where the above mentioned documents are lodged for safekeeping together with a receipt from the institution or Provincial Dugout holding such documents. Original documents held by the Unit itself shall be viewed by the incoming Old Bill/Commander/Chairman who shall satisfy himself that such documents are in order and sign the handing over document accordingly. This document, once signed by the outgoing and incoming OldBill/Commander/Chairman, shall be forwarded to the next senior Unit for safekeeping and will form part of that Units handing over document.

#### 11.4. Submission by Provincial Dugouts

Nov06 Provincial Dugouts shall render an audited financial statement annually to MOTH General Headquarters by 30th September.

#### 11.5. Provincial Consolidated Financial Statement

Nov06 All Provincial Dugouts shall render to MOTH General Headquarters a consolidated financial statement as at 30th June of all Units under their jurisdiction by 30<sup>th</sup> September in that year with the exception of MESCA.

- 11.5.1. Loss of Voting Rights
- Nov99 Failure by a Provincial Dugout to render the requirements timeously as stated in Clauses 11.4. and 11.5. will result in a Provincial Dugout losing its right to vote at MOTH General Headquarters' meetings.
- 11.5.2. Provincial Consolidated Financial Statements
- Provincial consolidated financial statements will be supported by the individual financial statements including income and expenditure accounts of all Units under the Provincial Dugout's control. A certificate shall accompany the Provincial consolidated financial statements listing all Units in the Province and stating all Units listed in the consolidation have been audited in terms of Clause 11.3.4.1. and 11.8.1.
- 11.6. Irregularities in Financial Control
- Nov06 11.6.1. Guide lines to be adopted are as outlined in Annexure "I" and notwithstanding these lines of communication, the ultimate responsibility for dealing with these irregularities shall be with the Provincial Dugout.
- Nov13 No Unit of the MOTH is permitted to operate at a loss or with an overdrawn bank account.  
As all units of the Order must submit their annual budgets and monthly income and expenditure accounts to their next senior Unit any losses must be monitored by the next senior Unit who are to determine the following:
- a. The reason for the loss reflected in the sub units books.
  - b. If a loss is to continue or has capital been used to fund projects where income is expected in the future or moneys have been raised in the previous financial year.
  - c. The Unit financial affairs must be continued to be monitored so as to ensure that the loss trend has been corrected and, if not resolved by the MOTH financial year end wherein the loss takes place, the matter must be reported to the next senior Unit so as to determine any corrective action. .
  - d. If the matter is then not resolved within the MOTH financial year then the Unit will have to be closed down in terms of General Standing Orders Clause 3.1.3

11.6.2. Disciplinary Action

A Unit, which disregards financial provisions in MOTH General Standing Orders or transgresses South African law, shall be subject to disciplinary action by the Full National Executive.

11.7. Control of Funds by Units

11.7.1. Retention of Funds

Each Shellhole retains its own funds for its own benevolent or other activities in accordance with Clause 2.2. of the MOTH Constitution. No Unit of the Order shall donate more than twenty per cent of its annual donations in any one year to non-MOTH causes.

11.7.2. Restriction on Public Fund Raising

No Shellhole shall collect from the public funds for its domestic use.

11.7.3. Permission to Raise Funds

If a Shellhole wishes to raise funds for cottages and halls or for other ex-servicemen's causes, permission shall first be obtained from the District or Provincial Dugout.

11.7.4. Financial Aid from Other Units

No Unit of the Order shall be permitted to solicit financial aid from other Units in any area without the written permission of the senior Unit in the area concerned, i.e. District – District Dugout; Province – Provincial Dugout; whole Order – the National Executive.

11.7.5. Unspent Moneys Collected

Any moneys collected for benevolent purposes of a national character authorised by the National Executive which for any reason cannot be used for the object for which the money was collected shall be transferred to MOTH General Headquarters Special Fund (Refer Annexure "C" of these General Standing Orders).

11.7.6. Financial Year Change

The Executive of a Provincial Dugout may, for a good reason, permit any Club or other Unit under its jurisdiction

to have a financial year ending on a date earlier than 30<sup>th</sup> June, subject to compliance, where deemed necessary, with all provisions of these General Standing Orders, in particular, those relating to finance.

Nov 2019

#### 11.7.7

#### Donations under Mutual Help.

11.7.7.1 Subject to the prior approval of members of a Unit at a general meeting, donations and/or Mutual Help per individual transaction shall be limited to ten (10) times the annual capitation fees receivable by a member of a Unit. These donations and/or Mutual Help are further subject to the provisions of Clause 2.2 of the MOTH Constitution.

11.7.7.2 In the event that an amount greater than that established as above is required, permission may be granted only if the prior written approval and substantiated by motivations of the Provincial Executive is obtained. Details of all approved donations to recipients as Mutual Help must be included in the Unit's Annual Financial Statements by way of a Schedule.

#### 11.8. Auditing of Accounts

##### 11.8.1. Election of Auditor

Every Unit, at its Annual General Meeting, shall elect a competent person as defined hereunder, as its auditor who may not be member of the Executive of the Unit.

In the case of Units owning fixed property, whether leasehold or freehold, with a rateable value of R500 000 or more, carrying on any trading operation (including running a Club with a turnover of R50 000 or more per annum) the auditor shall be a registered or retired chartered accountant, preferably one who is a Moth.

In case of other Units, the auditor shall be a suitably qualified or experienced person.

##### 11.8.2. Failure to Submit Audited Accounts

In the event of any Unit failing to submit audited accounts to its next senior Unit as called for, the next senior Unit may take control of the records and/or funds of the Unit and/or appoint an auditor to examine them, prepare accounts and report hereon. Any costs incurred shall be recoverable from the defaulting Unit.

May09 11.9 Financial Records and Payments

Every Unit shall keep books of account, and prepare and submit such financial statements and returns and make such payments of taxes as may be required in terms of any law.

12. MOVABLE AND IMMOVABLE ASSETS

12.1. Control of Specific Funds and Immovable Property

Money set aside by any Unit specifically for acquisition of land, buildings or other immovable property or for any specific purpose other than general funds, shall be controlled and dealt with by the Executive of the Unit concerned or by members specially appointed to control such property or funds. All future acquisitions of immovable property shall be in the name of the Memorable Order of Tin Hats (MOTH) followed by the name of the Unit.

Nov11 All title deeds for MOTH immovable property purchased by or donated to Units shall be held for safe-keeping by MOTH General Headquarters. Where the property is bonded, photocopies of the title deed and mortgage bond agreement shall be obtained from the bondholder and lodged with MOTH General Headquarters.

May99 Purchases of immovable property shall include a clause in the title deed stating that the property may not be sold without the prior approval of MOTH General Headquarters. A MOTH Unit requiring the title deeds of property it owns shall make application in writing to its Provincial Dugout giving reasons for the request. The Provincial Dugout after due consideration may release the title deeds.

12.2. Acquisition of Immovable Property

12.2.1. Formal Resolution

The acquisition of freehold or leasehold property by a Unit of the Order shall be recorded as a formal resolution in the minutes of the Unit which shall describe fully the terms and conditions of the benefit with a description of the property acquired. The responsibility for the control and administration of the property shall be similarly specified and minuted.

12.2.2. Fixed Property Development

May12 Any funds required for fixed property development as listed below shall be budgeted for at the commencement of each financial year and this budget

shall be approved by passing through the agreed channels of communication. When the contemplated expenditure is less than R100 000, such application shall pass through the agreed channels of communication to the Provincial Dugout Executive for its approval.

In the event of any Unit of the Order contemplating expenditure in excess of R100 000 on any of the following:-

May12

Fixed property development, ie alterations, paving, roadways etc  
additions to existing property;  
acquisitions of new property arising from purchases or gifts;  
building on land;  
taking ownership of new land through either purchases or gifts, and incurring maintenance costs.

May12

Provided that the Unit has access to –

- Sufficient funds to meet the contemplated expenditure,
- At least two Itemised Quotations for such expenditure are obtained from reputable firms and,
- The Local Authority's approval for such alterations/development, have been obtained prior to the commencement of the work to be carried out.

May12

Applications to do so shall pass through the normal channels of communication to the MOTM Property Management Committee before submission to the Full National Executive for its approval.

Any amount under the R100 000 Provincial limit is to be brought to the attention of the National Executive.

Refer also to the SOP's in this regard.

### 12.2.3

#### Insurance of Buildings

All buildings shall be insured at replacement value, and in the case of trading Units, loss of profits cover shall be taken out. Provincial Dugouts shall ensure that all risks including SASRIA are fully covered and examine insurance policies for under insurance.

