

CONSTITUTION & POLICIES

President
3 JUNE 2006.

General Secretary



CONSTITUTION

OF

The Dental Technology Association of South Africa

1. **NAME**

The name of the ASSOCIATION shall be:

THE DENTAL TECHNOLOGY ASSOCIATION of SOUTH AFRICA

2. **HEAD OFFICE**

The Head Office of the ASSOCIATION shall be situated in Pretoria or such other place as the Executive Committee may decide from time to time.

3. **OBJECTIVES**

The objectives of the Association shall be:-

- i. To promote the interests of members.
- ii. To encourage the settlement of disputes by conciliatory methods.
- iii. To promote, support or oppose as it may be deemed expedient any proposed legislation.
- iv. To use every legitimate means to persuade all persons who are eligible for membership to become members.
- v. To provide, when deemed necessary legal assistance to members.
- vi. To co-operate with other organisations in dealing with matters affecting members.
- vii. To affiliate with other organisations where such affiliation is deemed to be in the interests of the members.
- viii. To do such other lawful things as may appear to be in the interests of the members.
- ix. To establish and administer funds for the benefit of its members and their dependants.

4. ASSOCIATION NOT FOR GAIN

The Association is an Association not for gain and is registered as a section 21 Company with the department of Trade and Industry.

5. MEMBERSHIP

- (a) Dental Technician / Technologist, student dental technologists registered in terms of the Dental Technicians Act (as amended from time to time) and who are associated with a dental laboratory, retired dental technicians as well as persons attached to and institution approved by the Act who are responsible for the education and training of dental technicians shall be eligible for membership."

For purposes of this paragraph:

"Dental laboratory" shall mean any place where artificial dentures or other dental appliances are made, repaired, altered or worked upon for dentists registered as such under the Medical, Dental and Supplementary Health Service Professions Act 56 of 1974;

"Student Dental Technicians" shall mean any person who is studying dental technology at an institution approved by the SA Dental Technicians Council or is undergoing practical training in a dental laboratory approved by the Council in terms of the Act.

- (b) Except as provided for in sub-clause (g) of this clause application for admission or re-admission to membership shall be accompanied by one year's subscription, or such other amount payable in terms of Clause 5 and shall be lodged, in writing, with the General Secretary of the Association.
- (c) Every application for membership shall be considered by the Executive Committee at its first ensuing meeting after receipt thereof by the General Secretary.
- (d) If admission to membership is refused by the Executive Committee the applicant concerned shall be notified in writing by the General Secretary within twenty-one days of the Executive Committee's decision, and the applicant shall have the right to appeal to the Executive Committee which shall consider the appeal at the first ensuing meeting following receipt of such notice of appeal which must be accompanied by a statement setting forth the grounds of such appeal by the General Secretary. An applicant shall be afforded the opportunity to state his case personally to the Executive Committee and, if he so desires, may call witnesses in support of any statement made by him/her.
- (e) An applicant to whom admission to membership is refused, shall be entitled to a refund of the subscription paid in by him/her when applying for membership
- (f) Every member shall notify the General Secretary of the Association in writing of his postal address and any change thereof within seven days of advice of admission to membership, or of a change in his address occurring, as the case may be.
- (g) A member who has resigned or been expelled from the Association may be re-admitted to membership pending conditions set down by the Executive Committee providing that there shall be a right to appeal in the same manner as an appeal in connection with the refusal of membership.

- (h) The Executive Committee may at any meeting thereof and upon nomination by any two of its members, elect and declare any of the Association's members as honorary Members in recognition of outstanding and meritorious service or assistance rendered in the promotion of the Association's interests. Such elections and declarations shall be unanimous. As from the date of becoming an Honorary Member, such member shall forthwith cease to be liable for payment of the membership subscription.
- (i) Any member, including an Honorary member, who ceases to be engaged in the interests set forth in clause 5 (a) of this constitution shall from such date cease to be a member of the Association, shall no longer be eligible for any office in the Association, shall have no voting power; provided that if such cessation of membership is due to the member having reached the retirement age and he has completed at least five year's continuous membership of the Association, he may on written application to the Executive Committee at least one month before such cessation takes place, be declared a Life Member of the Association. Such declaration shall be unanimous. A Life Member may continue to participate in any of the funds administered by the Association, should he so desire, by paying the subscription payable in terms of the rules governing such funds. He may also attend general meetings and social functions of the Association, but shall not be eligible for any office in the Association, shall have no voting power and shall not be regarded as a member for the purpose of the said Act.
- (j) Honorary or Life Membership may be terminated at the discretion of the Executive Committee by a unanimous vote of the Executive Committee voting by ballot.

