



Republic of Namibia
Annotated Statutes

The Apostolic Faith Mission of South Africa (Private) Act 24 of 1961 (SA)

(SA GG 6670)

brought into force in South Africa and South West Africa on 23 February 1962
by RSA Proc. 25/1962 (RSA GG 177), read together with section 8A which was
inserted by Act 4 of 1970 with effect from that date

APPLICABILITY TO SOUTH WEST AFRICA: Section 8A, inserted by Act 4 of 1970, states "This Act and any amendment thereof shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel referred to in Section 38(5) of the South West Africa Constitution Act, 1968 (Act No. 39 of 1968)."

TRANSFER TO SOUTH WEST AFRICA: The administration of this Act does not appear to have been transferred to South West Africa.

as amended by

The Apostolic Faith Mission of South Africa (Private)

Amendment Act 4 of 1970 (RSA GG 2645)

deemed to have come into force on 23 February 1962 (section 4 of Act 4 of 1970)

Abolition of Payment by Cheque Act 16 of 2022 (GG 7995)

brought into force on 15 March 2023 by GN 47/2023 (GG 8050)

PRIVATE ACT

To provide that the church known as The Apostolic Faith Mission of South Africa shall cease to be registered under the Company laws of the Republic, to make other provision for its incorporation and to provide for matters incidental thereto.

[long title amended by Act 4 of 1970]

(Afrikaans text signed by the Governor-General)

(Assented to 19th April, 1961)

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SCHEDULE**Preamble**

WHEREAS The Apostolic Faith Mission of South Africa came into existence in 1908 as the result of the preaching of John G. Lake and certain fellow-workers:

AND WHEREAS by 1913 the membership of the Mission and scope of its activities had increased to such an extent that it had become necessary to provide for a constitution to govern the conduct of its affairs and promote the achievement of its objects:

AND WHEREAS it also became necessary to provide for the acquisition by the Mission of immovable property for the purpose of establishing places of worship and manses:

AND WHEREAS the membership of the Mission had not yet attained such proportions that it had become generally recognised as a church:

AND WHEREAS the Mission was accordingly registered in 1913 as an unlimited company under the company laws of the Union:

AND WHEREAS the membership of the Mission, the extent of its work and the scope of its influence have, since 1913, increased to such an extent that it has become generally accepted as a church:

AND WHEREAS continued registration of the Mission as a company under the company laws of the Union is inconsistent with the spiritual purposes underlying the Mission's existence and is proving to be an impediment to the proper achievement of its objects:

AND WHEREAS the members of the Mission have accordingly decided that the Mission should no longer be registered as a company under the company laws of the Union:

AND WHEREAS it is desirable that the Mission should nevertheless continue to enjoy corporate existence:

AND WHEREAS it is desirable that the Mission's corporate existence as a church should receive statutory recognition:

AND WHEREAS it is desirable to provide for a constitution for the said church and for incidental matters:

BE IT THEREFORE ENACTED by the Queen's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:-

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[Act 4 of 1970 directs that the word “Republic” be substituted for the word “Union” throughout the Act. That substitution has not been made in the Preamble to the Act as it does not seem to be technically required, and also because it would seem illogical to substitute the name of the political entity which enacted the statute.]

Definitions

1. In this Act -

“the church” means The Apostolic Faith Mission of South Africa incorporated under this Act;

“the company” means the company which at the commencement of this Act was registered as an unlimited company without share capital in terms of the company laws of the Republic under the name of The Apostolic Faith Mission of South Africa.

[section 1 amended by Act 4 of 1970]

Dissolution of the company and incorporation of the church under this Act

2. Upon commencement of this Act the company shall be dissolved and the church known as The Apostolic Faith Mission of South Africa shall under that name be incorporated under the provisions of this Act.

Church to have corporate existence

3. The church shall be a body corporate with perpetual succession, capable of suing and being sued in its own name, and of acquiring rights and incurring obligations, distinct from its members,

Seat of the church

4. The church shall have its headquarters at 40, Ameshof Street, Braamfontein, Johannesburg, or at such other place in the Transvaal as it decides upon in terms of its constitution.

Powers and constitution of the church

5. (1) The church shall have power to alter its constitution, to make such rules and regulations and generally to do all such acts and perform such functions as are expedient and necessary for the benefit of the church and the advancement of its objects.

(2) The memorandum and articles of association of the company, in force at the commencement of this Act and set forth in the Schedule hereto, shall *mutatis mutandis* remain of force as the constitution of the church, describing its powers and objects, regulating the management and control of its affairs, and providing for the amendment of the said constitution.

Church to succeed to the rights and obligations of the company

6. Upon the commencement of this Act the church shall acquire all the rights previously held by the company and shall assume all its obligations.

Vesting of the company's property in the church

7. The whole of the movable and immovable property which at the commencement of this Act was vested in the company or registered in its name shall, upon the commencement of this Act, vest in the church and be deemed to be registered in its name, without payment of transfer duty or stamp duty or fees of office, and the respective registrars of deeds in the various Provinces

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of the Republic and in the Territory of South-West Africa shall, upon production to them of the title deeds of any immovable property so registered, endorse the same to the effect that such immovable property is deemed to be registered in the name of the church in accordance with the provisions of this Act, whereupon the said title deeds shall serve and avail as the title deeds of the church in respect of such immovable properties. Where any such immovable property is subject to any bond, mortgage or otherwise, such bond shall be likewise endorsed, which endorsement shall have the effect of substituting the church as debtor under the bond and shall make it and the property aforesaid subject to all the duties and obligations of the said bond and entitled to any rights to readvances under the bond exactly as if the said church had originally been the debtor thereunder.

[Section 7 is substituted by Act 4 of 1970. Act 4 of 1970 also directs that the word "Republic" be substituted for the word "Union"; that substitution has been made in this substituted section as well.]

Office-bearers of the company to remain in office as office-bearers of the church

8. The office-bearers of the company, in office at the commencement of this Act, shall remain in office as the office-bearers of the church until succeeded in terms of the church's constitution.

Application of Act to South-West Africa

8A. This Act and any amendment thereof which be made from time to time, shall apply also in the territory of South-West Africa, including the Eastern Caprivi Zipfel referred to in section 38(5) of the South-West Africa Constitution Act, 1968 (Act No. 39 of 1968).

