



South African Hindu Maha Sabha

THE NATIONAL BODY FOR HINDUS IN THE REPUBLIC OF SOUTH AFRICA
Founded by Swami Shankaranandji on 31st May 1912

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CONSTITUTION

1. **NAME:** The name of the organization shall be the **SOUTH AFRICAN HINDU MAHA SABHA (SAHMS)** (hereinafter referred to as the MAHA SABHA).
2. **AREA OF OPERATION:** The area of operation of the Maha Sabha shall be Southern Africa.
3. **HEADQUARTERS:** The Headquarters of the Maha Sabha is situated at Lornegrey Building, cnr Ismail C. Meer (Lorne) and Dr Yusuf Dadoo (Grey) Streets, Durban, KZN. A change in headquarters can only be effected at the Biennial General Meeting.
4. **LEGAL STATUS:** The Maha Sabha is and shall be a separate legal entity and body corporate, with a capacity to acquire rights and obligations and having perpetual succession. All actions or suits proceeding at law, or any arbitration or mediation, shall be brought by or against the Maha Sabha in the name of the Maha Sabha, and the Executive Committee may authorize any person or persons to act on behalf of the Maha Sabha and to sign all such documents and to take all steps as may be necessary in connection with such proceedings.
5. **REGISTRATION:**
 - 5.1 **REGISTRATION AS A NON-PROFIT ORGANIZATION (NPO):** The Maha Sabha shall be registered with the National Department of Social Development as a Non-Profit Organization in terms of the Non-Profit Organizations Act 71 of 1997.
 - 5.2 **REGISTRATION AS A PUBLIC BENEFIT ORGANIZATION (PBO):** The Maha Sabha shall be registered as a Public Benefit Organization in terms of Section 30 of the Income Tax Act No.58 of 1962 as amended.
6. **VISION OF THE SOUTH AFRICAN HINDU MAHA SABHA:** The South African Hindu Maha Sabha will promote Hindu Dharma through observing the best principles of Hindu religion, philosophy, ethics, values and culture according to the highest tenets of Hindu teachings.

7. MISSION STATEMENT:

- 7.1 It is the mission of the SA Hindu Maha Sabha to work towards the advancement of all members of the Hindu faith among all linguistic groups in a spirit of respect, unity and brotherhood.
- 7.2 The Maha Sabha will, in all its undertakings, consistently safeguard the image and dignity of the Organization and that of all its Constituents by promoting scriptural knowledge and practice of Dharma, and good governance through effective policies, procedures and roles.
- 7.3 An underlying mission of the Maha Sabha is to contribute to harmonious relations between Hindus and all other communities or sectors at local, national and international levels, and especially promoting social cohesion and sound nation building, based on the fundamental principle of *Vasudhaiva Kutumbakam*- the world is one family.
- 7.4 The values on which the Maha Sabha bases its activities are selfless service, accountability, respect, fairness, justice and unity.

8. OBJECTIVES: The OBJECTIVES of the Maha Sabha are:

- 8.1 to co-ordinate and promote the religious, social, spiritual, cultural, moral and educational advancement of the Hindu community in the Republic of South Africa and abroad;
- 8.2 to encourage the study of Hindu scriptures, philosophy, literature, arts and science;
- 8.3 to co-operate with other organizations in promoting the interests of the Hindu faith in the country and abroad;
- 8.4 to encourage members of different professions and occupations to serve the Maha Sabha in a voluntary capacity;
- 8.5 to promote the Shuddha accreditation for vegetarian products;
- 8.6 to raise funds to promote the aims and objectives of the Maha Sabha, especially through Initiative 108;
- 8.7 to encourage the study of vernacular languages;
- 8.8 to promote and encourage establishment of facilities to advance Hinduism in South Africa;
- 8.9 to organize conventions, lectures, workshops, seminars, symposia and conferences to further the objects of the Maha Sabha;
- 8.10 to attend to all such matters as may be necessary or expedient to further the interests of the Maha Sabha.

9. MEMBERSHIP/AFFILIATION:

- 9.1 Any Hindu organization with similar objects as the Maha Sabha may apply for membership in the prescribed manner.
- 9.2 The annual subscription payable by the members shall be determined by the Executive of the Maha Sabha and ratified by the Council each year.

