



Articles of the association of

# **NAMIBIA BASS ANGLING ASSOCIATION**

## **NBAA**

# **CONSTITUTION**

- Version 2020 -

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## **PREAMBLE**

The memorandum of the association hereinafter shall be deemed to be the preamble to the articles of the Namibia Bass Angling Association. With respect to the interpretation of the articles of the association and regulations, the abbreviation NBAA shall be deemed to mean **Namibia Bass Angling Association**. The status of this “member” shall refer to the association affiliated to the NFFA - The Namibia Federation for Freshwater Anglers.

## **DEFINITIONS**

In this constitution, unless the context indicates otherwise:

“**Association**” means a national angling association affiliated to the federation under the Namibia Sport Commission sport code.

“**Federation**” means the National Angling Sport Federation recognised by the Namibia Sport Commission, and the most current Namibia Sports Act.

“**Associated member**” means the status given to an original applicant. This status is valid for a thirty-six (36) month period, and can be cancelled by the Association, should the individual have brought the name of the sport into any such disrepute, or into conflict with the most current Namibian Sports Act.

“**Full member**” means the status given to an associated member after the thirty-six (36) month period be concluded, and can be cancelled by the association, should the individual have brought the name of the sport into any disrepute, or into conflict with the Namibian Sports Act.

“**Country member**” means the status given to a regional associated or full member, within regional representation, who is not actively a national tournament angler and who’s membership can be cancelled by the association, should the individual have brought the name of the sport into any disrepute, or who is in conflict with the Namibian Sports Act.

“**Constitution**” means the Constitution of the Namibia Bass Angling Association.

“**Executive Management Committee**” means the committee made up of the following office bearers. The Chairman. The Vice-Chairman. The Secretary. The Treasurer. The Tournament Director. The Development Officer. The Conservation Officer. The Executive Management Committee may be abbreviated with “**EXCO**”.

“**Executive Association Committee**” means the executive committee plus the regional representatives of the members - both association members, and full members.

“**Disciplinary Committee**” means the serving executive management committee.

“**Appeal Committee**” means the serving executive management committee plus three (3) neutral members of the association committee, or three (3) neutral members of the Namibia Bass Angling Association.

**“House Rules”** means the association has house rules in which its activities and that of its committees are discussed in more details.

**“National Selection Committee”** means the committee who is made up of the Chairman, who shall also act as convenor, the Tournament Director plus three (3) other members, elected to the executive committee office (EXCO), as appointed by the EXCO, at an EXCO meeting.

**“Quorum”** means certain number per centum (%), rounded up to the nearest full number, of the members entitled to vote at said meeting

**“NBAA”** means the abbreviation for Namibia Bass Angling Association

## **- Article 1 -**

### **Name and Head Office**

**1.1.** The name of the association shall be Namibia Bass Angling Association (hereinafter referred to as the Association) (Abbreviated: NBAA). The Namibia Bass Angling Association was established on 26 February 1998 in Windhoek, Namibia.

**1.2.** The head office address of the association shall be situated as decided from time to time by the association during each election of a new chairman. Unless provided otherwise the chairman's physical address shall be the headquarters of the association.

**1.3.** The official postal address of the association is: PO Box 29156, Windhoek, Namibia

**1.4.** The official website of the NBAA is: [www.nbaanamibia.com](http://www.nbaanamibia.com)

## **- Article 2 -**

### **Official Language**

**2.1.** The official language of the Association at all levels and in the case of any disputes, is English.

## **- Article 3 -**

### **Financial Year and Legal Position**

**3.1.** The financial year of the association shall begin 01<sup>st</sup> January and end 31<sup>st</sup> December of each year.

**3.2.** Namibia Bass Angling Association funds will be kept in a current, cheque, or savings account, or with the approval of the executive committee, may be periodically invested as a fixed deposit.

**3.3.** The association cheques, and / or executed documents must be counter signed by only two (2) of the following executive members: The Chairman, the Treasurer, the Vice-Chairman and / or the

Secretary. Electronic fund transfers (EFTs) may be done if authorized by The Chairman and the Treasurer and / or the Secretary.

**3.4.** The association is a body with legal capacity without gain, and the income and the property of the association, from any source whatsoever, shall be applied for the promotion of the objectives as set out by the association constitution.

**3.5.** The association has the capacity to sue or defend an action in its own name in any court of law in the Republic of Namibia having competent jurisdiction. The authorization to institute legal steps or to defend an action / actions must be signed by the Chairman and Secretary, and / or the Vice-Chairman who has the capacity to represent the association in the Chairman's absence.

**3.6.** Members affiliated to the association shall not be liable for any of the debts of the association, accept to the extent of any unpaid membership affiliation fees, registration fees, subscriptions, levies, tournament fees and/or other debts incurred with the association. Financial obligations of members are determined at the annual general meeting, in advance for the following year, or by the executive board.

**3.7.** The association may hire, mortgage, purchase or dispose of movable and immovable property, as circumstances may demand.

**3.8.** The association may lend money for NBAA purposes, and to ensure the re-payment thereof, in the way, which has the approval of the NBAA including the passing of bonds, on any property of the NBAA.

**3.9.** The association may take necessary steps, for achieving the above-mentioned objectives, on its own, or in co-operation with any authority, body, or person.

**3.10.** The association will respect, and exercise powers granted to the NBAA by legislation, or a government, to the benefit and pleasure of its members.

**3.11.** The association may invest any of the NBAA funds, in accordance with terms approved by the NBAA and, with such security, as the NBAA finds necessary.

**3.12.** Dissolution. In the event of the association being wound up, or dissolved, an extra-ordinary general meeting shall be called. (Article 22)

#### **- Article 4 -**

#### **Objects, Aims, Activities, and Area of Responsibility**

**4.1.** The objectives of the association are to affiliate with the Namibia Federation for Freshwater Anglers and to underwrite and apply the Federation's objectives.

**4.2.** To affiliate or to register the association where it is required by the national sport governing body, the Namibia Sports Commission, and to take such steps, and actions, as what may be considered necessary to have the association recognized as the only and lawfully elected regulating body for bass angling in the Republic of Namibia.

