



CYCAD SOCIETY OF SOUTH AFRICA

www.cycadsociety.org

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The Donors to the Paul Roeloffse Trust Fund

Dear Members

Re: Motion for the Reimbursement of Donations Made by Certain Members to Legal Fees – Submitted by the Central Region of the Society. (see full version at www.cycadsociety.org)

Members may recall that during 2007, the Department of Environmental Affairs and Tourism (DEAT) proposed introducing legislation which, in effect, would have entirely banned the trade in all listed Critically Endangered and Endangered species of Cycads.

It was decided to seek legal opinion in the matter, and to enable the attorney to brief Senior Council, an appeal was made to members to make contributions to the "Paul Roeloffse Trust Fund". The end result was that some 82 persons responded and an amount of R 245 540 was donated.

Meetings were held with DEAT who eventually decided to scrap their proposed legislation. This exercise cost R 219 163 in legal fees and eventually R 26 377 was transferred to the Society to be held in trust. The end result is that trade, subject to certain provisions, can continue take place and all members of the Society, whether contributors to the fund or not, as well as non-members of the Society have benefited.

With this in mind, The Committee of the Central Region of the Cycad Society submitted a proposal which *inter alia* states:

- 1) The Cycad Society will refund all contributions to the "Paul Roeloffse Fund" from existing funds and
- 2) The Society will recoup a large part of this capital outlay from the members.

As proposal (2) is not an option, mainly due to the fact that a "tax" on members is unconstitutional, in terms of the existing Constitution of the Cycad Society; it will be difficult to enforce; a number of members have resigned in the interim and a larger number of new members have joined and; a tax on members will, without a doubt, alienate certain persons who will merely not renew their subscriptions for the following year.

This leaves us with option (1) and in order to be able to gauge the exact financial implications to the Society, all those members who contributed R1 000 and more, and who would like to have their contributions refunded, are requested to contact me, either by email –with the words "Paul Roeloffse Fund" appearing in the subject line, or by post, citing (a) your name, (b) your membership number (the one appearing behind your name on the address label) and (c) the amount you donated. Please see my address at the top of this letter. **It must be stressed that this is a survey in order to establish the costs to the Society and no decision has been taken to refund any donations.**

Kindly let me have this information by 30 August 2010 at the latest, to enable the matter to be brought to finality.

Yours sincerely

Ian Bassingthwaight



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Alle Donateurs aan die Paul Roeloffse Trust Fonds

Geagte Lede

Mosie vir die terugbetaling van donasies gemaak deur sommige lede aan regsfooie – ingedien deur die Sentrale Tak van die Vereniging. (Sien volle weergawe op Webwerf www.cycadsociety.org)

Lede sal moontlik onthou dat gedurende 2007, die Departemant van Omgewingsake en Toerisme (DEAT) wetgewing voorgestel het vir implementering wat, in beginsel, handel in sy geheel, vir alle gelyste krities bedreigde en bedreigde broodboom spesies, sou verban het.

Daar was besluit om regshulp in hierdie verband te bekom. Om 'n prokureur in staat te stel om die Senior Raad van advies te bedien, is 'n versoek aan lede gerig om bydraes te maak tot die "Paul Roelofse Trust Fonds". Die eindresultaat was dat sowat 82 persone gereageer het en 'n bedrag van R245 540 geskenk het.

Vergaderings was gehou met "DEAT" wat uiteindelik besluit het om hul voorgestelde wetgewing te skrap. Hierdie aksie aan regskostes het R 219 163 beloop. Daar is R 26 377 aan die Vereniging oorgedra wat die bedrag tans in 'n trustfonds hou. Die uitkoms was dat handel, onderhewig aan sekere voorwaardes, kan voortgaan. Alle lede van die Vereniging, of hulle tot die fonds bygedra het of nie, sowel as nie-lede van die Vereniging het hierby baatgevind.

Met bogemoemde in gedagte, het die komitee van die Sentrale Tak van die Broodboom Vereniging die volgende voorstel ingedien, naamlik:

- 1) Dat die Broodboom Vereniging alle bydraes tot die "Paul Roelofse Fonds" uit sy bestaande fondse sal terugbetaal, en
- 2) Die Vereniging 'n groot deel van hierdie uitgawe van sy lede verhaal.

Voorstel nr 2 is nie 'n opsie nie omdat daar nie in die huidige Grondwet van die Vereniging vir die verhaling van 'n "heffing" op lede voorsiening gemaak word nie; dit sal moeilik afdwingbaar wees; 'n aantal lede het intussen bedank en 'n aantal nuwe lede het aangesluit; 'n heffing op lede sal, sonder twyfel, sommige lede wegdryf en maak dat hulle nie hul ledegeld vir die volgende jaar hernu nie. Dit laat ons met opsie (1). Om te kan bepaal wat die presiese finansiële implikasies vir die Vereniging sal beloop, word lede versoek wat 'n R1 000-00 en meer bygedra het en wat hul donasies nou terug betaal wil hê, om my te kontak per e-pos met die woorde "Paul Roelofse Fonds" in die onderwerpsreël of per pos. Die volgende inligting moet duidelik aangebring word (a) u naam, (b) u lidmaatskap nommer (soos verskyn agter u naam op die adres plakker) en (c) die bedrag wat u geskenk het. Sien asb my adres bo-aan hierdie brief. **Dit moet beklemtoon word dat dit slegs 'n opname is om te bepaal wat die koste aan die Vereniging sal wees, en nog geen besluit is hoegenaamd geneem om donateurs te vergoed nie.**

Ten einde hierdie aangeleentheid te finaliseer, moet u versoek my voor of op **30 Augustus 2010** bereik asseblief.

Vriendelike groete
Ian Bassingthwaighte.