- 9.3 The Maha Sabha shall maintain a membership register at its Headquarters.
- 9.4 No right or privilege of membership shall in any way be transferable and all such rights and privilege shall terminate upon the cessation of membership whether by death, resignation or otherwise.
- 9.5 Individuals who wish to accept nomination at an election of the Council must be a bona-fide member of an affiliate of the Maha Sabha, in good standing.
- 9.6 A member shall not be eligible for nomination and election as an Office Bearer unless such member has been a serving member of the Executive Committee for a minimum period of five (5) years.
- 9.7 Any individual and / or organization seeking to apply for membership or affiliation to the Maha Sabha must display that it has, in the past, upheld the aims, objectives and values of the Maha Sabha and shall pledge to continue doing so.
- 9.8 Any organization or person applying for membership to the Maha Sabha shall be required to pledge allegiance / loyalty to the Maha Sabha and pledges to work in peace and harmony with all other members and all other faith groups.
- 9.9 The Maha Sabha reserves the right to reject, suspend or terminate any application for membership / membership to the Maha Sabha if:
- the aims and objectives or any conduct of a prospective member / member are found to be in conflict to those of the Maha Sabha;
 - a prospective member does not have a suitable constitution;
 - a prospective member is not properly constituted in terms of membership and / or office bearers;
 - the member contravenes any of the rules or policies of the Maha Sabha;
 - a member or prospective member is unable to provide bona fide and updated financial information (when required);
 - the corporate structure or office bearers of the member change in a hostile manner;
 - a member or any of its individual members, associates or acquaintances brings the Maha Sabha into disrepute.
 - The member / individual member changes his religion from Hinduism to another.
- 9.10 The member/ prospective member may appeal any such decision to the Council of the Maha Sabha. The Council shall convene a Committee to adjudicate the matter and the decision of the Committee shall be final and binding.

10. COMPOSITION OF THE SOUTH AFRICAN HINDU MAHA SABHA:

- 10.1 The Maha Sabha, as constituted, shall be governed by a Council.
- 10.2 The Maha Sabha shall establish Provincial Branches which shall be subject to the provisions of the constitution of the Maha Sabha.
- 10.3 The Provincial Branches shall operate within and shall be subject to the provisions of the SAHMS Constitution

10.4 The Executive Committee of the Provincial Branches shall be appointed by the Council of the Maha Sabha. The Provincial Executive Committees shall have the power to appoint office bearers and sub-committees.

10.5 The Council of the Maha Sabha shall be elected biennially (at every alternate annual general meeting) and shall comprise:

10.5.1 The Office Bearers made up as follows:

10.5.1.1 The President

10.5.1.2 One elected Deputy President and a Vice-President from each of the Provincial Branches.

10.5.1.3 Two Secretaries

10.5.1.4 Two Treasurers

10.5.2. Ten elected Executive Committee members

10.5.3 Two delegates representing each member organization

10.6 THE EXECUTIVE COMMITTEE:

10.6.1 The Executive Committee shall be made up of:

10.6.1.1 Office Bearers of the Maha Sabha

10.6.1.2 Ten elected members

10.6.2 The Executive shall be accountable to the Council.

10.6.3 The Executive Committee shall have powers to carry out such work as may be entrusted to it by the Council, and shall be responsible for any matter of an urgent nature that would ordinarily be dealt with by the Council.

10.6.4 The Executive Committee shall meet at least 4 times a year.

10.7 FINANCE COMMITTEE:

10.7.1 There shall be a Finance Committee appointed by the Council from among members of the Council.

10.7.2 The Council may also co-opt advisory members to serve on the Finance Committee.

10.7.3 Vacancies occurring in the Finance Committee shall be filled by the Council as it deems it necessary.

10.7.4 The Finance Committee shall operate strictly in accordance with any terms of reference defined by the Council and in keeping with provisions embodied in Clause 14 under Finance and Accounts in this Constitution.

10.7.5 The Finance Committee shall meet at least once a month.

10.7.6 The Treasurers shall carry out their roles and functions in close consultation with the Finance Committee.

10.8 MANAGEMENT ACTION COMMITTEE

- 10.8.1 The SAHMS shall appoint a MANAGEMENT ACTION COMMITTEE (MAC) to deal with the day to day Administrative and Operational matters of the Sabha.
- 10.8.2 The MAC shall not resolve any decisions concerning policy.
- 10.8.3 The MAC shall consist of Members of the Executive and shall from time to time seek the assistance of non- Executive members.
- 10.8.4 The MAC shall present its weekly/fortnightly meeting Minutes to the President and shall be subject to the authority of the Executive Committee.
- 10.9 The Sabha may establish any separate entity for the purpose of promoting the aims and objectives of the SAHMS.
- 10.10 The SAHMS is appointed by the Quality Council for Trades and Occupation (QCTO) as the Assessment Quality Partner governing Priests in South Africa.
- 10.10.1 The SAHMS shall appoint a National Council of Hindu Priests (NCOHP).
- 10.10.2 The NCOHP shall be appointed by the Executive Committee and shall consist of not less than five (5) persons.
- 10.10.3 The NCOHP shall meet at least four (4) times a year and be accountable to the Executive of the SAHMS. The NCOHP shall keep its own accounting records and shall be accountable to the Treasurer of the SAHMS.