[section 8A inserted by Act 4 of 1970]

Short title and commencement

9. This Act shall be called The Apostolic Faith Mission of South Africa (Private) Act, 1961, and shall come into operation upon a date to be fixed by the Governor-General by proclamation in the *Gazette*.

[The Republic of South Africa Constitution Act 32 of 1961 provided in Article 3(b) that as from 31 May 1961, any reference to the Governor-General in any law in force in the Union of South Africa or in any other territory in respect of which Parliament is competent to legislate shall be construed as a reference to the Republic or the State President as the circumstances may require. However, by this time the Act had already come into operation on a date fixed by the Governor-General.]

Schedule

ARTICLES OF ASSOCIATION

OF THE APOSTOLIC FAITH MISSION OF SOUTH AFRICA

MEMBERSHIP

1. The members of the Apostolic Faith Mission of South Africa, hereinafter referred to as "The Mission", shall in so far as the Administration of the Mission is concerned, and subject to Article 2 hereof, be composed of 200,000 persons of European descent, namely:

- (i) All such persons as are recognised members of the Mission at the date hereof.

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- (ii) All such persons as shall hereafter have given evidence of his or her conversion, and shall have been baptised by immersion, and shall have been received into fellowship by a local assembly board, subject to Article 3 hereunder.

All such persons shall be and remain members of the mission until resignation, expulsion or death or when accepting membership with another Church.

Non-European Adherents

2. The Non-European, that is to say, the Indian, Coloured and Bantu adherents to the teachings, doctrines and practices of the Mission, shall be governed by separate policies and instructions formulated and drawn up for the aforesaid communities by the Executive Council in consultation with the Missionaries in Council and approved by the General Workers Council.

Conditions of Membership

3. No person shall hereafter become a member of the Mission, unless he or she agrees by written instrument to accept a baptismal or fellowship Certificate. Acceptance of such certificates shall be taken and construed as acceptance and endorsement of these Articles and Instructions and the Doctrines of the Mission, and an undertaking on his or her part to be ruled and governed thereby.

Responsibility of Members

4. The Mission shall continue to exist as such for all purposes, notwithstanding the resignation, expulsion or death of any member, or the admission of any new members. On the resignation or death of any member his share (if any) of and in the property of the Mission, and all his rights, title and interest as such member shall accrue to and ensue for the benefit of the remaining members, and he and his heirs shall *ipso facto* be freed, discharged and released from any and all share in and responsibility for the debts and liabilities of the Mission.

Legal Action

5. Any member of the Mission may sue or be sued by the Mission. The four Executive Officers have power to give instructions or sign, powers of attorney to bring or defend any action at law on behalf of the Mission.

THE MINISTRY

6. The workers of the Mission shall either be fulltime or lay workers.

A. Full-Time Workers

(i) Pastors and Teachers; (ii) Evangelists; (iii) Missionaries; (iv) Women Workers, shall all be Fulltime Workers, ordained by the Executive Council, according to the instructions of the General Workers' Council.

Workers who hold any of the abovementioned offices, may at any time resign or in accordance with these Articles and the instructions of the General Workers' Council be dismissed from their offices by the Executive Council or be suspended for a greater or less period of time from the exercise of their office, or be removed from one office to another office or be transferred from one assembly to another assembly, or be left unprovided with or unassigned to any district or locality or spiritual charge, or be required while holding one office to exercise the authorities or privileges, or perform the duties of another office or any authorities, privileges or duties either in addition to or in substitution for the authorities, privileges, or duties of that office as above described.

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B. Lay Workers

(i) Elders; (ii) Deacons, and (iii) Deaconesses shall be Lay Workers, elected by assemblies and nominated by the Assembly Boards and appointed by the District Workers' Councils, in terms of the instructions of the General Workers' Council.

MANAGEMENT AND ADMINISTRATION

System of Organisation

7. The right vested in the members of the Mission for the time being of carrying on and conducting its business and affairs of exercising its power and controlling its operations, shall be exercised by annual Local Assembly meetings of such members in choosing and electing Assembly Boards, which in turn shall send delegates from among their own number to the District Workers' Council and the General Workers' Council, which shall elect the Executive Council and Spiritual Committee in terms of these Articles and the instructions of the General Workers' Council.

LOCAL ASSEMBLIES

Pastor or Temporary Leader

8. Individual congregations already organised at the date thereof, shall be known as "Local Assemblies," and shall where practicable be presided over by a full-time Pastor but in the absence of a fulltime Pastor, the District Workers' Council shall annually appoint a Lay Worker as temporary leader until such time as a full-time Pastor is appointed in accordance with the instructions of the General Workers' Council.

Annual Assembly Meeting

9. A general meeting of members of the Local Assembly shall be held annually for the purpose of discussing the affairs of the Assembly and to choose and elect the Assembly Board for the ensuing year, and to receive from the local Treasurer a statement of the income and expenditure of the Assembly for the previous twelve months.

Notice of Meeting

10. All Local Assembly meetings shall be convened by and held in pursuance of a notice to that effect, announced at a regular meeting from the platform on three consecutive Sundays. The last publication of such notice to be not less than three days before the time of the meeting.

Quorum

11. A quorum in an Assembly Meeting shall be one-fourth of the baptised members on the register at the time of the meeting, and if less than one-fourth of the members be present at the meeting, it shall stand adjourned to the same day in the following week. At the adjourned meeting business may be proceeded with notwithstanding that less than one-fourth of the registered members are present at such adjourned meeting.

New Assemblies

12. Wherever the Executive Council or the District Workers' Council shall deem it necessary, a new Local Assembly shall be organised for the furtherance of Christ's Kingdom and the Council organising such an Assembly shall appoint such temporary workers as they shall

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consider necessary to be in charge of such Assembly. Each Local Assembly thus organised shall at its first Assembly Meeting, within twelve months after its constitution, have the right to elect its own Assembly Board.

ASSEMBLY BOARDS

Authority of Assembly Board

13. Assembly Boards shall subject to any limitations of power prescribed by the Articles of Association and the Instructions of the General Workers' Council be entrusted with the temporal and Spiritual interests of Assemblies. The number and qualifications of members to serve on such Boards shall be determined from time to time by the Instructions of the General Workers' Council.