- 4.3.** To promote and develop all facets of bass angling sport in Namibia.
- 4.4.** To assist to protect the freshwater environment, the fish species, their habitat, food and ecology are most important, social, economic, and recreational assets must be wisely and diligently used and managed, both for the current and future generation to follow.
- 4.5.** To recruit and retain the membership of related members, which will be worthy of the name of the association.
- 4.6.** To liaise with its members, to strategize and identify matters of common interest, and improve the sport of bass angling in Namibia on national and international levels.
- 4.7.** To maintain an up-to-date register of its members.
- 4.8.** To ensure the area of responsibility and competency is the area inside the territorial borders of

## **- Article 5 -**

### **Membership**

- 5.1.** Membership to the NBAA shall be available to all persons interested in the sport of bass angling in Namibia, who are in good standing with the sport and its superior federation (NFFA).
- 5.2.** NBAA Membership will be open to all men, women, children, and there will be no discrimination on grounds of color, creed, race, sex or nationality.
- 5.3.** Any person being desirous of becoming a member shall make written application to the association. The application must be proposed by at least one member of the association and seconded by the associations Executive Management Committee and be addressed to the secretary of the association.
- 5.4.** Applications for new membership to the NBAA as well as renewal of membership with the NBAA must be accompanied by the NBAA Application Form (Annexure 1), the NBAA General Indemnity Form (Annexure 3), the NBAA Code of Ethics Form (Annexure 4) and the NFFA boat safety equipment checklist (Annexure 20). Established members (associated, full and country) must re-apply on an annual basis.
- 5.5.** Applications for new membership to the NBAA as well as renewal of membership with the NBAA can be done online at [www.nbaanamibia.com](http://www.nbaanamibia.com) in which case Annexure 1 is recorded online. The NBAA General Indemnity Form (Annexure 3), the NBAA Code of Ethics Form (Annexure 4) will be available for online application / renewal members to sign at the weigh station at every tournament. The NFFA boat safety equipment checklist (Annexure 20) is also available online at the same URL. Established members (associated, full and country) must re-apply on an annual basis.
- 5.6.** The Membership fees for all memberships of the NBAA will be proposed by the Executive Management Committee (EXCO) and are to be determined at the NBAA Annual General Meeting.
- 5.7.** Membership fees are valid for a period of one (1) angling year. No pro-rata agreement regarding membership fees will be entered into by the NBAA. Membership will lapse automatically, should

membership payment not be executed in full, by the set due date, as set at the association's annual general meeting.

**5.8.** The NBAA Executive Management Committee (EXCO) has the constitutional right to accept or refuse, any application brought before them, by any individual, without recourse. Any application for membership should have the approval of two thirds, or sixty-six per centum (66 %) of the current full EXCO, before such an application may be granted.

**5.9.** Any individual, who has been accepted as a member of the Association, shall be bound by the constitution, regulations, and rules of the association and any agreements entered into by the association, for the general benefit of the sport in Namibia.

**5.10.** The association has the right, with approval, to acquire the professional services of a member of the general public who may wish to serve on management executive or any sub-committee. For example: an accountant, or secretary, a public relations officer who do not practice the sport of angling. This person or persons may affiliate directly to the association.

**5.11.** Honorary Members: The criteria regarding honorary members is set out in the house rules of the association.

#### **5.12. NBAA / B.A.S.S. Federation Nation status:**

**5.12.1.** The Namibia Bass Angling Association is an affiliated member of the Federation Nation, of the Bass Anglers Sportsman Society (B.A.S.S.), and will fall under the Western Division of the B.A.S.S. Nation Federation.

**5.12.2.** All members of the association are obliged to be members of B.A.S.S., either in a private capacity or through membership of the association. Privately held membership to B.A.S.S. will not reduce the membership fees to the association.

**5.12.3.** The association will adhere to the most recently issued valid bylaws of the B.A.S.S. Federation Nation.

### **Rights and Obligations of Members**

#### **5.13. Members have the right / obligation:**

**5.13.1.** To participate at the executive meetings, special annual general meeting, and annual general meetings, through their own representatives, or delegates, make proposals and present candidatures.

**5.13.2.** To participate at NBAA events, according to their membership status.

**5.13.3.** To be heard in case, if there are discussions on issues that concern them.

**5.13.4.** To enjoy the support and promotion of bass angling Namibia.

**5.13.5.** To appeal to the competent EXCO of the Namibia Bass Angling Association to solve any controversies.

**5.13.6.** To enjoy regular information on occurrences that is important to bass angling in Namibia.

**5.13.7.** To ask for the insertion of the association dates in the calendars of the Federation for Freshwater Angling and associated freshwater angling associations.

**5.13.8.** To inform the secretary about their names, current address, e-mail address, ID / passport numbers, telephone numbers and other relevant information and/or any changes of such.

### **Termination of Memberships**

**5.14. The status of a NBAA member shall be deemed to be forfeited:**

**5.14.1.** By voluntary resignation: notified by means of registered letter or confirmed email.

**5.14.2.** By expulsion: Due to infringement to the principles, the articles of the statute of the association or additional provisions therein.

**5.14.3.** Due to the non-payment of fees due, by set due date.

**5.14.4.** Resigning or expelled members shall be caused to forfeit their status as NBAA Association members. Resigning and expelled members shall not be entitled to any reimbursement of the fees paid theretofore or to any of the NBAA assets.

**5.14.5.** In the case of an individual member of the NBAA or individual member of another club or another body: the disciplinary committee itself shall have the right to investigate, or to request the respective club or respective body of the individual member to investigate, and if necessary to act against such individual member who in the opinion of the club, or body, and / or the disciplinary committee is guilty of misconduct. If the individual member renders himself guilty of such misconduct, whether according to the respective club, or respective body, and / or disciplinary committee of the association, such member can be denied all benefits and rights of the association, and / or other appropriate disciplinary steps can be taken against such individual member. (NBAA House Rules – Article 15)

**5.14.6.** Any individual member (being of any member status) who was denied his or her rights and benefits by the disciplinary committee of the association, and / or disciplinary steps were taken against him / her, has the right within twenty-one (21) days after being notified thereof in writing by the disciplinary committee of the association, to appeal, in writing, to the appeal committee of the association.

**5.14.7.** The appeal hearing shall take place as soon as possible, but no later than sixty (60) days after notice of the appeal.

**5.14.8.** The appeal hearing shall take place in terms of the following procedures and rules:

**5.14.8.1.** The rules of natural justice as entrenched in the constitution of Namibia shall always be adhered to.

**5.14.8.2.** Evidence shall be delivered by way of recognized law of evidence, as laid down in the Namibia common law and legislation.