11. POWERS OF THE COUNCIL: The Council shall:

- 11.1 manage and control all business and affairs of the Maha Sabha and may delegate certain matters and decisions thereon to the Executive Committee;
- 11.2 have custody and control of all the movable assets including the cash of the Maha Sabha, but all immovable property of the Maha Sabha shall be registered or held in the name of the organization;
- 11.3 collect the revenue and control the expenditure of the Maha Sabha;
- 11.4 open and close banking accounts in the name of the Maha Sabha;
- 11.5 borrow money with or without security for the purpose of the Maha Sabha on such terms as they may think fit, and save as herein otherwise provided, pledge, mortgage and charge the movable and immovable assets of the Maha Sabha as security thereof;
- 11.6 invest the funds of the Maha Sabha in property, mortgages, debentures, government and municipal securities, building societies and bonds or other instruments of investment;
- 11.7 let or lease any property or properties belonging to the Maha Sabha, eject tenants, to call in, recover, collect and, if necessary, sue for all loans or other monies including rents and the like belonging to the Maha Sabha at any time whether invested by it or otherwise, and to foreclose bonds and if necessary, to buy securities;
- 11.8 purchase, sell, exchange, take on lease, hire out or dispose of movable and immovable property or assets therein, and improve and develop any property of the Maha Sabha in such manner as it may deem fit;
- 11.9 collect funds on behalf of the Maha Sabha, either by way of direct appeal or by organizing functions to produce revenue for the Maha Sabha, or in any other manner;

- 11.10 fill any vacancy occurring in the Council except those representing affiliated institutions.
- 11.11 No member of the Council shall have a direct or indirect interest or benefit from any contract concluded by the Council with any individual or company;
- 11.12 The Council may from time to time appoint Special Committees consisting of one or more members of its body, or any other person or persons, as it may deem fit, and may delegate any of its powers to such special committees and discharge any such committee wholly or in part on completion of its work. Any special committee so formed shall in the exercise of powers delegated to it, conform to all regulations and instructions which may from time to time be imposed on or given to it by the Council. Decisions of the committees shall be submitted to the Council for approval;
- 11.13 The Council shall also:
- 11.13.1 Engage all officials and staff members as it considers necessary, regulate their duties, fix their salaries and terminate their employment;
- 11.13.2 Draft, pass, amend and give effect to regulations/terms of reference not inconsistent with the provisions of this constitution and in keeping with any statutory or other prescribed requirements for:
- The proper management; conduct and control of its affairs, undertakings and Institutions;
 - The proper conduct of its meetings;
 - The proper functioning of its committees and/or sub-committees.
- 11.14 The Council shall meet at least 4 times a year.

12. DUTIES OF OFFICE-BEARERS:

- 12.1 **PRESIDENT:** The President shall preside at all meetings of the South African Hindu Maha Sabha.
- 12.2 **DEPUTY PRESIDENT:** In the absence of the President or at his or her request, the Deputy President shall exercise the powers and carry out the duties of the President. In the absence of both, a chairman shall be elected from amongst members present.
- 12.3 **SECRETARIES:** The Secretaries shall:-
- 12.3.1 Attend all meetings of the Maha Sabha and if necessary, the meetings of Committees;
- 12.3.2 Keep minutes and records and conduct all correspondence.
- 12.3.3 Act as custodians of all books and documents of the Maha Sabha.
- 12.3.4 Discharge all duties that pertain to the office of the Secretaries.
- 12.4 **TREASURERS:** The Treasurers shall:-
- 12.4.1 Receive monies and disburse same for and on behalf of the Maha Sabha;
- 12.4.2 Be empowered to pay any debt of the Maha Sabha but they shall at the first meeting of the Council and/or the Executive Committee thereafter, submit such payments for ratification;

- 12.4.3 Keep and maintain proper books of accounts reflecting the financial transactions of the Maha Sabha;
- 12.4.4 Prepare and submit to the Council, duly audited accounts referred to in clauses 14.4 and 14.5 for submission thereafter to the Biennial General Meeting of the Maha Sabha.

