



THE ASSOCIATION OF SOUTHERN AFRICAN PROFESSIONAL ARCHAEOLOGISTS

183-538 NPO

ASAPA CONSTITUTION AND APPENDICES

**AS ACCEPTED AT THE BIENNIEL GENERAL MEETING OF THE ASSOCIATION OF SOUTHERN
AFRICAN PROFESSIONAL ARCHAEOLOGISTS ON 10 APRIL 2006**

**AMMENDED AT
THE BIENNIEL GENERAL MEETING OF THE ASSOCIATION OF SOUTHERN AFRICAN
PROFESSIONAL ARCHAEOLOGISTS ON 07 JULY 2017**

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CONSTITUTION: ASSOCIATION OF SOUTHERN AFRICAN PROFESSIONAL ARCHAEOLOGISTS

1 PREAMBLE

The Association for Southern African Professional Archaeologists (ASAPA) is a non-profit, non-governmental organisation that exists for the purpose of establishing, maintaining and promoting archaeology in southern Africa (all SADC states). ASAPA is committed to the development of archaeological research, management (the term management includes all related concepts such as conservation, curation, archaeotourism and restoration), outreach and the exchange of archaeological expertise and information in, and beyond, southern Africa.

ASAPA aims to act as a unifying organisation for professional, technical and affiliated members, as well as providing a service for all the region's inhabitants, in terms of this Constitution. Unity is advanced, and diversity acknowledged by the recognition of the different categories of contribution as reflected in the membership of ASAPA.

ASAPA rejects any form of discrimination; whether on grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, birth and nationality, amongst others. ASAPA recognises and supports the academic freedom of scholars to discover, discuss and disseminate information in their disciplines, provided that such freedom does not impinge on human rights or leads to, or supports any form of discrimination. In particular, ASAPA rejects the practice of distorting facts or interpretations to advance ideologies. ASAPA recognises that heritage resources form an important part of the history and beliefs of communities and must be managed in a way that is sensitive to the rights of affected communities. Such rights include that communities should be asked permission and continuously consulted when archaeologists are working on, or managing their heritage. Communities are furthermore entitled to participate in such projects.

This Constitution and its respective Appendices are in no way above, or in no way replace, the legislation, standards or guidelines of any governmental bodies appointed to regulate cultural heritage in their respective countries, provinces, districts or regions. ASAPA members are expected to inform themselves of such legislation, standards and guidelines, and to adhere to such regulations.

2 MISSION STATEMENT

As a professional body concerned with southern Africa's archaeology, ASAPA will provide leadership in the management of the archaeological profession so as to:

- 2.1 Advance the knowledge and practice of archaeology as widely as possible.
- 2.2 Support and enhance the archaeological profession and affiliated activities.
- 2.3 Support excellence in all aspects of archaeology and cultural heritage management.
- 2.4 Ensure that ASAPA members act in accordance with the ASAPA Code of Ethics, Code of Conduct and Minimum Standards of Practice (Appendices A, B & C to this Constitution), that are on par with international archaeological best practice.
- 2.5 Contribute to public initiatives, education and training concerning archaeology and cultural heritage management.
- 2.6 Further knowledge about the southern African past.
- 2.7 Stimulate debate on archaeological theory and practice.

3 THE ASSOCIATION

- 3.a The name of the Association is THE ASSOCIATION OF SOUTHERN AFRICAN PROFESSIONAL ARCHAEOLOGISTS, hereinafter called 'ASAPA'.
- 3.b Membership is open to all qualified Archaeologists and those who meet the requirements for membership categories as outlined in section Six of this Constitution.
- 3.c Membership is subject to *curriculum vitae* circulation approval as stipulated in clause 6.6.
- 3.d The headquarters of ASAPA shall be determined by the membership at the General Meeting.
- 3.e ASAPA is controlled by the 'Council of ASAPA', hereinafter called 'Council', constituted as per section Eight of this Constitution.

3.1 Legal status

- 3.1.a ASAPA is legally incorporated and is an independent holder of rights and obligations independent of the rights and obligations of its respective members.
- 3.1.b ASAPA has continuous succession and continues to exist as an independent entity regardless of changes to its membership.
- 3.1.c In its capacity as a legal entity ASAPA: Is the sole owner of all its legal assets, fixed and movable. Can function as a defendant and plaintiff in legal cases in its own name. Council may authorise any person or persons to act on the behalf of ASAPA, to sign all such documents, and to take all such steps as may be necessary in connection with any such proceedings.