### 12.2.4

#### Unit owning Fixed Property

May06 Unit owning fixed property should establish a maintenance fund of five per cent of replacement value of the improvements. The funds allocated for this purpose are to be invested and the income and capital used for the maintenance of the improvements. Maintenance funds are to be specified separately in the financial statements of Units owning property.

Nov08 12.2.5 Movable Military Hardware

Under no circumstances, can any unit, or member of a Unit of the Order, dispose of any movable military hardware, entrusted to it, without the prior written consent of the National Executive via the lines of communication.

### 12.3. Proceeds from Disposal of Assets

#### 12.3.1. Units of the Order

12.3.1.1 That all monies plus accrued interest presently held by Provinces in terms of Clause 12.3.1. shall immediately be paid over to the MOTH GHQ Special Fund.

12.3.1.2 That the nett proceeds arising from sale/disposal of any assets held by any Unit of the Memorable Order of Tin Hats be transferred to the lodged in the MOTH General Headquarters Special Fund.

12.3.1.3 A Unit may apply for repayment to it of May99 money so paid to the MOTH General Headquarters Special Fund within a period of twelve months from the date of sale or expropriation of any property provided that adequate proof is produced that such money is required to finance other projects acceptable to the National Executive.

Money not refunded after the expiry of the three year period shall be retained in the non-distributable reserve to the MOTH Special Fund.

Nov18 12.3.2. MESCA Units



12.3.2.1. That the nett proceeds arising from the sale/disposal of any assets held by any MESCA Unit of the Memorable Order of Tin Hats be must be transferred to and lodged in the MOTH General Headquarters MESCA Special Fund account. A MESCA Unit may apply for the repayment of funds paid into the account of the MOTH GHQ MESCA Special Fund within twelve months from the date of the sale or expropriation of its property provided that proof is produced to show that such money is required to finance a project acceptable to the Property Management Committee which shall make a recommendation to the Full National Executive for its approval.

12.3.2.2. A MESCA Unit may apply for repayment to it of money so held to the MOTH General Headquarters MESCA Special Fund within a period of three years from the date of the sale or expropriation of any property provided that adequate proof is produced that such money is required to finance other MESCA projects/causes as approved by the National Executive.  
Money not refunded after the expiry of the three year period shall be retained in the reserve to the MOTH GHQ MESCA Special Fund.

#### 12.4 Expropriation of Immovable Property

12.4.1 Full particulars, either written or verbal, made in respect of any proposal to expropriate immovable property owner by a Unit or which has actually been expropriated shall be advised by that Unit immediately to the National Executive through the recognised lines of communication. No offer contained in any expropriation shall be accepted without the prior written consent of the National Executive. The proceeds of any compensation paid by expropriating authority shall be subject to the provisions of Clause 12.3. or these General Standing Orders.

12.4.2 In respect of the replacement of any expropriated property required by a Unit, the acquisition or improvement or any immovable property including the establishment and/or buildings still to be constructed by a Unit as a replacement for the expropriated property, shall be subject to the written approval of the National

Executive granted through the recognised lines of communication and all of requirements specified in Clauses 12.2.2. and 12.2.3 will apply to such acquisition or improvement.

#### 12.5. Limitation on Disposal of Assets

When a Shellhole has been declared defunct and its movable assets are not in excess of R1 000 nett, the Shellhole's Provincial Dugout may dispose of such funds only to a MOTH cause. The National Executive shall be advised of the sum involved and of how it was disposed. The Provincial Dugout having jurisdiction over a defunct Shellhole which has an inventory of memorabilia shall take possession thereof and seek the advice of the National Executive regarding its disposal. The proceeds from any sale shall be paid into the MOTH General Headquarters Special Fund.

#### 12.6. Disputes Settlement

In the event of a dispute between a Unit of the Order and the next senior Unit, in the application of the provisions of this Clause, the matter shall be referred to the next senior Unit with the right of appeal through the official channels of communication as prescribed and a final appeal to the National Executive, whose decision shall be final and binding.

#### 12.7. Leasehold Property

May06 Units may not enter into a lease agreement for leasehold property or for the renewal of an expiring lease without the authority of the Full National Executive which will take cognisance of any recommendation of the Property Management Committee through which applications for new or renewal of leases shall be routed. Such leases shall be accompanied by a feasibility study and be passed by a legal adviser.

Nov12 Property that is rented by any MOTH Unit that is property which the MOTH does not own, may not be improved by any MOTH Unit or monies advanced for the improvement, up grading or renovation thereof.

#### Nov01 12.8. Alienation of MOTH Property

The Alienation of MOTH property by the leasing of property or entering into a rental agreement to occupy property is to be first approved the District and Provincial Dugouts having jurisdiction and then by the

National Executive. These draft agreements are to be submitted through the normal channels of communication.

### 13. PUBLICITY

#### 13.1. Press Release

Each Provincial or District Dugout or Shellhole may publish in any newspaper items of general interest to the public in connection with its social and benevolent activities.

#### 13.2. Media Communication

No member of the Order shall be permitted to communicate with the media in the name of the Order, or in any manner purporting to convey the views of the Order without the approval of the National Executive.

Nov12 The Media is defined as any Printed Matter, such as (Newspaper, Books, Magazines, and Pamphlets etc.), Broadcast Media such as Radio, Television, Film or Internet Streaming etc.) or any other electronic means of communication such as, E-mail, Facebook, Twitter, etc.) that are available to the General Public.

#### 13.3. Exploitation by Member

No member shall exploit the Order for his own advancement in trade, business or politics whether it be at local, provincial or national levels. Such acts shall be deemed an infringement of the spirit of these General Standing Orders.

#### 13.4. Advertising

Members in trade or business are permitted to advertise in any recognised MOTH publication and to use the word "Moth".

### 14. AMENDMENT TO MOTH GENERAL STANDING ORDERS

Ma08 14.1. No Clause of these General Standing Orders may be amended, amplified or rescinded except by resolution of MOTH General Headquarters.

May08 14.2. Any changes, amendments or additions to the Standing Operating Procedures (SOP's) are to be approved by the Full National Executive.

Nov13 Standing Operating Procedures (SOP's) were introduced for the guidance of all MOTH Units owning fixed property and Cottage Schemes including MESCA Branches to ensure that uniform policies are applied throughout the Order. These Procedures are now to be used by ALL MOTH UNITS of the Order to assist the various committees and their executive members in applying good governance.

They are to be applied in addition and in conjunction with MOTH General Standing Orders.

## 15. OTHER ORGANISATIONS

### 15.1. Restrictions

No recruiting or propaganda for other organisations shall be permitted at any MOTH meeting. No member of the Order shall be authorised to represent its view to any other national ex-service organisation without the authority of the National Executive.

### 15.2. Appointment of Delegates

May06 Provincial Dugouts and Branch Committees of the Property Management Committee are permitted and encouraged to appoint delegates to serve on any properly constituted committee of other ex-service organisations on matters of a regional nature and of mutual interest.

## 16. WINDING UP OF THE ORDER

### 16.1. Board of Liquidators

In the event of a resolution to wind up the Order, the Full National Executive of the Order as it is then constituted shall become a Board of Liquidators of the assets of the Order with powers to co-opt such persons who, because of their professional qualifications, the said Board of Liquidators in its sole discretion, think necessary to enable it to carry out the said function entrusted to it efficiently, fully and in the best interests of and in conformity with the ideals and objects of the Order.

### 16.2. Selection and Retention of Assets

The said Board of Liquidators shall after proper enquiry through the lines of communication of the Order select those immovable properties, trophies, monuments, memorial plaques and other assets owned by Units of the Order which it considers fitting to retain and maintain in perpetuity as lasting memories to the Order and to those who gave their lives in war in the service of their country.

### 16.3. Instructions for the Closure of all Units

After selection of the properties, monuments, memorial plaques, trophies and assets aforesaid, the Board of Liquidators shall proceed to give instructions for the closure of all Units of the Order in accordance with the procedures laid down in General Standing Orders and for the

conversion into cash of all assets held by such Units other than the items selected for retention.

#### 16.4. Transfer of Funds

Each Unit of the Order shall thereupon proceed to wind up its affairs, shall transfer the nett cash proceeds of the disposal of its assets to a special bank account to be opened for the purpose by the Full National Executive at a registered commercial bank and shall furnish the Board of Liquidators with a full statement of the winding up of the Unit.

#### 16.5. Care of Assets

Each Unit shall further place under the care of the said Board of Liquidators all properties, monuments, memorial plaques, trophies and assets selected to be preserved as aforesaid, in such manner as shall be directed by the said Board of Liquidators.

