



Funeral Industry Reformed Association

“ For the People, By the People, To the People”

FUNERAL INDUSTRY REFORMED ASSOCIATION

MEMBERSHIP
POLICY

PREAMBLE TO MEMBERSHIP POLICY

We, the founding Director of **FIRA (Funeral Industry Reformed Association)**, have established a non-racial and non-sexist association related to the South African Funeral and Financial Services Industry with the vision, mission and objectives that will drive our commitment to **FREEDOM, FAIRNESS AND OPPORTUNITY** for ALL and by doing that, FIRA as an independent formation will be guided by the South African Constitution.

- Protect and educate public, as pleaded by the public on national television voting 87% in favour thereof by providing the platform for the establishment of FIRA;
- Support the priorities of Government;
- Support changing of laws, hampering economic growth and development;
- Drive transformation, training and skills development;
- Provide members access to information;
- Provide all members access to business opportunities;
- Provide members the opportunity to participate in all its activities;
- Participate in all our engagements with Government;
- Protect and advance funeral industry workers; and
- Promote members in the media and with decision makers.

FIRA believes that a non-exploitative and democratic society depends on the unity of a variety of businesses operating within the funeral and financial services industry, need to add value to members, policyholders and the broader public. As an association we have united, enabling ourselves so that we can control our own destiny and take our historic role as a vanguard of our members and the public.

FIRA strives for a better controlled funeral and financial services industry in general, driven by business within the industry for the constant quest to provide development, education, enable job creation, training, transformation and the provision of better services to the public.

Funeral Industry Reformed Association

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CHAPTER 1: FOUNDING PROVISIONS RELATING TO MEMBERSHIP

1.1 Establishment and Name for Membership purposes

- 1.1.1 **FIRA** (hereafter referred to as "the Association") is a voluntary association for consumers and industry participants rendering services within South Africa, which is an independent common law *uniersitas* which is registered as a Non Profit Company as defined in the Companies Act, 2008.
- 1.1.2 **FIRA** Board of Directors (herein referred to as the BOD);
- 1.1.3 **FIRA** Executive Management (herein referred to as the EXCO);
- 1.1.4 **FIRA** Provincial Office Bearers (herein referred to as the PEC);
- 1.1.5 **FIRA** Regional Office Bearers (herein referred to as the REC);
- 1.1.6 The Office Bearers referred to under clauses 1.1.3 to 1.1.5 shall be recommended by EXCO and finally approved by the **FIRA** BOD;
- 1.1.7 **FIRA BOD** shall appoint the PEC and the REC Office Bearers as employees of FIRA.
- 1.1.8 **FIRA PEC and REC** will be assisted and guided by the membership of FIRA in respect of Provinces and Regions,
- 1.1.9 The Association which has been established by sub clause (1) is:
- (a) an association not for gain; and
 - (b) a corporate body having perpetual succession, legal existence, and all the legal powers of a juristic person.
- 1.1.10 As a matter of convenience, **FIRA (Funeral Industry Reformed Association)**:
- (a) is referred within the membership policy as "the association"; and
 - (b) may be referred to in any notice, correspondence or legal document by the shortened form of name "**FIRA**" in English.
- 1.1.11 Notwithstanding anything to the contrary contained within the Constitution and its Membership Policy, **FIRA** will register public investment company to advance and fast track economic growth and transformation that would lead to job creation to the benefit of FIRA membership;
- 1.1.12 Notwithstanding anything contained in the Constitution or this 2017 Membership Policy, the Association may form alliances or affiliations with other associations with the same or similar objectives.

1.2 Objectives of Membership

- 1.2.1 The aim and objectives of the Association are:
- (a) to recruit and unite the South African funeral and financial services companies rendering funeral and related services or selling insurance products, within the South African funeral and related services industries, to the general public into one single association in order to share their economic and social welfare;
 - (b) to protect members, to advance their prospects, and to serve their individual and collective interests;
 - (c) to foster unity and co-operation amongst all members within the scope of the association and other related industries;
 - (d) to establish relationships with Government, employers, faith based groups, financial services, industry associations, labour organisations, NGO's, key decision makers, traditional leadership

