

IN THE NORTH GAUTENG HIGH COURT, PRETORIA

Case no: 26912/2012

In the application for leave to intervene of:

CORRUPTION WATCH

First Applicant

SOCIAL JUSTICE COALITION

Second Applicant

In re the application of:

FREEDOM UNDER LAW

Applicant

and

NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS

First Respondent

**NATIONAL COMMISSIONER: SOUTH AFRICAN
POLICE SERVICES**

Second Respondent

HEAD: SPECIALISED COMMERCIAL CRIME UNIT

Third Respondent

INSPECTOR-GENERAL OF INTELLIGENCE

Fourth Respondent

RICHARD NAGGIE MDLULI

Fifth Respondent

MINISTER OF SAFETY AND SECURITY

Sixth Respondent

FOUNDING AFFIDAVIT

I the undersigned

ABDURRAZACK ("ZACKIE") ACHMAT

hereby affirm and say


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1. I am member of the Secretariat of the Social Justice Coalition (SJC), the second applicant in this application for leave to intervene. My address is A536 St. Martini Gardens, Queen Victoria Street, Cape Town.
2. The facts contained herein are true and correct and are within my personal knowledge unless the context indicates otherwise.
3. I am duly authorised by a resolution of the SJC's Executive Council to make this application and to depose this affidavit on behalf of the organisation. A copy of the resolution of the Executive Council is attached (ZA1). The SJC office is located at Shawco Centre G323 Mongezi Road, Khayelitsha, Cape Town.
4. I have been a political activist since the age of 14. I was a co-founder and Director of the National Coalition for Gay and Lesbian Equality, Director of the AIDS Law Project, and a co-founder and former chairperson of the Treatment Action Campaign (TAC). I am also chairperson of the board of Equal Education, an organisation dedicated to realising the right to decent, quality education for all.
5. I am employed full-time at Ndifuna Ukwazi Trust (NU) as its Director. NU is a public benefit trust providing legal and social research support to organisations such the SJC which seek to promote democracy through active citizenship.




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6. I hold the degree of BA Hons *cum laude* from the University of the Western Cape.

THE SOCIAL JUSTICE COALITION

7. The SJC was founded on 16 June 2008 as a consequence of the xenophobic violence in May 2008 that left many immigrants, asylum seekers, refugees and other people dead, injured or displaced.
8. The SJC is a registered public benefit organisation with the Department of Social Development with the number 067-689-NPO. It is authorised to institute litigation to promote its objectives. Its objectives are set out in its Constitution (**ZA2**) as follows:
 - 8.1 To build a movement of individuals united across the divisions of race, gender, class and nationality dedicated to build active citizenship.
 - 8.2 To ensure that every person in South Africa shall be free from all sources of violence both public and private.
 - 8.3 To ensure that every person has the right to life, dignity, equality, freedom and the pursuit of a decent life.



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- 8.4 To organise people of all backgrounds to realise these rights and to fight against crime, unemployment, homelessness, ill-health, unequal and poor education.
 - 8.5 To ensure an open, accountable, ethical and efficient government that eradicates, condemns and punishes corruption.
 - 8.6 To uphold the rights in our Constitution that the Constitutional Court and the judiciary have upheld since the advent of democracy in 1994.
 - 8.7 To use petitions, protest, education, the Parliament and the Courts to build the Social Justice Coalition.
9. The SJC is a membership-based social movement. The majority of its more than 2000 members and supporters are working-class and poor individuals, most of whom live in the informal settlements of Khayelitsha in Cape Town.
 10. The primary campaigns of the SJC are focused on the provision of safe, clean sanitation and water in informal settlements; building safe communities free from violence and crime through the rule of law; and, working for open, accountable, and ethical government based on the supremacy of the Constitution. The SJC works with other social

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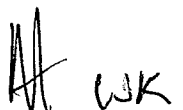
movements, non-governmental organisations and with organs of state to achieve this.

Corruption in the state and police

11. The campaigns in which the SJC has participated include the following: the call for a commission of inquiry into the Arms Deal; the release of the convicted Arms Deal broker Schabir Shaik on “medical parole”; the call for the National Prosecuting Authority to take action on the report of the Public Protector (*Against the Rules*) on the SAPS renting of premises; and the intimidation of the Public Protector and her staff by members of the SAPS Criminal Intelligence division. The Social Justice Coalition has also been an active member of the Right to Know Campaign, an alliance of more than 700 organisations across South Africa formed to ensure that the Protection of State Information Bill meets the requirements of open, accountable and ethical government based on the rule of law.

