

In compliance with the “MEETING OF MEMBERS” in Pretoria on 13th & 14th March 2008, by consensus of the “MEMBERS”, the SOUTH AFRICAN ASSOCIATION OF FORENSIC DOCUMENT EXAMINERS , now has the following rules”.

ARTICLES
OF THE
SOUTH AFRICAN ASSOCIATION OF FORENSIC DOCUMENT EXAMINERS

Article 1: Name

The ASSOCIATION shall bear the name SOUTH AFRICAN ASSOCIATION OF FORENSIC DOCUMENT EXAMINERS, and will be registered as an ASSOCIATION with the Non-Profit Organizations Directorate.

Article 2: Domicile

The registered domicile of the ASSOCIATION shall be Pretoria, Gauteng, South Africa.

Article 3: Purpose and objective of the Association

The purpose of the ASSOCIATION shall be to encourage the study and application of accepted Forensic Document Examination principles in the forensic examination of all questioned documents.

The objective of the ASSOCIATION shall, as an independent entity, be dedicated to the application of science, to promote equal justice in the judicial community in matters that involve questioned documents.

The ASSOCIATION shall pursue it’s objectives through meetings and communication with members, which will serve the purpose of research, study, and the exchange of professional expertise amongst members.

The ASSOCIATION will foster professional ethics and promote the profession publicly.

The ASSOCIATION will co-operate with relevant national and international organizations.

The ASSOCIATION may assist in adjudication of a matter where there are opposing experts, in which the adjudication is requested by the Judiciary.

Article 4: Membership

The ASSOCIATION shall have the following categories of membership:

- Honorary Members
- Active Members
- Student Members
- Contributing Members

· HONORARY MEMBERS

Honorary members are members who have retired from the field of Forensic Document Examination, who can still make a valuable contribution to the discipline and who is recommended for honorary membership by a member of the Board of Directors, and who is approved by the Active Members.

Honorary members have the right to vote at meetings.

A certificate of membership will be issued.

· ACTIVE MEMBERS

Active members are Forensic Document Examiners, primarily occupied with the forensic examination of documents, and the presenting of expert evidence in judicial proceedings, which include but are not limited to disciplinary matters, mediation and arbitration matters, Magisterial, Regional and High Court matters.

membership. Must be recommended by at least two active members for

He or she must prove that they possess the necessary qualification in the field of forensic document examination and the ability to compile expert reports and give expert testimony.

Must have at his/her disposal the facilities required for the activities of forensic document examination.

Must have the suitable personal characteristics.

As proof of his/her professional ability, the candidate shall undergo an interview before the Board of Directors. The Board of Directors shall have the final power of decision on admission of any of the categories of membership. The decision has to be explained to the candidate if the candidate is unsuccessful. Such a candidate can be given another application opportunity, at the discretion of the Board, if the candidate at a later stage is of the opinion that he or she has acquired the necessary qualification to be admitted as a member of the ASSOCIATION. A certificate of membership will be issued.

Active members have the right to vote at meetings.

· CONTRIBUTING MEMBERS

A contributing member is an individual whose discipline is closely related to the field of forensic document examination, is not primarily occupied with the forensic examination of documents and who is recommended for membership by two active members in good standing.

Contributing members have the right to vote at meetings.

A certificate of membership will be issued.

Article 5: Rights and Obligations of members

Members have the following rights:

- Participation in the activities hosted by the ASSOCIATION.
- To put points of discussion on meeting agendas.
- The right to vote at meetings of the MEMBERS.
- To list membership of the ASSOCIATION in his/her CV and business documents.
- To be included in a membership list of the ASSOCIATION, when in good standing with the ASSOCIATION.

Members have the following obligations:

- To further the purpose and objective of the ASSOCIATION, as laid down in the “Articles of Association”.
- Members shall comply with the Code of Professional Conduct of the ASSOCIATION.
- Members shall accept disciplinary procedures of the ASSOCIATION.
- Members are encouraged to present a study on the subject of Forensic Document Examination, which will be published by the ASSOCIATION in the appropriate media.
- Members must deliver proof of continual practice.

TRAINEE AFFILIATE

A Trainee affiliate is a person who is involved in the study of Forensic Document Examination or who has completed an applicable qualification and is doing an internship with a reputable Forensic Document Examiner for qualification as a Forensic Document Examiner. A certificate of membership will be issued.

Article 6: Code of Professional Conduct

A member of this ASSOCIATION shall in practising his profession comply with the following Code of Professional Conduct:

- Discharge his/her duties in an independent, efficient manner with integrity.
- He/she shall ensure that his/her conduct is of such a manner that the dignity, standing and reputation of the profession is upheld.
- He/she will not undertake any professional work of such a nature that his/her education, experience and background have not rendered him/her competent to perform.
- He/she shall not maliciously, or recklessly damnify either directly or indirectly, the professional reputation, prospects of business of any other Forensic Document Examiner or member of this ASSOCIATION.