6. SUBSCRIPTIONS AND LEVIES

Annual Subscription payable to the Association, will be adjusted by the Executive Committee from time to time as deemed necessary. The amount payable for any current year shall be determined by the Executive Committee on an annual basis. If and when the income of the Association should require urgent adjustment, a levy may be imposed on each member for a period not exceeding six months of any year, provided a majority of all members of the Association in good standing, vote in favour thereof by means of a postal ballot. Subscriptions must be paid to the General Secretary on or before the 1st March of each year. In the case of new members, subscriptions shall be payable on the date of application for membership on a pro rata basis for the current year until the end of February, and thereafter on or before the 1st March of each year.

In addition to the membership fee a member shall also be liable for the payment in the same manner of such other fees as may be prescribed in terms of the rules governing any fund established in terms of clause 3 (ix).

7. EXECUTIVE COMMITTEE

- (a) The management of the affairs of the Association shall, subject to the provisions of Clause 14 of this constitution, be vested in an Executive Committee, consisting of 12 Members of the Association; who shall be elected by ballot in the manner and on the basis prescribed hereunder provided that four of the twelve members shall be elected from amongst the members practising in Kwazulu-Natal, Free State, Eastern Cape and Western Cape provided further that one member must be elected from each of the above named areas and only by the members practising in the specified areas. The members of the Executive Committee so elected shall hold office for a period of three years and shall hold office until their successors are elected in accordance with the Constitution. Members shall be eligible for re-election on termination of their period of office. The expenses incurred by members of the Executive Committee attending meetings shall be met by the members concerned or from contributions made by the membership of the Branch they represent or unless the Executive Committee decides otherwise.

- (b) Nominations for the election to the Executive Committee shall be lodged with the General Secretary in writing not later than 60 days prior to the date set aside for the elections, which shall be held once every third year by the end of May.
- (c) The voting procedure shall be conducted by a practising attorney, in the magisterial district where the Head office is situated, appointed by the Executive Committee. The nominated attorney shall not later than 45 days prior to the date set aside for the election despatch per registered post, postal voting papers bearing the names of the nominees to each member who shall be requested to record his vote by way of marking "X" opposite the names of those nominees whom he is voting for, up to the required number of nominees to be elected. The nominated attorney shall furnish each member with full instructions as to the manner in which votes shall be recorded to comply with the requirements of the Constitution in this respect and shall include with the voting paper an addressed and stamped envelope for the return of the voting paper per registered post to the nominated attorney to reach the election office on or before 24H00 on the day immediately preceding the holding of the election. Voting papers shall not bear any indication of the identity of the member voting and any returned papers which are received after the period prescribed for their return or incorrectly marked shall be disqualified and not taken into account for the purpose of the elections. The nominated attorney shall retain all returned envelopes unopened in safe custody for opening and determination of the voting at the Executive Committee referred to in sub-clause (d)
- (d) The General Secretary shall within 14 days of the expiry of the period prescribed for the return of voting papers call a special meeting of the Executive Committee. At this meeting the returned voting papers shall be opened and the voting determined in the presence of the members.
- (e) The members elected shall be duly notified to attend the forthcoming meeting of the Executive Committee and their period of office shall commence from the date of such meeting. The candidates receiving the highest number of votes up to the required number of appointments to be made shall be declared elected.
- (f) Wherever two or more candidates qualify for election as a result of obtaining an equal number of votes resulting in having more qualifying candidates than appointments to be filled the names of these candidates shall be written on pieces of paper which shall then be folded so that the names cannot be seen and placed in a container. Thereafter the presiding officer shall withdraw one piece of paper at a time and the candidate concerned shall qualify for election in the order their names are removed from the container.
- (i) The non-receipt of any voting paper by a member, or the General Secretary, or the late return of any voting paper, shall not invalidate any election of the Executive Committee members.
- (ii) The number of votes received by each candidate shall be recorded by the General Secretary and those candidates who do not qualify for election shall be classified as Reserves and shall qualify to fill vacancies occurring on the Executive Committee in order of succession according to the highest number of votes received in the elections and subject to qualification for candidature still applying at the date when the vacancy occurs.
- (iii) A member of the Executive Committee shall vacate his seat in any one of the following circumstances:
- i. Upon membership of the Association being terminated by expulsion or resignation or membership being suspended.
 - ii. Upon failing to attend three consecutive meetings of the Executive Committee, without submitting acceptable reasons to the Executive Committee for such failure, within fourteen days from the date of the Committee meeting concerned.
 - iii. Upon ceasing to be in good standing with the association.