Finances

14. The Assembly Board shall subject to the provisions of the Articles of Association and Instructions of the General Workers' Council receive and administer the tithes and offerings and operate a banking account in accordance with the provision of clause 3(p) of the Memorandum of Association for such interests, and hire premises, for such purposes or purchase whatever may be needed for said purposes, provided that no fixed property shall be acquired or sold without the consent of the Executive Council.

14a. The Treasurer of the Assembly shall give a statement of annual assembly income and expenditure at every Annual Assembly Meeting.

Chairman

15. The Pastor shall be Chairman of the Assembly Board, and the Board shall elect their own Vice-Chairman, Secretary and Treasurer, which last two offices can be held by one member. The officers and members of the Board shall be elected for the period of one year, and may be re-elected.

Discipline

16. The Assembly Board shall admit new members, supervise the local work: and exercise discipline as prescribed by the General Workers' Council.

Elders, Deacons and Delegates

17. The Assembly Board shall annually elect from their own number such persons as shall be appointed as Elders and Deacons of the Assembly in accordance with the instructions of the General Workers' Council. The Board shall delegate from among their own number such members as shall attend the District Workers' Council and General Workers' Council. The Board shall recommend to the District Workers' Council such persons as they shall deem fit to become Full-time Workers.

Limitation of Authority

18. All proceedings, decisions and resolutions shall be taken subject to and in terms of these Articles and of the instructions of the General Workers' Council. Members of the Executive Council or Spiritual Committee or their duly appointed deputies may from time to time visit such Assemblies and have the right of attending the meetings of such Assembly Boards with the purpose of giving advice and guidance in the work.

Membership Register

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19. The Secretary of every Assembly Board shall keep a Membership Register and the full particulars of every entry into this Register shall be sent to the Secretary of the Executive Council with the full names and addresses of the members which shall be entered into the General Register of the members at Headquarters by the Secretary of the Executive Council.

Reports

20. The Assembly Boards shall every six months submit to the Secretary of the Executive Council a written report of the work under their care, and every month to the District Worker's Council a statement of account in respect of finances under their administration.

Young People's Union

21. A Young People's Union shall be organised in every Local Assembly. For the purpose of promoting fellowship among the young people in the various assemblies there shall be drawn up a policy governing the young people's work, which policy shall be embodied in the instructions of the General Workers' Council.

Sunday School

22. A Sunday School shall be organised in every Local Assembly. For the purpose of promoting the Sunday School work throughout the Mission, there shall be drawn up a special Sunday School policy to be embodied in the instructions of the General Workers' Council.

Dorcas Society

22a. A Dorcas Society shall be organised in each Assembly to achieve the object of clause 3 (d) of the Memorandum of Association, and to encourage and co-ordinate Poor Relief and Welfare work in the Mission a proper policy shall be laid down by the Welfare Council to be incorporated in the Instructions of the General Workers' Council.

DISTRICT WORKERS' COUNCIL

Districts

23. The territory served by the Mission shall be divided into Districts, the area and location whereof shall be such as may be determined from time to time by the Executive Council, and all Assemblies or members falling within such area, shall be under the supervision of the District Workers' Council, hereinafter referred to. Any Assemblies or members falling outside the area of defined districts, shall come directly under the supervision of the Executive Council.

Workers' Council

24a. There shall be constituted and formed in each district a Council, hereinafter styled the "District Workers' Council", consisting of all Full-time Workers of the Mission in the District and Delegates from the Assemblies in the said Districts, as provided for in these Articles and the instructions of the General Worker's Council. District Workers' Councils shall (in addition to the powers conferred in pursuance of 24b. hereof) have authority to consider all matters, Spiritual and temporal concerning the District and report and recommend to the Executive Council and Spiritual Committee hereinafter referred to, who shall in their turn adopt, reject or confirm the action of the District Workers' Council. The District Workers' Council shall, subject to Articles 25, 26, 27, 28 29 and 30 hereof, and the powers granted therein be an advisory body, subject always to the control of the Executive Council and shall not act in any way contrary to the Memorandum and Articles of Association.

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24b. Such District Workers' Councils shall, notwithstanding any contrary provisions of the Articles of Association, or limitations of power, have the power to suspend or dissolve an Assembly Board and to temporarily take over the control of the Assembly matters, subject to the Instructions of the General Workers' Council.

[There should be a comma between the numbers "28" and "29" in Article 24a.
The word "contrary" in Article 24b is misspelt in the *Government Gazette*, as reproduced above.]

Delegates

25. Delegates to the District Workers' Council shall be members of the Local Assembly Board, by whom they shall be delegated by formal resolution. The number of such delegates to which each Assembly shall be entitled shall be fixed from time to time by the District Workers' Council.

Chairman

26. Each District Workers' Council shall be presided over by a Chairman, appointed by the Executive Council, and the District Workers' Council shall have the right to elect annually the Vice-Chairman, Secretary and Treasurer, which last named two offices may be held by the same person.

Finances

27. Each District Workers' Council shall have the right to receive from the Assemblies in the District such proportion of the income of such Assemblies as shall be determined by the Executive Council, who shall then allocate to the said District Council, so much of the said proportion, as the Executive Council shall in their entire discretion decide and direct that the balance of such proportion, if any, be paid to the Executive Council. The Fund so allocated to the District Workers' Council shall be utilised by them for payment of their incidental expenses and such other expenditure as may be necessary for properly carrying on their functions according to the instructions of the General Workers' Council.

Full-Time and Lay Workers

28. The District Workers' Council shall recommend such persons, as shall have been recommended by Assembly Boards and as they may think fit, to become Full-time Workers of the Mission. They shall appoint and certify all Lay-workers of their District, and renew their certificates annually upon recommendation of the Assembly Boards.

Appeal

29. The District Workers' Council shall in accordance with the instructions of the General Workers' Council function as a Court of Appeal at the request of any member of a Local Assembly against the ruling of the Assembly Board on any question affecting the member personally or the interests of the Mission in general.

Election

30. The District Workers' Council, shall every third year to be reckoned from a date to be decided upon by the Executive Council and to be known as the Election Year, elect by secret ballot, from among the male fulltime workers of the Mission who have the qualifications as laid down from time to time by the General Workers' Council one or as many members as shall have been allocated to them in terms of the General Workers' Council's instructions then in force to represent the District on the Executive Council.

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Meeting

31. The District Workers' Council shall meet at fixed periods as shall be decided by themselves, but not less than twice a year.