#### 16.6. Preservation of Memorials

In the selection of properties and assets for preservation, the Board of Liquidators shall take into account the geographical position of the asset, its importance as a memorial to those who have died, its state of preservation and estimated cost of maintenance, and the cash resources available on the winding up of the Order for the preservation of monuments. Notwithstanding anything contained in these General Standing Orders which permits of a contrary intention Warriors Gate, Durban, and all furniture, trophies and other items contained therein shall be retained in perpetuity as a memorial to the Order and fallen ex-servicemen.

#### 16.7. Notarial Deed of Trust

The said Board of Liquidators acting on behalf of the Order, shall in their discretion prepare and execute a Notarial Deed of Trust and shall settle upon and hand over to the Trustees nominated in the said Deed of Trust all properties, monuments, memorial plaques, trophies and assets to be preserved as aforesaid and all moneys accumulated from the disposal of other assets of the Order to be held by the said Trustees for the purposes set out in the said Deed of Trust. The draft Trust Deed suitably amended and dated 04th November 1984 shall serve as a guide for the liquidators in preparation of the Notarial Deed of Trust to be executed by them.

#### 16.8. Resolution to Wind up

- May09      16.8.1.      On completion of the handing over to the Trustees of all the assets of the Order, the Board of Liquidators shall

resolve that the Memorable Order of Tin Hats be dissolved and the Order shall thereupon be dissolved.

- May09            16.8.2.        Upon dissolution of the Order as provided for in Clause 3 of the General Standing Orders, the whole of the capital and accrued income is to be paid, in the following order of preference, to:
- 16.8.2.1        such other organisation or organisations which has or have similar objects to those of the MOTH and is or are approved by the Commissioner For Inland Revenue as a Public Benefit Organisation in terms of Section 30 of the Income Tax Act, Act 58 of 1962; or
  - 16.8.2.2        such other organisation or organisations which is or are established by law as envisaged in Section 10(1)(cA)(i) of the Income Tax Act and which as the sole or principal object carries or carry on a Public Benefit Activity; or
  - 16.8.2.3        any other such other organisation or organisations as may be allowed in terms of the prevailing laws of the Republic of South Africa at the time of dissolution, as may be decided upon by the National Executive at the meeting at which it is decided to dissolve the Provincial Dugout.

## **ANNEXURES TO GENERAL STANDING ORDERS**

### **ANNEXURE “A”**

#### **1.        FOUNDER’S BASIC RITUAL**

The Spirit of the Order is symbolised at every MOTH meeting by the Tin Hat and Lighted Candle, signifying the perpetuation of front-line comradeship, which transcends race, rank and social status within the meaning of the MOTH. (Three large dice respectively marked T.C., M.H., S.M. should be placed near the Tin Hat). All members shall be known as Moths.

#### **Opening of Shellhole Meeting**

When Shellhole is assembled Sentry closes door. All lights out. Old Bill lights candle on Tin Hat. All Moths stand.

O.C.: "In True Comradeship, Mutual Help and Sound Memory, we open this Shellhole. MOTH Salute!"

Pause (in complete silence). Thereafter drop Salute. At the end of pause all sing with spirit "Old Soldiers". Candle out. Lights on. All sit.

### **Recruit's Initiation**

All Moths stand to attention. Recruit, who has been fully informed of the objects of the Order, and who has satisfied the Shellhole re qualifications, remains outside the door. Suitable music, such as MOTH's Tin Hat March will be rendered as door is opened and escort marches into O.C.'s table. Music ceases. All other lights out. Candle is lit.

O.C. (to new recruit): "Friend, are you willing to serve this Order and this Shellhole?"  
(Recruit replies "Yes".)

O.C.: "Then repeat after me: I (Recruit's name) give my comradeship to this Shellhole and my Zeal to this Order. I give my cheerful service as witness that we live to lighten each other's burden. In the light of this Shellhole, I declare that he who fought by my side is my comrade still, wherever he may be, and in his name I solemnly acknowledge by this MOTH Salute (O.C. sets example) that we are here to work within the Three Ideals of (O.C. indicates T.C., M.H., S.M. symbols) True Comradeship, Mutual Help and Sound Memory, which require our practical expression and sincere endeavour, in the work of this Memorable Order".

Recruit drops Salute, and O.C. shakes hands and presents Tin Hat, Certificate and Regulations. At the same time the best speaker in the Shellhole, having memorised the following, declares:-

"Be it known to all Moth Comrades, the Centre of our Order is the Tin Hat, hallowed by the light of service. Our complete emblem includes the crossed rifles of sacrifice, surrounded by the twelve stars, signifying Mutual Help, the whole within an unending circle expressing life and harmony without end".

At this, all Moths sing "Old Soldiers", the last line being repeated in a hushed voice. Candle out. Lights on. Recruit is escorted to a seat and all sit.

### **Closing of Shellhole Meeting**

Sentry closes door, all members upstanding. All lights out. O.C. lights candle.

O.C.: "In True Comradeship, Mutual Help and Sound Memory we close this Shellhole. MOTH Salute!"

Slight pause. Drop Salute. All sing "Pack Up Your Troubles" or Shellhole's choice. Candle out. Lights on. Members sit. Community singing and entertaining.

NOTE

1. All Moths stand when candle is burning. During pause each member thinks of Fallen Comrades. No smoking or liquor to be allowed during ceremonies.
2. No liquor is to be consumed during the business of the meeting.

**Installation of Executive Officers**  
(All MOTH Units)

All incoming officers will stand to attention in single rank facing the gathering. Lights will be on. All present will stand to attention.

Installation Officer: "Incoming Officers – MOTH Salute!"

Repeat clearly after me: "I take up this office, to serve my Comrades, under the Three Ideals of this Order; to the Constitution and General Standing Orders of which I give my unswerving loyalty and through the spirit of which I give my pledge to promote the good name of the Order among all communities, and so promote good humour and harmony among all Moths, wherever they may be".

Installation Officer: "Drop Salute".

Shakes hands and presents the insignia of office. Officers will assume official seats. All present will be seated.

May12

**SUNSET PARADES**

Remembrance Day should be observed by all moths. The MOTH Sunset Parades/Memorial Parades is as follows:

**SUNSET PARADES/MEMORIAL PARADES**

- 1 MC to welcome all Guests of Honour, VIP's and other guests.
- 2 Master of Ceremonies to explain parade and tell all present when to stand, removal of headdress and procedure when Last Post is played.
- 3 Sentries to be posted 2 minutes before start of ceremony.
- 4 Ask Padre to conduct his service.
- 5 After benediction MC) takes over and calls on the Sergeant Major to Lower Flags if there are more than the National Flag flying.
- 6 The Sergeant Major to bring the parade to attention. The MC calls on those seated to stand. If Sentries are on parade the order is given to Present Arms.
- 7 The MOTH Prayer is read.
- 8 Last Post is played and the National Flag is lowered.
- 9 Drop salute on command or failing this after the last note of Last Post.
- 10 Two Minutes Silence.
- 11 Reveille is played and National flag hoisted.
- 12 The Sergeant Major to hoist flags whereupon all other flags are hoisted.
- 13 MC then calls out those persons who are to Lay Wreaths or Plant Crosses. This to be done in order of seniority as per laid down protocol.



- 14 Whilst wreaths are being laid, and if a piper is present, he may play the Lament whilst wreaths are being laid.
- 15 At the end of the wreath laying the National Anthem is sung. Moths in uniform stand to attention but don't salute.
- 16 Once all present are seated again thank all present for attending.
- 17 Sentries are marched off and Parade is dismissed.

## MOTH REMEMBRANCE DAY

Every Shellhole in the Order, shall individually or collectively perform some befitting act of Remembrance on the 11th November in each year, but all Units shall retain complete freedom of action for such acts on other days.

## 2. QUALIFICATION FOR MEMBERSHIP

### ANNEXURE "B"

Subject in all cases to the production to MOTH General Headquarters of satisfactory documentary proof of such service, personnel are eligible for membership of the Order who served:

1. In any War prior to 1939 as a member of the fighting forces, including medical or other auxiliary units of such forces. This includes all wars and campaigns in any country.
2. In the 1939-45 War and subsequent campaigns as members of the Union Defence Force outside the borders of the Union on active service.
3. As full-time members of the Union Defence Force, in the Coastal or Coast Garrison Artillery and the South African Air Force Squadrons engaged in seaward patrols. This includes ex-members of the Radar Service and Coastal Crash Boat crew serving with the Artillery Batteries and SAAF Squadrons mentioned above.
4. As full-time members of the South African Naval Forces outside the Union or in the coastal defence of the Union. As members of the British or Allied Forces – air, navy or army – Great Britain or abroad.

NOTE: In Britain the Home Guard and National Fire Service are not classed as armed services.