- (iv) If an Executive Committee members becomes incapacitated due to ill health. A new member may be co-opted on to the Executive Committee in his/her place
- (v) Vacancies shall be filled in accordance with the requirements of sub-clause h) provided that no Reserves are available to fill the vacancy shall be filled by the election of a new incumbent mutates mutandis (in like manner) in terms of this Clause; provided that the period for the calling of nominations and the despatch of voting papers shall be limited to 14 days in both instances.
- (vi) Subject to the provisions of this Constitution the Executive Committee shall have the power:
 - i. To acquire either by purchase, lease or otherwise, any movable or immovable property on behalf of the Association. To sell, let, mortgage, or otherwise deal with or dispose of any immovable or movable property belonging to the Association; provided that no immovable property shall be acquired or sold or mortgaged or let, or leased, for a period of no more than 5 years, or where the property to be dealt with is of R10, 000-00 or more in value, unless at least thirty days written notice to deal with the said property has been conveyed to the members of the Association. If during this period the majority of the members demand by written notice to the General Secretary that a ballot of the members of the Association be taken on the proposed action, such a ballot shall be taken.
 - ii. To lay down the policy of the Association from time to time and to issue such directions to the members of the Association as are necessary for the proper carrying out of such policy.
 - iii. To do such other things as in the opinion of the Executive Committee appear to be in the interests of the Association or advisable in the attainment of the Association's objectives.
 - iv. To engage and dismiss any employee of the Association including the General Secretary; to fix their remuneration and except as otherwise provided for herein, to define their duties.
 - v. To appoint from time to time sub-committees to investigate and report on any matter.
 - vi. To co-opt an additional member from a particular Province whenever it is necessary to deal with a matter affecting such a Province, so that the Committee may be informed as far as it is practical of the wishes of the membership in the province concerned, and to be guided by the advice of the co-opted member, A co-opted member shall be entitled to take part in debate but shall have no vote at any meeting.
 - vii. To receive recommendations form branches and to consider same.
 - viii. To institute and defend legal proceedings by or against the Association, or on behalf of the Association or individual members when deemed necessary.
 - ix. To provide legal assistance to members on matters affecting their calling as Registered Dental Technician / Technologist, subject to Clause 3(vii) of this Constitution.

- x. To open and operate banking accounts in the name and on behalf of the Association.
 - xi. To appoint delegates or representatives and alternates if necessary to represent the Association on any Board, Convention, Congress, Committee or other body on which the Association is entitled or is invited to be represented.
- (g). The Travel costs of the Executive members (not spouses or partners) attending the A.G.M may be subsidised by and at the discretion of the Executive Committee providing funds are available.

8. MEETINGS

(a) Executive Committee:

- (i) The Executive Committee shall meet at least once every three months.
- (ii) Special meetings of the Executive Committee shall be called at the discretion of the President or on receipt of a written requisition by the General Secretary signed by no less than three of the members of the Committee. Subject to the provisions contained in Clause 14 (a) (iii) special meetings shall be held within fourteen days of the necessity or decision to hold a meeting arising.