Quorum

32. A quorum of the District Workers' Council, shall be a representation by one more than half of the organised assemblies in the District.

Minutes

33. Minutes shall be kept in a proper book of all the deliberations, decisions, elections and other matters decided on at all District Workers' Council meetings, and shall be signed in so far as they refer to any particular meeting by the Chairman and the Secretary of the District Workers' Council.

GENERAL WORKERS' COUNCIL

Constitution

34. There shall be held annually at Headquarters a Workers' Council hereinafter called the "General Workers' Council," of all full-time Workers of the Mission and Delegates from each assembly, appointed as provided for in Article 35 hereunder.

Delegates

35. Delegates shall be members of the Local Assembly Board, by whom they shall be delegated by formal resolution. The number of such delegates to which each assembly shall be entitled, shall be fixed from time to time by the General Workers' Council.

Authority

36. The General Worker's Council shall, subject to these Articles of Association, have authority to manage all matters in the interest of the Mission, to make and amend Instructions in the government of the Mission.

General Meetings

37. A General Worker's Council shall be held in every calendar year, and not more than fifteen months after the holding of the last General Workers' Council under this clause, the first of which Councils shall be held within twelve months from the date of registration of these articles. Councils held in pursuance of this clause, shall be known as "Annual General Workers' Councils". Only matters touching the Mission and sent in in accordance to the instructions of the General Workers' Council and other provisions of these Articles of Association, may be discussed and decided on at such Council meetings excepting when the meeting decides with a majority vote that a matter is of such urgent nature that it justifies immediate discussion.

[The word "in" is repeated in the Government Gazette ("sent in in accordance"), as reproduced above.]

Elections

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38. At such Annual General Workers' Council during election year, there shall be chosen and elected by secret ballot, as hereinafter described, from among the male full-time Workers of the Mission, who have the qualifications as laid down from time to time by the General Workers' Council, the President, Vice-President, General Secretary and General Treasurer, who shall be the Trustees of the Mission for the time being and also the Superintendent of Missionary Work, who shall all hold office for a period of three (3) years from the date of their elections. There shall further be chosen and elected, by secret ballot the members of the Spiritual Committee and such other officers as the General Workers' Council may decide. The first election shall take place within three years from the date of registration of these articles and thereafter every three years from the date of the first election. Every Officer elected in terms of this clause shall hold office for a period of three years, subject to Article 46 of the Articles of Association.

Resignations

38b. A District Representative on the Executive Council may at any time resign his office therein and he shall cease to hold the same, if during his occupancy thereof he shall be dismissed from his office, or be expelled from the Mission, and any vacancy occurring shall be filled by a by-election being held in the district as soon as possible after the vacancy occurs.

Special Meetings

39. Special sessions of the General Workers' Council may be arranged by the Executive Council if agreed to by the majority vote in the majority of the District Councils in the Mission. The right of initiative in the matter of calling of Special sessions shall be granted to any ordained full-time Worker of the Mission, when occasion demands. A statement setting forth the reasons for a special session of the General Worker's Council, and the matters to be submitted discussed and decided at such Council, signed by not less than twenty full-time Workers, may be considered sufficient reason for considering the calling of a special session of the General Workers' Council. Only such matters affecting the Mission shall be discussed and decided upon at such meetings as are mentioned and referred to in the requisition concerning the same.

Minutes

40. Minutes shall be kept in a proper book .of all the business transactions and resolutions taken, at all General Workers' Councils of the meetings, and shall be signed in so far as they refer to the proceedings of any particular meeting, by the Chairman and Secretary of the meeting, and a copy of any entry made therein, certified in manner hereinafter appearing as correct extract from the said Minutes, shall be sufficient evidence for all purposes of the proceedings therein set forth.

Notices

41. All General Workers' Councils and Special General Workers' Councils shall be convened and held in pursuance of a notice to that effect signed by the Secretary or other Executive officer of the Mission, which notice shall set forth the nature of the meeting, the date and hour when, and the place where the same is to be held, and the business and matters to be discussed and transacted thereat, and shall be posted to all Pastors and Temporary Leaders of Assemblies who shall announce such notice from their platforms at meetings held on three consecutive Sundays, the last announcement to be not less than three days before the meeting, but the omission to announce such notice, if purely accidental or due to the default solely of any such Pastors or Temporary Leaders shall not invalidate the meeting.

Procedure

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42. At every General Workers' Council all questions shall be settled, all choices and elections made, and all decisions arrived at by the full-time Workers and delegates in person voting thereupon, and each of such voting be entitled to one vote and no more. In the event of a tie, or equality of votes, concerning any instruction or other matter, the Chairman of the Council shall, in addition to his vote as a member, be entitled to a further casting or deciding vote. All votes for the purpose of election shall on all occasions be given by secret ballot, and unless otherwise decided the voting on other business, decisions or instruction, shall be given openly. The settlement, choice, election and decisions so made and recorded by the majority of the Council, shall, save where otherwise herein provided, bind all members of the Mission.

Quorum

43. A quorum at all meetings of the General Workers' Council, shall be a meeting where one more than half of the organised assemblies of the Mission are represented.

EXECUTIVE COUNCIL*Constitution*

44. At every third Annual General Workers' Council following the holding of the Annual General Workers' Council just before registration of these Articles, there shall be chosen and elected from among the male full-time Workers of the Mission, who have the qualifications as laid down from time to time by the General Workers' Council, a President, Vice-President, General Treasurer and General Secretary to be the Executive Officers of the Executive Council and for the time being the Trustees of the Mission and also the Superintendent of Missionary Work, and such other Officers as the General Worker's Council may decide, and they together with the ordinary members elected by the various District Workers' Councils according to these Articles and the instructions in force in the Mission, shall form the Executive Council.

Period of Service

45. The Executive Officers and the ordinary members of the Executive Council shall, save as hereinafter provided, hold their respective offices until the next election, but shall be eligible for re-election.

Resignations

46. An Executive Officer or the Missionary Superintendent may at any time resign his office therein, and shall cease to hold the same if during his occupancy thereof he shall be expelled from the Mission and any vacancy occurring in any such office, shall be temporarily filled by the appointment by the Executive Council of such other member thereof or such full-time Worker of the Mission, as they shall think fit, to hold the same until the next election.