3.2 Non-profit status

Notwithstanding anything to the contrary herein contained:

- 3.2.a ASAPA shall not conduct any business with the aim of enriching itself or any of its members beyond permitting the normal functioning and deployment of ASAPA's mission.
- 3.2.b The income and assets of ASAPA shall be applied solely for investment and the promotion of the objectives for which ASAPA is established.
- 3.2.c No part of the income or assets of ASAPA shall be paid directly or indirectly, by way of dividend, donation or otherwise, to any person for any purposes other than those pertaining to the direct functioning of ASAPA.
- 3.2.d ASAPA shall not be obligated or entitled to provide members financial assistance or any premises or continuous services or facilities for any purposes other than those pertaining to the direct functioning of ASAPA.

4 OBJECTIVES

In the pursuit of its objectives ASAPA shall promote and support legislative, regulatory, and voluntary programmes in all southern African countries that forbid and discourage all activities that result in the loss of scientific knowledge and unsanctioned damage or loss of archaeological sites, landscapes and artefacts. Such activities include, but are not limited to the illegal looting, defacing, destroying, hoarding, exchanging, buying, or selling of archaeological materials. Conduct that results in such losses is declared contrary to the objectives of ASAPA. The objectives of ASAPA shall be as follows:

4.1 General:

- 4.1.a To establish and sustain a network for all professional archaeologists, archaeological technicians and persons who work in fields affiliated with archaeology in southern Africa.
- 4.1.b To function as a monitoring and advisory body on issues relating to southern African archaeology.
- 4.1.c To promote and develop all aspects relating to southern African archaeology.
- 4.1.d To promote and encourage the acquisition, exchange and spread of archaeological knowledge and information in the region.
- 4.1.e To organise conferences and forums on all aspects of archaeology.
- 4.1.f To develop an accurate and comprehensive understanding of southern African archaeology.
- 4.1.g To encourage the training of archaeologists and archaeological technicians in southern Africa.
- 4.1.h To promote public education and awareness of southern African archaeological heritage.
- 4.1.i To further ASAPA's interests by fundraising and negotiating with the appropriate local, national or international authorities.
- 4.1.j To promote the liaison and co-operation between ASAPA and other associated professions, organisations or individuals.
- 4.1.k To actively expand ASAPA membership, aims and activities.

4.2 Professional:

- 4.2.a To promote and uphold high standards of the archaeological profession in southern Africa by maintaining a current list of professional and other members.
- 4.2.b To establish and promote ethical and scientific standards for professional archaeological work in southern Africa underwritten by a Code of Ethics, Code of Conduct and Minimum Standards of Practice (Appendices A, B & C to this Constitution).

- 4.2.c To establish and promote a mechanism to represent professional archaeological interests in legislative, political, economic and public fora.
- 4.2.d To establish and implement grievance procedures (Appendix D to this Constitution) and support members in good standing who comply with the Constitution and its Appendices.
- 4.2.e To establish and promote a mechanism for communication within the professional archaeological community.
- 4.2.f To provide the expertise necessary to reduce the impact of development on the archaeological heritage of southern Africa through appropriate Cultural Resource Management.
- 4.2.g To devise monitoring based on agreed minimum standards of practice (Appendix C to this Constitution).
- 4.2.h To take action on any issues that ASAPA may consider necessary to attain all of the above objectives, or any one of them, within the legislation of the southern African countries in which ASAPA is represented, or use international legislation where applicable.

5 COMMUNICATIONS

Any notice required by ASAPA to be given to members and/or relevant parties shall be effective if given by any method, including, but not limited to, transmission by electronic means, letter or notification in publication to the addresses of members that appear on the records of ASAPA. Any actions required to be “written”, to be “in writing”, to have “written consent or approval”, “signed” and the like shall include any communication transmitted or received by electronic means.

6 MEMBERSHIP

To enable ASAPA to be professional, effective and inclusive, ASAPA shall have four categories of membership as set out below. Only existing professional members in good standing will be eligible to apply for Cultural Resource Management (CRM) accreditation.

6.1 Professional Membership

A person accepted for professional membership of ASAPA shall be required to satisfy ASAPA that s/he:

- 6.1.a Has earned an Honours degree or equivalent qualification in archaeology at a recognised tertiary institution;
- 6.1.b Is actively engaged in archaeological employment, **or** is involved in full-time research in southern Africa, at the time of submission of the application;
- 6.1.c Has submitted a *Curriculum Vitae* and a signed Code of conduct form to Council; **and**
- 6.1.d Has conducted him/herself in such a manner that the election to professional membership will not detract from the dignity or standing of ASAPA.