- and business operating within the value chain for the sole benefit of members of the association and the funeral and financial services industry in general;
- (e) to strive and realise consumers has the right to be protected against gross exploitation by participants in the South African funeral and related services industries;
 - (f) to realise the understanding amongst all consumers and the public, that there is a desperate need for affordable and quality funeral and related services, in terms of the Consumers Protection Act;
 - (g) strive to assist FIRA members operating within the funeral and related services industries to be protected in terms of the Consumers Protection Act amongst membership and other funeral associations;
 - (h) to encourage the development of funeral directors (undertakers) to reach the accreditation standards of the association;
 - (i) to advance the need of rendering appropriate funeral services for all South African citizens and creating the awareness of Government and other authorities to urgently attend to funeral industry discrepancies without encouraging or allowing any exploitation;
 - (j) strive to assist and guide the informal sector to participate as FIRA members into the formal economy;
 - (k) to advise Government and any authority of any transgression related to our environment, health, home affairs, labour and treasury of any potential risks and threats that occurs within the industry affecting the consumers, government and industry as a whole;
 - (l) to investigate complaints and report irregularities to the EXCOessary authorities; and
 - (m) to advance and give inputs to the EXCOessary authorities and role players regarding the funeral and financial services industry in general, including but not only limited to funeral and financial related issues.

1.3 Membership Scope

1.3.1 The Association may operate anywhere in the Republic of South Africa, and is open to any South African business rendering products and services, benefitting consumers

- (a) Administrators;
- (b) Banking industry;
- (c) Brokers;
- (d) Employers & Employees;
- (e) Funeral directors (undertakers);
- (f) Insurance companies;
- (g) NGO's;
- (h) Manufacturers;
- (i) Public;
- (j) Suppliers;
- (k) Unions – related to communication, public service and manufacturing.

The FIRA BOD will appoint The FIRA EXCO Management Team comprising of experts within all the relevant industries which may be in-house or out-sourced whom may assist to investigate irregularities of members owned by natural or juristic persons in order to prevent any possible conflict between members reaching the objectives of the association.

1.4 Office to apply for Membership

1.4.1 The FIRA BOD and the EXCO of the Association has decided that any company is entitled to become a member of the Association and can apply to its designated office situated in Pretoria, Gauteng, by submitting the completed and signed prescribed application form either by hand, post, facsimile or electronic mail.

- 1.4.2 The EXCO will make provision that any person entitled to apply for membership can also complete the electronic application form on the website of the Association with the website address of www.fira.org.za

1.5 Authority of the Constitution

The Constitution is the source of all rights and responsibilities within the Association, and in the event that there is a conflict between any clauses contained in this Membership Policy or the Constitution will prevail or as adjusted by BOD to benefit the membership of FIRA.

CHAPTER 2: MEMBERSHIP IN GENERAL

2.1 Qualification for Membership

- 2.1.1 To be eligible for membership in the association referring to business:
- must be a registered business, covered by the scope of the Constitution; or
 - can be a juristic person associated with the Association by virtue of the applicant's company or organisation he/she represents;
 - must be a fit and proper natural person to be a member, or natural person representative of a juristic person; and
 - must not have been either rejected as a member, or expelled from membership in the Association, within the past 12 months,
 - the founding directors of the Association will automatically receive honorary lifelong membership, unless terminated by the director or by a disciplinary process of the Association. After termination of a founding membership, the same process as for any other member will apply if that person wants to return to the Association as a member.
- 2.1.2 No business may be rejected as a member of the Association on any basis that constitutes unfair discrimination in terms of section 9 of the Constitution of the Republic of South Africa, 1996.
- 2.1.3 By becoming a member of the Association, each member binds himself, herself or itself to the Constitution, policies, procedures and membership code of the Association, as if it was signed in person as an agreement by that member and it is the responsibility of the Company Secretary to ensure that all application forms for membership specify this stipulation.

2.2 Application and Acceptance

- 2.2.1 Any eligible company may apply for membership in the Association by submitting to the Regional Executive Committee (hereafter referred to as the "REC") of the Association which has jurisdiction over members area of residence or business: Provided that until an REC has not been established for an area the application can be made to the EXCO in the following manner:
- an application for the correct category on the proper form, available on the FIRA website.
- 2.2.2 Upon receiving an application for membership in terms of sub clause (1), a REC, PEC or EXCO where applicable, must either:
- enrol the applicant as a member of the Association in a manner prescribed by the Association; or
 - reject the application if it believes that the company is not eligible to be a member of the Association or that it will not be in the interest of the Association as a whole if the person is enrolled as a member, notwithstanding that the applicant meets any prerequisite contained in the Constitution.
- 2.2.3 A company whose application for membership has been rejected by the Association:
- may, within 14 days of the rejection, appeal in writing against that decision to the Association by lodging a written notice of appeal with the provincial secretary concerned; and



- (b) may appear personally at the meeting of the Association scheduled to consider the appeal, for the purpose of making representations in support of the appeal.