**5.14.8.3.** The disciplinary committee of the association is the serving Executive Management Committee (EXCO). The disciplinary committee has the right and is empowered to co-opt knowledgeable persons to assist them with advice.

**5.14.8.4.** The appeal committee shall consist of the serving Executive Management Committee (EXCO) plus three (3) neutral members of the association committee, or; three (3) neutral members, either association members, or full members, of the NBAA as appointed by the Chairman. The Chairman has the right to, if circumstances require it; appoint an independent neutral lawyer in the place of one (1) of the three (3) neutral members.

## **- Article 6 -**

### **Finances**

**6.1.** The funds of the association shall be kept in a current, cheque or savings account, and may be periodically invested, in a cash plus fund, or fixed deposit account, with the approval of the Executive Association Committee.

**6.2.** The association cheques, and / or executed documents must be counter signed by only two (2) of the following executive members: The Chairman, the Treasurer, the Vice-Chairman and / or the Secretary. Electronic fund transfers (EFTs) may be done if authorized by The Chairman and the Treasurer and / or the Secretary.

**6.3.** The funds of the association shall be forthcoming from:

**6.3.1.** Contributions forthcoming from members, in the form of membership fees, affiliation fees, meeting fees, sponsorship fees, tournament fees and the possible registration fee of individual members. The financial obligations of members are determined at the annual general meeting, in advance for the following year

**6.3.2.** Contributions in the form of subsidies, allocated by the Namibia Sports Commission – financial section – to the Federation for Freshwater Anglers (NFFA) – to the association, for purposes of development, national and international participation, national and international meetings, for acting as hosts for national and international tournaments, administration costs, and the purchase of equipment.

**6.3.3.** Advertisement fees and other income collected from brochures, DVD's, publications, souvenirs, and tournament programs.

**6.3.4.** From the selling of the right of use of the associations register of individual members.

**6.3.5.** Fortuitous donations by well-disposed people or organizations.

**6.3.6.** Sponsorships by organizations, which are willing to make monetary or material contributions in exchange for publicity.

**6.4.** Financial sponsorship for any individuals, who are part of, or members of a representative national or international team, will be made out in the name of the association (NBAA or Namibia Bass Angling Association) only.

**6.5.** The amounts due by members (membership fees) must be paid over to the treasurer on or before 31<sup>st</sup> March of each year.

**6.6.** Should members fail to meet their financial and administrative obligations, the executive committee can, after investigation impose a fine as set out in the house rules. If the fine and / or outstanding obligations are not paid or met within thirty days (30) of the conclusion of the investigation the concerned member shall automatically be denied participation in the activities of the association in that year. (NBAA House Rules – Article 15)

**6.6.1.** The member shall also not have voting rights during the Annual General Meeting (NBAA AGM).

## **- Article 7 -**

### **Management**

**7.1.** The association and its activities shall be handled as an autonomous body, by the Executive Association Committee (EXCO). An annual general meeting shall constitute the executive association committee consisting of the following office bearers and representatives. These persons must all be registered associated or full members of the association.

**7.2.** The members shall be:

**7.2.1.** Chairman / Chairlady.

**7.2.2.** Vice-Chairman / Chairlady.

**7.2.3.** Secretary.

**7.2.4.** Treasurer.

**7.2.5.** Tournament Director.

**7.2.6.** Development Officer.

**7.2.7.** Conservation Officer.

**7.2.8.** Public Relations Officer.

**7.2.9.** Regional representative / s.

**7.3.** The representatives of office of the Executive Association Committee, the Executive Management Committee (EXCO), and the Association Selection Committee shall be elected and serve in that capacity for a period of not more than two (2) years, but will remain in office, until their successors have been appointed. This might be non-withstanding the fact that they might serve for a longer period than two (2) years. The representatives of the office may be elected for a further period of service by a majority at an AGM. The only exceptions to the above are for the Conservation Officer and Development Officer who both serve for terms of (3) years.

**7.4.** Members and representatives of any committees, who are absent from two (2) consecutive meetings, without a reasonable and acceptable explanation, which must be communicated in writing to any other committee member, automatically lose her / his / their seat to the committee.

**7.5.** Should there be any vacancies in any of the committees during the year; the Executive Association Committee will have the power to fill such vacancies. Should the executive association committee not be able to agree, then the executive management committee shall complete the task, until the next annual general meeting takes place. This refers to all vacancies; except the position of the chairman, who may only be selected at a special annual general meeting, especially called for this purpose.

**7.6.** No executive management committee member shall serve on the management committee of another Namibia freshwater angling association, where there shall be a conflict of interests. Should a serving executive management member already be serving on the board of another Namibian freshwater angling association at the time of her / his election to the committee, or wish to serve on another association management committee, the "motion" must be passed by sixty-six per centum (66 %) of the members of the association's executive management committee. The above does not apply for an executive management committee member, who may be elected to the management committees of either the Namibia Federation for Freshwater Anglers (NFFA), the Namibia Sports Commission (NSC), any other Namibia sports codes committees, or any other relative Namibia ministries.

**7.7.** No person shall be eligible as a member of the Executive Council, unless he/she is a member of good standing in the Association at the time of election.

**7.8.** No person shall be eligible as a member of the Executive Council, if he/she has been declared insolvent by a competent court or has surrendered his/her estate to his/her creditors during the period of three (3) years preceding the election.

**7.9. The Chairman / Chairlady shall:**

**7.9.1.** Preside as chairman / chairlady at all executive, and committee meetings, special general and annual general meetings.

**7.9.2.** Have a vote at all meetings.

**7.9.3.** Have a final casting vote at all meetings, where an equal division of votes occur.

**7.9.4.** Present a report at the annual general meeting.

**7.10. The Vice-Chairman / Chairlady shall:**

**7.10.1.** Preside as chairman / chairlady at all executive, and committee meetings, special general, and annual general meetings, and in the absence of the Chairman.

**7.10.2.** When attending all executive, and committee meetings, special general, and annual general meetings in his / her capacity as Vice-Chairman / Chairlady, have a vote only, except when he acts as chairman / chairlady, in which case he shall have a final casting vote.