12.5 **CHIEF OPERATING OFFICER:** The Office Bearers shall appoint a Chief Operating Officer (COO) who shall be a paid personnel.

12.6 The title Emeritus President may be conferred upon a leader who has provided distinguished and honorable service to the Maha Sabha beyond expectations, and who continues to actively promote the aims, objectives and mission of the Maha Sabha (nationally and internationally) and may include some duties such as serving in an advisory role to the Executive.

13. TRUSTEES:

- 13.1 The election of Trustees shall take place once every four years at General Meetings of the Maha Sabha.
- 13.2 Seven (7) Trustees shall be elected at the Biennial or Special General Meeting and shall hold office until the next election of the trustees but be eligible for re-election.
- 13.3 The trustees shall hold office until their successors are appointed.
- 13.4 Trustees shall hold the immovable properties of the Maha Sabha in trust and shall be obliged to carry out any decision of the Council.
- 13.5 Immovable properties belonging to the Maha Sabha shall be registered in the name of the Maha Sabha by the Trustees.
- 13.6 Mortgage bond in favour of the Maha Sabha shall likewise be registered in the name of the Maha Sabha.
- 13.7 At least four (4) trustees shall sign all documents necessary to pass or receive, and to transfer any power of attorney to mortgage.

14. FINANCE AND ACCOUNTS:

- 14.1 All monies received by the Maha Sabha shall within a fortnight be deposited into the banking account of the Maha Sabha. All payments by the Maha Sabha shall be made by cheques or Electronic Fund Transfer (EFT). All cheques or other negotiable instruments shall be signed by the President and any two (2) of the two (2) Secretaries and/or two (2) Treasurers.
- 14.2 The books of accounts shall be kept in the office of the Maha Sabha or at such other place as the Council shall prescribe, and shall be in charge of the Treasurers or other persons duly authorized by the Council, and shall be open to inspection by any member of the Maha Sabha on the last week prior to the date of the Biennial General Meeting. Arrangements for such inspection shall be made with the Treasurers.

- 14.3 The Treasurers shall keep such books of account and shall reflect a correct state of all financial transactions of the Maha Sabha.
- 14.4 All accounts shall be audited at the end of every financial year and the Annual Balance Sheet shall be presented by the Treasurers to the Council for its consideration. The financial year shall begin on 1st April and end on 31st March the following year.
- 14.5 At the Biennial General Meeting the Council shall present duly audited Income and Expenditure Statements for the two year period ended 31st March of that year and a Balance Sheet as at that date.
- 14.6 Funds available for investment may be invested only with registered financial institutions as defined in Section 1 of the Financial Institutions (Investments of Funds) Act 984 or in acquisition of securities listed on a licensed stock exchange as defined in the Stock Exchange Control Act 1985.
15. **AUDITOR:** An auditor who is a Chartered Accountant shall be elected at the Biennial General Meeting to audit the books and accounts of the Maha Sabha.

16. INCOME AND PROPERTY

- 16.1 The Maha Sabha shall keep an inventory of all its assets.
- 16.2 Any property or income of the Maha Sabha shall be utilized solely in the furtherance of its aims and objects.
- 16.3 The Maha Sabha shall be prohibited from transferring or giving any portion of its money or property, directly or indirectly, in any manner whatsoever so as to profit any of its members, office bearers or any person, other than by way of payment in good faith, of reasonable remunerations to any officer or employee of the Maha Sabha for any services actually rendered.
17. **IMMOVABLE PROPERTY:** Any immovable property of the Maha Sabha shall not be sold, mortgaged or in any way alienated unless such sale, mortgage or alienation shall be authorized by a resolution passed by a two-thirds majority of members present at a Special General Meeting convened for that purpose.