5. As officers or ratings in ships of the Allied Merchant Service at sea during World War I and World War II and minor campaigns mentioned in paragraph 7. As full-time members of the Air Auxiliary Services of the Allied Forces (such

as the BOAC) who served in combat areas in support of the Allied Forces in World War II.

6. With the Underground Resistance Movements (Partisan Forces) during the World War of 1939-45 on the side of the original Allies.
7. As full-time servicemen or women in minor campaigns, viz. Korea (1950-53), Kenya (1952-56), Malaya (1948-60), Cyprus (1955-59), Suez (1956-57), Palestine (1946-49), Yemen (Aden Protectorate) (1964-67), Western Malaysia (Sabah, Sarawak, Brunei) (1962-68) with the British Forces in Ireland (1969 -) who are in possession of the General Service Medal and/or Northern Ireland Clasp. The guerrilla warfare in which Rhodesia was engaged May06 11.11.65 until 05.03.80, members of British Forces in the Falkland Island Campaign 02.04.82 to 14.06.83; members of American Forces and their Allies in Vietnam from 22.12.61 to 07.05.75. The Northern Rhodesia, Southern Nov12 Rhodesia and Nyasaland Federation Emergency Mobilization (February 1961-February 1962).
8. As members of the South African Police or Rhodesia Police (11.11.65 until 05.03.80) who have been in active operation against guerrillas on their Borders and who are in possession of the South African Police Medal for Combating Terrorism or the Rhodesian General Service Medal.
9. In Vietnam as members of the Allied Forces (as recognised for eligibility for the 1939-45 World War).
10. As security force members – (Definition- A member who was a member of the Nov12 South African Defence Force or the South West Africa Territory Force (01<sup>st</sup> August 1980 to 30<sup>th</sup> June 1989), the South African Police or South West Africa Police.
  - 10.1. who served in an operational area, namely South West Africa, Angola, Mozambique or the South African Borders.
  - 10.2. who have been directly engaged in operations anywhere in South Nov15 Africa from 01<sup>st</sup> January 1983 until 02<sup>nd</sup> February 1990. As members Nov12 of the SA Navy at sea, the Operational Area (January 1975 to February 1990) is on the West Coast of Africa from the Equator down and around the continent and up to Pembe Island (off Tanzania) on the East Coast.
  - 10.3. As Security Force members actively engaged in urban and rural Nov08 operations after 02<sup>nd</sup> February 1990 and up to and including 27<sup>th</sup> April 1994.
11. Members of the SANDF who since 1994 have received a campaign medal or May09 clasp issued by the Joint Chiefs, Operations Support for any military operations. These to include peace keeping forces and operations in: Lesotho, Democratic Republic of the Congo, Burundi, Mozambique and Sudan. These Campaigns will be updated from time to time at GHQ meetings.

Nov08

12. Allied Service Personnel who fought in Operation Desert Storm.

Nov08

13. Allied Service Personnel who fought in the Iraq War/Balkans Conflict (NATO Forces)/Afghanistan.

Nov08

14. Allied Service Personnel who served/currently serve in NATO Forces operations, and are in possession of a service/campaign medal or the necessary proof confirming that the person took part in the operation.

### **Vetting Procedures for new Recruits:**

June 2020 This step-by-step guide to be followed:-

#### **Verification**

1. The prospective new member is to complete the latest version of the GHQ1 Form as obtained from the MOTH website and further supporting documentation to be filed where applicable.
2. The Shellhole, after complying with the details as set out in General Standing Orders clauses 1.3.1 and 1.3.2, is to file application with next senior Unit (i.e. District- or Provincial Dugout) for verification. At Shellhole level special attention must be paid to the role and function of Sponsors as set out in the **NRO Circular dated 28/02/2020**.
3. Should the next senior Unit be uncertain of the prospective new member's qualifications, the matter must then be referred via the lines of communication to the National Recruiting Officer.
4. The prospective new member must be well informed of the details as set out in Clause 1 (sub-clauses included) of the General Standing Orders before being inducted.
5. Once verification has been received from the next senior Unit, the prospective members may be considered for induction after attending at least three general meetings.
6. This will assist in ascertaining the commitment levels of individuals actually interested in becoming good Moths, and also provide the opportunity for Shellhole members to gauge the suitability of the prospective members.
7. The induction of a new members may commence after the aforementioned steps have been completed, and the Shellhole has confirmed the member's suitability by a simple majority vote.

#### **Notes**

1. The GHQ1 Forms for Outposts of General Headquarters (GHQ) must first be sent to the National Recruiting Officer and General Secretary for vetting.
2. Capitation fees payable will be calculated at 100% of the approved GHQ Estimate rate if the new member is inducted between July and December of the MOTH year and at 50% if the new member is inducted during the period from January to June (to be read with clause 10.5 – Subscriptions of the General Standing Orders).

3. Always verify personal impressions and opinions against Annexure 'B' of the General Standing Orders.  
MOTH General Headquarters shall decide from time to time which further campaigns are added to Annexure "B".

NOTE:

MOTH General Headquarters shall decide from time to time which further campaigns are added to Annexure "B".

### **3. MOTH GHQ SPECIAL FUND RULES**

May09

#### **ANNEXURE "C1"**

##### **1. NAME**

The name of the fund shall be "MOTH GENERAL HEADQUARTERS SPECIAL FUND" hereinafter referred to as "The Fund".

##### **2. OBJECTS**

- 2.1. To take over the net assets of the MOTH Seaside Holiday Homes Trust as and when that Trust is terminated.
- 2.2. To take over the net assets of MOTH GHQ Trust Fund;
- 2.3. To take possession of any monies arising from the sale of immovable properties in terms of Clauses 12.3.1. and 12.3.2 of MOTH General Standing Orders.
- 2.4. To take possession of any other money, donations or assets which may be properly allocated to the fund;
- 2.5. To take possession of any bequest made which is intended for use in the general interest of the Order;
- 2.6. To act as a vehicle for the investment of the assets of the Fund and the distribution or retention of the net income arising from such investments.

##### **3. APPOINTMENT OF ADMINISTRATORS**

The administrators of the fund shall be six in number and consist of the National Chairman, National Vice-Chairman (KZN), National Treasurer, General Secretary and two other suitably qualified persons appointed by MOTH General Headquarters.

The administrators so appointed shall have the power to co-opt an additional member or members provided that co-opted members shall not be entitled to a vote.

Each administrator shall have one vote and in the event of an equality in votes, the Chairman shall have a casting vote in addition to his deliberative vote.

The quorum for a meeting shall be four administrators personally present.

#### 4. POWERS AND DUTIES OF ADMINISTRATORS

- 4.1. To carry out the Objects of the Fund;
- 4.2. To acquire, invest and dispose of the assets of the Fund;
- 4.3. To distribute, retain and re-invest the net income of the Fund;
- 4.4. To appoint a Chairman, Treasurer and Secretary to the Fund.
- 4.5. To open and maintain accounts with any registered commercial bank, building society or South African Government institution;
- 4.6. To hold meetings of Administrators as and when deemed necessary provided that any one Administrator may in writing call upon the General Secretary to convene a meeting of Administrators within 7 (seven) days of receipt by him of such written request;
- 4.7. To maintain proper records of the Fund's affairs and to maintain accurate minutes of all meetings of the Administrators.
- 4.8. To ensure the safekeeping of all assets in its custody.
- 4.9. To make loans to Units of the Order under such conditions, rates of interest and terms of repayment as may be laid down by the National Executive;
- 4.10. To borrow money from Units of the Order as and when considered necessary under such conditions, rates of interest and terms of repayment as may be laid down by the Administrators.
- 4.11. To borrow money from a registered commercial bank or financial institution on security of its immovable property.

#### 5. INVESTMENT OF FUNDS

The assets of the Fund will be invested in accordance with Clause 11.1. of these General Standing Orders as amended from time to time.

All investments made by Units shall not be appropriated by MOTH General Headquarters without the written consent of each investing Unit first having been obtained and may only be utilised to finance loans to accredited MOTH projects.

## 6. DISPOSAL, DISTRIBUTION AND RETENTION OF NET INCOME

6.1. The net income of the Fund shall be dealt with as follows –

- 6.1.1. 5% (five per cent) thereof shall be retained in the non-distributable reserve of the fund to cater for inflation and for reinvestment in accordance with Clause 5 hereof.
- 6.1.2. 25% (twenty five per cent) thereof shall be paid to the GHQ Warriors Gate Maintenance Fund;
- 6.1.3. 40% (forty per cent) thereof shall be paid to MOTH General Headquarters as a contribution to the costs of administering the Order.
- 6.1.4. 30% (thirty per cent) thereof shall be made available for Mutual Help, other MOTH causes and for the erection and maintenance of homes for aged ex-servicemen and women and their surviving spouses, grants to MOTH Cottage Schemes and to MOTH Units as may be approved by the National Executive.