2.2.4 An unsuccessful applicant for membership:

- (a) may make a fresh application after at least 12 (twelve) months have elapsed from the date on which his or her previous application was rejected by the Association.

2.3 Subscription and Membership Fees

- 2.3.1 The Association has decided on 10 (ten) categories for determining the members' membership fees.
- 2.3.2 Upon application for membership, the Association decided to charge an administration/joining fee for the 2017/2018 period.
- 2.3.3 A member may pay the annual membership fee through a check-off facility that provides for direct payment to the Association's national account: Provided that upon application a manual payment must be made to the Association by a member where applicable, the once-off annual membership fee in order to activate the membership.
- 2.3.4 The Association may prescribe different subscription and membership fees from time to time for different category types during 2017/2018 period.
- 2.3.5 A member is only entitled to general benefits as indicated in Chapter 4 of this 2017 Membership Policy within the first 3 (three) months of continued membership fee payments: Provided that the Association may in its discretion decide to allow a member to receive full benefits within this period of time by paying an acceleration fee equal to 4 (four) times the combined membership payable over three months for the relevant membership category, minus 4 (four) times the member has already paid for his/her/its membership category during the period of 3 (three) months.

2.4 Good Standing

- 2.4.1 A member remains in good standing unless:
- (a) the member's membership fees are more than three months in arrears; or
- (b) the member has been suspended in terms of section 12 of the Constitution.
- 2.4.2 Only a member in good standing is entitled to the benefits of membership.

2.5 Suspension or Expulsion from Membership and Resignation

- 2.5.1 The Executive Committee, after holding an inquiry at which the member concerned is afforded an opportunity to be heard, may recommend to the Association, that a member be suspended or expelled for conduct that is against the interests of the Association and its members.
- 2.5.2 The Executive Committee, on its own initiative, following an enquiry at which the member concerned is afforded an opportunity to be heard, or upon receipt of a recommendation from a REC, may recommend to the EXCO that a member be suspended or expelled for conduct that is against the interests of the Association and its members.
- 2.5.3 The EXCO, on its own initiative, following an enquiry at which the member concerned is afforded an opportunity to be heard, or upon receipt of a recommendation from a PEC, may suspend or expel a member for:
- (a) acting against the interests of the Association;
- (b) failing to pay the required annual membership fees; or



- (c) failing, without a reason or apology acceptable to the particular committee to which the member was on, to attend more than three (3) consecutive meetings of REC, PEC, EXCO or NWC; and
- (d) Violation of the Constitution, policies, procedures and membership code.

2.5.4 A suspension or expulsion in terms of sub clause (1) and (2) is not effective until the EXCO has made a decision to this effect. Once the decision is made, the member concerned must be notified in writing of the reasons for the suspension or expulsion, and the EXCO must give that member an opportunity to present a case to the Appeals Committee established and appointed by the NWC.

2.5.5 The member concerned may appeal a suspension or expulsion by:

- (a) lodging an appeal with the Company Secretary within 30 days of having been notified of the suspension or expulsion; and
- (b) the appeal must be referred to the Appeals Committee appointed by the NWC for consideration. The Appeals Committee is the structure that finalises all appeals and its decisions are final and binding.

2.5.6 A member may resign from the Association by giving 30 days written notice to the EXCO, the PEC or the REC stating the reasons for resigning.

2.5.7 The EXCO, PEC or REC may waive the notice period required for a resignation in terms of sub clause (5).

2.5.8 When a member resigns or is expelled from the Association:

- (a) the member remains responsible to the Association for any money that the member owes to the Association at that time;
- (b) the member has no further claim on any assets of the Association; and
- (c) the EXCO must ensure that appropriate steps are taken to recover any money that the member owes to the Association.

2.5.9 Any member who has resigned or been expelled from the Association may be re-admitted to membership if:

- (a) at the time of application for readmission they meet the requirements of section 9 of the Constitution; and
- (b) they comply with any conditions determined by the PEC concerned.