18. MEETINGS OF THE MAHA SABHA:

18.1 ANNUAL GENERAL MEETING

- 18.1.1 The Annual General Meeting shall be held at such venue as determined by the Council.
- 18.1.2 Notice of the Meeting shall be given by circulars either posted or digitally transmitted at last 14 days prior to the meeting.
- 18.1.3 The business of the Meeting shall be to :
- Consider the Accounts and Balance Sheets of the Sabha and report of the Auditors

- Receive and adopt the Report of the Council
- Transact any business for which Notice has been given at least 7 days before the Meeting

18.2 BIENNIAL GENERAL MEETING

- 18.2.1 The Biennial General Meeting shall be held once every two (2) years during the month of June and not later than September at such a venue as may be determined by the Council.
- 18.2.2 Notice of the Biennial General Meeting shall be given by circulars either posted or electronically transmitted at least fourteen (14) days prior to the meeting.
- 18.2.3 The business of the Biennial General Meeting shall be to:
- Consider the Accounts and Balance Sheets of the Maha Sabha, and the report of the Auditors;
 - Receive and adopt the report of the Council and of the sub-regional committees;
 - Elect the Council, the Auditor and the Trustees, if any, and
 - Transact any other competent business.
- 18.2.4 Any member desiring to move a resolution at the Biennial General Meeting shall submit the same in writing to the Secretaries at least fourteen (14) days before the date set for the meeting.

18.3 SPECIAL GENERAL MEETING:

- 18.3.1 Special General Meetings may at any time be convened at the discretion of the Council of the Maha Sabha.
- 18.3.2 Notice of the Special General Meeting shall be given by circulars either posted or electronically transmitted. The Council may if it so desires, publish the notice in the local press.
- 18.3.3 The President may, if so directed by the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting so adjourned.
- 18.3.4 At any General Meeting, a resolution put to vote shall be decided by a show of hands unless a ballot is demanded by the majority of those present. The Chairman shall declare that a resolution on a show of hands or a ballot has been passed. If a ballot is demanded, it shall be conducted in such a manner as the Chairman of the meeting shall direct, and all votes shall be counted in accordance with such direction.

18.4 COUNCIL MEETING:

- 18.4.1 The Council shall meet at least once every three months.

- 18.4.2 Seven (7) days written notice shall be given of any meeting and shall specify the business to be transacted at such meeting.
- 18.4.3 Any meeting of the SAHMS may, at the discretion of the Office Bearers, be held physically (in person) or virtually. Virtual meetings may be conducted via Zoom, Microsoft Teams or via any other acceptable application or medium.

19. REQUISITION:

- 19.1 A special meeting of the Council shall be convened by the Secretaries upon receipt of a requisition signed by not less than fifteen (15) members of the Council stating the reasons(s) for the meeting.
- 19.2 Such meeting shall be convened within twenty-one (21) days of the receipt of the requisition.
- 19.3 Failing compliance by the Secretaries, the requisitioners themselves may convene such a meeting by giving the prescribed twenty-one (21) days written notice and setting out the business to be transacted at such meeting.
- 19.4 No other business shall be transacted at a requisitioned meeting except that for which such meeting was specifically called.

20. QUORUM:

- 20.1 The quorum at any Annual General, Special General or Biennial General Meeting shall be thirty (30) members.
- 20.2 The quorum for any meeting of the Council shall be twelve (12) members.
- 20.3 At any Executive Committee meeting 50% of members plus one member shall form the quorum.

21. VOTING:

- 21.1 Each member shall be entitled to one (1) vote.
- 21.2 The Chairperson shall have a casting vote.

22. RESIGNATION:

- 22.1 A member may terminate his or her membership of the Maha Sabha by giving written notice of his or her intention to do so and such notice shall take effect from the date of acceptance thereof by the Council.
- 22.2 Before such resignation is accepted the member shall be required to hand over all official documents, properties and monies, etc, in his or her possession, to the Maha Sabha.

- 23. **SPECIAL PROVISIONS:** It is recorded that it is the intention that the South African Hindu Maha Sabha should qualify as a Public Benefit Organisation in terms of Section 30 of the Income Tax Act (the "Act"). As such, the Executive Committee shall use their best

endeavours to ensure that the SAHMS is conducted in accordance with the applicable requirements of the Act and of the Commissioner, and, in particular, the Executive Committee shall:

23.1 as soon as reasonably practicable the Maha Sabha must apply to the Commissioner, in terms of Section 30 of the Act, for exemption from income tax in terms of Section 10(1) (cN) of the Act;

23.2 comply with such conditions as the Minister may prescribe by way of regulation to ensure that activities and resources of the Maha Sabha are directed solely in the furtherance of its object;

23.3 not donate any of the Maha Sabha's funds to any beneficiaries other than a qualifying beneficiary as contemplated herein;

23.4 not directly or indirectly distribute any of the Maha Sabha funds to any person (otherwise than in the course of undertaking any public benefit activity) and shall utilise the Maha Sabha's funds solely for the objects of the Maha Sabha; provided that the provisions of this shall not prohibit the Maha Sabha from retaining any investment (other than any investment in the form of a business undertaking or trading activity or asset which is used in such business undertaking or trading activity) in the form that it was acquired by way of donation, bequest or inheritance;