Authority

47. The Executive Council shall, subject to the directions and instructions (if any), passed from time to time by the General Workers' Council of the Mission, and to the Rules and Regulations hereinafter set forth, manage and transact the business and affairs of the Mission, and possess and exercise all the powers and authorities mentioned and set forth in the Memorandum of Association of the Mission.

Powers

48. All the property of the Mission, movable and immovable, shall be assigned, vested, registered, and transferred, all mortgages, pledges, hypothecations and securities made, taken,

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ceded and cancelled, Bank accounts operated upon, all payment instruments used and negotiable instruments made, signed, drawn, assigned and endorsed, all documents executed, all extracts from minutes certified, all legal proceedings taken, conducted and defended, and all transactions carried through, by one or more persons, authorised by the Executive Council and in absence of such authorisation in the name of the President and the Vice-President, the Treasurer and the Secretary for the time being the Trustees and Executive officers of the Mission who shall however, at all times and in all things be subject to and act in accordance with the directions and instructions of the Executive Council, and a certificate under the hand of any two of the Trustees shall for all purposes be conclusive evidence that any person was or is an Officer or member of the Mission and with the right and powers or that any meeting whatever of the members of the Executive Council of the Mission has duly been held.

[paragraph 48 substituted with amendment markings by Act 16 of 2022]

Procedure and Quorum

49. The Executive Council shall carry on and conduct the business and affairs of the Mission entrusted to them, and exercise the powers and authorities conferred upon them, at and by the Councils of the Workers thereof, by and through any two of the four Executive Officers being the four Trustees of the Mission.

They shall meet from time to time as the occasion may demand and any assembly of the members of the Council met in pursuance of these rules and regulations shall for all purpose be a meeting of the Council provided a majority of the members be present thereat.

All questions shall be settled and all decisions be arrived at by the members personally present voting thereupon. Each member present at such voting is entitled to one vote and no more, save that in a case of an equality of votes, the Chairman of the meeting shall in addition to his vote as a member of the Council, be entitled to a further casting or deciding vote, and the settlement and decision as so made and recorded by the majority of the members present, shall bind all the members of the Council.

Delegation of Powers

50. The Executive Council may for such periods in such terms as they shall think fit delegate any of their powers to any member or members thereof, and again withdraw the same, and may authorise or empower any person or persons to do any act or thing, and make, sign or execute any Deed, instrument or writing in their or any of their behalfs.

Auditors

51. The Executive Council shall annually recommend to the General Workers' Council for approval the appointment of duly qualified auditors whose duties shall be regulated by the Company's Act of 1926 or any amendments thereof. The remuneration of such auditors shall be determined by the Executive Council.

Finances

52. It shall be the duty of the Executive Council to submit and present to the Annual General Worker's Council and the Annual General Meeting of Members every year, after registration of these Articles, a duly audited statement of Accounts, showing the assets and liabilities of the Mission at a date not more than four months prior to the holding of such meeting, and the income and expenditure of the Mission, during the term immediately preceding or from the date of the last account to such date.

Indemnity of Members

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53. Every Executive Officer and member of the Executive Council shall be indemnified by the Mission out of the funds thereof from and against all costs, expenses, losses and liabilities incurred or suffered by him by reason of any contract entered into, or act or deed done or performed by him as such Officer or member, or in any way in the discharge or attempted discharge of his duties.

No such Executive Officer or member of the Executive Council shall be liable for the acts, receipts, neglects, or defaults of any other such Officer or member, or for joining in any receipt or other act of conformity, or for any loss or expenses that the Mission may suffer or incur through the insufficiency or defect of title to any property assigned or on behalf of the Mission or for the insufficiency or deficiency of any security in or upon which any of the monies of the Mission shall be invested, or from any loss or damage arising from the Bankruptcy, Insolvency or tortuous act of any person with whom any monies, securities, or properties of the Mission may be deposited or in whose control or possession the same may have been placed, or for any other loss, damage or misfortune whatsoever, which may happen in the execution of the duties of his Office or in relation thereto, unless the same shall have happened through his own wilful act or default.

THE SPIRITUAL COMMITTEE

Constitution

54. At every third Annual General Workers' Council following the Annual General Council held just before the registration of these Articles, there shall be chosen and elected by secret ballot from among the male full-time Workers of the Mission, in addition to the President, Vice-President, General Secretary, General Treasurer, and such other officers as the General Workers' Council may decide, three ordinary Committee men to form together a Spiritual Committee of the Mission. Such Spiritual Committee when elected shall hold office for a period of three (3) years, save as hereinafter provided.

Resignations

55. The Chairman or any ordinary members of the Spiritual Committee may at any time resign his office therein, and he shall cease to hold the same, if during his occupancy thereof he shall be dismissed from his office, or be expelled from the Mission, and any vacancy occurring in any office of the Spiritual Committee, shall be filled by some person appointed by the Spiritual Committee from such other members of the Executive Council as they may think fit. Such person shall hold office until the next election of members of the Spiritual Committee as hereinbefore provided.

[The word "occurring" is misspelt in the Government Gazette, as reproduced above.]

Period of Service

56. The Chairman and the Ordinary Members of the Spiritual Committee shall, save as herein provided hold their respective Offices until next election but shall be eligible for re-election.

Doctrine and Discipline

57. The Spiritual Committee shall when thereto required by the Executive Council or General Workers' Council:

- (1) Enquire into, settle and lay down the doctrine and discipline of the Mission in any question or matter submitted to them.
- (2) Hold a Court before which the complainant and accused shall be entitled to appear and be heard in person, and lead and submit evidence, oral, documentary or otherwise, to decide and adjudge whether the views, character and conduct of any

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member are in conformity or otherwise with the doctrines and discipline of the Mission, and;

- (3) Generally examine into, deal with, and report upon any question, matter or thing arising out of and relevant to, or affecting the doctrine and discipline of the Mission.

57a. The Spiritual Committee shall in addition to what is laid down in Article 57, sit as a court of Appeal over all matters that may be submitted to it for final decision according to the Articles and Instructions.

[The word “relevant” in Article 57(3) is misspelt in the *Government Gazette*, as reproduced above.]

Inquiries

58. In all inquiries, examinations, investigations and hearings by the Spiritual Committee, all members thereof shall take part provided that a majority of the membership be present, but the opinion, finding and decision of the majority of the meeting shall in all cases be final and conclusive on the question of the matter at issue.