Fourteen days written notice of meetings of the Executive Committee shall be given to the members by the General Secretary. The President may however authorise a shorter or telephonic notice of not less than twenty-four hours to be given in the case of special meetings to deal with matters of urgency. In the case of written notice an agenda shall be appended provided that no meeting shall be invalidated by the non-receipt of notice of agenda thereof by a member.

- (iii) Decisions on motions or amendments thereto shall be determined by majority vote taken by a show of hands; provided a meeting may decide that a ballot shall be taken, and in such event a Ballot Box shall forthwith be sealed in the presence of the meeting. Thereafter the members shall be furnished with pieces of blank paper and thereon they shall write the words “For” or “Against” according to whether they are in favour of, or against the motion or amendment thereof, under discussion. After all the voting papers have been placed in the Ballot Box, the seals shall be broken and the votes counted by the President and the General Secretary in the presence of the meeting.

In the event of elections, the voting papers shall contain the lists of candidates for appointment and the members shall place a cross opposite the names of those candidates whom he desires to be appointed. The candidates receiving the highest number of votes shall be declared elected and ties resulting in there being more than one candidate qualifying for a lesser number of posts, shall be placed in the Ballot Box and the first names drawn out thereof by the President, up to the required number, shall be declared elected.

- (iv) No member shall be allowed to speak on any motion or amendment hereto, for longer than five minutes and any amendment to a motion, if carried, shall become the substantive motion.

- (v) A quorum at any Executive Committee meeting shall be 5 members in good standing either present in person or represented by proxy. If within thirty minutes of the fixed time for any meeting a quorum is not present the meeting shall stand adjourned to the same day in the week following at the same time and place, or if such day be a Public Holiday, until the next working day thereafter, and such adjourned meeting the members present in person or by proxy shall constitute a quorum. A written notice of adjourned meetings shall be given to those members who were absent from the first meeting.

(b) General Meetings:

- (i) A General Meeting which all members of the Association can attend either in person or by proxy shall be held once in each year at such a time and place as will be determined by the Executive Committee.
- (ii) Twenty-one days written notice of a General Meeting shall be given to all members by the General Secretary.
- (iii) A quorum for a General Meeting shall be 10% of members.

The provisions of Clause 8(a) shall be mutates mutandis (in like manner) applicable to a General Meeting.

(a) **PROXIES**

1. The appointment of a proxy shall be in writing under the hand of the person making such appointment or his agent, duly authorised thereto in writing.
2. If the appointer is a corporate body, the power of attorney shall be signed in the manner which and by the person who binds that corporate body.
3. The agent under a power of attorney is entitled, if so authorised by the power of attorney, to vote on behalf of and represent such member at any meeting of the Association.
4. A proxy need not be a member of the Association. A member may not appoint more than 1 (one) proxy to act at the same meeting on his/her behalf.
5. The Association may, if it thinks fit, send out with the notice of any meeting forms of proxy for use at the meeting.
6. Every instrument of proxy, whether for a specified meeting or otherwise, shall be in the form or to the effect of the following, or in such other form as the Association may approve, in either case under the heading of referring to the Association's name:

"I, we.....of.....being a member(s) ofhereby appoint him/her the chairman of the meeting as my/our proxy to vote for me/us on my/our behalf at themeeting of the Association to be held on theday ofand at any

adjournment thereof as follows. **PLEASE TICK BOX**

In favour of / Against/ Abstain

Resolution No: _____

In favour of / Against/ Abstain

Resolution No: _____

In favour of / Against/ Abstain

Resolution No: _____

7. Any power of attorney and instrument appointing a proxy and the power of attorney or other authority (if any) under which it is signed, or a notarially certified copy of such power of attorney, shall be deposited at the office of the Association or at such other place as is specified for that purpose in the notice convening the meeting, not less than 48 (forty eight) hours (excluding Saturdays, Sundays, and public holidays) before the time appointed for holding.
8. If the power of attorney or instrument of proxy is not deposited timorously, it shall be treated as invalid.
9. Unless specifically otherwise stated in the proxy, no instrument appointing a proxy shall be valid after the expiry of 6 (six) months from the date thereof, except a poll demanded at the meeting originally held within 6 (six) months after the date of such instrument, or at any adjourned meeting held within such period.

