

SOUTH AFRICAN INTRUDER  
DETECTION SERVICES  
ASSOCIATION



BY-LAW A

Revised June 2023

## BY-LAW A

This By-Law deals with the administration of the Organisation, application procedures, membership categories and other matters relating to the day to day operation of the Organisation, and must be read in conjunction with the Constitution.

### 1. DEFINITIONS

- 1.1 "Affiliate Discipline" means a Member of SAIDSA as defined in the section relating to membership;
- 1.2 "Armed Reaction Service Discipline" means a Member of SAIDSA as defined in the section relating to membership;
- 1.3 "Asset Tracking Discipline" means a member of SAIDSA as defined in the section relating to membership.
- 1.4 "SAIDSA" means the South African Intruder Detection Services Association;
- 1.5 "Associate Discipline" means a Member of SAIDSA as defined in the section relating to membership;
- 1.6 "Category" means the class of membership of a Member depending on the disciplines a member is approved for.
- 1.7 "Control Centre Discipline" means a Member of SAIDSA as defined in the sections relating to membership;
- 1.8 "Constitution" means the Constitution of SAIDSA;
- 1.9 "Corporate Discipline" means a Member of SAIDSA as defined in the sections relating to membership;
- 1.10 "Discipline" means the service the Member is approved for i.e. control room operator, reaction service provider, installer or manufacturer/distributor.
- 1.11 "Intruder Detection Systems" or "System" means any mechanical or electronic security installation designed and intended to detect and signal and/or record unauthorised entry or unauthorized removal of an asset by a person or object into or from a building or on any asset monitored by such system;
- 1.12 "Levies" shall have the meaning as described in clause 18.6;
- 1.13 "Member" shall have the meaning as defined in the Constitution including having a unique registration and PSIRA number;
- 1.14 "National member" means a member of SAIDSA as defined in the section relating to Membership.
- 1.15 "Recovery Service Discipline" means a member of SAIDSA as defined in the section relating to Membership.
- 1.16 "Subscription" shall mean the annual membership fees;

- 1.17. "Support Services Discipline" means a member of SAIDSA as defined in the section relating to membership.
- 1.18. "Specialised Services Member" means a member of SAIDSA as defined in the section relating to membership
- 1.19. "Employer Organisation" means SAIDSA.
- 1.20. "Term" shall mean 2 consecutive years.

## 2. MEMBERSHIP

- 2.1 The criteria to determine membership shall be interpreted to ensure that the Members of SAIDSA are established businesses that offer consistent service of a high standard to persons making use of the service provided in the Industry.
- 2.2 To this end, the criteria determining membership shall not be interpreted to discriminate against any Applicant for membership or Member for any arbitrary reason. In particular, no section of this by-law shall be interpreted to discriminate against eligibility for membership based on race or sex or creed or religion.
- 2.3 Membership of SAIDSA will consist of the following disciplines: Corporate, Asset Tracking Service, Reaction Service, Asset Recovery, Associate, Control Central Operator, Affiliate, Specialised Services, Support Service and National membership based on the services that the Member perform and the qualification criteria that the Member satisfy.
- 2.4 A Member holding a particular discipline of membership may on application to the Executive Committee, from time to time where it is appropriate, apply for a change in the Member's discipline and category of membership in the event that the Member's circumstances have changed.
- 2.5 The Executive Committee may reclassify existing Members of SAIDSA in the event that they fail to meet the criteria required for the particular discipline or category, or in the event that they fail to continue to meet the criteria applicable to the discipline in respect of which they hold membership.
- 2.6 Should an existing Member cease to fully comply with the criteria required for its membership in a particular category or discipline of SAIDSA, the onus shall be on the Member to notify SAIDSA in writing of such change, in order to enable the Executive Committee to reconsider the category or discipline of membership of that Member. A failure to advise SAIDSA of any such change may result in the expulsion of the Member from SAIDSA.
- 2.7 Should any Member, after his admission to SAIDSA, not fully meet the criteria for membership, the Executive Committee shall give that Member a period of time, not more than 14 (fourteen) days, to comply with

such criteria failing which, the Member may be expelled from SAIDSA following a disciplinary hearing as provided for in clause 6 of the Constitution. The Executive Committee may extend the period mentioned above through a special resolution.