2.6 Termination of Membership due to Termination of members business

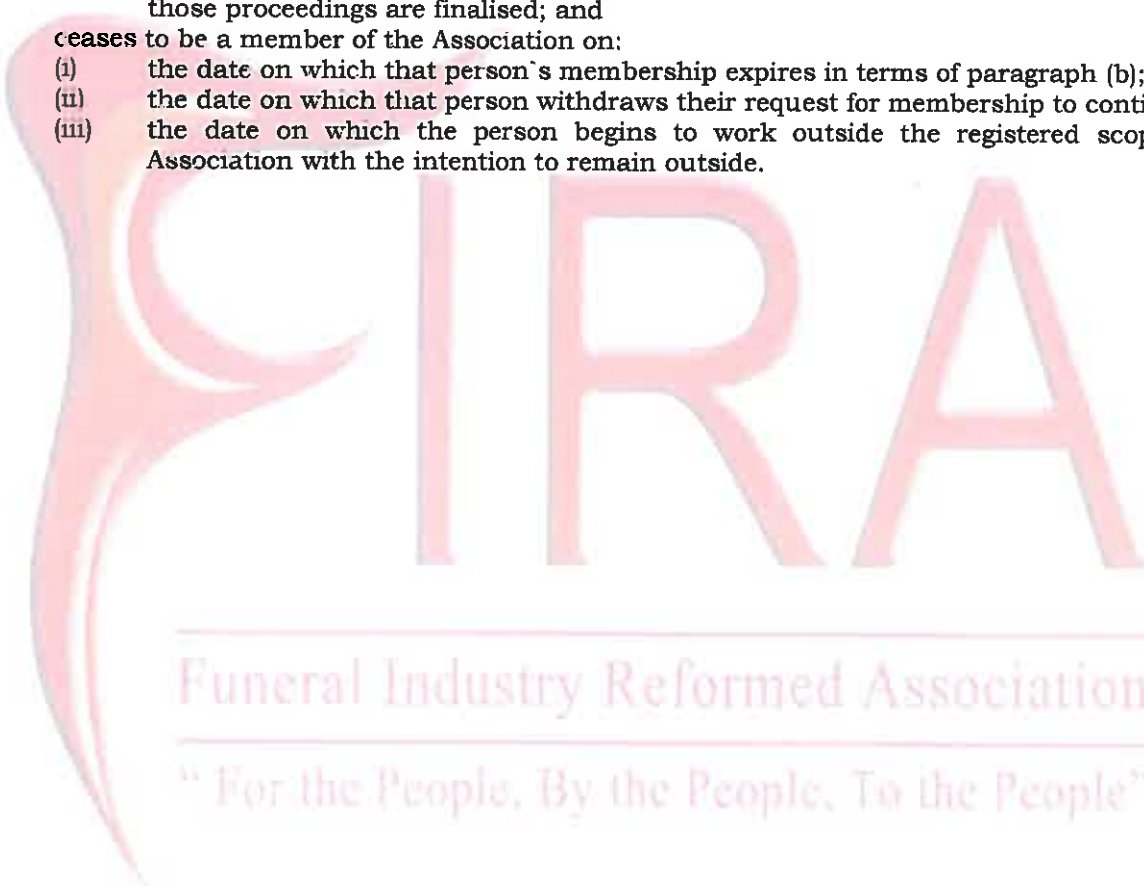
(1) Subject to sub clause (2) to (5), a person ceases to be a member of the Association 30 days after the date, within the registered scope of the Association terminates.

(2) A member whose contract of business within the registered scope of the Association has been terminated, but who intends to remain employed within the registered scope of the Association, may choose to remain a member of the Association by notifying the REC concerned in writing within 30 days after that member's contract of business terminated.

(3) A person who remains a member of the Association in terms of sub clause (2):

- (a) is required to pay any subscription fee during the period that they are intending to return to business in the industry; and
- (b) ceases to be a member of the Association on the earlier of:
 - (i) the date on which the member withdraws their requirements for membership to continue;
 - (ii) the date on which the member begins to work outside the registered scope of the Association, with the intention to remain outside; or
 - (iii) the date that is six months after the date on which that member's contract of residence terminated.

- (4) A member whose contract has been terminated by the employer as a result of a labour dispute or under circumstances which the member believes renders the dismissal unfair, may choose to remain a member of the Association by notifying the REC concerned in writing within 7 days of the date of dismissal.
- (5) A person who chooses to remain a member of the Association in terms of sub clause (4):
- (a) is not required to pay any subscription fee until the later of:
 - (i) the date on which they are re-employed or reinstated; or
 - (ii) a date determined by the REC and PEC and guided by FIRA EXCO;
 - (b) may remain a member of the Association:
 - (i) for up to six months after the date on which that member was dismissed; or
 - (ii) if legal proceedings to challenge the lawfulness of their dismissal have begun, until those proceedings are finalised; and
 - (c) ceases to be a member of the Association on:
 - (i) the date on which that person's membership expires in terms of paragraph (b);
 - (ii) the date on which that person withdraws their request for membership to continue; or
 - (iii) the date on which the person begins to work outside the registered scope of the Association with the intention to remain outside.