Justice and safety for all

12. After years of campaigning, in October 2011, the SJC and five partner organisations (Treatment Action Campaign, Equal Education, Ndifuna Ukwazi, Free Gender and Equal Education) lodged a formal complaint

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against the Khayelitsha police – both SAPS and the City of Cape Town’s Metropolitan Police Department. The complaint, lodged with the Western Cape Premier and Minister of Community Safety in terms of Section 206(5) of the Constitution, cited a breakdown in relations between Khayelitsha communities and the police as well as inefficient policing resulting in residents being exposed to and becoming the victims of crime at a far greater rate than in many other areas.

13. The members of our organisations – having lived and worked in Khayelitsha for many years – maintain that these failures to protect, to investigate and to deliver justice are not isolated instances, but speak to a failing police service and criminal justice system.
14. In the complaint our organisations requested that the Premier of the Western Cape appoint a judicial Commission of Inquiry to investigate these systemic problems and make recommendations to address them. The complaint laid out in detail the fundamental rights, constitutional provisions and other pieces of legislation that were being infringed upon as a result of the systemic breakdown of Khayelitsha’s police and greater criminal justice system – extending to the Courts, the National Prosecuting Authority and the Department of Justice and Constitutional Development.
15. Premier Helen Zille has indicated that, there are clear grounds to conclude that the trust relationship between the police and the residents of




Khayelitsha is seriously strained and that a Commission of Inquiry is a necessary process. The Premier is currently seeking further legal advice on the matter, but she has indicated that it seems highly likely that a Commission will indeed be established.

16. Exceptionally violent crime blights the lives of many people in our country, but none are as affected as the residents of informal settlements and townships. Khayelitsha, where the majority of SJC members live, is one such township.
17. A report released in 2008 by the City of Cape Town found that within the jurisdiction of the city, 5 of the 58 police districts accounted for over 44 per cent of murders – in Nyanga (13,18 per cent), Harare (Khayelitsha) (8,67 per cent), Khayelitsha (8,47 per cent), Gugulethu (7,58 per cent), and Delft/Belhar (6,1 per cent).¹
18. While the total number of crimes reported in Khayelitsha decreased in the six years between March 2003 and March 2009, the most recent crime statistics reveal a substantial and distressing reversal of this trend. The recent crime statistics confirm the accounts of members of civil society organisations that there has been a breakdown of policing in Khayelitsha.

¹ Gie, J. *Crime in Cape Town: 2001 – 2008, A Brief analysis of reported Violent, Property and Drug-related crime in Cape Town* (2009).


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19. The SAPS and Cape Town Municipal Police Department in Khayelitsha are over-burdened and under-resourced. This is exacerbated by the fact that there is often a lack of co-ordination between the police and the prosecuting services. Dockets are lost, resulting in cases being struck off the court rolls. Investigating officers and prosecutors appear not to cooperate effectively. Investigating officers often do not communicate with victims of crime regarding the progress of investigations or prosecutions. Investigating officers routinely do not secure the presence of witnesses at trials, resulting in lengthy postponements. Witnesses to serious crimes are not given the protection they need in order to testify without fear of retribution.
20. People living in communities worst affected by crime have lost faith in the police to keep residents safe, and the court system to deliver justice. The SJC has observed a significant increase in instances where residents take the law into their own hands due to this lack of trust. In Khayelitsha, eight people have been killed in separate incidents by necklacing in acts of vigilante mob violence over the past three months alone. The SJC regularly receives reports of residents severely beating alleged criminals. Very often this is done because residents believe the police will not act against alleged criminals. Increasing instances of vigilante violence illustrates how the loss of faith in the police to protect can lead to lawlessness.
21. In the Khayelitsha community, there is a widespread perception that the police not only fail to fulfil their constitutional obligations but that the SAPS

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and municipal police are also corrupt and lawless. It goes without saying that there are many members and officers of both agencies that do their work honestly, ethically and efficiently. Regrettably, this is not the real or even dominant image of the SAPS.