23.5 on dissolution procure that the Maha Sabha shall transfer its assets to:

23.5.1 any similar Public Benefit Organisation which has been approved in terms of Section 30 of the Act; or

23.5.2 any institution, board or body which is exempt from tax under the provisions of section 10(1)(cA)(i) of the Act, which has as its sole or principle object the carrying on of any public benefit activity; or

23.5.3 any department of state or administration in the national or provincial or local sphere of government of the Republic, as contemplated in section 10(1)(a) or (b) of the Act;

23.6 procure that the Maha Sabha shall not carry on any business undertaking or trading activity unless specifically permitted in terms of the Act;

23.7 not accept any donation which is revocable at the instance of the donor thereof for reasons other than a material failure to conform, to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of Section 18A of the Act; provided that a donor (other than a donor which is an approved public benefit organisation or institution, or body, which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any

conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation;

23.8 submit to the Commissioner a copy of any amendment, from time to time, to this Constitution of the Maha Sabha;

23.9 not knowingly allow the Maha Sabha to be used as a part of any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme would have been or would have become payable by any person under the Act or any other similar legislation administered by the Commissioner;

23.10 not pay any remuneration to any employee, office bearer or other person which is excessive, having regard to what is generally considered reasonable in this sector and in relation to the service rendered;

23.11 comply with such reporting requirements as may be determined, from time to time, by the Commissioner;

23.12 use their best endeavors to register the Maha Sabha in terms of Section 13(5) of the Non-Profit Organisations Act, No. 71 of 1997 and to comply with any other Requirements imposed by the Act;

23.13 take reasonable steps to ensure that funds donated to qualifying beneficiaries are utilised for the purpose for which it has been provided;

23.14 not grant loans to any employee, office bearer or other person from the Maha Sabha's funds.

24. VACANCIES:

24.1 Any vacancy owing to death, resignation or otherwise of any office-bearers, or any member of the council and the Executive Committee shall be filled by the Council.

24.2 Any vacancy occurring in the office of the Trustees shall be filled at the next Biennial or Special General Meeting of the Maha Sabha.

24.3 The office of any member shall be vacated if:

24.3.1 he/she becomes insolvent by order of any competent court;

24.3.2 he/she be found of unsound mind or be declared incapable of arranging or managing his/her own affairs;

24.3.3 he/she resigns his/her office by notice in writing to the Council;

24.3.4 he/she is convicted of theft, forgery, falsity, extortion, misappropriation of funds or any punishable or antisocial crime;

24.3.5 he/she leaves the Republic of South Africa permanently.

25. AMENDMENT OF THE CONSTITUTION: This constitution shall not in any way be rescinded, altered or added to except by a resolution passed by two-thirds majority of members present at a Biennial General Meeting or a Special General Meeting of which at least twenty-one (21) days' notice shall be specially given, which notice shall state the intention to deal with, and specify the nature of the rescission, alteration or amendment. All amendments must be approved by the Director of Non-Profit Organizations.

26. INTERPRETATION OF THE CONSTITUTION: In the event of any difference of opinion, dispute or question arising as to the interpretation of this constitution or any rules framed by the Council, the Council shall determine such differences, disputes or questions.

27. DISSOLUTION:

27.1 The organization may be dissolved if at least two-thirds of the members present, and voting at a Special General meeting of members convened for the purpose of considering such matter, are in favour of dissolution.

27.2 Not less than thirty (30) days' notice shall be given of such a meeting and the notice convening the meeting shall clearly state that the question of dissolution of the organization and disposal of its assets will be considered.

27.3 If there is no quorum at such a General Meeting, the meeting shall stand adjourned for not less than one (1) week and the members attending such a meeting shall constitute a quorum.

28. DISPOSAL OF ASSETS UPON DISSOLUTION: Immediately following the decision to dissolve the South African Hindu Maha Sabha, and subject to statutory requirements, the disposal of the Maha Sabha's remaining assets after all its liabilities have been met, shall be transferred to another non-profit organization having similar objectives and which shall be selected by the Special General Meeting.

THIS CONSTITUTION (AS AMENDED) WAS ADOPTED AT A SPECIAL GENERAL MEETING OF THE SOUTH AFRICAN HINDU MAHA SABHA THAT WAS HELD ON 04TH SEPTEMBER 2021.