MODULE 1.1, HANDOUT #1: MET legal requirements for conservancy constitutions

1. Conservancy legislation

The *Nature Conservation Amendment* Act of 1996 is the legislation which provides for the establishment of conservancies. The Act states that an application for registration as a conservancy must be accompanied by a constitution. In addition, the constitution must provide for the sustainable management and utilisation of game in the conservancy.

2. The ‘Regulations’

The Regulations that accompany the 1996 Act state that a conservancy constitution must provide for the following:

a) **Conservancy Objectives**, which include the following:
   - Sustainable utilisation and management of game.
   - In accordance with a Game Utilisation and Management Plan.
   - The equitable distribution of the benefits derived from the sustainable use of game.

b) **Procedure for election/removal of Conservancy Committee members**.

c) **Conservancy Committee powers and responsibilities**, which will include power to enter into agreements relating to consumptive/non-consumptive game use.

d) Provisions related to **holding of meetings such as**:
   - Conservancy Committee meetings.
   - Annual General Meeting (AGM) and General Meetings (GM) with conservancy members.
   - Recording of proceedings of any such meetings.

e) **Criteria and procedure for member**.

f) **Rights and obligation of members**.

g) **Procedures for the equitable distribution of benefits**.

h) **Provisions for managing finances**, including:
   - Appointment of Treasurer experienced in financial matters and bookkeeping.
   - Keeping proper accounting records and preparation of annual financial statements.
   - Opening of bank account in the conservancy name.
   - Procedure for determining the manner of appropriating derived income.

i) **Procedure for dispute resolution**.

j) **Procedure for amending the constitution**.

k) Any other necessary matters.

l) **Signatures to the constitutions**.
MODULE 1.1, HANDOUT #2: The key components of a conservancy constitution

The following are the key components of a conservancy constitution. It should be noted that these are the standard components that should be covered in all conservancy constitutions. **Conservancies are encouraged to add any other issues to the constitution that they think important for their own requirements.**

a) Contents page  
b) Preamble  
c) Definitions  
d) Conservancy Purpose or Objectives  
e) Operating Principles  
f) Conservancy membership:  
   • Criteria for membership  
   • Rights, responsibilities and powers of conservancy general members  
   • Behaviour governing conservancy members  
   • Termination of membership  
g) Conservancy structures:  
   • Conservancy Management Committee and sub-committees  
   • Conservancy Executive Committee (where appropriate)  
   • Sub-structures (sub-units/villages/cluster/area) where appropriate  
   • How sub-units are represented in the main Management Committee  
   • Membership, roles and powers of the different level structures  
   • Elections of the different level committees and representation  
   • Disqualification of the different level committee members  
h) Meetings:  
   • Members’ meetings such as General Meetings (GMs), Extra Ordinary General Meetings (EGMs) and Annual General Meetings (AGMs) in light of the devolved structures and powers  
   • Committee meetings for the different structures at the different levels in the conservancy  
   • Quorums for the different meetings  
   • Decisions that can be made at different meetings and levels  
i) Provision for vote of no confidence in the Conservancy Committee  
j) Financial management procedures  
k) Benefit distribution procedure  
l) Procedure for drafting and approving the conservancy budget  
m) Power to appoint staff, and supervision of staff  
n) Dispute resolution procedures  
o) Provision for and procedure for dissolution of conservancy  
p) Procedure for amendment of the constitution