- 2.8 All applications for membership of SAIDSA or change in the category or discipline of membership of SAIDSA shall be made in writing to the appointed Officer of SAIDSA on the form provided. Such application will contain the category and/or discipline applied for, full details of the nature of the operation, and a motivation of the reasons why the Applicant qualifies for the category and/or discipline applied for, with due reference to the qualification requirements of the Constitution and the by-laws applicable from time to time.
- 2.9 An Applicant upon applying for membership of SAIDSA, shall provide the relevant information and authority for SAIDSA to obtain a credit reference. At least two trade references and a bank reference must be supplied by an Applicant for membership to SAIDSA. By making the application, the Applicant shall be deemed to have authorised SAIDSA in so far as it is required to conduct a credit reference assessment of the Applicant's financial standing.
- 2.10 All Applicants for membership will be obliged to sign a declaration to the effect that the directors, members or principals of the Applicant do not have a criminal record excluding minor offences such as traffic offences, and that the directors, members or principals of the Applicant have never been declared insolvent or controlled businesses that have been placed into liquidation or under judicial management. However, the latter will not necessarily be a reason for disqualification.
- 2.11 All Applicants shall be subject to an inspection by a person appointed by SAIDSA to ensure that they comply with the SAIDSA Constitution and its by-laws. Such inspections shall be made at a time suitable to the Applicant and the appointed person.
- 2.12 Should the Applicant not comply fully with the criteria for membership of SAIDSA, the Applicant shall be granted a maximum period of 30 (thirty) days within which to comply with the criteria, failing which, the Applicant's application shall automatically lapse, and the Applicant shall not be entitled to reapply for membership of SAIDSA until such time as the Applicant fully complies.
- 2.13 The Executive Committee shall have the right at any time to require the inspection of installation work done by the Applicant, and the Members of SAIDSA, on reasonable notice having been given by the Executive Committee to any such Applicant or Member.
- 2.14 The Executive or Regional Committee shall have the right, with prior arrangement with an Applicant or Member, to inspect the premises of an Applicant or Member, including the control room, and reaction service facilities, where applicable, and such notice of inspection shall not be less than 2 (two) hours.

Parties subjected to such inspections are obliged to provide due access and assistance to the inspectors authorised by the Executive or Regional Committee to perform these tasks during normal working hours, and these inspectors will consist of -

2.14.1 1(one) independent inspector; or

2.14.2 1 (one) Executive Committee member from another region; or

2.14.2 2(two) appointed Members from the same region; or

2.14.3 upon request by the inspected Member or Applicant – 1(one) independent inspector and 1(one) appointed Member; or

2.14.4 upon written consent from the inspected Member or Applicant that the inspector will consist of 1 appointed Member.

In the event that the Member does not comply with the requirements of the specific discipline it holds membership for, the member will be re-inspected within a specified period, and the member will be responsible for the cost of such re-inspection including but not limited to the re-inspection fee, as determined from time to time in Schedule A to the Constitution and the travelling cost so occasioned.

- 2.15 Members shall be obliged to conduct their business arrangements in accordance with generally accepted professional standards and in accordance with the specifications as set out in the bylaws of SAIDSA applicable to their category of membership, as amended, from time to time. Members will be obliged to ensure that their conduct is of such a nature that they do not bring the name and reputation of SAIDSA into disrepute.
- 2.16 Members agree to provide reasonable information as requested by SAIDSA to enable SAIDSA to compile meaningful statistics for the benefit of its Members and the general public.
- 2.17 Members may use only the logo of SAIDSA, which is designed specifically for the category in respect of which they hold membership and may not use any other logo of SAIDSA.
- 2.18 Members agree that on taking up membership, they shall make and recommend sole use of the central stations, which are approved by SAIDSA, as provided for in the by-laws of SAIDSA. Any failure or refusal to do so will be grounds for the expulsion of the Member from SAIDSA.
- 2.19 Members agree that on taking up membership, they shall make and recommend sole use of the installers, which are approved by SAIDSA, as provided for in the by-laws of SAIDSA. Any failure or refusal to do so will be grounds for the expulsion of the Member from SAIDSA.
- 2.20 Members shall make use and recommend sole use of reaction services as approved by SAIDSA in terms of the by-laws of SAIDSA, unless there is no such approved reaction service available in the area in which the service is required.