22. The constitutional rights of our members are violated daily through crime, which impacts upon their rights to life, dignity, privacy, equality, and freedom from all sources of violence public and private.
23. The allegations above can be substantiated through evidence. The evidence relates both to general patterns of lawlessness and ineffective policing, and to the impact of such lawlessness and ineffective policing on the lives of individual victims of crime. I have been advised that it is not appropriate to burden this application with all of that material. I raise these issues here to demonstrate the interest of the SJC and its members in promoting effective, ethical and accountable policing.
24. The failure of the SAPS and NPA to act effectively and transparently against those accused of serious offences creates a climate in which the public loses confidence in our security services and justice system, and in our Constitution.
25. I have read the affidavits of Mamphela Ramphele in the principal application and David Lewis in the application for leave to intervene. I associate myself



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and SJC with their contents. I confirm the correctness of the affidavit of David Lewis insofar as it refers to the SJC.

26. I respectfully submit that the SJC has standing on the grounds that:

26.1 It acts in its own interest, to further the achievement of its own objectives as described above.

26.2 It acts in the public interest. I adopt what is said in this regard in the affidavit of David Lewis.

26.3 It acts in the interest of its members.

26.4 It acts on behalf of the many people in poor communities who are vulnerable because of the failure of members of the SAPS to act effectively, ethically, lawfully and in a transparent manner.

27. On behalf of the SJC, I accordingly ask that relief be granted as set out in the Notice of motion to which this affidavit is attached.



ABDURRAZACK ACHMAT

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I certify that the deponent appeared before me on ^{22nd} 14th day of May 2012 at Cape Town. He stated that he knows and understands the contents of the above affidavit, which was signed and sworn to in my presence in accordance with the requirements of Regulation R1428 dated 16 November 1984, as amended. ~~AA~~ WK

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COMMISSIONER OF OATHS

**WILLIAM RALPH KERFOOT
COMMISSIONER OF OATHS
PRACTISING ATTORNEY RSA
3RD FLOOR GREENMARKET PLACE
54 SHORTMARKET STREET
CAPE TOWN**

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Annexure "ZA1"

Create Safe Communities - Defend the Rule of Law - Advance the Constitution

RESOLUTION OF THE EXECUTIVE COUNCIL -- 11 MAY 2012

On 11 May 2012, the Executive Council of the Social Justice Coalition met to discuss among other matters its Justice for All Campaign and the dropped charges of corruption and murder against Lt. General Richard Mdluli, (SAPS Criminal Intelligence Division). After serious consideration, the SJC Executive Council took the following resolution.



The SJC Executive Council notes the following:

1. Rape, murder and other forms of violent crime undermines, among others, the rights to life, dignity, freedom and security of the person, privacy and equality. Corruption and lawlessness not only violates Constitution and saps the moral fibre of society and its institutions, it also diminishes resources available to the state, the private sector and others to reduce social and economic inequality.
2. Government's collusion in the cover-up of Lt. General Richard Mdluli's (Head of Criminal Intelligence in SAPS) alleged crimes of murder and corruption sets a dangerous precedent. It undermines the Constitution, the rule of law, specifically, the struggle against corruption and crime.
3. The Minister of Police Nathi Mthetwa, the National Director of Public Prosecutions, the Acting Commissioner of Police and others have failed in their duty to uphold the Constitution and to provide ethical, accountable and open leadership in the struggle against corruption and crime.


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4. Since its inception, the SJC has been directly involved in the struggle to respect, protect, promote and advance the Constitution. The SJC has focused its work to struggle against corruption and crime and to build safe, secure and decent communities. We have led more than 50 marches and pickets against rape, murder, other violent crime and corruption.
5. The SJC and our allies have campaigned for a judicial commission of inquiry into the criminal justice system in Khayelitsha. After two years of meetings, marches and threats of legal action, we have received an undertaking from the Premier Helen Zille on the Inquiry. She has recently indicated that her legal advisors said the provincial government has the power to appoint a judicial commission of inquiry. She further indicated and that should SAPS refuse to co-operate then the provincial government would use its power. This is an important first step in turning the tide against crime in our communities. However, crime and corruption at community level cannot be addressed if there is systemic lawlessness and corruption at the very top of the criminal justice agencies.
6. The SAPS and NPA statutes and regulations exist to respect, protect, promote and advance the rights enshrined in the Constitution. Failure by the NPA, SAPS, the Minister of Police and others to investigate, arrest, charge and suspend Lieutenant-General Mdluli must be contested by individuals and civil society organisations.
7. These omissions together with the unlawful behaviour of General Bheki Cele (suspended commissioner); former Commissioner Jacky Selebi convicted of corruption and association with criminals; and, the unlawful actions of Advocate Menzi Simelane former Justice Department Director-General and current NPA head (on leave) pending a Constitutional Court judgment into his fitness to serve in the state; all, create a climate where the public must lose confidence in our security services and justice system.