**7.11. The Secretary shall:**

**7.11.1.** Keep the minutes of the proceedings of all executive, and committee meetings, special general and annual general meetings, and send copies thereof to all members within thirty (30) days of such a meeting.

**7.11.2.** Keep and maintain all administrative and secretarial records, and registers, as may be necessary, and as may be determined by the executive management committee from time to time.

**7.11.3.** Have a vote at all meetings.

**7.12. The Treasurer shall:**

**7.12.1.** Be responsible for the collection and proper administration of all financial aspects of the association.

**7.12.2.** Be responsible for the maintenance and updating of the books of the accounts and other documents of the association.

**7.12.3.** Give effect to and be the guardian of the approved budget.

**7.12.4.** Liaise with the Tournament Director on receipt of membership fees by all active members.

**7.12.5.** Prepare statements of financial accounts and report at every meeting of the executive association committee meeting, on the financial situation of the association.

**7.12.6.** Prepare statement and accounts, which shall be audited, as required by the Namibian sports act, copies whereof shall be circulated to the secretary not less than thirty (30) days prior to the annual general meeting.

**7.12.7.** Deposit all monies belonging to and received by the association, in a banking account, nominated by the executive management committee for the credit of the association.

**7.12.8.** Ensure that most payments made by the association are made by the cheque drawn on the association banking account, and signed by the treasurer, and any other of the chairman, vice-chairman, and secretary. Payments can also be made via electronic transfer but must be authorized by the treasurer and either the chairman, vice-chairman or secretary. Cash payments are to be kept to a bare minimum and should only be done of necessary and must be authorized by the treasurer and the chairman, vice-chairman or secretary.

**7.12.9.** Present the report at the annual general meeting.

**7.12.10.** Have a vote at all meetings.

**7.13. The Conservation Officer shall:**

**7.13.1.** Be responsible for the conservation efforts of the association and the conservation of the natural resources, utilized by the association.

**7.13.2.** Liaise regularly with all members and take note of all cases of water contamination, which is detrimental or dangerous to the aquatic ecosystem as well, the fisheries resources utilized by the association.

**7.13.3.** Keep record of the angling production ability of dams where controlled competitions take place (liaise with the Tournament Director) for this purpose to make recommendations in collaboration with hosting regions in the case of international competitions in which this association or members may be involved in as hosts.

**7.13.4.** Maintain links with related authorities such as, but not limited to: The Ministry of Environment and Tourism, Ministry of Fisheries and Marine Resources, Namwater, in the different regions, and other conservation organizations directly or indirectly involved with and / or influencing the sport.

**7.13.5.** Strive to ensure that the members of this association actively support the association's catch and release policy, the environmental awareness and sustainable conservation policy, as well as the safe handling of fish policy enforced by the association.

**7.13.6.** Present any reports as required by any association committee, for presentation to the federation, Namibia Sports Commission, and / or any ministry, if required.

**7.13.7.** Have the power to convene a sub-committee to aid with conservation and with the implementation of Fisheries Management Strategies.

**7.13.8.** Compile and implement short term (1 year), medium-term (1 – 3 years) and long-term (3 – 5 year) Fisheries Management Strategies.

**7.13.9.** Compile and implement short term (1 year), medium-term (1 – 3 years) and long-term (3 – 5 year) Fisheries Expansion Strategies.

**7.13.10.** Present a report to executive association meetings if required.

**7.13.11.** Present a report at the annual general meeting.

**7.13.12.** Have a vote at all meetings.

**7.14. The Tournament Director shall:**

**7.14.1.** Keep full records of, and draft records lists of all NBAA bass angling catches, during organized national and open competitions. This includes the weights of fish weighed as well as statistically representative length measurements of fish.

**7.14.2.** Register and verify record claims, which must be submitted to the federation for verification.

**7.14.3.** Be responsible for records of membership and payment of members, membership application forms, and indemnity forms, of the association and liaise with the treasurer in this regard.

**7.14.4.** Be responsible for the records of association membership and B.A.S.S. membership status and maintaining the one hundred per centum (100%) membership of all association members, with the B.A.S.S. Nation, and supplying a membership roster to the B.A.S.S. Nation on an annual basis.

**7.14.5.** Be responsible for all association trophies, engraving of trophies, and the whereabouts of the trophies. A records sheet is to be kept, detailing the whereabouts of all trophies.

**7.14.6.** Provide the publicity official / development officer / secretary with all competition results, and record claims.

**7.14.7.** Be responsible for receiving official complaints following tournaments and forwarding these complaints to the Executive Management Committee.

**7.14.8.** Be responsible for the association's weighmaster, weighing scales, weigh-in bags, tag-board, buoys, starter horn, official clock, length ruler and other items relevant to the weigh in station.

**7.14.9.** Be responsible for all pre-tournament organization, such as booking venues, organizing regulations with venues and informing all members of the relevant procedures.

**7.14.10.** Present a written report to the annual general meetings. Record claims are also submitted as part of the record official's report to the annual general meetings for confirmation.

**7.14.11.** Have a vote at all meetings.

**7.15. The Public Relations Officer shall:**

**7.15.1.** Be responsible for the nationwide marketing of the association and its activities in all spheres of the Namibian community.

**7.15.2.** Be responsible for the procurement of sponsorships, and the provision of advertisements to sponsors, in terms of the agreements concluded with sponsors, in line with the association constitution.

**7.15.3.** Assist with the organization and execution of benefit events, fundraiser events or social responsibility events.

**7.15.4.** Be responsible for the advertisement and reporting of all controlled competitions, both national and international, and be responsible for the pre-tournament introduction of and the post tournament publishing of competition results, in the printed and electronic media.

**7.15.5.** Be responsible for the introduction of the association's year program and / or coordination of negotiations with the print media, electronic media or audio/visual media editors and / or producers.

**7.15.6.** Be responsible for the liaison and supply of all related association information internally between committees and members.

**7.15.7.** Be responsible to present a report at the executive association committee meetings.

**7.15.8.** Report annually in writing at the annual general meeting.

**7.15.9.** Have a vote at all meetings.

**7.16. The Development Officer shall:**

**7.16.1.** Be responsible for all development events on the NBAA calendar.

**7.16.2.** Have the power to convene sub-committees to aid in the planning and execution of all development events.

**7.16.3.** Liaise directly with members in regard to development events.

**7.16.4.** Propose short, medium and long-term goals to reach targets set by the Namibia Sports Commission and the Namibia Federation of Freshwater Anglers.