Any undistributed portion of this subsection as at 30<sup>th</sup> June shall be refunded to the MOTH GHQ Special Fund and credited to the non-distributable reserve of that fund. Disbursements that are made in June of each year are deemed to be made from the income of the previous financial year.

## 7. FINANCIAL YEAR AND ANNUAL AUDIT

The financial year end of the Fund shall coincide with that of MOTH General Headquarters and its affairs shall be examined by an auditor appointed by MOTH General Headquarters.

## 8. DISSOLUTION OF THE FUND

The Fund shall be wound up simultaneously with the implementation of “The Will of the Order” in accordance with Clause 16 of MOTH General Standing Orders.

## **ANNEXURE "C2"**

### **1. NAME**

The name of the fund shall be "MOTH GENERAL HEADQUARTERS MESCA SPECIAL FUND" hereinafter referred to as "The Fund".

### **2. OBJECTS**

- 2.1. To take over the net assets of "Warriors' Rust";
- 2.2. To take possession of any monies arising from the winding up of entities which are exempt from Income Tax in terms of the Income Tax Act of immovable properties.
- 2.3. To take possession of any monies arising from the sale of immovable properties held by units of MESCA (in terms of Clauses 12.3.1. and 12.3.2 of MOTH General Standing Orders).
- 2.4. To take possession of any other money, donations or assets which may be properly allocated to the fund;
- 2.5. To take possession of any bequest made which is intended for use in the care of the Aged.
- 2.6. To act as a vehicle for the investment of the assets of the Fund and the distribution or retention of the net income arising from such investments.

### **3. APPOINTMENT OF ADMINISTRATORS**

The administrators of the fund shall be five in number and consist of the National Chairman, National Vice-Chairman (KZN), National Treasurer, General Secretary and Chairman of PMC.

The administrators so appointed shall have the power to co-opt an additional member or members provided that co-opted members shall not be entitled to a vote.

Each administrator shall have one vote and in the event of an equality in votes, the Chairman shall have a casting vote in addition to his deliberative vote.

The quorum for a meeting shall be four administrators personally present.

### **4. POWERS AND DUTIES OF ADMINISTRATORS**

- 4.1. To carry out the Objects of the Fund;
- 4.2. To acquire, invest and dispose of the assets of the Fund;
- 4.3. To distribute, retain and re-invest the net income of the Fund;
- 4.4. To appoint a Chairman, Treasurer and Secretary to the Fund.
- 4.5. To open and maintain accounts with any registered commercial bank, building society or South African Government institution;
- 4.6. To hold meetings of administrators as and when deemed necessary provided that any one administrator may in writing call upon the General Secretary to convene a meeting of administrators within 7 (seven) days of receipt by him of such written request;
- 4.7. To maintain proper records of the Fund's affairs and to maintain accurate minutes of all meetings of the administrators.
- 4.8. To ensure the safekeeping of all assets in its custody.
- 4.9. To make secured loans to MESCA units of the Order under such conditions, rates of interest and terms of repayment as may be laid down by the administrators;
- 4.10. To borrow money from units of the Order as and when considered necessary under such conditions, rates of interest and terms of repayment as may be laid down by the administrators.
- 4.11. To borrow money from a registered commercial bank or financial institution on security of its immovable property.

## 5. INVESTMENT OF FUNDS

The assets of the Fund will be invested in accordance with The Pension Fund's Act.

## 6. DISPOSAL, DISTRIBUTION AND RETENTION OF NETT INCOME

- 6.1. The net income of the Fund shall be dealt with as follows-
  - 6.1.1. Applied to the running of MESCA.
  - 6.1.2. As Grants to units of MESCA.
  - 6.1.3. For any purpose in support of MESCA.
- 6.2. The capital held in trust and the interest received thereon in the MESCA Special Fund may only be distributed to MESCA Cottage



Schemes. The funds so held shall not be under the control of the administrators but under the control of the National Executive. Applications are to be made to the PMC on the GHQ application Form for Building Grants and or loans with the necessary motivation and a minimum of two quotes. The PMC will make a recommendation to the National Executive who will have the final say. Grants will be made twice a year in February and August. However, the National Executive, after taking account of the recommendation made by PMC will consider applications of an urgent nature when received.

#### 7. FINANCIAL YEAR AND ANNUAL AUDIT

Nov11

The financial year end of the MOTH GHQ MESCA Special Fund shall be 30th June and its affairs shall be examined by an auditor appointed by MOTH General Headquarters.

#### 8. DISSOLUTION OF THE FUND

The Fund shall be wound up simultaneously with the implementation of "The Will of the Order" in accordance with Clause 16 of MOTH General Standing Orders.

### 4. THE MOTH EMBLEM

#### **ANNEXURE "D"**

The MOTH emblem or any part of it is a registered trade mark under the Patents and Trade Marks Act. Its use in the manufacture of articles or in the production of clothing shall be controlled by the National Executive. For other applications, a Provincial Dugout shall be empowered to control its use as to colour, size and the need when the MOTH emblem shall be displayed or printed.

### 5. LIQUOR LICENCES AND OTHER LEGAL REQUIREMENTS PERTAINING TO SHELLHOLES AND PROPERTIES

May09

#### **ANNEXURE "E"**

- 1 All Shellholes and Units of the Order who provide alcoholic beverages on their premises, whether owned or leased, must/will apply for a licence in terms of the Liquor Act. (The present liquor act varies from Province to Province and each Shellhole and Unit must apply in terms of the act applicable to their geographic location)

- 1.1.1 The Shellhole Standing Orders must incorporate the control of the bar/hole in the wall in that stock control is to be taken on a monthly basis and verified by the Shellhole Old Bill or his designated Executive member. Stock must be purchased and paid for through the Shellhole books on a cash basis (not longer than 30 days). Not from takings of the bar or hole in the wall. All bar takings less a pre-determined float must be deposited in the Shellhole's account on a minimum of a monthly basis. (No separate bar account, may be opened).
- 1.2. All Units shall register for VAT with the SA Revenue Services if their turnover is in excess of the laid down VAT threshold. (At present R300 000 per annum). Units shall also register for the payment of other Government dues should they be applicable; Workmen's Compensation, UIF and Regional Services Levy.
  - 1.2.1 The above is to ensure that all Units comply with Government legislation of the country, which must include other legal requirements such as –
    - Visitors Books if required
    - No Smoking in ANY buildings
    - No serving to person's under the age of 18 years

Nov 17

- 2 In some Units there is a CLUB which has a Liquor licence and which club has its own CONSTITUTION and a Lease Agreement with the MOTH Unit (which must be/has been approved by PMC and the National Executive). No further CLUBS are permitted to be established on MOTH premises, whether owned or leased.
  - 2.1 The approval of such a lease must be authorised by the National Executive via PMC and its submission must include the proposed Club Constitution or Constitution of an existing Club.
  - 2.2 The terms of the Lease Agreement must incorporate the following –
    - 2.2.1 That the term of the lease and rental payments be stated;
    - 2.2.2 That any amendments to the lease agreement shall be approved by a Provincial Dugout, PMC and the National Executive;
    - 2.2.3 That the procedure to be followed in the event of the dissolution of the Club be stated;
    - 2.2.4 That a liquor licence, if required shall be taken out by the existing Club as stated in Clause 2 above;

- 2.2.5 That copies of the Clubs constitution be retained by the Shellhole and the Provincial Dugout concerned;
- 2.2.6 It shall be a condition of the lease that the constitution of the existing Club, and any amendment thereof, shall be approved by the National Executive and the lease shall be deemed to be of no force or effect unless and until such constitution or amendment thereof has been approved in writing, and certified copies thereof have been delivered to the Club, Shellhole and the Provincial Dugout having jurisdiction.
- 2.2.7 That the lease agreements shall state unequivocally that any debts incurred by the Club as a result of trading operations or similar activities, shall be the sole responsibility of the Club;
- 2.2.8 That damage to movable and fixed property by members of the Club shall be the responsibility of the Club;
- 2.2.9 That the lease agreement shall contain an appendix listing all movable assets owned by the MOTH Unit and/or leased to the Club;
- 2.2.10 That additions to or replacements of moveable assets for whatever reason shall be the responsibility of the Club;
- 2.2.11 That if desired, an agreement for the disposal of movable assets owned by a Unit may be concluded subject to the approval of the Provincial Dugout concerned and the National Executive.