10. A vote by virtue of an instrument of proxy shall be valid notwithstanding the previous legal incapacity of the principal of revocation of the instrument of proxy, unless a written notice of such legal capacity is received by the Association at the office at which such power or instrument is registered, not less than 24 (twenty four) hours before commencement of the meeting or taking of the poll at which the instrument of proxy is used.
- (i) Decisions on motions or amendments thereto shall be determined mutates mutandis (in like manner) in accordance with Clause 8(a).
 - (ii) Any decision taken in accordance with the provisions of this Constitution shall be binding and shall be carried out by the Executive Committee to the best of its ability.
 - (iii) Written requests for items to be placed on the Agenda of a general meeting should reach the General Secretary no later than twenty-one days prior to the General Meeting. Such notifications must be fully motivated to avoid any unnecessary lengthy discussion at the meeting.

9. OFFICERS

- (a) (i) The members of the executive Committee shall, on a motion duly seconded and voted upon by ballot, elect from amongst its members the President, Vice-President and three trustees who shall assume office at the triennial general meeting of the Association immediately following their election and shall hold office until the next triennial general meeting.
- (b) The office bearers referred to in (i) above shall vacate their appointment in any one of the following circumstances:-
 - (i) On ceasing to be a member of the Association or upon membership being suspended
 - (ii) On ceasing to be a member of the Executive Committee.
 - (iii) On ceasing to be in good financial standing with the Association.
 - (iv) Any member who has become insolvent during his period of office shall cease to be an office bearer.
- (c) Vacancies amongst office bearers referred to in (i) of the above shall be filled by ballot of the then existing Executive as provided for in Clause 15.
- (d) The duties of the Office bearers shall be:-

(i) PRESIDENT:

The president shall preside at all meetings of the Executive Committee and at General Meetings at which he is present, enforce observance of the Constitution, sign minutes of all meetings after confirmation, generally exercise supervision over affairs of the association, and perform such other duties as by usage and custom pertain to the President. He shall not have a casting vote.

(ii) VICE-PRESIDENT:

The Vice-President shall exercise the powers and perform the duties of the President in the absence of the latter.

(iii) TRUSTEES:

The Trustees shall be the officers responsible for transacting investments and signing all documents relating to the purchase, sale, mortgage, lease, letting, ect., of immovable property on behalf of the Association.

(iv) GENERAL SECRETARY:

The General Secretary shall keep proper books of account as may be prescribed by the Executive Committee, receive requisitions for meetings, issue notices of meetings, conduct all correspondence of the Association, keep originals of letters received and copies of those despatched, and at each meeting of the Executive Committee read the correspondence which has taken place since the previous meeting.

Attend all meetings and record minutes of proceedings; keep a register of members, record therein every member's address, date of enrolment, and in respect of every month the subscriptions and levies and fines paid by each member. In the event of the resignation or expulsion of a member, the date thereof. Collect subscriptions, fines and levies; issue official receipts for all moneys received; bank all moneys within fourteen days of receipt; submit reports with regard to the financial position of the Association to the Executive Committee not less than once every three months; prepare the statement of income and expenditure, and the balance sheet referred to in Clause 11 of this constitution and perform such other duties as the Executive Committee deems necessary. The General Secretary shall have no voting power and his/her appointment may be terminated on either side by giving one month's notice in writing and may be summarily discharged by the Executive Committee for serious neglect of duty or misconduct. In the event of the office becoming vacant the Executive Committee shall appoint a new incumbent. Notwithstanding anything to the contrary herein contained ten or more members can submit a request in writing to the General Secretary or any other member of the Executive, for a ballot of the members to determine whether or not the employment of any paid official shall be terminated and a ballot shall be held within fourteen days of receipt of the said requisition to decide the matter.