**7.16.5.** Present any reports as required by any association committee, for presentation to the Federation, Namibia Sport Commission, and/ or any ministry, if required.

**7.16.6.** Present a report at the executive association meetings, if required.

**7.16.7.** Present a report at the annual general meeting.

**7.16.8.** Have a vote at all meetings.

**7.17. Regional Representatives shall;**

**7.17.1.** Be present and participate at all executive association committee meetings.

**7.17.2.** Be present, at any meeting upon request by the executive management committee.

**7.17.3.** Be present the association members in their regions.

**7.17.4.** Make proposals, and be heard in case on any issues, which concerns the association.

**7.17.5.** Present the executive association committee with a letter from their region mandating their appointment as regional representatives.

**7.17.6.** Have a vote at all meetings.

**7.18. The Executive Management Committee**

**7.18.1.** The daily management of the association shall consist of the following members.

7.18.1.1. Chairman / Chairlady

7.18.1.2. Vice-Chairman / Chairlady

7.18.1.3. Secretary

7.18.1.4. Treasurer

7.18.1.5. Conservation Officer

7.18.1.6. Development Officer

7.18.1.7. Tournament Director

7.18.1.8. Public Relations Officer

7.18.1.9. Regional Representative

**7.18.2.** The committee shall act, notwithstanding any vacancy or vacancies in the executive management committee, provided that a quorum is present at all meetings.

**7.18.3.** Except when the annual general meeting, extra ordinary general meeting, or executive association committee meeting, are in session, the executive management committee acts for, and on behalf of, the association, with regards to all urgent matters, and for all purposes.

**7.18.4.** The executive management committee has the right to make decisions in all matters urgent or otherwise regarding the interests of the association and its members. Daily management decisions shall be binding on the understanding that all the decisions regarding matters described in the constitution, and house rules, may be presented to the annual general meeting for information, and / or ratification.

**7.18.5.** The election of the executive management committee takes place during the annual general meeting of the association. If more than one person is nominated for office, the election shall take place as per ballot paper. Affiliated members who are in arrears with the payment of their membership fees, may not be nominated as office bearers, and shall also not have any voting rights.

**7.18.6.** A vacancy, which may arise in the executive management committee, with the exclusion of the office of the chairman, may be filled by the executive management committee. If the office of the chairman becomes vacant, the vice chairman shall automatically act as chairman until the next annual general meeting.

**7.18.7.** An office bearer can be discharged from office if the member;

7.18.7.1. Stays away from two (2) consecutive meetings without a valid excuse (written communication)

7.18.7.2. Or makes themselves guilty of serious negligence or dereliction of duty, or regarding the findings of a disciplinary committee, which recommended such a step.

## **7.19. The National Selection Committee**

**7.19.1.** The chairman / chairlady will convene the national selection committee, alongside the selection committee members who consist of:

- The chairman / chairlady
- The treasurer
- The secretary



**7.19.2.** The term of office for national selectors remains open and valid, whilst the representative legally holds his or her position, and legally remains in his or her office.

**7.19.3.** In accordance with the Namibia sport code, and Namibia Sports Commission, a trial, or trials will be held to assist the national selectors choose candidates for a team. The Namibian Sports Commission, or sport code commissioner will be invited to attend.

**7.19.4.** National championships may also be used in combination with national trials, as the basis upon which candidates for a national team are chosen.

**7.19.5.** The national selection committee shall decide upon the association's national trials format.

**7.19.6.** The national selection committee will determine and propose candidates for association teams, national teams, international teams as well as federation teams. The national selection committee's choice of team, and candidates, will be presented to the executive management committee.

**7.19.7.** Once final candidates are selected for a team, these candidates will sign the Namibia sport code of conduct (Annexure 8). The position of a candidate that does not sign the Namibia sport code of conduct will automatically become vacant, and the candidate may not represent her or his country in the sport of bass angling Namibia. The national selection committee must ensure that only candidates, who are good ambassadors in the field of their association's sport, are eligible to be awarded Namibian colours.

**7.19.8.** Final candidates will be selected for a team, will be informed and nominated to the respective team by the national selection committee. Team member nominations are done by completing and signing Annexure 15 – NBAA Team Nomination Sheet.

## **7.20. The Conservation Committee**

**7.20.1.** The conservation officer will convene the conservation committee, alongside the conservation committee members who consist of:

- The chairman / chairlady
- The convener of events (maximum of 2 people)
- The secretary (record keeper)

**7.20.2.** The term of office for the conservation committee remains open and valid, whilst the representative legally holds his or her position, and legally remains in his or her office.

**7.20.3.** The conservation committee will report at all executive association committee meetings on fisheries management through the chairman / chairlady of the committee.

**7.20.4.** The conservation committee secretary must keep detailed records of all activities conducted by the conservation committee. All records must be provided to the executive association committee on a quarterly basis or upon request by the executive association committee.

**7.20.5.** The conservation committee will be required to hold regular meetings. Refer to article 8.10.

**7.20.6.** The conservation committee members, except for the chairman / chairlady, will attend

Executive Association Committee meetings by invitation only.

**7.20.7.** The conservation committee members will report to the chairman / chairlady of the conservation committee who will in turn report to the chairman / chairlady of the executive association committee.

**7.20.8.** The conservation committee is responsible for the formulation of an annual fisheries management strategy. The strategy must be presented to the Executive Association Committee within the first sixty (60) days of the year. The fisheries management strategy must be based on current assessments of fisheries.

**7.20.9.** The conservation committee must ensure that all tasks on the fisheries management strategy are planned and executed throughout the course of the year.

**7.20.10.** The conservation committee may recommend the temporary or long-term closure of areas on dams to promote conservation. The recommendations must be made by the chairman to the Executive Association Committee. The recommendations must be submitted at least 14 days prior to any tournaments.

**7.20.11.** The conservation committee must apply in writing to the Executive Association Committee for funding.

**7.20.12.** The conservation committee is responsible for the formulation of an annual fisheries expansion strategy. The strategy must be presented to the Executive Association Committee within the first sixty (60) days of the year. The fisheries expansion strategy must include short-term (1 year), medium-term (1 – 3 year) and long term (3 – 5 year) goals. The annual fisheries expansion strategy must be revised annually.