## **6. APPOINTMENT OF ADMINISTRATORS**

### **ANNEXURE “F”**

Nov16

#### **1. Definition**

An Administrator is a Moth who has been specifically appointed by a Unit of the Order to act in a fiduciary capacity by ensuring that members of the Unit act in a responsible manner with integrity and with the interests of the Order in mind having due regard to the investment of funds, the acquisition and disposal of property, as set out in the MOTH Constitution, GSOs and SOPs.

#### **2. Appointment.**

- 2.1 One or more Administrators who shall not be office bearers of a Unit's Executive may be appointed by members at a Unit's Annual General

Meeting to serve simultaneously. Their terms and conditions shall be set out in a letter of appointment stating inter alia the following points:

Tenure of office: - appointed for a period of more than a MOTH year to ensure continuity within the Unit concerned.

Purpose of appointment: - Duties and responsibilities.

- 2.2 The Moths so appointed shall have integrity and commitment in fulfilling their responsibility of office.
- 2.3 In the event of disagreement among the Administrators the matter must be referred to the Executive of the Unit, or the next senior Unit whose decision shall be final.
- 3.4 To ensure that all moneys held for investments are lodged with recognised financial institutions in terms of the MOTH GSOs in terms of Clause 11.1.3.
- 3.5 Administrators so appointed must be on the Nominal Roll of that specific Shellhole. In the case of a District Dugout the Administrators must be members of that District Dugout, not in another District, or Provincial Dugout [Mother Unit/Shellhole principal].
- 3.6 To ensure that the Unit changes it's signing authorities, if needed, after the AGM, within 30 days with the relative financial institutions.
- 3.7 To ensure that the Unit complies with the requirements of the SARS in submitting the necessary returns. When necessary ensuring that the names of the new Executive Officers in a Unit, once they have taken up office, and installed, that their names have been submitted in respect of the Unit's Tax Commitment within 21 days.

## **7. SPECIAL REGULATIONS FOR A UNIT**

### **ANNEXURE "G"**

Nov02

All provinces shall have General Standing Orders which shall incorporate rules and regulations pertaining to Dress Code and Code of Conduct.

A Unit may make special rules and regulations pertaining to its domestic matters not inconsistent with the MOTH Constitution and General Standing Orders.

Such rules and regulations shall be proposed at a general meeting of the Unit, passed by a simple majority and approved by the next senior Unit.

## **8. MOTH COTTAGES AND PROPERTIES**

## ANNEXURE "H"

May12

### PROPERTY MANAGEMENT COMMITTEE RULES

#### Definition of Property Management Committee

To provide a National Body by way of a subcommittee to the National Executive to manage and advise the MOTH Cottages, Frail Care Centres and properties including MESCA. The Property Management Committee will be a Unit of the MOTH and as such reports to the National Executive.

#### 1. NAME

The name of the committee will be the Property Management Committee (PMC).

#### 2. OBJECTIVES

- 2.1 To provide a management function to the MOTH regarding their properties.
- 2.2 To manage and advise on cottage accommodation for eligible persons as well as frail care assistance where possible.
- 2.3 To provide food, meals, clothing, medical, and other amenities to eligible persons if able to do so.
- 2.4 To protect and advance the interests of war veterans and their kin by carrying out the benevolent activities of an ex-service character.

#### 3. MANAGEMENT

The Property Management Committee shall be under the direction and control of the National Executive. The Chairman will be appointed annually by MOTH General Headquarters and will have power to co-opt other persons to serve on the committee from time to time, subject to the approval of the National Executive.

#### 4. STRUCTURE OF COMMITTEE

- 4.1 The Chairperson of the PMC is appointed annually by MOTH GHQ at the AGM of the MOTH with powers to co- opt.
- 4.2 A Secretary and Treasurer will be appointed by the Chairperson.
- 4.3 The Chairperson will have the powers to co-opt up to a further four members to the committee on the basis of their expertise in property, housing and allied fields.
- 4.4 Should the PMC feel the need to co-opt additional members for specific requirements from time to time a further two members may be approved for subcommittee purposes.
- 4.5 Provincial Property Management Committees to be established where the need arises. However, it is recommended that all Provincial

Dugouts appoint a Property Liaison officer to facilitate the free flow of and consolidation of information and returns from Units to the PMC.

## 5. POWERS AND DUTIES

- 5.1 To uphold the OBJECTIVES and RULES of the committee
- 5.2 To implement directives passed by MOTH GHQ, and the National Executive of the MOTH.
- 5.3 To hold committee meetings at least twice a year and when called to do so by the National Executive of the MOTH.
- 5.4 To maintain proper records of the committee's affairs and to keep accurate minutes of all meetings.
- 5.5 To consider applications from Unit committees via the channels of communication for property related projects and to submit recommendations to the MOTH National Executive who may not be bound to accept any recommendations made.
- 5.6 To consult with any Unit committee regarding any fixed property transaction incorporating capital or maintenance expenditure in excess of the amount as stipulated under Clause 12.2.2 of GSO's and to consult on the desirability of whether fixed property should be subdivided, sold or further developed.
- 5.7 These Rules are subservient to the Constitution and General Standing Orders of the MOTH.

## 6. BRANCH COMMITTEES

(Cottage Committees incorporating MESCA and Other Cottage Schemes)

- 6.1 Branch Committees, ideally consisting of a minimum of five members and a maximum of nine members, with powers to co-opt sub-committees for specific tasks shall be established for all MOTH Cottage Schemes with powers and authority as defined by the Property Management Committee and MESCA Branch Constitutions who shall ensure that their duties and responsibilities are undertaken in terms thereof. The members should be from Shellholes near the location of the scheme to obviate unnecessary out of pocket expenses.
- 6.2 Each Branch shall submit an annual budget, a quarterly income and expenditure statement and annual audited financial statements. The annual audit for all Cottage Units shall be carried out by a registered or retired public accountant and these annual financial statements are to

be prepared in terms of General Accepted Accounting Practice (GAAP) (refer to Clause 2.6.2.1 and 11.8.1 of GSO's). Accompanying the annual financial statements is to be a schedule showing the composition of Branch Committees with dates of birth, addresses and contact telephone numbers.

- 6.3 Applications for a future property related projects shall be submitted timeously to the Property Management Committee for consideration and onward transmission to the National Executive.
- 6.4 Before an agreement of sale can be implemented by a Branch for the sale of fixed property, the proposal shall be referred to the Property Management Committee.
- 6.5 After acceptance by the Committee (PMC) to sell the fixed property, such proposal shall then be submitted to the National Executive which shall not be bound to accept any recommendations made.
- 6.6 A resident of a MOTH Cottage Scheme or MESCA scheme may not be a member of that Unit's/Branch's Management Committee, with the exception of the Chairperson of the Resident's Liaison Committee, unless authorised in writing by the Provincial Dugout having jurisdiction.

Likewise should there be more than one Shellhole located in a geographical area or District the Scheme/Branch's management Committee shall, whenever possible consist of equal representation of members from various Shellholes in the area or a fair representation of Shellholes in the area, unless authorised in writing by the Provincial Dugout having jurisdiction that they may do otherwise.

## 7. PROVINCIAL AND DISTRICT LIAISON OFFICERS

Provincial and District Dugouts shall appoint a liaison officer to coordinate all property related matters incorporating MOTH and MESCA Cottages, Shellhole and Memorial Centre's. These officers should attend the monthly meetings of the Dugouts Executive as well as their monthly meetings so as to attend to all property related matters within their jurisdiction expeditiously. (This member could be a member of the respective Dugout).

## 8. LINES OF COMMUNICATION

These shall be:

- 8.1 All units i.e. Shellholes, Cottage Schemes, MESCA Branches and Memorial Centres to District Dugouts.

- 8.2 District Dugout to Provincial Dugout.
- 8.3 Provincial Dugout to Property Management Committee.
- 8.4 Property Management Committee to National Executive.

## 9. GUIDELINES FOR MANAGEMENT COMMITTEES

Guidelines for management committees of MOTH Cottage Schemes incorporating MESCA are included in Standing Operating Procedures (SOP's) for Cottages. Shellholes, Memorial Centres and other MOTH properties are to be guided by MOTH Constitution and General Standing Orders.

## 10. LIFE RIGHT COTTAGES

Authority to build LIFE RIGHT COTTAGES in a Cottage Scheme shall first be obtained from the Property Management Committee and ultimately by the National Executive. The leasing of life right cottages shall only be undertaken on completion of a standard long term lease agreement provided by the Property Management Committee which may be varied to suit local conditions with the consent of the National Executive.

N.B. The specimen of a life right and ordinary lease agreement will be incorporated in the Standing Operating Procedures for Cottages.