Therefore, the Executive Council (EC) of the Social Justice Coalition resolves the following:

 **Address:** SHAWCO Centre K2, G323 Mongezi Road, Khayelitsha, Cape Town
 **Tel:** 021 361 8160 · **Email:** gavin@sjc.org.za
www.socialjusticecoalition.org




8. In terms of its own consitutional mandate, the public interest and the interests of our members, the EC resolves to join a broad civil society coalition led by Cosatu on the corrution and criminality in the SAPS exposed through the Mdluli matter.
9. To join others, or, to act in its own name after seeking legal advice to ensure that Lt. General Mdluli is properly investigated, charged and suspended from his employment.
10. The SJC secretariat is empowered to find attorneyys and an counsel, discuss all the legal questions, and to take the necessary steps to bring the matter before the Courts.
11. Zackie Achmat, SJC secretariat member is empowered to make an affidavit on the organisation's behalf.
12. The organisation will conduct workshops and meetings to educate our members and the broader public on this matter.

Duly signed on behalf of the Secretariat and Executive Council by:



GAVIN SILBER
COORINDATOR

DATE: 14 MAY 2012



PHUMEZA MLUNGWANA
CHAIRPERSON

14 May 2012

DATE:





Annexure "ZA2"

Create Safe Communities - Defend the Rule of Law - Advance the Constitution

CONSTITUTION OF THE SOCIAL JUSTICE COALITION

Resolutions Adopted Following Annual General Meeting of 2 July 2011

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A. Name

B. Type

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2. Admission requirements
3. Removal of Executive Council Members
4. Quorum
5. Minutes

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3. Removal of Chairperson's Forum Members

D. Management Committee

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2. Employment practices

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2. Admission requirements
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B. Dissolution

Schedule A: General Administrative and Investment Powers

1. Name and Type

A. Name

Social Justice Coalition hereafter referred to as the Association.

B. Type

Voluntary Association.

2. Objectives

The Association is a public, non-profit organization established to pursue the following objectives:

1. To build a movement of individuals united across the divisions of race, gender, class and nationality dedicated to build active citizenship
2. To ensure that every person in South Africa shall be free from all sources of violence both public and private
3. To ensure that every person has the right to life, dignity, equality, freedom and the pursuit of a decent life
4. To organise people of all backgrounds to realise these rights and to fight against crime, unemployment, homelessness, ill-health unequal and poor education
5. To ensure an open, accountable, ethical and efficient government that eradicates, condemns and punishes corruption
6. To uphold the rights in our Constitution that the Constitutional Court and the judiciary have upheld since the advent of democracy in 1994
7. To use petitions, protest, education, the Parliament and the Courts to build the Social Justice Coalition
8. To undertake any other activities that further the above objectives

3. Structure

A. Secretariat

1. Powers

The Secretariat is made up of the following elected office-bearers: Chairperson, Vice-Chairperson, General-Secretary, Deputy General-Secretary, and Treasurer. The Coordinator sits on the Secretariat as an ex-officio member representing management. In addition, the Secretariat may co-opt additional persons to sit on

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the body if and when required. Each member of the Secretariat shall have equal say in decisions made by the Secretariat.

The secretariat is tasked with overall leadership in support of the Management Committee. In addition, members of the Secretariat are expected to fulfill their respective mandates as set out through the Annual General Meeting.

2. Election of Members to the Secretariat

Election of all office bearers, Secretary and Treasurer, shall occur at the Annual General Meeting through majority vote. Office bearers will serve for two years, and may not be employed by the organisation.

3. Removal of Secretariat Members

The office of a Secretariat Member shall be vacated if the member:

1. Resigns; or
2. Becomes unfit and/or incapable of acting as such; or
3. Is removed by the Executive Council, by resolution adopted by at least sixty-six percent (66%) of Executive Council Members at an Executive Council Meeting.

Should a position become vacant prior to the Annual General Meeting, the Executive Council may co-opt a person to that position until the following Annual General Meeting.

B. Executive Council

1. Powers

The Executive Council is the highest decision making body in the organisation. It does not have any decision making powers with regards to the day-to-day running of the Association but will advise the Secretariat and Management Committee on issues of organizational policy and direction. It must provide guidance and direction, evaluate outcomes and provide oversight. The Secretariat and Management Committee reports to the Executive Council and are accountable to that body. The Executive Council will meet no less than once every three months.