**7.20.13.** The conservation committee must ensure that all tasks on the fisheries expansion strategy are planned and executed throughout the course of the year / years.

**7.20.14.** The conservation committee must conduct quarterly water quality tests in various areas of dams. Specific attention must be given to PH, heavy metals and calcium content (water hardness). Test results must be submitted to the Executive Association Committee.

## **7.21. Other nominated committees and sub committees.**

**7.21.1.** The executive management committee may appoint any subcommittee for any specific purpose.

**7.22.2.** The capacity, duties and the objective of the subcommittee, is to see to certain matters, which take place, concerning the association. No subcommittee has any executive powers at its disposal, and they may not act on behalf of the association, without specific instructions, since they are subordinate to the executive management committee.

**- Article 8 -**

**Meetings and Quorums**

**8.1. Executive Association Committee Meetings.**

**8.1.1.** Meetings of the executive association may be called when it is considered necessary.

**8.1.2.** Each member of the executive association committee has voting rights. The chairman however also has a deciding vote.

**8.1.3.** A quorum of an executive association committee meeting shall be sixty (60) per centum of filled positions.

**8.1.4.** Written proxy votes will be allowed.

**8.2. Executive Management Committee Meetings.**

**8.2.1.** The executive management committee will meet when it is considered necessary. The chairman, in deliberation with the secretary, or in his absence, the vice chairman, convenes meetings. In urgent cases, meetings can be convened per telephone, or on another effective way, as soon as possible.

**8.2.2.** Each member of the executive management committee has voting rights. The chairman however also has a deciding vote.

**8.2.3.** A quorum of an executive association committee meeting shall be sixty (60) per centum of filled positions.

**8.2.4.** Written proxy votes will be allowed.

**8.3. Annual General Meetings.**

**8.3.1.** An annual general meeting is held once a year. It shall convene on or before the first national tournament of the following calendar year.

**8.3.2.** The annual general meeting shall be held at a place as decided by the executive management committee.

**8.3.3.** Members of the executive management committee shall be obliged to attend the annual general meeting. Members attending shall have one (1) vote each. The chairman however also has a deciding vote.

**8.3.4.** Offices of the executive management committee may be combined. For example: the secretary and treasurer. In such a case the person shall only have one (1) vote.

**8.3.5.** Member regions shall be entitled to appoint two (2) delegates to represent the region at annual general meetings and shall have two (2) votes (one (1) vote each).

**8.3.6.** All executive officers and nominated delegates shall be members in good standing in the association.

**8.3.7.** Motions for discussion by fixed committees, members, and regions, who wish to place matters on the agenda for discussion, shall be submitted to the secretary in writing, per registered post and/or facsimile and/or electronic mail, not less than forty-five (45) days prior to the date of such a meeting.

**8.3.8.** If the date of an annual general meeting has not been pre-determined, a sixty (60) day written preliminary notice of the annual general meeting shall be given by the secretary, also requesting fixed committees, members, and regions to forward motions, discussion points, and nominations not less than forty-five (45) days prior to the meeting.

**8.3.9.** Nominations due for such an annual general meeting shall be forwarded to the secretary in writing, not less than fourth five (45) days, prior to the meeting. The nomination of such a person, for a standing position, shall be accompanied by a nomination proposal in writing. The person nominated shall also signify her/his acceptance of nomination with signature, in writing. (NBAA EXCO Nomination sheet – Annexure 16)

**8.3.10.** Written notice of the annual general meeting shall be sent to all members of the association, and persons entitled to attend such a meeting, no less than twenty-one (21) calendar days before the date fixed for such a meeting.

**8.3.11.** The official agenda for the annual general meeting shall be sent to all members of the association and persons entitled to attend such a meeting, no less than twenty-one (21) calendar days before the date fixed for such a meeting.

**8.3.12.** No business shall be transacted at an annual general meeting, unless a quorum is present.

**8.3.13.** A quorum of an annual general meeting shall be the members present at said annual general meeting.

**8.3.14.** No extra business shall be transacted at an annual general meeting, unless there is approval of a majority of the delegates present.

**8.3.15.** No proxy votes shall be allowed.

**8.4. The following information and documents must accompany the notice of the Annual General Meeting.**

**8.4.1.** The date, hour, and place of the meeting.

**8.4.2.** Copies of the minutes of the preceding annual general meeting.

**8.4.3.** Copies of the minutes of any other annual general meetings of the association held in the past 3 years.

**8.4.4.** Copies of audited or certified financial statements.

**8.4.5.** Particulars of motions.

**8.4.6.** The list containing nominations received for office bearers.

**8.4.7.** The term of notice shall be exclusive of the day on which the notice is posted, and exclusive of the day on which the annual general meeting is to be held.

**8.5. The Agenda for the Annual General Meeting shall include, inter alia, the following:**

**8.5.1.** See point “Agendas” – House Rules.

**8.6. Extra-ordinary General Meeting.**

**8.6.1.** An extra-ordinary general meeting may be convened by the executive management committee, or because a request of sixty-six per centum (66 %) of the regional members, to the executive management committee.

Such a requisition by the executive management committee shall be signed by the chairman and the reason or reasons why the meeting should be convened, must clearly be set out and minuted. The secretary and / or representative of the applicants shall sign such a requisition by the members, and the reason or reasons why the meeting should be convened, must be clearly set out. The request by the members shall include inter alia, the agenda, mandate, minutes, and decision of their meeting, with a confirmed list of supporting members.

The executive management committee shall upon receipt of a requisition convene an extraordinary general meeting for a date no later than sixty (60) days from the receipt of the requisition.

**8.6.2.** Extra-ordinary annual meetings are held at such a place as determined by the executive management committee.

**8.6.3.** The business to be transacted at any extra-ordinary general meeting shall be that set out in the notice of the meeting, and no general or any other business shall be transacted at such a meeting.

**8.6.4.** Should the requisition be a vote of no confidence in members of the association; the vote of no confidence shall be voted upon the member in person. A vote of no confidence shall carry the sixty-six per centum (66 %) vote of the delegates of the meeting.