## 9. IRREGULARITIES WITHIN A UNIT OF THE ORDER

### ANNEXURE "I"

#### Nov06 9.1. Irregularities within a Unit of the Order

Where any irregularity within a Unit is discovered the Unit concerned shall have the authority to enquire or investigate such irregularity and must within a reasonable period but not more than five (5) days report the matter, if not resolved, to the District and or Province having jurisdiction.

Should the matter not be resolved within fourteen (14) days the irregularity must be reported to the Inspection Committee of the National Executive via the lines of communication.



This Inspection Committee will, within a seven (7) day period, give simultaneously guide lines to be followed to the Province, District and Unit concerned in an endeavour to assist these Units to bring the matter to a conclusion.

Should a matter not be resolved within one month a report back, must be submitted by the Unit, to the District, Province having jurisdiction and the Inspection Committee. The report should include suggested pro-active action to be considered to resolve the matter.

Monthly reports are to be submitted, as above, until the matter is concluded.

Where there are grounds for suspicion or indications of theft or fraud having taken place, the local Unit shall report the matter to the police. A case number must be obtained from the police investigation unit concerned and must be forwarded to the District and Province Dugouts having jurisdiction.

It is essential that civil action be considered by the Unit as a means of recovering any Unit assets, however small and based on the Unit's recommendation together with the views of the District and Province having jurisdiction such action will be authorised by the Inspection Committee of the National Executive. Recommendations and views in the above regard must be included with the original report.

In the event of financial and other investigations which may occur and with a view to resolving matters and recovering assets of the Order as soon as possible the Inspection Committee is empowered to provide advice, either verbal or in writing and may, at its discretion, undertake on site visits together with arranging meetings with those involved in order to formulate the civil and legal action to be taken.

Nov09

## 9.2 Irregularities not within a Unit of the Order

Where any irregularity is discovered, the Unit concerned discovering the irregularity shall notify the General Secretary immediately, with copies of correspondence to Units having jurisdiction.

In the event that the National Executive is so implicated that an Inspection Committee warrants appointment, then that appointment will be administered by General Headquarters.

The General Secretary shall notify General Headquarters.

The longest serving Provincial Old Bill, (at the time of need), will automatically assume the task and responsibility of chairing the proceedings whose sole purpose is to democratically appoint the

Inspection Committee. Once the Inspection Committee has been appointed then the above responsibility of the longest serving Provincial Old Bill is no longer required.

Once that Committee has been formed, then that Committee will, amongst themselves, appoint a management structure, ie Chairman etc. The amount of persons on the committee should be an odd number so as to prevent an equality of votes.

In all instances involving the Inspection Committee, all correspondence to be copied to the General Secretary so as to have one central administrative repository.

Monthly reports are to be submitted to the General Secretary timeously until the matter is concluded.

Where there are grounds for suspicion or indications of theft or fraud having taken place, the Inspection Committee shall have the authority to contact the Unit having jurisdiction who shall report the matter to the police. A case number must be obtained from the police investigation unit concerned and must be forwarded to the General Secretary.

It is essential that civil action be considered by the Inspection Committee as a means of recovering any assets, however small and based on the Inspection Committee's recommendation together with the views of General Headquarters. Recommendations and views in the above regard must be included with the original report.

In the event of financial and other investigations which may occur and with a view to resolving matters and recovering assets of the Order as soon as possible the Inspection Committee is empowered to provide advice, either verbal or in writing and may, at its discretion, undertake on site visits together with arranging meetings with those involved in order to formulate the civil and legal action to be taken. The properly constituted and appointed Inspection Committee shall be empowered to communicate directly with any Moth at any level of office provided this communication is co-ordinated through an appointed Committee Chairperson. This communication does not necessarily have to follow the 'Lines of Communication' should it be deemed to be of a sensitive or sub judice nature.

The powers vested in the Inspection Committee shall include suspension and if necessary expulsion.

In the event that members of the National Executive are involved in the investigation in whatever role, should the need arise for an appeal to be lodged under 1.4 of these General Standing Orders, the Appeal Board shall consist of those members of the National Executive not involved. Should all members of the National Executive be involved or implicated, the Appeal Committee will be made up of Provincial Old

Bills appointed by the Inspection Committee and shall be no less than three members. The sanction of the Appeal Committee shall be final.

## **10. DISCIPLINARY PROCEDURES**

MAY14

### **ANNEXURE “J”**

#### **DEFINITIONS OF DISCIPLINARY AND INSPECTION COMMITTEE STRUCTURES**

##### **1. INSPECTION COMMITTEE**

An Inspection Committee is an Ad-Hoc Committee appointed by MOTH GHQ, SEE ANNEXURE “I”, paragraph 9.1. and 9.2, or, the Full National Executive, and comprises of Members of the National Executive and/or members of a Provincial Dugout Executive or other suitable Moths in good standing selected by the Full National Executive, with a specific Mandate; this Mandate will be to investigate all circumstances, and collect material pertinent to a contravention of MOTH Constitution and General Standing Orders by a Moth or a number of Moths. The decision to establish an Inspection Committee rests with the Full National Executive, acting on best advice and recommendations or requests received from a Provincial Dugout, or a District Dugout through the normal lines of Communication to the Provincial Dugout that has jurisdiction that has to consider the request.

Such a Committee will normally be formed as a consequence of information received and which warrants action to be taken against a Member or Members of the Order, and would be tasked to render a report containing relevant material to the Full National Executive. However, circumstances will arise from time to time where it is necessary to form an Inspection Committee, with the Mandate to INVESTIGATE whether there has in fact BEEN a contravention of Regulations. The rendering of such Report to the Full National Executive may then consequently result in Disciplinary Action.

It must be noted that the Powers of Suspension are vested in the Provincial Dugout having jurisdiction, (as well as with the Full National Executive where a Provincial Dugout or individual Members thereof are charged with contraventions of the General Standing Orders.) Again, it must be emphasized that, in terms of Clause 1.4 and sub clauses, Suspensions may only be LIFTED by the Full National Executive, following due process as per General Standing Orders.

## **2. DISCIPLINARY COMMITTEE**

A Disciplinary Committee is an Ad Hoc Committee formed to convene a formal Disciplinary HEARING. Such a Committee may comprise of Members of the Executive Committee of a Provincial Dugout, or the Full National Executive or other suitable Moths in good standing, as required.

The Mandate of such a Committee is to call before it a Moth or Moths who is/are accused of Contraventions of the General Standing Orders. Note that where Misconduct in terms of General Standing Orders occurs within a Shellhole or a District, the matter must be referred through normal Lines of Communication to the Provincial Dugout for appropriate action. This would then require the Provincial Dugout to appoint a Disciplinary Committee, and proceed in terms of General Standing Orders with a formal Disciplinary Hearing. See Powers of a Provincial Dugout to impose a Suspension according to General Standing Orders.

**EXPLANATORY NOTE:** The MOTH is a Voluntary Organisation, which operates under a Constitution and General Standing Orders. These provisions are undertaken and complied with on a Voluntary basis by all Members of the Order, as adopted by Moths on Induction into the Order.

As the MOTH is a Voluntary Organisation, the general provisions of the South African Labour Act, and the Basic Conditions of Employment Act are not applicable. However, be aware that there are a number of persons formally Employed by the MOTH, and in those circumstances, the Legislation referred to above will be applicable in their entirety. All Units are cautioned to seek advice from the MOTH Office BEFORE entering into any formal or informal Employment Agreement with any persons or to seek advice to action against EMPLOYEES when necessary.

## **3. APPEALS COMMITTEE**

In terms of General Standing Orders, Clause 1.4 and sub clauses the National Executive is mandated to hear and consider all properly and timeously lodged Appeals against Suspension and/or Expulsion. Any and all Appeals must be accompanied by Documentary evidence (and supported by available Witnesses where applicable) giving cogent reasons for the lodging of an Appeal. Special attention must be given to the relevant paragraphs in General Standing Orders, refer to Clause 1.4 and sub clauses.

The decision of the Full National Executive is Final.

## **4. CORRECTIVE MEASURES AT SHELLHOLE AND /OR DISTRICT DUGOUT LEVEL**

For minor Transgressions/misdemeanours the relevant Moths may be summoned to appear in front of the s/h or District Dugout Executive Committee where the problems may be resolved and if necessary a warning letter depending on circumstances can be served on the Moth who transgressed.

**NB.**If the misdemeanour is of a serious nature it must be referred to the Provincial Dugout for appropriate Disciplinary action.