2.21 Any category of membership incorporating into its business the installation and/or repairs of intruder detection systems shall comply with the following requirements:-

2.21.1 At all times, employ directly a minimum of three (3) technicians, working full time in the intruder detection industry, installing and servicing intruder detection systems for a minimum period of two (2) years, subject to the provision that the Executive Committee may waive or allow any leniency, if good cause is shown to the satisfaction of the Executive Committee.

2.21.2 Of those technicians employed, the following minimum qualifications must be maintained at all times:

2.21.2.1 SAIDSA certified technicians:

- a) Three (3) to nine (9) technicians employed – At least one (1);
- b) Ten (10) and more employed – 20% of the technicians employed.

2.21.2.2 SAIDSA competent technicians:

- a) The balance of the technicians employed that are not SAIDSA certified technicians.

2.21.2.3 For the purpose above, the following meaning shall be given to:

- i) “SAIDSA certified technician” - the installer or maintainer of intrusion detection system who has successfully completed the prescribed online training courses or the prescribed in-class training course and in addition completed the two day practical in-class training course;
- ii) “SAIDSA competent technician” - The installer or maintainer of intrusion detection system who has successfully completed the prescribed online training courses or the prescribed in-class training course.

2.21.3 The technical staff must be competent to install according to the installation specifications as contained within the By-Laws of SAIDSA.

2.21.4 The member must provide a 24-hour repair service throughout the year, and contactable 24 hours a day telephonically. The SAIDSA approved control room must have direct contact with the installing company and/or its representatives, telephonically, in the instance where there is an agreement or relationship between the installing company and the control room.

2.21.5 Installers must be prepared for spot checks at any time by members of the Executive or Regional Committee or an inspector appointed by the Executive Committee for that purpose.

2.21.6 The installing member must at all times issue a SAIDSA Certificate of Compliance on completion of the installation.

2.22 Any category of membership incorporating into its business the sale of intruder detection systems directly to the end user and/or customer shall comply with the requirement that all staff directly involved with providing advice on the protection or safeguarding of a person or property and the sale of same successfully complete the SAIDSA technical sales online course or in-class course.

2.23 CATEGORIES OF MEMBERSHIP

2.23.1 CATEGORY A – MEMBERSHIP

Corporate discipline with armed reaction, or Asset tracking with recovery service

2.23.2 CATEGORY B – MEMBERSHIP

Corporate discipline without armed reaction, or asset tracking without recovery service or any other member registered for not less than 2 disciplines, excluding an affiliate member.

2.23.3 CATEGORY C - MEMBERSHIP

Any member registered for one discipline, other than Affiliate discipline.

2.23.4 CATEGORY D – MEMBERSHIP

Affiliate discipline

2.23.5 CATEGORY E – MEMBERSHIP

National membership

2.24 Applicants and members must apply for separate membership for each geographical region or area within which the applicant or member delivers a specific discipline, i.e the member must apply for each branch or office from where a control room and/or installation and/or repair of intruder systems and/or armed reaction service or any other discipline is conducted separately or in conjunction with each other.

2.25 The applicable category of membership of each member shall be displayed at the bottom of the SAIDSA logo, where used. This will be the only categories of membership displayed on any letterhead, board or other printed media used by the member. A Support Service Discipline member and category D members will not be allowed to display the SAIDSA logo as contemplated herein.

2.26 Where the logo of SAIDSA is used members shall ensure that they all times comply with the regulations of use document in respect of the SAIDSA trademark, available from the national office.

2.27 Members must have adequate and applicable public liability in place in respect of the relevant discipline they are approved for.

2.28 Members must comply with the Main Collective agreement in place at all times, and it is recommended that members make use of the SAIDSA medical benefit.

### 3. QUALIFICATION FOR MEMBERSHIP

3.1 Membership will be granted only where the Applicant's business activity falls within the definition of the Industry and is conducted on a full time basis.

3.2 Membership will only be granted where the Applicant complies with any specific category of membership;

3.3 In the event that membership is not granted, and the decision is upheld on appeal, the Applicant is barred for applying for membership for a period of not less than 6 months, or such period as the Executive Committee may determine in their discretion.