2. Admission requirements

Members of the Executive Council will consist of the elected chairpersons from each branch, and the Secretariat.

3. Removal of Executive Council Members

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The Executive Council has the authority to remove any of its members at any time for misuse of the Association and/or improper conduct through resolution adopted by sixty- six percent (66%) of its members.

4. Quorum

A quorum constituting a Executive Council Meeting of the Association shall be no less than 50% of the Executive Council Members. Should any Executive Council Meeting have been properly convened but no quorum is present, the meeting shall stand adjourned to another date, which shall be within seven (7) days thereafter.

5. Minutes

Proper minutes shall be kept of the proceedings of all Executive Council Meetings and a record of the persons present at each meeting. The minutes shall be signed by two (2) Secretariat Members.

C. Chairperson's Forum

1. Powers

Whereas the Executive Council provides oversight and leadership to the organisation as a whole, the Chairperson's Forum should provide regular guidance to branches, and elected branch leaders. It is a space for branches to coordinate activities, and receive updates on campaign progress.

2. Admission requirements

Each branch's Chairperson and Secretary must attend the Chairperson's Forum. The Chairperson's Forum must annually elect a Chairperson, Deputy Chairperson, Secretary, and Deputy Secretary.

3. Removal Chairperson's Forum Members

The Chairperson's Forum has the authority to remove any of its members at any time for misuse of the Association and/or improper conduct through resolution adopted by sixty- six percent (66%) of its members. Should a position a leadership position become vacant, the Chairperson's Forum may elect to co-opt a person to the Secretariat.

C. Management Committee

1. Powers

The SJC may hire management personnel in order to promote the effective running of the organisation on a day-to-day basis.

The Management Committee will have decision-making power on a day-to-day basis with respect to running the organisation and carrying out the mandate of the Executive Council. The Management Committee comprises of the Coordinator, Provincial Organiser, and the Provincial Educator. It is led by the Coordinator, and must work according to a work plan and report to the Secretariat.

2. Employment practice

Any employment practice by the SJC is governed by the relevant legal requirements at all times. The secretariat is empowered by the Executive Council to employ for specific positions. The post must be advertised, and a shortlist of applicants must be interviewed by a panel of three: one Secretariat member, the Coordinator, and one Executive Council member. The Management Committee can employ people on a temporary basis – less than 3 months for a specifically defined task.

E. Members of the Association

1. Powers

Members do not have any decision making powers with regard to the day to day management of the Association. Members however will elect the representatives of their branches who shall be office bearers. Branch members shall have the power to remove any of the elected representatives of the branch through a resolution adopted by sixty- six percent (66%) of the members of the branch. Branch members shall meet not less than once in a month through a meeting called by the Branch Chairperson. Members are responsible for electing the organization's leaders (Secretariat) at the Annual General Meeting.

2. Admission requirements

Members must complete and sign the membership application form and agree to abide by the objectives of the Association, as well as pay the stipulated membership fee, currently set at R5 per annum. All members must belong to a branch.

3. Removal of Members

The Executive Council has the authority to remove any member at anytime for the misuse of the Association and or improper conduct. This must be done via the accepted procedure as per the policies and procedures manual of the organization.

4. General Meetings

A. Annual General Meeting

An Annual General Meeting of the Association shall be held within a period of fifteen (15) months of the adoption of this Constitution. Subsequent Annual General Meetings shall be held within three (3)

months of the end of each financial year. Notice shall be given to all Members entitled to attend the meeting no less than twenty-one (21) days prior. This notice shall state the date, time and place of the meeting and in broad terms the business to be transacted at the meeting. The business of an Annual General Meeting shall include:

1. The presentation and adoption of the Annual Report
2. The consideration of the Annual Financial Statements
3. Other matters as may be considered appropriate.
4. Election of office bearers

B. Other General Meetings

Other General Meetings of the Association shall be convened at any time at the request of the Executive Council through a resolution adopted by sixty – six (66%) of its members.

5. Legal Status

The Association is a body corporate with its own legal identity that is separate from its Executive Council and Secretariat. The Association shall continue to exist even if the Members of the Executive Council and Secretariat change. The Association may own property, enter into contracts, and sue or be sued in its own name.

6. Financial Matters

A. Funding

The service shall be provided entirely for the benefit of activities of the Association. All funding will be used, in an open and transparent way, in the interest of the objectives outlined.