(vi) ACTING PRESIDENT:

In the event of both the President and the Vice-President being unable, temporarily to perform their duties, the Executive Committee shall appoint a member of the Association, residing within a fifty kilometre radius of Head Office, to act as President or Vice-President until the absent officer is able to resume his duties or until elections take place as the case may be.

10. BRANCHES:

- (a) Whenever four or more members in any centre so desire they may constitute themselves into a branch of the Association and may meet at any time to consider recommendations to be submitted to the Executive Committee in regard to any matter of interest to Dental Technician / Technologist and the Executive Committee shall give due consideration to any such recommendation.

- (b) Upon receipt of a written request signed by at least four members for permission to operate as a Branch, the Executive Committee shall instruct one of the applicant members to call an inaugural meeting, and to act as Chairman there at. At the inaugural meeting, a Chairman/Secretary shall be elected by ballot *mutatis mutandis* (in like manner) in terms of Clause 9 and he shall hold office until his membership of the Association is terminated or suspended, or the members of the branch at a branch meeting, appoint another Chairman/Secretary to take his place by ballot as provided for herein. A Chairman/Secretary shall also vacate office on action in terms of Clause 9(c) having been taken and termination's of office having been decided thereby.
- (c) The calling and conduct of Branch Meetings shall be effected *mutatis mutandis* (in like manner) in the manner as is provided for Executive Committee meetings and the Branch Chairman/Secretary shall *mutatis mutandis* exercise the same duties and powers as provided for in the case of the President and General Secretary of the Association. Such meetings shall be chaired by the Branch Chairman of the particular branch in whose jurisdiction or area the meeting is to be held. Failing the Branch Chairman, his Vice Chairman shall chair such meetings. He shall communicate all recommendations of the branch to the General Secretary and whenever he is unable to attend a branch meeting, the meeting shall appoint an acting Chairman/Secretary to preside over the meeting in question.
- (d) A Branch Chairman/Secretary shall be paid an amount as determined by the Executive Committee, per annum to defray the cost of paper, envelopes, postage and such other expenses as may be accrued in the running of the branch, provided that a written account of the expenses be lodged with the General Secretary.
- (e) An additional allowance may be paid if requested subject to approval by the Executive Committee. Motivation for such a request must be made in writing at a full Executive meeting.
- (f) A branch shall be dissolved whenever its membership falls below four members.

11. FINANCE

- (a) All moneys due to or collected on behalf of the Association shall be paid to the General Secretary who shall deposit them in such bank as may be decided upon by the Executive Committee.
- (b) The funds of the Association shall be applied to the payment of expenses, the acquisition of property and for the objects specified in Clause 3 as may be decided upon by the Executive Committee.
- (c) Except as otherwise provided for herein, no single item of expenditure in excess of R10 000-00 other than the remuneration of employees of the Association shall be met from its funds unless such expenditure is approved at an Executive Committee meeting, the Executive Committee members voting by ballot.
- (d) Payments, other than those specified in sub-clause (c) of the said clause, shall require the prior approval of the Executive Committee and shall be made by cheque signed by the General Secretary and Chairman or Vice-Chairman or such other person appointed by the Executive Committee unless the amount in question is less than R500-00 when payment shall be made from Petty Cash.

- (f) The Financial Year of the Association shall terminate on the last day of February of each year. A balance sheet and statement of income and expenditure in respect of each year together with all the books of accounts of the Association, shall be audited by a firm of Chartered Accountants appointed by the Executive Committee, and true copies of the audited Balance Sheet and statement of Income and Expenditure for each year, and the Auditors Report thereon shall be available for inspection by any member at the offices of the Association and the requirements of the law regarding the auditing of the books of account and disclosures to members shall be observed.
- a. A member who resigns or is expelled from the Association shall have no claim on the funds of the Association.
- i. INVESTMENT OF MONIES
- b. The Executive Committee shall administer the monies due to or collected on behalf of the Association, subject to the following conditions and with the powers:
- (i) To invest in their discretion such monies in such manner as they may from time to time determine , including unit trusts, with any Bank, or in shares, fixed deposit or saving account, with the power to alter, change or vary any investment in such manner as they may determine.
- (ii) To open and operate any Bank Account in the name of the Association and to draw, accept, make or endorse any cheque or other negotiable instrument for and on behalf of the Association.