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CHAPTER 3: MEMBERSHIP CATEGORIES

3.1. Identification of Membership Categories

The FIRA BOD and its EXCO has identified the following membership categories:-

- 3.1.1 A business as identified in the membership scope as contained in clause 3 of this 2017 Membership Policy; A business as identified in the membership scope as contained in clause 3 of this 2017 Membership Policy;
- 3.1.2 Juristic person who acts on behalf of a member company and relates to the membership scope as contained in clause 3 of this 2017 Membership Policy;
- 3.1.3 A company or NGO whether incorporated in terms of the Companies Act, 2008 as a non-profit company or as any other legislative or common law association or cooperative without the eye on gain;
- 3.1.4 Any natural or juristic person who is in the discretion of the EXCO going to be an asset to the Association in the one or other way and would justify becoming a member of the Association.
 - (a) Administrators and brokers;
 - (b) Banking industry;
 - (c) Memorial societies & stokfells;
 - (d) Funeral and related services industries employers & employees;
 - (e) Funeral parlours;
 - (f) Insurance companies;
 - (g) NGO's;
 - (h) Manufacturers;
 - (i) Public
 - (j) Suppliers;
 - (k) Unions

3.2 Category 1: Administrators of the membership scope as contained in clause 3 of this 2017 Membership Policy

- 3.2.1 The membership for Category 1 is **R 20 000-00** per annum.
- 3.2.2 The joining/administration fee for application in Category 1 is **R 6 600-00**.
- 3.2.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 1 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-
 - (a) Representation at the FSB mediation or tribunal hearing in terms of the FIAS Act;
 - (b) Representation at any mediation or arbitration process applicable to his or her dispute, where representation by non-legal practitioners and associations are allowed;
 - (c) Representation in any FIAS related dispute the member may have; and
 - (d) Advising and assisting with any spoliation related application or process through any Court or state body and where it is also allowed by law, to represent the member during such application or process.

3.3 Category 2: Burial society and stokfells as contained in clause 3 of this Membership Policy

- 3.3.1 The monthly membership for Category 2 is **R 3 600-00** per annum.
- 3.3.2 The joining/administration fee for application in Category 2 is **R 1 200-00**.



- 3.3.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 2 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 8.6 above:-
- (a) Creating a base that offers a basket of banking, financial services and products to bankable and unbankable members
 - (b) Provision of bank accounts to burial societies, funeral parlours and stokfells.
- 3.4 Category 3: Banking industry as contained in clause 3 of this Membership Policy**
- 3.4.1 The monthly membership for Category 3 is **R 50 000-00** per annum.
- 3.4.2 The once off joining fee for Category 3 is **R 16 600-00**.
- 3.4.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 3 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-
- (a) Creating a base that offers a basket of banking, financial services and products to (bankable and un-bankable) members;
 - (b) Provision of bank accounts to burial societies, funeral parlours and stokfells.
- 3.5 Category 4: Brokers as contained in clause 3 of this Membership Policy**
- 3.5.1 The monthly membership for Category 4 is **R 10 000-00** per annum.
- 3.5.2 The once off joining fee for Category 4 is **R 3 300-00**.
- 3.5.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 4 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-
- (a) Representation at any Financial Ombudsman Services process;
 - (b) Representation at any process in terms of the FIAS act;
 - (c) Representation in terms of any dispute in terms of the FIAS act;
 - (d) Representation and handling of any dispute resolution between the member and any of its members, employees, contractor or agent in order to negotiate a suitable and reasonable settlement between the parties to the benefit of all the members and the public;
 - (e) Representation and address complaints that has been referred to the media;
 - (f) Representation at any mediation or arbitration process applicable to and related dispute, where representation by non-legal practitioners and associations are allowed;
 - (g) Advising the member in relation to any financial issue threatening the member, including judicial administration and arrears, and
 - (h) Advising and assisting with any spoliation related application or process through any Court or state body and where it is also allowed by law, to represent the member during such application or process.
- 3.6 Category 5: Funeral and related services industries Employers & Employees as contained in clause 3 of this Membership Policy**
- 3.6.1 The monthly membership for Category 5 is **R 3 800-00** per annum for employers.
- 3.6.1.1 The benefits to employers will be to provide access to FIRA membership providing discounted funerals and a membership that conforms to FIRA accreditation standards.
- 3.6.2 The monthly membership for Category 5 is **R 1 800-00** per annum for employees.
- 3.6.2.1 The once off joining fee for Category 5 is **R 600-00**.