B. Financial Records

The Secretariat under the leadership of the Treasurer shall ensure that the Association keeps proper records and books of account which fairly reflect the affairs of the association. All financial transactions will be recorded.

C. Bank account

The Secretariat shall maintain a bank account in the name of the Association with a registered Bank or Building Society. The Secretariat shall ensure that all monies received by the Association are deposited in the abovementioned bank account as soon as possible after receipt.

D. Use of Funds

The funds from this account may not be used for any purpose other than the financing of the

Association. The funds shall be used solely for the promotion of its stated objectives. The members of the Secretariat or Executive Council shall have no rights to the property or other assets of the Association solely by virtue of them being office-bearers. No portion of the income or property of the Association shall be paid or distributed directly or indirectly to any person (otherwise than in the ordinary course of undertaking any public benefit activity) or to any Member of the Association or Secretariat or Executive Council, except as:

1. Reasonable compensation for services actually rendered to the Association
2. Reimbursement of actual costs or expenses reasonably incurred on behalf of the Association.

E. Signatures

All cheques, promissory notes and other documents requiring signature on behalf of the Association shall be signed by two (2) of the Secretariat members.

F. Annual Report

The Secretariat shall ensure that the association prepares an annual narrative report describing the Association's activities and an Annual Financial Statement for each financial year. The Annual Financial Statements shall conform with generally accepted accounting principles and shall include a statement of income and expenditure and a balance sheet of assets and liabilities. Within two (2) months after drawing up the Annual Financial Statements, the Secretariat shall ensure that:

1. The Association arranges for an accounting officer to certify that the annual financial statements are consistent with the financial records of the Association and that its accounting policies are appropriate and have been appropriately applied in the preparation of its financial statements.
2. A copy of the Annual Financial Statements and Annual Narrative Report shall be made available to all Members and relevant parties as soon as possible after the close of the financial year.

G. Financial Year End The Association's financial year-end shall be 1 March.

7. Indemnity

Subject to the provisions of any relevant statute, members of the Secretariat and Executive Council shall be indemnified by the Association for all acts done by them in good faith on its behalf. It shall be the duty of the Association to pay all costs and expenses which any such person incurs or becomes liable for as a result of any contract entered into, or act done by him or her, in his or her said capacity, in the discharge, in good faith, of his or her duties on behalf of the Association. No member of the Secretariat or Executive Council of the Association shall be liable for the acts, receipts, neglects or defaults of any member or office bearer, or for any loss, damage or expense suffered by the Association, which occurs in the execution of the duties of his or her office, unless it arises as a result of

of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law.

8. Amendments to the constitution and Dissolution

A. Amendments

The terms of this Constitution may be amended, the name of the association may be changed and the Association may be dissolved by resolution of sixty six per cent (66%) of the Executive Council Members present at a Executive Council Meeting: provided that proper notice of the meeting is given not less than twenty-eight (28) days prior to the date of the Meeting and such notice states the nature of the resolution to be proposed.

B. Dissolution

Upon the dissolution of the Association, after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst Secretariat or Executive Council Members, but shall be transferred by donation to some other non-profit organization which the Secretariat (and failing which any division of the High Court) considers appropriate and which has objectives the same or similar to the objectives of the Association.

Schedule A. General Administrative and Investment Powers.

1. To employ staff and hire professional and other services.
2. To institute or defend any legal or arbitration proceedings and to settle any claims made by or against the Association.
3. To open and operate accounts with registered banks and building societies.
4. To accept donations made to the Association and retain them in the form in which they are received, or sell them and re-invest the proceeds.
5. With regard to movable and immovable property and tangible and intangible assets of whatsoever nature:
 1. to purchase or acquire property and assets;
 2. to maintain, manage, develop, exchange, lease, sell, or in any way deal with the property and assets of the Association;
 3. to donate and transfer the property and assets of the Association to organisations with the same or similar objectives.
6. To borrow and to use the property or assets of the Association as security for borrowing.
7. To guarantee the performance of contracts or obligations of any person on condition that any such person is primarily engaged in activities which further the objectives of the Association.
8. To work in collaboration with other organisations and to amalgamate with any organisation with the same or similar objectives.
9. To exercise all the management and executive powers that are normally vested in the Board of Directors of a Company.
10. To exercise all the powers and authority of the Association not only in the Republic of South Africa but in any other part of the world.