12. BALLOTS

- (a) In addition to the cases in respect of which the taking of a ballot of the members of the Association is compulsory in terms of this Constitution a Ballot on any question shall be taken if the Executive Committee so decides
- (b) A Ballot shall be taken if demanded in a written requisition addressed to the General Secretary and signed by not less than ten members in good financial standing.
- (c) A ballot shall be conducted mutatis mutandis (in like manner) as provided for in Clause 7(a); provided that the Secretary shall despatch the ballot papers and addressed registered envelopes to members within fourteen days after the necessity to hold a ballot arises and the count of the ballot shall take place at the first ensuing meeting of the Executive Committee, after the expiration of thirty days from the date upon which it became necessary to hold the ballot.
- (d) Ballot papers and suitable instructions shall be prepared by the General Secretary, either carrying the list of candidates for office arising from the written nominations having been submitted to the General Secretary, or the motion to be voted upon and shall be marked with a cross apposite the name of the candidate or candidates the member wishes to be elected or by a cross opposite the words "in favour" or "not in favour" indicated on the ballot paper. All ballot papers incorrectly marked shall be regarded as spoilt, and shall not be taken into account.

13. ANNUAL REPORTS

The President in consultation with the General Secretary, shall in respect of each financial year prepare an Annual Report, and copies thereof shall be posted to each member, after adoption by the Executive Committee.

14. DISCIPLINE

- (a) A member may be suspended, or expelled as may be determined by the Executive Committee:
- (i) If he fails, within thirty days of demand in writing by the General Secretary, to pay subscriptions, fines or levies which are more than three months in arrears.
 - (ii) If he infringes any of the terms of this Constitution or if he acts, in the opinion of the Executive Committee, in a manner which is detrimental to the interests of the Association.
 - (iii) If in the opinion of the Executive Committee he has been guilty of unethical conduct, meaning improper or disgraceful conduct, a conduct which, with regard to his calling is improper or disgraceful.
- (b) No member may be suspended, fined or expelled unless he has been afforded an opportunity to state his case personally at a meeting of the Executive Committee, of which he shall be given not less than fourteen days notice in writing by the General Secretary, and the matter with which the member is charged shall be set out in such notice.
- (c) A member shall be entitled to call witnesses in support of his case when attending a meeting of the Executive Committee in terms of Clause 14.
- (d) Any decision taken by the Executive Committee in accordance with Clause 14 of the Constitution shall be final and binding.
- (e) Upon expulsion of a member all moneys due to the Association by such member shall become payable. If payment thereof is not made within fourteen days the Executive Committee may take such steps as it deems necessary, including civil action to secure a settlement.
- (f) A member shall cease to be entitled to any of the benefits of membership including the right to vote and shall be deemed to be out of good financial standing:
- (i) If the subscriptions or other charges due by him/her to the Association are more than three months in arrears.
 - (ii) During any period while he is under suspension in terms of this Constitution.
 - (iii) In the event of the subscriptions or other charges due to the Association by a member being more than three months in arrears, he shall continue to be subject to the disabilities imposed by paragraph (f) (i) above, until all arrears have been paid.
- (g) **APPEALS**
- (i) Any member, office bearer or official of the Association may appeal against decisions taken by the Association to terminate such member's membership, remove office bearers and officials from their positions or against any loss of benefits of membership within a period of 14 days of such member, official or office bearer being notified in writing of a decision to either terminate membership, remove office bearers and officials from office or which results in the loss of benefits of membership.
 - (ii) The member, official or office bearer shall appeal, in writing, to the General Secretary of the Association, stating the grounds of his Appeal.
 - (iii) The Appeal Hearing shall be chaired by either the President, Vice President, Finance Member on the Executive Committee nominated for that purpose from time to time.