3.6.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 5 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-

- (a) Creating a base that offers labour relations within the funeral and related services industries.

3.7 Category 6: Funeral Directors (Undertakers) as contained in clause 3 of this Membership Policy

3.7.1 The annual membership for Category 6 is **R 3 600-00** per annum.

3.7.2 The once off subscription fee for Category 6 is **R 1 200-00**.

3.7.3 Besides the General Benefits contained in Chapter 5 of this Membership Policy, Category 6 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-

- (a) Provide members with discounted rates and service charges between members, associated members and their respective associations for the conducting of services related to death registration (collection and obtaining of death certificates), rendering funerals, removal of remains, storage and transportation;
- (b) Provide a network of accredited suppliers nationally at discounted rates;
- (c) Provide members with a referral network for the rendering of funeral services;
- (d) Assist and advise members on compliance and procedures related to Cemeteries, Crematoriums, Disaster, Environmental, FIAS, Health, Home Affairs, Labour, Occupational Health, Tissue (odimwa law), Waste management and Zoning act;
- (e) Assist and represent members related to local, provincial Government by-laws resorting under Schedule 5B of the Constitution of the Republic of SA confirm "cemeteries, funeral parlours and crematoria" as a local government function and to be performed by Local Municipalities. These powers and function are assigned to local government in terms of Section 156 and 229 of the Constitution;
- (f) Assist members with in-house funeral operational training related to cultural dressing, embalming, reconstruction of remains, conducting various types of funerals (children, indigent, pauper, ordinary, military, state and VIP funerals);
- (g) Assist and advise members with processes and removal of respiratory organs (Tissue act);
- (h) Assist members with funeral and standard control documents;
- (i) Assist and advice members on marketing of their funeral business;
- (j) Assist members to develop and generate new business;
- (k) Assist members with complaints and media liaison;
- (l) Representation at any Financial Ombud Services process;
- (m) Representation at any dispute resolution process in terms of the FIAS act;
- (n) Representation in terms of any dispute in terms of the Companies Act;
- (o) Representation and handling of any dispute resolution between the member, employees, contractor or agent in order to negotiate a suitable and reasonable settlement between the parties to the benefit of all the parties;
- (p) Representation at any mediation or arbitration process applicable to dispute, where representation by non-legal practitioners and associations are allowed;
- (q) Advising the member in relation to any financial issue threatening the member, including judicial management; and
- (r) Advising and assisting with any spoliation related application or process through any Court or state body and where it is also allowed by law, to represent the member during such application or process.

3.8 Category 7: Insurers as contained in clause 3 of this Membership Policy

3.8.1 The monthly membership for Category 7 is **R 30 000-00** per annum.

3.8.2 The once off joining fee for Category 7 is **R 10 000-00**.



- 3.8.3 Besides the General Benefits contained in Chapter 5 of this 2017 Membership Policy, Category 7 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-
- (a) Provide a network of FIRA accredited parlours to render funeral services nationally at discounted rates
 - (b) Provide and render a fraud prevention and death verification system (Terms and conditions will apply)
 - (c) Representation at any Financial Ombud Services process;
 - (d) Representation at any dispute resolution process in terms of the FIAS act
 - (e) Representation in terms of any dispute in terms of the Companies Act;
 - (f) Representation and handling of any dispute resolution between the member and any of its members, employees, contractor or managing agent in order to negotiate a suitable and reasonable settlement between the parties to the benefit of all the members of the member; Representation at any mediation or arbitration process applicable to its housing, land or property related dispute, where representation by non-legal practitioners and associations are allowed
 - (h) Advising the member in relation to any financial issue threatening the member, including judicial management; and
 - (i) Advising and assisting with any spoliation related application or process through any Court or state body and where it is also allowed by law, to represent the member during such application or process.

3.9 Category 8: NGO's whether incorporated in terms of the Companies Act, 2008 as a non-profit company or as any other legislative or common law association or cooperative without the eye on gain

3.9.1 The monthly membership for Category 8 is R 6 000-00 per annum.

3.9.2 The once off joining/administration fee for Category 8 is R 600-00.

3.9.3 Besides the General Benefits contained in Chapter 5 of this 2017 Membership Policy, Category 8 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-

- (a) Representation at any Community initiatives;
- (b) Representation at any dispute resolution process in terms of the member's Memorandum of Incorporation, Rules or Constitution;
- (c) Representation in terms of any dispute in terms of the Companies Act, 2008;
- (d) Representation and handling of any dispute resolution between the member and any of its members, employees, contractor or managing agent in order to negotiate a suitable and reasonable settlement between the parties to the benefit of all the members of the member;
- (e) Representation at any mediation or arbitration process applicable where representation by non-legal practitioners and associations are allowed;
- (f) Advising the member in relation to any financial issue threatening the member, including judicial management and arrears municipal accounts.