- He/she shall not advertise his/her professional services in a self-laudatory manner or in a way which is derogatory to the dignity of the profession of Forensic Document Examination.
- He/she shall not misrepresent or allow misrepresentation of his/her qualifications, or exaggerate his/her experience.
- He/she shall apply recognised scientific principles and logic in the forensic examination of all document problems and follow the truth independently, whatever the outcome.
- He/She shall treat all information from a client as confidential, and in all instances serve the independence of the profession, and refrain from any irregular influence by the client.
- He/She shall render an opinion which is reconcilable with the technical facts of the forensic examination, and refrain from any speculation or expression of a non-scientific opinion.
- He/She shall always admit that certain forensic questions cannot be answered because of the nature of the problem, insufficient applicable material or unrealistic time constraints placed on the examination.
- He/She shall act at all times in a professional manner during court proceedings and serve the purpose of justice in an unbiased manner.
- He/She shall charge for services, on an established minimum hourly fee, which takes into account the scope of the instruction and which serves the professional purpose and acceptance of Forensic Document Examination in the market place.
- He/She shall undertake to, in judicial matters, assist only in cross-examination under the following conditions:
 - A.) Examined the same material, and issued a report, which report contains a different opinion.
- Undertake to refrain from assisting in cross-examination under the following circumstances:
 - A.) Agreement in opinion.
 - B.) Non-examination of the matter.

- All effort should be made to resolve differences between opposing experts through arrangement of pre-trial experts consultation.
- Members undertake to manage their laboratory affairs in an accountable manner.

Any member who fails to comply with this Code of Professional Conduct, after he/she has had the opportunity to be heard upon the matter, shall be liable to suspension or termination of membership as recommended by the Disciplinary / Ethics Committee and subsequent final decision by the Board of Directors.

Article 7: Membership fees

- Membership fees shall be set by the Meeting of Members for all categories of membership.
- Fees are due at the beginning of each financial year.
- Fees will be of such a nature that the Association can be managed in a professional and financially viable manner.

Article 8: Termination of membership

- Membership shall be terminated by resignation or expulsion by the Board of Directors.
- Written notice of resignation by a member must be given at least 1 calendar month before the end of the financial year.
- The Disciplinary / Ethics Committee can make recommendation on expulsion of a member, but the Board of Directors will have final decision on the issue of expulsion.
- All matters of expulsion will serve before the Disciplinary / Ethics Committee before final decision by the Board of Directors.
- A member can be expelled under the following circumstances:
 - Repeated default in payment of membership fees
 - The providing of false information during application for membership.

- Contravention of the Code of Professional Conduct, as decided by the Disciplinary/Ethics Committee.
- Committing of dishonourable and/or criminal acts.

Membership fees are non-refundable.

Article 9: Structure of the Association

The structure of the Association is:

- The Meeting of Members
- The Board of Directors
- The Disciplinary / Ethics Committee

Article 10: The Meeting of the Members

- The Meeting of the Members is the highest decision making body of the Association and has jurisdiction in all matters, unless such jurisdiction is given to another structure by the Articles of Association. The Meeting of Members decide upon the dissolution of the Association, discharging of the Board of Directors and decisions regarding amendments and additions to the Articles of Association.
- The Meeting of Members takes place annually. The meeting is called by the Board of Directors in writing. This document will consist of an agenda and will state the date and venue of the meeting. Notice of the meeting will be two months in advance. Members may submit proposals for the agenda.
- A special meeting may be called by the members if more than 50% of the members apply and support such an action.
- Decisions taken at meetings are passed by means of a 50% PLUS one vote, passed by the members present.
- A Quorum constitutes 70% of the eligible members of the Association.
- Minutes of the Meeting shall be kept and signed by the Chairperson and the person who records the meeting. Minutes shall be made available to all members of the Association.

Article 11: The Board of Directors

- The Board consists of a Chairperson, a Vice-Chairperson, a Treasurer and an ordinary member who is the Chairperson of the Disciplinary / Ethics Committee.
- The Chairperson, Vice chairperson and Treasurer are elected by the members of the Association, and are elected for a period of two years.
- Decisions are passed by majority votes cast by the members of the Board. If there is no majority vote, the final decision will lie with the Chairperson, and in his/her absence, the Vice-Chairperson.
- The function of the Board of Directors will be to conduct the day to day affairs of the Association.
- The Chairperson of the Disciplinary/Ethics committee does not have any voting power during final decision making regarding Disciplinary/ Ethics matters.

Article 12: The Disciplinary / Ethics Committee

- The Disciplinary / Ethics Committee consist of three members of which the Chairperson is the ordinary member of the Board of Directors. The other two members are ordinary members appointed by the chairperson of the committee on an ad hoc basis.
- The duty of the Disciplinary / Ethics Committee is to protect the interests of the Science of Forensic Document Examination, the interests of the Association and it's members.
- The Disciplinary / Ethics Committee shall convene on request or on instruction.
- The Disciplinary / Ethics Committee shall be responsible for disciplinary and ethics procedures, which in turn must be approved by the Board of Directors.
- If the need arises, the committee may at its own discretion, co-opt an independent advisor.

Article 13: Indemnity

- No member of the Association shall have any claim against the Association.
- The Association, may at its own discretion, indemnify any member of the Association against losses which may be incurred during discharge of duties relating to such a member's authority, except where such a loss was caused by the member's dishonesty, criminal offence or negligence.

Article 14: Dissolution of the Association

- The dissolution of the Association can only be decided upon by the Meeting of the Members, on which 70% of the members must be present.
- The Board of Directors will be responsible for finalization of all outstanding affairs of the Association before dissolution.
- All remaining assets and accumulated funds, on dissolution, will be donated to a charity decided upon by the Board of Directors.

Article 15: Amendments

This document can be amended, but only by the Meeting of Members.