### 4. CORPORATE DISCIPLINE

4.1 In addition to the general criteria as specified under the membership section, the following criteria are required for a Member to qualify for a corporate discipline –

4.1.1 the Member must have incorporated into its business the installation and/or repairs of intruder detection systems;

4.1.2 the Member must have incorporated into its business an approved twenty-four hour control centre as defined in the by-laws of SAIDSA;

4.1.3 the Member must have installed, and/or must be maintaining not less than fifty Intruder Detection Systems before qualifying for the Corporate discipline. On application, and on good cause being shown by the Applicant, the Executive Committee may waive this requirement for those Applicants that perform their operations in outside areas that are generally recognised as urban districts;

4.1.4 the Members shall have been continually providing services in the Industry for a period of at least two years. The Executive Committee may at its sole discretion waive this requirement on good cause being shown by the Applicant;

4.1.5 the Member shall ensure that when other parties use its central station, that it complies with clause 7.

4.1.6 the Member may have a Reaction Service incorporated into its business if so approved.

4.1.7 the Member shall ensure that when other members use its armed reaction service it complies with clause 12 .



## 5. ASSET TRACKING DISCIPLINE

5.1 In addition to the general criteria as specified under the membership section, the following criteria are required for a Member to qualify for an asset tracking discipline –

5.1.1 the Member shall employ a minimum of three persons engaged in the business operation, which persons shall hold the following minimum qualifications: that such persons have worked on full time basis in the Industry, servicing Asset Tracking Systems, for a minimum period of two years, alternatively, that such persons have satisfied the qualification requirements as set out in the by-laws of SAIDSA from time to time, if any;

5.1.2 on application, and on good cause being shown by the Applicant, the Executive Committee may waive this requirement for those Applicants that perform their operations outside areas that are generally recognised as urban districts;

5.1.3 the Member must provide a twenty-four hour repair service for the systems supplied, which service shall be available throughout the year;

5.1.4 the Member must be available to be contacted on a twenty-four hour basis telephonically;

5.1.5 the Member must have incorporated into its business an approved twenty-four hour control centre as defined in the by-laws of SAIDSA;

5.1.6 the Member must have installed, or must be maintaining not less than fifty Asset Tracking Systems before qualifying for the Asset Tracking discipline;

5.1.7 the Members shall have been continually providing services in the Industry for a period of at least two years. The Executive Committee may at its sole discretion waive this requirement on good cause being shown by the Applicant;

5.1.8 the Member shall ensure that when other parties use its control centre, that it complies with clause 7.

5.1.9 the Member may have a Recovery Service incorporated into its business if so approved.

5.1.10 the Member shall ensure that when other members use its recovery service it complies with clause 12.

## 6. ASSOCIATE DISCIPLINE

6.1 Apart from the requirements in the general criteria for membership, the Member must satisfy the following further requirements to qualify for the Associate discipline –

- 6.1.1 the Member must have been involved in the installing of Intruder Detection Systems in the Industry for a continuous period of not less than one year and/or installed not less than fifty (50) intruder detection systems. On good cause being shown, the Executive Committee may waive this requirement;
- 6.1.2 the Member must provide a twenty-four hour repair service throughout the year;
- 6.1.3 the Member must be available to be contacted telephonically on a twenty-four hour basis.
- 6.1.4 the Member may have a Reaction Service incorporated into its business if so approved.

## 7. CONTROL CENTRE OPERATOR

In order to qualify for the discipline of SAIDSA as a control centre operator, the Applicant must comply with the by-laws of SAIDSA in so far as they relate to Central Station Operators, and to the general criteria for membership of SAIDSA, and must be inspected and approved by SAIDSA in order to determine whether such compliance with the by-laws and Constitution is adequate.

## 8. AFFILIATE DISCIPLINE

- 8.1 A Member of SAIDSA whose business activity is concerned with the manufacturing, importing and/or distributing of Intruder Detection Systems in accordance with the PSIRA Act, and who does not install such equipment, may qualify for the affiliate discipline.
- 8.2 Because the Member acts in a supplementary capacity to the Industry, and although the Affiliate Member is entitled to attend all meetings, excluding Executive meetings of SAIDSA, as an Affiliate Member, and provide input at such meetings, the Affiliate Member shall have no voting authority in SAIDSA.
- 8.3 An Applicant for Affiliate membership shall not be excluded from such membership for any arbitrary discriminatory reason. Save for the use of SAIDSA's logo and apart from having no voting rights, the Member shall enjoy all other benefits of membership of SAIDSA.