3.10 Category 9: Union of the membership scope as contained in clause 3 of this 2017 Membership Policy

3.10.1 The monthly membership for Category 9 is R 6 000-00 per annum.

3.10.2 The once off joining/administration fee for Category 9 is R 600-00.

3.10.3 Besides the General Benefits contained in Chapter 5 of this 2017 Membership Policy, Category 9 members will receive the following additional benefits, provided that the membership has been activated in terms of clause 2.3.5 above:-



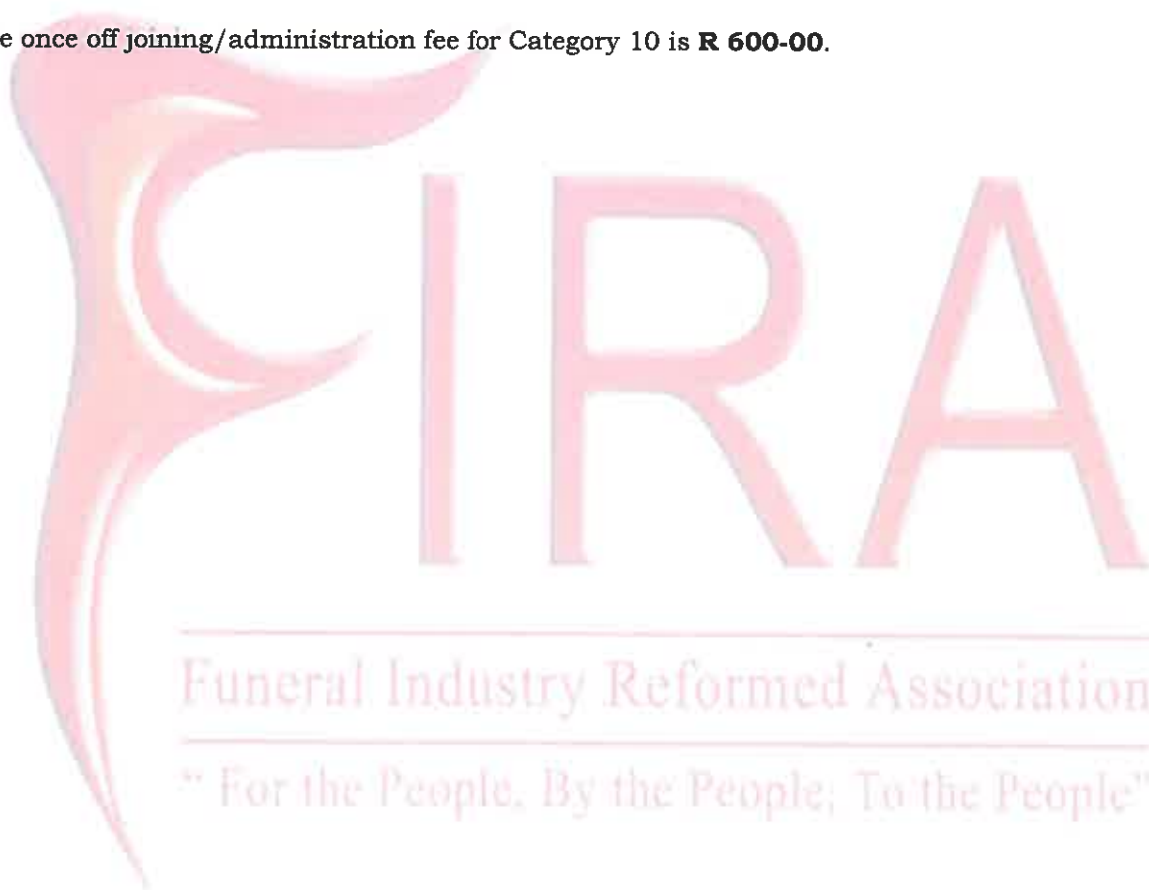
- (a) Advising and assisting with any spoliation related application or process through any Court or state body and where it is also allowed by law, to represent the member during such application or process.