**8.6.5.** A quorum of an annual general meeting shall be the members present at said annual general meeting.

**8.6.6.** No proxy votes shall be allowed.

**8.7. Disciplinary meetings.**

**8.7.1.** The disciplinary committee of the association has the right to investigate, and if necessary, to act against:

- Any member of the association, and which includes per definition such individual member or members of the association.
- A “member club/s” by association of an individual member or members of the association.
- A “member body/s” under the federation by association of an individual member or members of the association.
- A disciplinary meeting shall be called at any time deemed necessary, to address the above.

**8.7.2.** The disciplinary committee has the right and is empowered to co-opt knowledgeable persons to assist them.

**8.7.3.** Disciplinary procedures may be referenced in the house rules. (Article 15)

## **8.8. Appeal committee meeting.**

**8.8.1.** The appeal committee of the association shall be called, as soon as possible, but no later than sixty (60) days to hear the appeal of a member / s, a member’s club, or individual members of such associated member bodies under the federation.

**8.8.2.** The rules of natural justice as entrenched in the constitution of Namibia shall be adhered to always.

**8.8.3.** Evidence shall be delivered by way of recognized law of evidence as laid down in the Namibia common law and legislation.

## **8.9. National Selection Committee Meetings.**

**8.9.1.** The national selection committee shall be called upon at any such time by the chairman, or in his absence the nominated chief selector to address any matters relating to the selection of the elected NBAA teams.

**8.9.2.** Notice of such meetings must be at least seven (7) days prior to the meeting. The Executive Management Committee must be informed of all such meetings.

**8.9.3.** The chairman / chairlady of the Executive Management Committee, or in his / her absence, the vice chairman / chairlady reserves the right to attend all such meetings.

**8.9.4.** Minutes must be kept at all national selection committee meetings. Minutes must be presented to the Executive Management Committee at least fourteen (14) days after such meetings.

## **8.10. Conservation Committee Meetings.**

**8.10.1.** The conservation committee shall be called upon at any such time by the chairman / chairlady to convene meetings.

**8.10.2.** Notice of such meetings must be at least seven (7) days prior to the meeting. The Executive Management Committee must be informed of all such meetings.

**8.10.3.** The chairman / chairlady of the Executive Management Committee, or in his / her absence, the vice chairman / chairlady reserves the right to attend all such meetings.

**8.10.4.** Minutes must be kept at all conservation committee meetings. Minutes must be presented to the Executive Management Committee at least fourteen (14) days after such meetings.

## **- Article 9 -**

### **Amateur Status**

**9.1.** Amateur angling shall mean the catching of fish, by amateur anglers, as organized by regional members, or bodies, and controlled within this constitution.

**9.2.** “Amateur angler” shall for the purposes of this constitution, mean a person who angles for recreation, fun or sport, in accordance with the angling rules, and regulations of the association.

**9.3.** It shall be a contravention of, and misconduct in terms of this constitution for any registered member to cease to be an amateur. The executive management committee shall deal with each case of contravention or misconduct.

**9.4.** No registered member of this association may commit herself / himself to participate in the organizing of a fundraising competition, in conjunction with any outside organization, accept if the funds raised are applied to the benefit of organized angling or conservation actions, in which the association or its members are involved. The registered member/s application for authority should be made to, and be considered by the executive management committee

**9.5.** Under no circumstances may the rules and regulations in terms where of such angling competitions take place, be contrary to this association and / or government bodies conservation regulations.

## **- Article 10 -**

### **Junior Status**

**10.1.** For national participation, as per definition a “junior” is described as an angler who has not reached the age of 18 (eighteen) years at the time of the first day of a national tournament or a controlled competition of the association, and / or regional members.

**10.2.** For international competition, for example Region 5, as per definition, a “junior” is described as an angler who is not older than the age of 18 (eighteen) years at the time of the last day of a controlled

international competition of the association, unless otherwise specified by an invitation from a host nation, other than Namibia.

**10.3.** For purposes of international participation in competitions under the control of F.I.P.S., a junior is described as an angler who was still under the age of 18 (eighteen) years on the 1<sup>st</sup> of January of the year of participation.

**- Article 11 -**

**Conservation**

**11.1.** The association undertakes to support the conservation of the whole freshwater environment within the territorial borders of the Republic of Namibia.

**11.2.** The association supports the catch and release policy of bass angling within the territorial borders of the Republic of Namibia.

**- Article 12 -**

**Association Property**

**12.1.** Property, its purchase, or exchange will be subject to the approval of an annual general meeting, or extra-ordinary general meeting, providing the matter is on the agenda, and distributed with the notice for the meeting.

**12.2.** The exchange in property/ies shall be with the approval of sixty-six per centum (66 %) of the delegates entitled to vote at the meeting.

**- Article 13 -**

**Voting**

**13.1.** The voting at all meetings may be done by closed ballot, or the raising of hands. The majority of delegate voters may decide upon the decision as to the method of voting. The decision of the majority of the voters will be binding.

**- Article 14 -**

**House Rules**

**14.1.** The association has “house rules” in which its rules & regulations, activities, and duties and responsibilities of its fixed committees are discussed in more detail. These rules may not be contrary to the articles of the constitution and may be amended or recalled without notice by a sixty-six per centum (66%) majority vote, or a majority vote, if notice was given; by the executive management committee.



**- Article 15 -**

**Misconduct**

**15.1.** The disciplinary committee shall have the right to investigate, and act against any member of its association, who in the opinion of any of the association's committees is guilty of disgraceful conduct, unsportsmanlike conduct, or any transgressions of the rules, regulations, and articles of the constitution, angling rules, house rules, and / or law of the Republic of Namibia, relating to directly, or indirectly, the sport, and it's conduct, and participation.

**15.2.** At the institution of such an investigation, the disciplinary committee shall gather evidence by way of sworn affidavits of all parties concerned, as well as the accused member.

**15.2.1.** If the individual member makes herself / himself guilty of misconduct in the opinion of the disciplinary committee, the following disciplinary steps shall apply in conjunction with article 5 – Termination of membership.

**15.3.** The disciplinary committee may request the member to take the necessary steps to immediately rectify the matter,

Or

If in the opinion of the disciplinary committee a satisfactory solution cannot be reached, the disciplinary committee may apply a sentence, as determined in the house rules.

Or

The disciplinary committee may apply the immediate suspension of all benefits and rights of the full member within the association. In the case of a full member, under article 5 of the constitution, termination of membership will apply.