GENERAL MEETING OF MEMBERS

Constitution and Quorum

59. A general meeting of the members shall be an assembly of the members at a particular place, in response to a notice issued to them in a manner and form herein appearing, calling them together to a General Meeting for any purpose or for the transaction of any business in the interests of the Mission and shall be a general meeting notwithstanding that only some of the members be present thereat.

Annual General Meeting

60. A general meeting of the members shall be held once at least in every calendar year, and not more than fifteen months after the holding of the last preceding general meeting under this clause, the first of which meetings shall be held within fifteen months from the date hereof. Meetings held in pursuance of this clause, shall be known as “Annual General Meetings”.

Special General Meeting

61. The Executive Council may at any time upon the decision of the General Workers’ Council to that effect, convene a General meeting of the members, other than and in addition to any General meetings. Meetings held in pursuance of this clause shall be known as “Special General Meetings”, and only such business and matters affecting the Mission, shall be discussed, transacted and decided on at such meetings as are mentioned and referred to in the notice concerning the same.

Notice

62. All General Meetings of the members shall be convened and held in pursuance of a notice to that effect signed by the Secretary or other Executive Officer of the Mission which notice shall set forth the nature of the meeting, date and hour when and the place where the same to be held, and the business and matters to be discussed and transacted thereat, and shall be posted to all Pastors and Temporary Leaders of Assemblies, who shall announce the notice from the platforms during services held on three consecutive Sundays, the last announcement to be not less than three days before the meeting, but the omission to announce such notice, if purely accidental or due to the default solely of any Pastor or Temporary Leader, shall not invalidate the Meeting.

Order of Meeting

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63. At every General Meeting of the members all questions shall be settled and all decisions arrived at by the members in person voting thereupon, and such members so present shall at such voting be entitled to one vote and no more, save that in case of a tie or equality of votes, the Chairman of the meeting shall in addition to his vote as a member, be entitled to a further casting or deciding vote, and all votes shall on all occasions be given openly unless where otherwise herein provided, or unless the majority of the members so present shall decide that the votes on any particular question or matter shall be given in secret ballot.

Minutes

64. Minutes shall be kept in a proper book of all the Transactions at all General Meetings of the meetings, and shall be signed in so far as they refer to the transactions at any particular meeting, by the Chairman and Secretary of the meeting, and a copy of any entry made therein certified in manner hereinafter appearing, as a correct extract from the said Minutes, shall be sufficient evidence for all purposes of the transaction therein set forth.

MISSIONARY POLICY*Organisation*

65. (a) The General Workers' Council shall, subject to the provision laid down in Article 2, have full power and authority to determine the Missionary Policies of the Mission and to create and establish such organisation as may be required from time to time to effectively promote the aims and objects of the Mission in the Mission fields.

Missionary Council

(b) A Council of Missionaries from all Mission fields, presided over by the Superintendent of Missionary work, shall be convened annually for the purpose of discussing matters concerning the work in the Missionary Departments and advising the Executive Council and General Workers' Council on Missionary matters, referred to in Article 2 hereof.

Properties and Funds

(c) All properties acquired for the use of the Indian, Coloured and Bantu communities, shall be held in trust for each community by the Executive Council through the Trustees of the Mission and such properties shall not be disposed of or transferred from one community to another, unless with the consent of the Executive Council. Any funds collected by the said communities or derived from the sale of their properties, shall be held in trust for the community concerned by the Executive Council.

RULES AND REGULATIONS TO BE OBSERVED AT ALL MEETINGS*Order*

66. All the meetings in general of Assemblies, Committees, Boards, Councils or otherwise shall be conducted in an orderly and proper manner and in observance of the constitution of the Mission.

Quorum

67. A quorum at any Council, Board or Committee meeting, except where herein is otherwise provided, shall consist of one more than half the number of members of the existing body.

Chairman

68. The President, or Chairman shall preside over all meetings, except in his absence when the Vice-President or Vice-Chairman shall preside. Due respect shall at all times be shown to the presiding Officer, and in speaking every member shall address the Chair.

Should the presiding Officer be absent from a meeting whereof due notice has been given the members present shall after fifteen minutes have elapsed from the time set down for the meeting have the right to elect a temporary Chairman who shall preside during such meeting subject to the rules herein contained.

Absentees

69. A member of any Council, Board or Committee absenting himself, without approved cause, for three successive meetings of which he has been duly notified, shall cease to be a member thereof, and another member shall be forthwith elected to his place for the term of his membership. In case of the death or removal of a member, the vacancy shall be filled without delay by the existing members.

Procedure

70. All matters shall be brought under consideration and discussion by way of the motion duly proposed and seconded and noted by the Secretary, but the meeting may at any time at the request of a member and with the consent of the majority of such a meeting go into Committee for general discussion.

Speakers

71. No member shall have the right to speak more than once on a motion or amendment, provided that by consent of the Chairman, he may again speak by way of explanation.

Movers of resolutions shall have the right to reply at the end of the discussion.

Amendments

72. Every amendment shall be duly proposed and seconded and noted by the Secretary, the amendments being put to the vote in reverse order to that which they were proposed and the original motion shall be voted for after all the amendments shall have been voted for.

Casting Vote

73. The President, or any Chairman, shall have an ordinary vote, and in the event of a tie also a casting vote. In the Spiritual Council or when the Spiritual Council functions as a court of appeal, the President or Chairman shall not have a casting vote.

System of Voting

74. Voting on all matters may take place by secret ballot or show of hands, as the meeting shall decide, provided that all elections shall be by secret ballot. In the election of the Executive Officers of any Board, Committee or Council and members of the Executive Council the candidates who possess the necessary qualifications shall be nominated by secret ballot. All names thus presented having obtained at least ten per cent of the votes cast shall be balloted upon until a candidate shall have received a two-third majority of the votes cast. If no such majority shall have been reached by the first three ballots taken the two candidates having the highest number of votes in the third ballot shall be the only nominees to be further voted upon and the candidate who receives the majority shall be declared elected. Any candidate receiving a two-

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third majority in the nomination ballot shall be declared elected. In the case when a number of members are to be elected all names having the necessary qualifications and receiving two or more nominations in the nomination ballot shall be further balloted upon until a majority of all votes is obtained by every member to be elected.

