

THE SATIVA COLLECTIVE PRIVATE MEMBERS SOCIAL
CANNABIS CLUB CONSTITUTION

(hereinafter referred to as “the Club”)

1. The SATIVA COLLECTIVE PRIVATE MEMBERS SOCIAL CANNABIS CLUB is a self-regulated private club model, that is non-commercial in nature and is designed as a **VOLUNTARY ASSOCIATION**.
2. The SATIVA COLLECTIVE PRIVATE MEMBERS SOCIAL CANNABIS CLUB operates on a membership only basis, to ensure exclusivity in relation to the approved members who:
 - a) Agree with the club’s core values
 - b) Are acquainted and in agreement with the constitution of the club
 - c) Agree with all terms and conditions that are ancillary to being a member of the club
 - d) Are law-abiding in respect of ALL current legislation / law relating to the use / possession of cannabis
 - e) Are utilizing the services of the club, via their membership, to exercise their right to use and enjoy cannabis in a private setting.
3. The club aims to create a space for like-minded cannabis users who are exercising their constitutional right to possess and use cannabis on a private premises. The club’s framework is aligned to create a safe and secure cannabis culture, whilst promoting the sharing of cannabis within our social club.
4. The club has been formed with consideration to the right to use cannabis, for private purposes, in a private space, and furthermore with consideration of; the Cannabis for Private Purposes Act. The club acknowledges that the Cannabis for Private Purposes Act, 2024, is not fully in force, and that finality in terms of regulations are required to be implemented. However, the club acknowledges the intention of the legislature that has been created by such Act.
5. The exclusive membership as created by the club shall operate as follows;
 - a) Members that cannot grow cannabis for their personal use / consumption on their own due to their lack of knowledge or intel on how to grow / cultivate the plant, shall apply for membership through the club’s membership application form.

- b) The membership application asks that an applicant specify exactly why they are applying for membership. The club operates in a manner that it allows members to exercise their right to use and possess cannabis, in that; adult persons, despite their living arrangements and or circumstances is given an opportunity to use and possess cannabis.
 - c) Membership is not transferable, and management shall keep a register of ALL active members on their database.
 - d) Membership shall automatically terminate if, a member is seen to be in breach of any aspect of the constitution of the club, if the members conduct is contradictory with any law relating to cannabis, by death or by written resignation as a member.
 - e) In the case of termination of membership, the member may appeal such decision via written representations.
6. A founding principle of the club is to ensure that the constitutional right to possess and use cannabis extends to all individuals who wish to exercise their right, and not a marginal part of the population who are able to possess or use cannabis - due to being afforded more conducive circumstances. SATIVA COLLECTIVE PRIVATE MEMBERS SOCIAL CANNABIS CLUB, therefore, operates as **PRIVATE GROW CLUB**, in that;
- a) The club operates in a manner which is concealed, and thus not in public view.
 - b) It is agreed that ONLY MEMBERS shall be given access to the said club.
 - c) No members of the general public may enter into the club without applying for a prior application for membership to the club's management.
 - d) The following is prohibited by the club;
 - I. Any current member of the club affording a non-member of the club to access club facilities and or club products.
 - II. The club shall only operate at the premises of 120 HELEN JOSEPH ROAD, BEREA, members are not permitted to use any product that is obtained through the club in a public space.
 - III. The club is a law-abiding entity, members are prohibited in acting contradictory to any law or regulation in relation to cannabis, this includes but is not limited to the Drugs and Drug Trafficking Control Act 140 of 1992. A member is prohibited from SELLING or DEALING in any product that they have obtained through the club.

- IV. A member cannot deny the club proof of identification, each and every member is responsible for producing proof of membership and or identity documents upon entry into the club. A club representative may deny entry to a member who is not in possession of identity documents and or a membership number.
 - V. The public / non-members do NOT have right of access onto the property that the club is situated; 120 HELEN JOSEPH ROAD, BEREHA, a member is prohibited from assisting or allowing a non-member onto the premises.
7. The purpose of the club is as follows;
- a) The club shall through its' agricultural growers, cultivate cannabis plant from seed through to a trimmed dried product on behalf of the members.
 - b) The grower shall cultivate the product until it is trimmed and dried, ready for use by the member.
 - c) This process shall be regulated by a monthly membership fee which shall be payable by the member to the club pursuant to the membership application.
 - d) The said membership fee does not amount to "consideration", in that, the membership fee shall be utilized for:
 - I. Upkeep of the private premises; 120 HELEN JOSEPH ROAD, BEREHA,
 - II. Payment of salaries to the growers who cultivate the product on behalf of the member,
 - III. Overheads that are accumulated during or through the cultivation process,
 - IV. Any other fees or disbursements that have accumulated to the Club as a result of the cultivation process.
 - e) All members of the club are in consensus in that the club shall not derive any profit which shall be due or payable to any owner, shareholder or member, and the club shall therefore constitute a **NON-PROFIT VOLUNTARY ASSOCIATION**.
 - f) Every member of the club recognizes and appreciates the legal risks associated with use, possession and cultivation of cannabis, and does agree that the clubs terms and conditions of membership, as set out in the constitution herein, membership application, policies and declaration.
8. Every member must acknowledge and agree that;
- I. Cannabis is NOT sold by the club