## 9. SUPPORT SERVICE DISCIPLINE

- 9.1 A Member of SAIDSA whose business activity is concerned with any supporting service to the Industry, may qualify for this discipline.
- 9.2 Because the Member acts in a supplementary capacity to the Industry, and although the member is entitled to attend all meetings, excluding Executive meetings of SAIDSA as a Support Service Member, and provide input at such meeting, the member shall have no voting authority in SAIDSA.

9.3 An Applicant for this membership shall not be excluded from such membership for any arbitrary discriminatory reason. Save for the use of SAIDSA's logo and apart from having no voting rights, the Member shall enjoy all other benefits of membership of SAIDSA.

10. ARMED REACTION SERVICE DISCIPLINE

A company providing an Armed Reaction Service shall be eligible for Armed Reaction Service discipline provided that the company fulfills the conditions as set out in the by-laws of SAIDSA and complies with the general membership criteria provided therein.

11. ASSET RECOVERY SERVICE DISCIPLINE

A company providing a Recovery Service shall be eligible for Asset Recovery discipline provided that the company fulfills the conditions as set out in the by-laws of SAIDSA and complies with the general membership criteria provided therein.

12. SPECIALISED SERVICES DISCIPLINE

This membership category caters for members who operate a specialised security services and who are offering to members of the public, a valuable and important service of an extremely dangerous nature. Specialised Services for the purpose of this By -Law will include all armed reaction services not covered by By-Law 3 and shall include the following services: Asset in Transit Services, Bank Security, Close Protection Services (where vehicles are used), Surveillance Services (where vehicles are used), or any other security service involving the use of vehicles and such service does not fall within the ambit of By-Law 3.

13. NATIONAL MEMBERSHIP

A company that complies with the membership criteria specified under Corporate membership, but where at least the installation and/or repair of intruder systems and the armed reaction service so delivered are operated from within all the provinces of South Africa. There must at all times be adherence to the provisions of clause 2.24 above.

14. QUORUM VOTES AND RESOLUTIONS AT MEETINGS

14.1 At all meetings of SAIDSA a quorum of Members in good standing shall be –

14.1.1 Executive Committee - four of which at least two shall be of the Corporate discipline;

- 14.1.2 Regional Committees - three of which at least two shall be of the Corporate discipline;
- 14.1.3 in the case of annual, general and/or special meeting – five Members of which at least two shall be of the Corporate discipline.
- 14.2 The chairperson shall have the power with the consent of the meeting to adjourn a meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business unfinished at the meeting from which the adjournment took place.
- 14.3 All members of SAIDSA shall be entitled to be represented at all meetings of SAIDSA. However, the Executive Committee may exclude certain disciplines of members from specific meetings, where circumstances so require.
- 14.4 The member concerned shall give the name of the representative or his alternate in writing to the secretary. No one person may be nominated to represent the interests of more than one member.
- 14.5 Members from the Corporate, Asset Tracking, Associate, Armed Reaction Service, Asset Recovery, Specialised Service, Control Centre and National discipline; shall have one vote each at general and special meetings.
- 14.6 In the event of an equality of votes at a general meeting, the matter must be referred to the Executive Committee for further discussion and recommendations to the members.
- 14.7 Where the member is a legal entity, the vote of such member may be exercised only by the representative appointed by such Member in terms hereof.

## 15. RESIGNATIONS

In the event of the resignation of a representative of a member elected to the regional and/or executive committee during his/her term, such member will have the right to first appoint a new representative to such committee for the remainder of the term. Should the member fail to do so within 14 (fourteen) days after the said resignation, the relevant committee must proceed in terms of clause 10 of the constitution.