- (iv) At such Appeal Hearing the member, official or office bearer shall be entitled to call witnesses in support of his Appeal.
- (v) The proceedings of the Appeal shall be minuted.

15. RESIGNATIONS

- (a) A member may resign by giving three months notice in writing to the General Secretary, provided that no resignation shall take effect until all monies due to the Association by the member concerned have been paid.
- (b) Membership of the Association shall automatically cease six months after a member has ceased to remain eligible for membership of the Association;

16. WINDING-UP

- (a) The Association shall be wound up if at a ballot conducted in the manner prescribed in the Constitution not less than three-fourths of the total number of members vote in favour of a resolution that the Association be wound up.
 - a. If a resolution for the winding-up of the Association has been passed or if for any reason the Association is unable to continue to function the following provisions shall apply:
 - (i) The last-appointed chairperson of the Association, or if he/she is not available, the available members of the last-appointed executive committee of the Association, shall forthwith transmit to the Labour Court a statement signed by him/her or them setting forth the resolution adopted or the reasons for the Association's inability to continue to function, as the case may be, and request the Labour Court to grant an order in terms of Section 103 of the Labour Relations Act, 1995.
 - (ii) (a) The liquidator appointed by the Labour Court shall call upon the last-appointed office bearers of the Association to deliver to him/her/ the Association's books of accounts showing the assets and liabilities, together with the register of members showing for the 12 months prior to the date on which the resolution for winding-up was passed or the date as from which the Association was unable to continue to function, as the case may be (hereinafter referred to as the date of dissolution), the membership fees paid by each member and his/her address as at the said date.
 - (b) The Liquidator shall also call upon the said office bearers to hand over to him/her/her all unexpended funds of the Association and to deliver to him/her/her the Association's assets and the documents necessary in order to liquidate the assets.
 - (iii) The liquidator shall take the necessary steps to liquidate the debts of the Association from its unexpended funds and any other moneys realised from any assets of the Association and if the said funds and moneys are insufficient to pay all creditors after the liquidator's fees and the expenses of winding-up have been met, the order in which creditors shall be paid shall be the same as that prescribed in any law for the time being in force relating to the distribution of the assets of an insolvent estate and the liquidator's fees and the expenses of winding-up shall rank in order as though the expenses were the costs of sequestration of an insolvent estate.

- (iv) After the payment of all debts in accordance with Paragraph (iii), the remaining funds, if any, shall be distributed among the remaining members of the Association on the basis of membership fees actually paid during the 12 months prior to the date of the dissolution.
- (vi) The liability of members shall, for the purpose of this clause, be limited to the amount of subscriptions due by them to the Association in terms of the Constitution as at the date of dissolution.

17. AMENDMENTS

Any of the provisions of this Constitution may be repealed, amended or added to in any manner on resolution of the Executive Committee of the Association.

18. ETHICS

The future of members of this Association depends to a great extent upon the maintenance of high standards of business conduct and harmonious relations with the Dental Profession. For this purpose it shall be considered unprofessional and against the accepted ethics and conduct of the profession to act in any manner which would be considered improper or disgraceful as defined in the Dental Technicians Act 1979, and the Code of Ethics as laid down by this Association.

The Dental Act and dental technician act and other relevant legislation also affect behaviour.

PRINCIPLES OF ETHICAL BEHAVIOR

1. Strive to improve knowledge and skill so that the best possible advice and treatment can be provided for the patient.
2. While oral health is the responsibility of the patient, they may expect to receive the best available professional advice in making oral health care decisions.
3. Recognise personal limitations and the special skills of other in the maintenance of oral health and the prevention and treatment of diseases.
4. Maintain and enhance the reputation of the profession.

CHARACTERISTICS OF A PROFESSION

These can be described as:-

Service to the public

The technician / technologies primary obligation of service to the dentist shall include the delivery of quality care, competently and timely, within the bounds of circumstances presented by the dentist and his patient.

Education

The professional status accorded practitioners rest primarily in the knowledge, skill and experience with which they serve their patients and society. The obligation to the public includes education in the field of dental health and there is a responsibility on the practitioner to oppose whatever is detrimental to dental health.