

Subject: FW: ABASA Documents

Dear All

We have perused the articles of association, rules and memorandum of association of what is now to be called the Association of Business Administrators of South Africa and have certain minor comments.

The comments contained herein are based on draft 4 of the aforementioned documents which are posted on the TMA web site.

The proposed amendments are not marked-up on the relevant documents as the amendments are minor and can be dealt with more easily in this format.

AD THE ARTICLES

Preamble

The word "ADMINISTRORS" under the name of the company should obviously be "ADMINISTRATORS".

Ad clause 1.11

The reference to the "Business Administration Act" is not understood as this Act has not yet been promulgated and is not defined.

Ad clause 24.1

The word "available" should be inserted before the word "funds" in line 3.

Ad clause 24.2

The word "available" should be inserted before the word "funds" in line 2.

AD AMENDED MEMORANDUM OF ASSOCIATION

Ad clause 2

The term "business administration" should be defined.

The reference to the "Business Administration Act" is not understood as same has not yet been promulgated.

Ad clauses 3.3, 3.5, 3.7 3.9, 3.14, 3.15 and 3.16

The definition of "business administration" becomes important as result of the references to this term in these clauses.

AD THE RULES OF THE ASSOCIATION

The words "OF SOUTH AFRICA" should be inserted after the words "RULES OF THE ASSOCIATION OF BUSINESS ADMINISTRATORS" in the header.

Ad clause 1.4

The words "of South Africa" should be inserted after the words "the Association of Business Administrators" in this clause.

Ad clause 1.12

It is not understood how reference can be made to the "Business Administration Act" when same has not yet been promulgated.

We note the statements concerning the proposed bringing into law of the "Business Administration Act" as contained in clauses 4.1.4 and 5 but do not believe that the term "business administration" can be defined with reference to an Act which is not yet existent. (I.e. we do not know how that term will be defined in the

finally promulgated Act).

Ad clauses 13.1.4, 13.1.6((a), (b), (d)), 13.1.9, 14.1.1, 14.2, 14.3, 14.4, 14.6 and 14.10

The term "business administrator" is not defined and is presumably intended to mean "business administration professional" (which is defined)

Kind regards,
PAUL WINER AND DAVID GEWER