Review of Resolutions

75a. Resolutions may be brought in review, except where herein otherwise provided, by any member provided that due notice in writing shall be given to the Secretary, of the Committee or body, who shall notify the members thereof at least eight days before the next meeting at which such review shall be considered.

Rights of Appeal

75b. Any Committee, Board or Council, or any member of any Committee, Board or Council shall have the right to appeal to the highest Court of Appeal of the Mission.

Minutes

76. The Secretary of every Committee, Board or Council shall keep correct minutes of the proceedings at meetings, which minutes shall be duly read and confirmed at the next meeting before any other business is proceeded with and shall be signed by the President or Chairman and Secretary, and shall at all reasonable times be accessible to the members of the body concerned.

Correspondence

77. All official correspondence shall be carried on by the Secretary, who shall keep record and copy of same and all communications shall be addressed to him and be duly filed for reference, and be replied to by him.

Finance

78. The Treasurer shall receive and with the sanction of his Council, Board or Committee, pay out all monies, for which receipts shall be taken; he shall keep proper books, open to the inspection of his Committee at all reasonable times, and shall render statement of account at such times as his Committee shall decide.

Power of Presiding Officer

79. The ruling of the presiding Officer shall at all times be respected, should any member be dissatisfied with any ruling by a Chairman, he may challenge such ruling which shall thereupon be decided by the majority at such meeting provided that any member shall at all times possess a right of Appeal, to the highest Court of Appeal of the Mission.

Amendments to these Articles

80. To add to or, to alter, any or all these articles, written notice to that effect shall be given to the Secretary of the Executive Council, giving full details of the proposed amendment or amendments, which notice shall be laid before all the District Councils and the majority vote in the majority of the District Councils shall decide whether such amendment or amendments shall be discussed and decided upon at a General Workers' Council or Special General Workers' Council to be convened for that purpose, and a majority vote of all members of the Council present shall decide whether the proposed alteration or addition shall be proceeded with as provided for by the Company's Act 1926 or any amendments thereof.

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Signed:

Witnesses: 1.

2.

UNLIMITED COMPANY

MEMORANDUM OF ASSOCIATION

of the

APOSTOLIC FAITH MISSION OF SOUTH AFRICA

1. The name of the Company is The Apostolic Faith Mission of South Africa.

2. The Registered Office of the Company will be situated in the Transvaal.

3. The objects for which the Company is established are:

The object of the Society shall be the extension in South Africa and elsewhere, by all and every legitimate means of the Kingdom of God upon earth in accordance with the teaching of the Holy Scriptures as interpreted and defined from time to time as the occasion may require by the Spiritual Committee, and to this end the Society shall be such persons and in such manner as may be prescribed be entitled to do all or any of the following acts and things i.e.:

- (a) To admit fit and proper persons to be members of the Society, and to expel members whose views, character, or conduct shall be found after due enquiry not to be in conformity with the doctrine, discipline and practice of the Apostolic Faith.
- (b) To ordain or appoint fit and proper persons among its members to be Pastors, Elders, Deacons, Evangelists, Missionaries or Workers, or to hold other offices and to recognise as such when duly admitted members of the Society, persons presenting proper certificates or credentials to that effect from any other duly constituted Christian body to assign to such Officers and delimit from time to time their respective districts and spheres of operation and duty; to transfer such officers from time to time from their then to other districts or localities or to leave them with such unprovided or unassigned; to remove such Officers from time to time from their then to any other offices; and to suspend for such periods as may be decided upon or to dismiss such Officers as may be found, after due enquiry to be deserving of suspension or dismissal.
- (c) To hire and engage the services of teachers, colporteurs, agents or other persons from time to time on such terms and for such periods as may be deemed necessary or expedient for the work or any interest of the Society.
- (d) To establish, maintain, and support and aid in the establishment, maintenance and support of Churches, Meeting-houses, Schools, Hospitals, Alms-houses, Orphanages, Manse-houses, Presbyteries, Offices, Institutions and Clubs or any other buildings or business not mentioned here for or conducive to the spiritual, moral, or material benefit of the members of the Apostolic Faith, or of their relatives, connections or dependants.

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- (e) To subscribe or guarantee money for, or otherwise aid in the advancement of any religious, charitable or benevolent institution or purpose or any public general or useful object.
- (f) To print or publish, or assist in the printing or publishing of books, tracts, pamphlets, magazines, newspapers, journals, accounts, statements, papers, circulars, advertisements, handbills, posters and other documents incidental or conducive to the object and work of the Society, or calculated to assist in the spreading of the Apostolic Faith as interpreted by the Apostolic Faith Mission of South Africa.
- (g) To appoint any person or persons, Committee or Association, or body to represent the Society in any other country or state, in any matter or thing, with such powers or authorities and subject to such conditions and qualifications as may from time to time be deemed necessary or desirable.
- (h) To enter into arrangements with any Government or Authority, Sovereign, Municipal or Local, that may seem calculated to advance the object of the Society to further its work or facilitate the exercise of its powers or any of them. To obtain from such Government or Authority any Rights, privileges, powers or concessions, which it may be thought desirable to acquire. To comply with, to carry out and exercise any such arrangements, rights, privileges, powers and concessions, and to promote and to obtain from any Legislature, Parliament, Assembly, Council or Executive of any such Government or Authority to enable or assist the Society to advance its objects, to carry on its work or to exercise its powers or any of them.
- (i) To accept, acquire, hold and deal with any trust, property or funds subject to and in terms of any trust affecting the same, and to undertake, administer, execute or perform any trust or duty that may be confided in, or imposed upon it.
- (j) To take over, accept, and acquire, subject to and to hold and deal with, in terms of any trust or duly expressed or implied affecting the same property and Funds of the Mission or Society at the time of its constitution hereby.
- (k) To acquire by purchase, hire or otherwise, and on any terms and for any consideration to accept by way of gift donation, subscription, legacy, bequest devise or otherwise howsoever and subjected to any conditions or burden to obtain title or documentary evidence of the Title in due form of the appropriated land, to hold, manage, maintain, administer and against any risk insure and on any terms to sell, transfer, mortgage, hypothecate, pledge, let, lend or otherwise dispose of lands and interests in lands, buildings, erections, securities, stocks, shares, debentures, negotiable instruments, funds, monies, debts, right of action, and property of what nature or kindsoever and wheresoever situate, movable or immovable.