## 16. EXECUTIVE COMMITTEE

- 16.1 The Executive Committee shall prescribe regulations governing administration of the region, which shall not be inconsistent with the Constitution, the Act or any other law.
- 16.2 The persons elected to the Executive Committee shall consist of the following:
- 16.3 The Executive Committee shall be comprised as follows –
  - 16.3.1 a maximum of five representatives from individual Members from the Corporate discipline;
  - 16.3.2 a maximum of one representative from individual Members from the Asset Tracking discipline;

- 16.3.3 a maximum of one representative from each Members from the National discipline;
  - 16.3.4 two representatives from individual Members of the Associate discipline if available;
  - 16.3.5 one representative from individual Members of Control Centre Operator if available;
  - 16.3.5 one representative from individual Members of Armed Reaction Service if available;
  - 16.3.6 one representative from individual Members of Asset Recovery Service if available;
  - 16.3.7 one representative from individual Members of Specialised Service if available;
  - 16.3.7 the chairperson of each region of SAIDSA;
  - 16.3.8 the Executive Committee shall elect its own office bearers and there shall be a chairperson from the  
Corporate discipline, vice chairperson and appointed secretary.
- 16.4 The Executive Committee may co-opt any person to a sub-committee and such co-option shall be for the purpose of giving information and assistance, as the committee may determine, but for a period not longer than until the next annual general meeting. Co-opted persons shall be entitled to attend Executive committee meetings on invitation and may give input at such meetings, but shall not be qualified to vote. Where suitable persons are available, the Executive Committee may co-opt the following persons to the committee and/or sub committees-
- 16.4.1 a representative appointed by the Electronic Suppliers and Distributors Association (ESDA) from its membership;
  - 16.4.2 a representative from the South African Insurance Association appointed by such Association.
- 16.5 Each Member of the Executive Committee shall have one vote each, unless the member is represented by two or more representatives, in which case the relevant member will only have one vote.
- 16.6 Representatives of a member may only make themselves available to represent a Member on the Executive Committee if such a representative has served at least one (1) year on any Regional Committee.
17. REGIONAL COMMITTEES
- 17.1 Once there are at least five Members, within a province or suitable district, the Executive Committee may establish a Regional Committee in that province or area and may likewise for any good sufficient reason disestablish a Regional Committee, whereupon the assets and liabilities of the said Regional Committee shall devolve on SAIDSA.

- 17.2 Each region so established shall have complete authority and shall elect a Regional Committee at a regional annual general meeting to deal with all matters of a purely local character on behalf of SAIDSA and not affecting the general interest of SAIDSA or Industry throughout the Republic of South Africa.
- 17.3 The provisions of clause 9 of the Constitution where applicable shall *mutatis mutandis* apply to regions of SAIDSA.
- 17.4 The provisions of clauses 15.5 herein shall *mutatis mutandis* apply to Regional Committees.
- 17.5 Composition of a Regional Committee shall be as follows –
- 17.6.1 a minimum of two representatives from individual Members for the Corporate discipline;
  - 17.5.1 a minimum of one representative from individual Member from the Asset Tracking discipline if available;
  - 17.5.2 a minimum of one representative from individual Member from the Associate discipline if available;
  - 17.5.3 a minimum of one representative from individual Control Centre Operator if available;
  - 17.5.4 a minimum of one representative from individual Armed Reaction Service Member if available;
  - 17.5.5 a minimum of one representative from individual Asset Recovery Member if available;
  - 17.5.6 a minimum of one representative from individual Member from the Affiliate discipline if available;
  - 17.5.7 a minimum of one representative from individual Member from the Support Service discipline if available;
  - 17.5.8 a minimum of one representative from individual Member from the Specialised Service discipline if available;
  - 17.5.9 a maximum of one representative from each individual Member from the National discipline if available;
- 17.6 There shall be a chairperson, vice chairperson and secretary. Affiliate and Support Service members will not qualify for such positions. The Regional Committee shall elect their own office bearers.
- 17.7 The provisions of clauses 11 and 12 of the Constitution shall *mutatis mutandis* apply to the Regional Committees.