## **DISCIPLINARY PROCEDURES**

### **1. PRINCIPLES**

These procedures are based on the following principles:

- (a) Discipline is a Corrective and not a punitive process.
- (b) Disciplinary procedures must be applied in a prompt, fair and consistent manner.
- (c) Discipline is exercised as an Executive function.
- (d) Fair treatment of all Moths is ensured that they will:
  - (i) Get a Fair and Unbiased DISCIPLINARY hearing at a Provincial Dugout, National Executive or GHQ Committee level, as may be required.
  - (ii) Be timeously informed of allegations of Misconduct made against them.
  - (iii) Receive written explanations for any decision taken.
  - (iv) Have the right to Appeal against any Allegations and/or any Decisions reached by a Disciplinary Committee See General Standing Orders paragraph 1.4 et seq, 1.4.2.1. to 1.4.2.4 and Annexure J.
- (e) Disciplinary procedures will still be instituted notwithstanding that the nature of Misconduct may constitute a Criminal Offence.

### **2. NATURE OF MISCONDUCT**

A Moth will be guilty of Misconduct if he, amongst other things:

- (a) Fails to comply with, or contravenes, the MOTH Constitution and General Standing Orders as issued by MOTH General Headquarters, or any Provincial Dugout, District Dugout or Unit Standing Orders as approved of by MOTH GHQ.
- (b) Wilfully or negligently mismanages the Finances of the MOTH.
- (c) Possesses or utilizes without Permission any property of the MOTH.
- (d) Intentionally or negligently damages and/or causes losses of MOTH property.
- (e) Prejudices the Administration, Discipline or Conduct of a Unit of the Order.

- (f) Misuses, or abuses, his position in the MOTH either administratively, or for his own personal financial gain.
- (g) Whilst wearing MOTH attire, executes or performs MOTH official duties whilst under the influence of alcohol or drugs.
- (h) Whilst wearing MOTH attire, conducts himself in an improper, disgraceful, or disrespectful manner, likely to prejudice the good name of the Order.
- (i) Contravenes any prescribed Code of Conduct of the MOTH applicable to him, including Dress Codes.
- (j) Incites other Moths to Unlawful conduct, or actions in conflict with acceptable MOTH Standards of Conduct.
- (k) Gives a knowingly false Statement or Evidence in the execution of his MOTH duties.
- (m) Commits any action in contravention of any Statutory or Common Laws of the Republic of South Africa.

In applying the above, it is necessary to assess the seriousness of the Misconduct by considering:-

- (a) The actual or possible impact of the Misconduct on the good name and work of the MOTH.
- (b) The position held in the Order, and the designated Duties, if any, of the alleged offender.
- (c) The circumstances under which the Misconduct allegedly occurred.

### **3. LESS SERIOUS MISCONDUCT**

In the event of less serious misconduct, the Disciplining Unit may invoke any of the following processes as deemed appropriate:

#### **(a) CORRECTIVE COUNSELLING**

Where the nature of the misconduct warrants Counselling, the Disciplining Unit should:

- (i) Interview the Member, and bring the misconduct to his attention.
- (ii) Determine the reasons for the misconduct, and afford the Member the opportunity to reply.
- (iii) Seek to get agreement on how to remedy the conduct, and take appropriate steps to implement the agreed course of action.

#### **(b) VERBAL WARNING**

- (i) Following the steps as above for Corrective Counselling, where the Member either admits or acknowledges the Misconduct, An appropriate Verbal Warning may be given, with the caution that if there is a re-occurrence of the Misconduct, harsher Disciplinary action may be taken. To be recorded in minutes for record purposes.

#### **4. WRITTEN WARNING**

In instances where the nature of the misconduct warrants a Written Warning, the Disciplinary Unit may:

- (a) Bring the misconduct to the attention of the Member, and inform them that the nature of the Misconduct warrants a Written Warning.
- (b) Allow the Member to respond to the Allegations.
- (c) If the Member admits to the Misconduct, issue a Written Warning, and inform the Member that a re-occurrence of the Misconduct will result in harsher action. The written Warning notice is given to the Member, received against Signature, and a copy for record purposes kept by the Disciplining Unit. Such written Warnings remain in force for a period of six (6) months, after which time they become void, and the records expunged.
- (d) If the Member denies the allegation of Misconduct, recommend to institute an Inspection Committee as per General Standing Orders, Annexure J.

#### **5. SERIOUS MISCONDUCT**

Where a Disciplining Unit is satisfied that the alleged misconduct is of a serious Nature and justifies the holding of a Disciplinary Hearing, any enquiry into the alleged misconduct must be held as soon as reasonably possible. This process will mean the establishment of an Inspection Committee, as per General Standing Orders, Annexures "I" and "J".

Following the report of the Inspection Committee, and where the content of that report justifies it, a Disciplinary Committee must be established and appropriate processes followed, see General Standing Orders, Para 1.4; Sub-clauses 1.4.2.1 to 1.4.2. See also Annexure J.

#### **6. SUSPENSION**

A Member, or a Unit, may be Suspended as part of a Disciplinary Process, initiated by a mandated Disciplinary Authority, being GHQ, the National Executive or a Provincial Dugout. Suspension is the first step in the Disciplinary process, which will require the establishment of a Disciplinary Committee, whose function is to conduct the Hearing within the specified time as per General Standing Orders. A formal Charge Sheet will accompany the

Notice of Suspension delivered to the Member/Unit allegedly involved in Misconduct. See 1.4. et seq, as above.

- \* Note that Suspension for a specified period is also a possible Sanction that may be imposed by a Disciplinary Hearing Committee.

## **7. CONDUCTING THE DISCIPLINARY HEARING**

- (1) The Disciplining Authority may appoint a Moth in good standing to Chair the Disciplinary Hearing.
- (2) The Member/Unit concerned may have a representative/assistant, who is a Moth in good standing, and who is not a Legal Practitioner, to accompany him/them at the Hearing. Written evidence to be submitted where applicable and witnesses may be called.
- (3) The Chairperson must ensure that a record of Proceedings of the Hearing is kept.
- (4) The spokesperson alleging the Misconduct will lead evidence of the Misconduct giving rise to the Hearing. The Member/Unit may question any of the witnesses who are appearing in support of the alleged misconduct.
- (5) The Members/unit may lead evidence of their own in their defence/mitigation: the Chairman may question either party for clarification on any appropriate point.
- (6) The Chairperson may call, on his own account, or by request by either/any party, any person to give evidence in respect of the allegations.
- (7) After due deliberation, should the Disciplinary Committee find the allegations of Misconduct verified, the Member/Unit concerned must be informed of the Decision. Opportunity must then be given for the member/Unit to present motivations in support of mitigation of possible Sanctions.
- (8) Thereafter, the Chairman must inform the Member/Unit of the Finding of the Committee and the reasons thereof.
- (9) After due deliberation, the Chairperson must pronounce any/the Sanction to be applied within five (5) days of the Decision of the Committee, and the Member/Unit advised in writing against Signature of receipt.
- (10) The findings and outcomes of the Disciplinary Hearing must be communicated to the National Executive within five (5) days of the decision.

- \* Note that the option of Appeals against the Finding of the Committee may be lodged with the National Executive as per GSOs and , Annexure “J”.

## **8. SANCTIONS**

- (1) Any of the following Sanctions may be imposed:



- (a) Counselling.
- (b) Written Warning.
- (c) Suspension for a specified period, not exceeding 12 months.
- (d) Prohibition from membership of MOTH Executive structures and/or Authorities.
- (e) Any combination of the above.
- (f) Expulsion from the MOTH.

## **11. THE PROTECTION OF PERSONAL INFORMATION POPI ACT of 2013**

June 2020

### **ANNEXURE “K”**

The MOTH will keep all Personal Information provided by its current and past membership confidential. This information will only be used for tracking and movement of membership within the MOTH and provide statistical information i.r.o of membership only. The membership data base will never be sold or provided to any military veteran organizations, or any non-military entities for any reason whatsoever.

The various Operators that update the MOTH Membership Database, or any MOTH members who receive Personal Information from members or possible new members, and or have access to the MOTH Membership Database, will keep this personal information safe at all times while in their possession. At no point in time will any Personal Information from this database be distributed, or made available to any person whatsoever. Any queries regarding personal information must be forwarded to the MOTH Information Officer.

The MOTH Membership Database will be secure and will have controlled access that will be protected by user ID and Password as a minimum. Personal Information includes, but is not limited to, Name, Surname, ID Number/Passport Number, past Military Unit information, Telephone contact Numbers, E-mail Addresses and Physical and/or Postal addresses.

The MOTH Information Officer shall:

1. Ensure that only valid Operators have access to the MOTH Membership Database.
2. Ensure that the MOTH Membership Database is secure.
3. Ensure that, 5 years after a members' status changes from active to non-active, the records will no longer be visible to Database operators for any reason.

Ensure that the all Operators sign the required compliancy statement regarding the Protection of Personal Information within the MOTH.