6.2 CRM Accreditation of Professional members

A person accepted for professional membership with CRM accreditation with ASAPA shall be required to satisfy ASAPA that s/he:

- 6.2.a Is a professional member of ASAPA in good standing; **and**
- 6.2.b Has a proven ability in the field in which s/he intends to practice CRM; **and**
- 6.2.c Has submitted a *Curriculum Vitae* to Council and the CRM standing committee providing proof of the applicant's training, abilities and experience in the fields s/he intends to practice for circulation amongst, and comments upon by the professional membership of ASAPA.
- 6.2.d CRM accreditation is not automatic; Council and the CRM standing committee will vet applicants according to the levels of qualifications as set out under 6.2.e and 6.2.f.
- 6.2.e The basis for accreditation in areas of professional archaeological specialisation (for example; Iron Age, Stone Age, Coastal Shell Midden, Maritime, Colonial Period, Industrial, Rock Art, Grave Relocation and other areas as specified by the applicant) will be:

- **Principal Investigator:**

A Masters degree in archaeology **and**; a) proof of three years full time CRM practice, **or** b) a portfolio of five phase II projects at Field Director level; or a clear, detailed motivation and a portfolio of relevant projects of prior learning or relevant experience of equal value to the above submitted with the application.

- **Field Director:**

A Masters degree in archaeology **or** proof of five years of full time experience as field supervisor or a clear, detailed motivation and a portfolio of relevant projects of prior learning or relevant experience of equal value to the above submitted with the application.

- **Field Supervisor:** An Honours degree in archaeology.

6.2.f The basis for accreditation in areas of technical archaeological specialisation (for example; archaeobotany, archaeozoology, isotope work, archaeometallurgy, human skeletal analysis and other areas as specified by the applicant) will be:

- **Principle Investigator – Specialist Analyst:** A Masters degree in archaeology or relevant discipline **and**;

a) proof of three years full time practice in the relevant discipline; **or**

b) at least five applicable projects of the equal value, **or** a clear, detailed motivation and a portfolio of relevant projects of prior learning or relevant experience of equal value to the above submitted with the application.

- **Laboratory Specialist:** Honours degree in archaeology **or** relevant discipline or proof of equivalent training and experience.

6.2.g Successful applicants will be accredited with the right to claim expertise in those areas of archaeology in which they are experienced.

6.2.h Accreditation is valid for the SADC region.

6.3 Technical membership

A person accepted for technical membership of ASAPA shall be required to satisfy ASAPA that s/he:

6.3.a Has submitted a *Curriculum Vitae* and a signed Code of Conduct form to Council; **and**

6.3.b Is actively engaged in archaeological or related employment or involved in full-time archaeological or associated research in southern Africa at the time of submission of the application, **and** meets the criteria of 6.3.c or 6.3.d.

6.3.c Has earned a BA or BSc Degree at a recognised tertiary institution with archaeology as a major **or** a nationally recognised certificate in archaeology or related fields.

6.3.d Has technical life skill experience in archaeology through full-time employment as an archaeological technician for at least three consecutive years, or part-time employment for at least five consecutive years, and have been supervised during this period by professional archaeologists.

6.4 Honorary Membership

Honorary members must be:

6.4.a ASAPA members of long standing or retired, and deemed to have made significant contributions either to southern African archaeology or to furthering the objectives of ASAPA; **and**

6.4.b Members for whom nominations for honorary membership have been submitted to Council by at least five other members in good standing.

6.4.c Honorary membership will be bestowed at the discretion of Council.

6.5 Affiliate Membership

ASAPA may accept applications for affiliate membership from persons who do not qualify for professional or technical membership. These include:

6.5.a Has submitted a *Curriculum Vitae* and signed Code of Conduct form to Council, **and** meets the criteria of 6.5.b or 6.5.c.

6.5.b Persons who have earned an Honours degree or equivalent qualification in archaeology at a recognised tertiary institution, but who are not actively involved in archaeology and who have demonstrated their continued interest in southern African archaeology..

6.5.c Persons qualified in other professions with the ability to advance archaeological research, management or outreach, and demonstrated continued interest in southern African archaeology.

6.6 Application for ASAPA membership

Candidates may obtain the appropriate application forms, Constitution, Code of Ethics, Code of Conduct, Minimum Standards of Practice and Grievance Procedures from the ASAPA web-site or request these from Council.

- 6.6.a Every candidate whether Professional, CRM, Technical or Affiliate must submit the application form to Council and a signed Code of Conduct form, and confirm that he/she is familiar with the content of the Constitution and all its appendices and is willing to adhere to these documents.
- 6.6.b A *Curriculum Vitae* of the candidate that includes details of academic qualifications, previous experience (field experience and previous posts held), present post held, publications, and any other relevant information must accompany the application form.
- 6.6.e Council shall vet all applications submitted for Professional membership and if satisfied that all requirements are met, confer membership. Council shall update ASAPA members of new members on a monthly basis.
- 6.6.f All Membership shall become effective on payment of the annual subscription fees.
- 6.6.g In the case of objections being raised to the admission to CRM membership category of the candidate, admission shall require a majority vote from Council provided that objections are received from less than twenty-five per cent of the membership. If twenty-five per cent or more of the membership object to the application, the candidate shall not be admitted.
- 6.6.h Technical and Affiliate members may apply for professional membership as soon as they qualify to do so.
- 6.6.i Exceptional applications for membership of any category may be referred to Council and will be dealt with on individual merit.
- 6.6.j Professional members wishing to apply for CRM accreditation shall submit applications together with *Curriculum Vitae* to the CRM representative on Council. Council shall thereafter follow the procedure laid down in Section 6.2.