[There appears to be an error in subparagraph (k); the phrase “property of what nature or kindsoever and wheresoever situate” was probably intended to be “property of whatsoever nature or kind and wheresoever situate”.]

- (l) To erect, maintain, or demolish buildings and structures of any description or material whether on the land of the Society or not.
- (m) To borrow, and raise, and undertake and secure the repayment of money in such manner and in such terms as may be considered necessary or expedient and in particular on and by mortgages, hypothecations pledges or debentures on or over any or all of the property of the Society.

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- (n) To invest, deal with, and lend out the funds and monies of the Society in such manner and on such securities, on such terms and to such persons as may from time to time be expedient.
- (o) To guarantee contracts and liabilities of, and become security for any person or body, and to sign and execute deeds, bonds, and investments of securityship or guarantee.
- (p) To open a Banking Account or Banking Accounts in the name of the Society, or in trust for the Society, or otherwise as may be necessary or expedient, with such Banks, and in such places as may be considered desirable, and to operate upon, transfer and close the same from time to time as may be thought fit.
- (q) To take, sign, draw and accept and endorse payment instruments, bills of exchange, promissory notes, and negotiable instruments.

[paragraph (q) substituted with amendment markings by Act 16 of 2022]

- (r) To sign, give, and grant receipts, releases and discharges for any money paid or other property in any way transferred or delivered to the Society for any purpose.
- (s) To enter into, grant, sign, make or execute all such Agreements, Contracts, Powers of Attorney, Deeds, and other instruments as may be deemed expedient or necessary for the benefit of the Society for the furtherance of its objects, work, or for the due exercise of its powers.
- (t) To make any payments or disbursements necessary for the due conduct of the affairs of the Society, and in particular to pay such salaries and remunerations to the travelling and other expenses of Pastors, Elders, Evangelists, Missionaries, Workers, Executive Officers, Members of Committees and other persons engaged upon the work of, or acting for, or on behalf of the Society, as may from time to time be necessary or desirable.
- (u) To institute, conduct, carry or defend, abandon or compound any suit, action or proceedings, in any Court of Law, by or against the Society, and submit to arbitration any disputes or questions arising out of or in connection with the affairs of the Society.
- (v) And to do all such acts and things and make sign, and execute, all such deeds, writings, and instruments as may be considered for or conducive to the furtherance of the object or work of the Society, or may be incidental to, or necessary for the due exercise of its powers.

We, the several persons whose names are subscribed are desirous of being formed into a Company, in pursuance of this Memorandum of Association:

p.p.

John G. Lake,
Frank Dugmore,

88, Bree Street,
Johannesburg.

Minister of
Religion.

J. H. Greef,

658, St. Swithens Avenue,
Auckland Park,

Minister of
Religion.

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p.p.	Johannesburg.	
R. R. Daniel,	115, Hopkins Street, Bellevue East, Johannesburg.	Gentleman.
P. L. le Roux,	45, Von Wielligh Street, Johannesburg.	Minister of Religion.
J. J. H. le Roux,	Klip Rivers Oog, P.O. Kliptown.	Farmer.
S. V. W. le Roux,	Zomerlust, P.O. Kliptown.	Farmer.
p.p.		
Edward Newtown, Saunders,	4, Orange Street, Bloemfontein.	Minister of Religion.
A. van den Broek.		
Dated at Johannesburg this fourth day of October 1913. Witness to the above signatures.		
A. van den Broek,	9, Hunter Street, Yeoville, Johannesburg.	Attorney at Law.
A. du Toit,	39, Stiemens Street, Braamfontein, Johannesburg.	Lady Typist.
Scot Moffat,	86, Ampthill Avenue, Benoni, Transvaal.	Builder.
Chas. Welsh,	38, Bok Street, Johannesburg.	Builder.
Fred W. Green,	124, Eighth Avenue, Bez. Valley, Johannesburg.	Clerk, Railway Stores.
W. H. Plaat,	162, Kitchener Avenue, Kensington, Johannesburg.	Clerk.
W. F. Dugmore,	131, Jeppe Street, Kensington, Johannesburg.	Missionary.
R. J. Rickards,	79, Railway Qrts., Newtown,	Plate Layer.

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	Johannesburg.	
Donald Kennedy,	23, Biccard Street, Clifton, Johannesburg.	Builder.
Richard Kent,	79, Railway Cott., Newtown, Johannesburg.	Carpenter.
W. C. Hanger,	Gov. Cottage, Auckland Park, Johannesburg.	Commission Agent.
J. D. M. Gouws,	90, Jorissen Street, Braamfontein, Johannesburg.	Collector.
John Huly,	148, Frederick Street, Braamfontein, Johannesburg.	Clerk
p.p.		
Jas. Waghorn,	131, Jeppe Street, Johannesburg.	Compositor.
P. J. Bosman,	689, St. Swithins Avenue, Auckland Park, Johannesburg.	Retired Farmer.
A. F. Strauss,	Cottage 35, Simmer East, Gerniston.	Miner.
H. Crocker,	50, Von Brandis St., Johannesburg.	Sign Writer and Painter
C. T. Orsmond,	90, Beyers Street, West Krugersdorp.	Sanitary Insp.
P. F. Fourie,	109, Ninth Street, Vrededorp, Johannesburg.	Commission Agent.
H. B. v.d. Byl,	Cor. 12th and Hull Street, Vrededorp, Johannesburg.	Dealer.
P. J. Myburgh,	44, Tenth Street, Vrededorp, Johannesburg.	Railway Sail-maker, Sheds.

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F. van Dijk,	26, Tenth Street, Vrededorp, Johannesburg.	Miner.
Charles Heatly,	38, Bok Street, Joubert Park, Johannesburg.	Fitter.
J. C. Snyman,	Cor. Wolmarans and Claim Streets, Johannesburg.	P.O. Staff.
William Verner,	18, Hoofd Street, Braamfontein, Johannesburg.	Insurance Agent.
Dated at Johannesburg this fourth day of October 1913. Witness to the above signatures		
Emma L. Wick,	RS , Francis Bldgs., Troy and Pritchard Streets, Johannesburg.	Missionary
M. I. Lacey,	Forrest Bldgs., Meddison Street, Jeppe.	Mission Worker.