- II. The plant cultivated by the club grower or cultivator is NOT for sale by the club
 - III. The member's plant may not necessarily be grown on the private premises of 120 HELEN JOSEPH ROAD, BEREA.
 - IV. The member gives full control and access of his / her plant or product to the grower. The grower has deal with the plant until it is in a form that can be consumed by the member.
 - V. Two or more members of the club may share in the growth or cultivation of a single plant for their joint purposes or use, on condition that neither party financially benefits of the said plant.
 - VI. No person under the age of 18 years, or who lacks capacity shall be admitted as a member of the club.
 - VII. All members entry and exit into the club will be accessed controlled by management, members must have in their possession their proof of identification as well as membership number when utilising facilities of the club.
9. All matters pertaining to litigation, security measures, contractual negotiations, employment matters and any other matters deemed confidential by the club, and must be treated as such by members, employees and contractors to the club.
10. A member who elects to apply for membership understands that this Club is not a means of purchasing cannabis.
11. This club operates in a manner that likeminded individuals, wishing to pool their resources, have formed a "grow-club".
12. Each member will only be entitled to the product formed as a result of their contribution.
13. No member shall have rights to another members contribution.
14. Each member **OWNS** their product as grown by the Club.
15. The club shall not be liable for any loss as a result of pending or finalised litigation in relation to products grown by the club. Members and club representatives must be privy to the current contradictions, grey areas and developing areas that relate to cannabis in South Africa, as well as the ongoing effects that such may have on the club's regulations and policies.
16. The club will not be liable for any loss or damage of a member's cannabis that is subjected to law enforcement intervention of any kind.

17. The club operates as a non-profit company, which has been registered with CIPC. Proof of registration will be available and in plain sight of the club premises.
18. The club shall have an appointed accountant or auditor who shall have full records of the clubs' financials, a member can request such documentation or information upon written request. This information is confidential, and can only be shared with members
19. All members must be satisfied with the CIPC Registration Documentation (as well as registration number), all policies relating to the club and contents of the constitution contained herein, prior to applying for membership.
20. The club reserves the right to utilise the membership application form, declaration and or members identification documentation for any litigation relating to the club, without prior written consent of the said member.
21. All members must align themselves with following framework that has led to the creation of this club:
 - a. The foundation of the creation of THE SATIVA COLLECTIVE PRIVATE MEMBERS CANNABIS SOCIAL CLUB, is as a result of the case of Minister of Justice and Constitutional Development v. Prince (2018).
 - b. In the Prince judgement, the Constitutional Court held that banning the private use of cannabis was unconstitutional.
 - c. Smoking cannabis publicly is a crime and shall be prosecuted in terms of Section 4 (b) of the Drugs and Drug Trafficking Act, 140 of 1992.
 - d. The sale of cannabis is a crime and is prosecuted in terms of Section 5 (b) of the Drugs and Drug Trafficking Act, 140 of 1992.
 - e. Based on the current position, the club has been created to allow like-minded cannabis smokers to have access to cannabis without **PURCHASING CANNABIS AT A PROFIT TO THE CLUB.**
 - f. Based on the framework, the club does not permit any member or individual to smoke or use cannabis in a public area, and this contradicts the club's founding principle – use of cannabis in private.
22. This non-profit company has been constituted as per the terms and conditions above and has come into operation and or effect on the date of registration as per the CIPC registration documentation.
23. By virtue of trading as a non-profit company, the club undertakes to comply with all relevant provisions of the Companies Act, and other applicable laws.

24. The club undertakes that upon winding up or dissolution, any remaining assets shall be transferred to a non-profit entity with similar objectives and not be distributed to members of the club.
25. The registered office of the club shall be 120 HELEN JOSEPH ROAD, BEREA.
26. Any amendments or variations to any clause of the constitution contained herein shall be amended by special resolution adopted by at least 75 % of the members who are entitled to vote, in accordance with the applicable law.

**SIGNED AND DATED AT DURBAN ON THIS _____ DAY OF _____
_____ 2026.**

**DULY AUTHORISED TO SIGN-OFF AS A DIRECTOR OF
THE SATIVA COLLECTIVE PRIVATE MEMBERS CANNABIS SOCIAL CLUB**