



**GUIDELINES ON THE CONSTITUTION OF SUBSTANTIAL
MEMBERSHIP OF MILITARY VETERANS FOR RECOGNITION
ORGANISATIONS BY THE EXECUTIVE AUTHORITY**

GUIDELINES ON THE CONSTITUTION OF SUBSTANTIAL MEMBERSHIP OF MILITARY VETERANS' ORGANISATIONS BY THE EXECUTIVE AUTHORITY

1. Definitions

- 1.1 Substantial for the purpose of these guidelines refers to the percentage number of fifty plus one of the total registered membership of the organization;
- 1.2 NPO/NGO for the purposes of these Guidelines have the same meaning;

2. Introduction

The Military Veterans Act 18 of 2011 makes provisions for the recognition of military veterans' organisations, both statutory and non-statutory. Military Veterans Organisations are the sources from which individual military veterans emanates as individuals. The status of a person as a military veteran is not determined by his or her membership of the military organization. The Department of Military Veterans has a statutory and constitutional duty to care for the individual military veterans and their dependants, in the quest for realizing a unified, dignified self-sufficient military veterans community.

3. Purpose

To provide guidelines on the constitution of substantial membership for recognition by the Minister as contemplated in sec 7 of the Military Veterans Act 18 of 2011 ("The Act").

4. Principles

The following principles inform these guidelines and processes to inform the recognition of military veterans' organisations by the Minister:

- 4.1 The need to ensure that only bona fide military veterans and military veterans' organisations benefit from the recognition accorded by the Minister.
- 4.2 The need to promote unity amongst the military veterans in the country.
- 4.3 The need for transparency and openness in the provision of services to the military veterans
- 4.4 The need for the accountability on the resources provided to the military veterans

5. Eligibility

To be eligible for recognition by the Minister as provided for in the Act the entity applying must be an organization whose membership is made of military veterans only.

6. Qualifying criteria

6.1 An organisation that wishes to be recognised by the Minister as a military veterans' organisation must comply with the following minimum requirements:

- 6.1.1. The organisation must comprise of military veterans only
- 6.1.2. Must be established in respect of military veterans that lawfully represent the interest on the military veterans
- 6.1.3. A constitution that was adopted at a gathering that was convened for the purpose of adopting the constitution which was attended by a substantial number of bona fide military veterans that solely belonged to the same military organisation;
- 6.1.4 Proof that the applicant concerned is a non-profit organisation or non-governmental organisation;
- 6.1.5 Proof that it has clearly identifiable leadership;
- 6.1.6 Its leadership was elected democratically at a gathering that was called for the purpose of electing such leadership attended by majority of its membership, whether or not electing leadership was the sole purpose of the meeting;
- 6.1.7 The gathering at which such leadership was elected was attended by a substantial number of former members of the military organisation to which they previously belonged;
- 6.1.8 Proof that it is not a mercenary organisation, a terrorist organisation, or an organisation which has been established for the purpose of advocating an objective which is prohibited by domestic or international law by military means;
- 6.1.9 It embraces the values which are enshrined in the Constitution of the Republic of South Africa;
- 6.1.10 It has a substantial number of members who are bona fide military veterans who have formally and expressly denounced their membership of their previous military organisations.

6.2 The compliance with the requirements contemplated in 6.1 shall not preclude the Minister from taking any other factor into consideration.

7. Application process

7.1 Any organization submitting an application for recognition to the Department must do so in writing and such application must contain the signed application letter, constitution of the organization / or founding documents of entity, full identity details and addresses of the members of leadership structure, force number or service certificates of the individual members of the organization, mandating letters from members/ resolutions.

7.2 Proof of membership of no less than 200 members.

7.3 In addition to the above requirements, the applicant must submit a certificate indicating it is a non-profit organization and a sworn declaration that it is not a mercenary

organization or a terrorist organization or an organization established for the purposes of advocating an objective which is prohibited by domestic or international law.

8. Determination process

8.1 The Minister may request for additional information representation or presentation by the applicant as part of his or her consideration of the application.

8.2 Once received, the application must be subjected to membership verification against the military database before it is either approved or rejected.

8.3 Once the Department of Military Veterans is satisfied that an applicant has satisfied the requirements for recognition by the Minister as set out in these guidelines, the Department shall make recommendation to the Minister that the military organization concerned be recognized by the Minister as a military organization contemplated in the Act.

8.4 The successful application shall be issued with a registration certificate with terms and conditions.

9. Commencement

9.1 The guidelines are enforceable upon approval by the Minister and gazetting.

10. Monitoring and Evaluation

10.1 To ensure compliance with the provisions of Section 7(4), the applicants will be subjected to annual monitoring and evaluation to be determined by the Department with the applicant.