3.11 Category 10: Any natural or juristic person who is in the discretion of the Association going to be an asset to the Association in the one or other way and would justify becoming a member of the Association

The NWC will determine the membership fee and subscription fee of a Category 10 person and make any determination in accordance with benefits, up and above the general benefits as contained in Chapter 5 of this 2017 Membership Policy.

3.11.1 The monthly membership for Category 10 is **R3 600-00** per annum.

3.11.2 The once off joining/administration fee for Category 10 is **R 600-00**.



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CHAPTER 4: GENERAL BENEFITS

4.1 Benefits applicable to all Membership Categories

All members in good standing are entitled to the following membership benefits from date of inception:-

- 4.1.1 attending meetings of the Association;
- 4.1.2 meeting and assembling freely with other members;
- 4.1.3 participating in Association activities;
- 4.1.4 voting in elected representatives to assist independent appointed staff in full time employment of FIRA;
- 4.1.5 telephonic or electronic mail advice relating to property issues and the scope of the Association; and Company, and the Companies Act of 2008.

4.2 Attending meetings of the Association

All members will be properly notified whenever a meeting is called for whatsoever reason and members have the right to attend and participate in such a meeting as directed within the contents of the Constitution.

4.3 Meeting and assembling freely with other members

All members will have the right to informally meet with any other member for whatsoever reason and members have the right to attend and participate in such a meeting as directed within the contents of the Constitution.

4.4 Participating in Association activities

All members will be properly notified of any Association activity and members will have the right to participate in such an activity as directed within the contents of the Constitution.

4.5 Voting in elected representatives

All members will be properly notified whenever a meeting is called for the purpose of electing representatives and members to assist the REC and PEC and have the right to attend and participate in such a meeting as directed within the contents of the Constitution or as guided by the FIRA BOD to the benefit of FIRA membership;

4.6 Telephonic or electronic mail advice relating to the scope of the Association

All members are entitled to receive telephonic and electronic mail advice relating to property issues and the scope of the Association from date of membership inception.

4.7 Enjoy the rights and benefits conferred on members in terms of FIRA register as a Non-profit Company as defined within the Companies Act, 2008.

It is specifically recorded that unless the Constitution may override any stipulation contained in the Non-Profit Companies Act, 2008 all members may insist to receive any right from the Association in terms of that Act and that the Association will have the right to accordingly react to such request in



terms of prevailing legislation or other generally accepted guidelines to the advantage of the majority of its members.

CHAPTER 5: REFUSAL TO BENEFITS, APPEALS AND COMMENCEMENT

5.1 Refusal of the Association to provide a benefit

- 5.1.1 Notwithstanding anything to the contrary contained in this Membership Policy the Association reserves its right to either accept or refuse any benefit contained in sub clause (3) of any Membership Category above in the event that the Association determines that the member does not have a proper case or excuse and further may propose the best possible relief and outcome to any such dispute.
- 5.1.2 The Association must provide the general benefits as contained in Chapter 5 of this Membership Policy while a member is in good standing.
- 5.1.3 It is specifically recorded, that in the event that there is a dispute relating to any funeral and financial services industry related matter between members, all members involved will consent to the Association to mediate and arbitrate in such dispute. The Association will appoint a suitable mediator and/or arbitrator and in the event the mediator refers the matter to compulsory arbitration, the award of the appointed arbitrator will be final and binding on all disputing members.
- 5.1.4 In the event the Association enforces sub clause (3) above between any disputing members as stipulated, the Arbitration Act, 1965 (Act No. 42 of 1965) will be *mutatis mutandis* applicable.

5.2 Appeal against a refusal to provide a benefit


- 5.2.1 The member concerned may appeal a refusal to provide a category benefit by:
- lodging an appeal with the Company Secretary within 14 days of having been notified of not providing a category benefit; and
 - the appeal must be referred to the Appeals Committee appointed by the FIRA BOD for consideration. The Appeals Committee is the structure that also finalises all appeals not to provide a category benefit and its decisions are final and binding.
- 5.2.3 This appeal process will not be applicable for dispute resolution between members enforced in terms of clause 5.1.4 above.

5.3 Commencement of the Membership Policy

This Membership Policy will commence in June 2017 and be in force until the Board of Directors changes or amends it in their discretion.

We, the Executive Chairman and the Chief Executive Officer of the Association, hereby certify that the Membership Policy is a true copy.

Signed at PRETORIA. on the 21 day of JUNE, (month) 2017. (year)


Executive Chairman

JOHAN. D.E. ROUSSOUW (Name)


Chief Executive Officer

ROBERT MHLAMBI (Name)