**15.4.** In the event that any member / s of the association transgresses the provisions of this constitution, then the executive committee can, with / or without the request of the executive management committee, and with / or without the request of the disciplinary committee, and having the right, and is fully authorized to;

**15.4.1.** Institute legal action, and / or proceedings, against: - Any member / s of the association, and / or any associated member of the association.

**- Article 16 –**

**Amendment of the articles of the Constitution**

**16.1.** Amendments to the articles of the association may only be made if:

**16.1.1.** The proposed amendments were submitted to the secretary not less than forty-five (45) days prior to the meeting and are included in the agenda of the meeting.

**16.1.2.** Amendments to the articles of the constitution may only be made at an annual general meeting, or an extra-ordinary general meeting, convened for such purpose.

**16.1.3.** For any amendment to be carried, it is necessary that the motion be approved by not less than sixty-six per centum (66%) of the votes of all persons present and entitled to vote.

**16.1.4.** To be effective, any amendment, rescission, or addition to the articles of the constitution, shall require the support of at least sixty-six per centum (66%) of all persons present, and entitled to vote.

**16.1.5.** A copy of the amendments to the articles of the constitution shall be submitted to the Namibia Sports Commission, or any other concerned national body, on an annual basis.

#### **- Article 17 -**

#### **Association Trophies**

**17.1.** The association trophies, fixed and floating, all remain the property of the association, unless there is a stipulation in the conditions of donation.

**17.2.** The trophies will be returned to the association records official, immediately after the official function, where that trophy was presented, allowing time for photographs to be taken, for the trophies to be engraved and / or name plaques attached.

**17.3.** Once handed over to the recipient, the person/s responsible will be obliged to hand the trophy/ies back to the tournament director, sixty (60) days prior to the next prize giving function.

**17.4.** Any person, or persons that are responsible for the loss and or damage of such a trophy, shall bear the cost of repair, and / or replacement.

#### **- Article 18 -**

#### **Tournaments, Tournament Objectives, Rules and Regulations**

**18.1.** Bass angling in Namibia, “best competitor” orientated competition.

**18.2.** All participating members shall display good sportsmanship at all tournaments, and at all times, when associated with the sport and / or the association.

**18.3.** Tournaments are conducted in accordance with the association rules and members shall adhere to all the association rules.

**18.4.** National tournaments will be held from time to time. Frequency of scheduled tournaments dates and venues of tournaments will be determined by the executive management committee as set out in the house rules.

**18.5.** All tournaments related complaints must be submitted within 24 hours, in writing to the tournament director, or within one (1) week to the executive management committee. A non-refundable amount of two hundred Namibian dollars (N\$ 500.00) payable to the association must be included with all tournaments related complaints.

**18.6.** All participating anglers shall be in possession of a valid Namibian freshwater angling license, and / or any other legal document/s required. A copy of the angling license must be sent (faxed or scanned and e-mailed) to the tournament director or secretary at least one (1) week prior to a tournament.

**18.7.** All participating skippers (person 'driving' a boat with an outboard motor) shall be in possession of a valid Namibian Ministry of Fisheries boat license. A copy of the boat license must be sent (faxed or scanned and e-mailed) to the tournament director or secretary at least one (1) week prior to a tournament.

**18.8.** If the skipper of the boat is not the owner of the boat, then a letter from the owner is required giving the skipper permission to make use of and to 'skipper' the boat.

**18.9.** All boats competing in a Namibia Bass Angling Association official tournament or event must be registered with the Namibia Federation for Freshwater Anglers. All boats must comply with safety regulations and must have all safety equipment on board at all time.

## **- Article 19 -**

### **Indemnity and Liability**

**19.1.** The executive officers, and / or nominated delegates, shall be indemnified by the association against all liabilities incurred by them, in the bona fide execution of their duties as officials of this association, save for those acts of omission or commission where personal liability attaches the law.

**19.2.** The association shall not be held responsible in any way for any damage to, or loss of, any member's possessions, regardless of the nature of such possessions or loss suffered.

**19.3.** No individual member of the Association shall be held liable for any debts incurred by the association.

**19.4.** The Association shall not be held responsible in any way for any injuries or loss of life occurring during any Association functions, or any third-party claim against the Association for any reason whatsoever.

**19.5.** All members are required to provide a full indemnity releasing the association from all and any claims of whatever nature that could result from membership of the association. The signed indemnity as per "house rules" must be forwarded to the tournament director before the first tournament of each year.

**- Article 20 -**

**Interpretation**

**20.1.** Should any doubt arise as to the interpretation of the articles of the constitution, by-laws, regulations, rules and house rules, the interpretation placed thereon by the executive management committee shall be final, and binding on all members of this association.

**- Article 21 -**

**Anti-doping**

**21.1.** The association and its members agree to comply, and be bound by, and to agree to procure that their members, comply with the code presently in force, and adopted by the Namibia sports commission, the government of Namibia, and the I.O.C. (International Olympic Committee) arising out of the world anti-doping convention declaration adopted in Copenhagen in March 2002.

**- Article 22 -**

**Dissolution and Winding up of the Affairs of the Association**

**22.1. The association may be dissolved, or wound up, only if:**

**22.1.1.** The dissolution and winding up is included in the agenda of an extra-ordinary general meeting, especially convened for such a purpose.

**22.1.2.** All the members, entitled to be representative, are present.

**22.1.3.** The resolution is passed by a majority of seventy-five per centum (75%) of the members present and entitled to vote.

**22.2.** In the event of the association being dissolved, or wound up, the members in an extra-ordinary general meeting, shall appoint liquidators, and may give directions, as to the method of winding up, and the distribution of any assets, provided that the assets remaining, after the satisfaction of the liabilities, shall only be given, sold, or transferred, to a con-federation, federation, association, company, or society, with objects similar to the objects of the association.

Version 9 of 2020

The articles of the constitution of the Namibia Bass Angling Association.

As originally accepted in Windhoek, Namibia, on the twenty eighth (28<sup>th</sup>) day of February (28.02.2014)

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\_\_\_\_\_ Executive Chairman / Chairlady

\_\_\_\_\_ Executive Secretary

\_\_\_\_\_ Executive Vice Chairman / Chairlady

\_\_\_\_\_ Executive Treasurer

\_\_\_\_\_ Executive Conservation Officer

\_\_\_\_\_ Executive Public Relations Officer

\_\_\_\_\_ Executive Development Officer

\_\_\_\_\_ Executive Tournament Director