## 18. EXPULSIONS

- 18.1 When a Member is expelled from SAIDSA in terms of clause 6 of the Constitution, the Executive Committee shall advise all the Members of SAIDSA via a public or media notice, of the fact that such a firm or company is no longer a Member.
- 18.2 A Member making use of the monitoring and/or reaction services of an expelled Member will have a period of 90 days to change such service to an alternative existing approved Member in the area, if available.
19. APPLICATION, ENTRANCE, SUBSCRIPTIONS, INSPECTION & OTHER FEES
- 19.1 An Applicant on applying for membership of SAIDSA shall pay an application and inspection fee. Such application and inspection fee shall be fixed at every annual general meeting of SAIDSA and shall not be refundable in the event of the Applicant not being accepted as a Member by SAIDSA.
- 19.2 The relevant application and inspection fee shall be payable prior to the initial inspections provided for in terms of clause 2.13. Should any Member fail a random inspection as per clauses 2.15 and 2.16, the random inspection and the subsequent re-inspection will attract the relevant inspection fee unless waived by the Executive Committee.
- 19.3 The annual subscription fees and other levies shall be fixed at each national annual general meeting and shall be due and payable on the first day of July in each year, notwithstanding the date of the national annual general meeting at which the amount of such subscriptions shall be determined, read with clause 8 of the constitution.
- 19.4 The following principal shall be applied when fixing the annual subscription fees: Category B membership shall not exceed double that of Category C membership, whilst Category A membership shall not exceed double that of Category B membership. Category D shall be equal to that of Category A, with the understanding that Category A subscription fees will not exceed R 10 000,00 in any given year. Category E subscription fees will be equal to that of Category A multiplied by 9 (the amount of provinces).
- 19.5 New Members' subscriptions shall be pro-rated for the balance of the current year in which they join, and shall be payable in advance without deduction within ninety days after admission of the new Member concerned.
- 19.6 Special funds and levies for purposes other than secretarial fees, and fees as voted in at the national annual general meeting, may be raised by a decision of a special general ~~regional~~ meeting of SAIDSA after prior notice has been given to members, and the additional amount per member shall not exceed the amount of the subscription calculated in the manner set out in clause 18.4 above in any one calendar year.
- 19.7 Disciplinary fines imposed in terms of clause 6 of the Constitution shall not exceed two times the

member's relevant annual subscription fee for that year.

## 20. EXECUTION OF DOCUMENTS

All powers of attorney, bonds, deeds and other documents shall be signed by the Chairperson of the Executive Committee or two persons lawfully acting in their stead, and appointed for that purpose by the Executive Committee. The Executive Committee shall authorise the execution of such documents.

## 21. INDEMNIFICATION OF MEMBER

Every office bearer, committee member, paid official and employee of SAIDSA shall be indemnified by SAIDSA against any claim arising out of his office or in the performance of his/her legitimate official duty to SAIDSA, provided same are performed by such person with reasonable care.

## 22. INSPECTION OF BOOKS

22.1 Every Member shall have free access during business hours to the minute book of all meetings, which they were entitled to attend, and to all audited accounts, and to the auditors' report thereon.

22.2 These shall not be removed without the consent of the Executive Committee but Members shall be permitted to make copies of or to take extracts from the annual statement of income and expenditure and balance sheet, and the auditors' report thereon for this purpose true copies of such documents shall be made available to them.

## 23. ARBITRATION CLAUSE

23.1 Any dispute that may arise between Members in respect of the interpretation of the Constitution or of the by-law applying to the Constitution that cannot be resolved shall be submitted for arbitration before a panel of Members consisting of three Members who are currently paid up Members in good standing of SAIDSA.

23.3 All parties to the dispute must consent to the appointment of each member of the panel.

23.3 In the event that consensus cannot be reached between the parties in the dispute as to the Member of the panel, the dispute must be referred for arbitration to a person nominated by the Bar Council of South Africa which person shall be a practicing Advocate in South Africa with at least five years' experience, acceptable to both parties.



23.4 The decision of the Arbitrator so nominated will be final and binding on the parties to the dispute.

#### 24. AMENDMENTS TO BY-LAWS

24.1 Any of the provisions of the By-laws may be repealed, changed or added to in any manner by resolution of the executive committee, provided that any proposed amendment, addition or deletion shall first have been given to members for consideration.

24.2 Comments to the proposed amendment, addition or deletion must be submitted to the executive committee within 21 days from receiving the said notice mentioned above.

24.3 After due consideration of all comments received, the executive committee on majority vote at a normal executive meeting may adopt such proposed amendment, addition or deletion.

24.4 If within a period 14 days from date of notice as mentioned in 24(2) above, 7 members demand in writing that a ballot be taken on the matter, a ballot shall be taken.

Adopted through a vote on \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Executive Chairperson: \_\_\_\_\_

Full Names: \_\_\_\_\_

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