6.7. Rights and conditions of membership

For all categories of membership:

- 6.7.a Every member in good standing shall be entitled to participate in the general activities of ASAPA.
- 6.7.b Every member in good standing shall be entitled to receive a copy of all circulars, notices and other publications issued by ASAPA subject to any conditions imposed by Council with regard to special publications.
- 6.7.c Members are expected to support the objectives of the Association as set out in Section Four of this Constitution, and not in any way to prejudice the objects and interests of ASAPA.
- 6.7.d ASAPA membership, of any category, does not entitle any member to any of the moneys, property or assets of ASAPA but only confers the privilege of membership subject to such charges and reasonable restrictions as the Council may from time to time impose and subject to the Constitution in force at the time.
- 6.7.e Members are bound by the current Constitution, Code of Ethics, Code of Conduct, Minimum Standards of Practice and Grievance Procedures of ASAPA and by any subsequent alterations or amendments.
- 6.7.f No person shall be absolved from the effect and application of the Constitution, Code of Ethics, Code of Conduct, Minimum Standards of Practice and Grievance Procedures of ASAPA on the grounds that s/he does not have copies of these documents, or any other grounds.
- 6.7.g Members may not speak or act on behalf of ASAPA or in their capacity as members of ASAPA without the prior consent of Council.
- 6.7.h Members of all categories act within ASAPA in their personal capacities and not as representatives of any other members or organisations.
- 6.7.i Members are obliged to notify the Council Secretary of any address changes.
- 6.7.j Members are expected to respect requests of confidentiality raised during the General Meeting, and may not disclose, except to other members, matters discussed as such.
- 6.7.k Members may resign from the Association at any time by giving written notice to the Council Secretary.

6.8 Professional Membership and CRM accredited professional members

Professional members shall possess all the rights and restrictions as indicated in clause 6.7 of this Constitution.

- 6.8.a Professional members in good standing shall have voting rights in all the affairs of ASAPA.
- 6.8.b Professional members in good standing shall be eligible for election to Council.

- 6.8.c A professional member in good standing shall be eligible for any of the offices of ASAPA, with the exception of the CRM standing committee. Only CRM accredited professional members shall be eligible for membership of this committee.
- 6.8.d Every professional member in good standing is entitled to exercise or withhold a vote on any resolution submitted to members at a meeting of ASAPA or in an electronic/postal ballot of its members.

6.9 Technical membership

- 6.9.a Technical members shall possess all the rights and restrictions as indicated in clause 6.7 of this Constitution.
- 6.9.b Technical members shall have voting rights in ASAPA affairs dealing specifically with technical issues and technical membership of ASAPA, but not in affairs dealing exclusively with the archaeological profession or professional membership of ASAPA. The inclusion of technical members in voting procedures will take place at the discretion of Council.
- 6.9.c Technical members may not serve as Council members, but a representative may be invited by Council to join specific meetings concerning technical issues or technical membership of ASAPA.
- 6.9.d Technical members may request to have a representative at Council meetings, provided that proposals for inclusion in the agendas of Council meetings have been submitted by the technical member representative in writing to the Council Secretary, and the Secretary approved such submission.
- 6.9.e Technical members may serve as a member with any portfolio of an ASAPA *ad hoc* committee.

6.10 Honorary Membership

- 6.10.a Honorary members shall possess all the rights indicated in clause 6.7 of this Constitution
- 6.10.b Honorary members are not liable for annual subscription fees.
- 6.10.c Honorary members may serve on Council as additional members co-opted by Council at its discretion.
- 6.10.e Honorary members may serve as a member with any portfolio of an ASAPA *ad hoc* committee.
- 6.10.f Honorary members shall have voting rights on all ASAPA issues.

6.11 Affiliate Membership

- 6.11.a Affiliate members shall possess all the rights and restrictions as indicated in clause 6.7 of this Constitution.
- 6.11.b Affiliate members may **not** serve on Council; an affiliate representative may request the Council Secretary in writing to include proposals for the agenda of Council meetings.
- 6.11.c An affiliate member may serve as member, but not Chairperson, of an *ad hoc* ASAPA committee, provided that affiliate members do not constitute more than a half of the committee membership.
- 6.11.d Affiliate members shall **not** have voting rights in all the affairs of ASAPA, but the inclusion of affiliate member votes on certain issues may be called for at Council's discretion.

6.12 Termination of membership

- 6.12.a A member may resign his/her membership at any time by giving written notice to the Council Secretary.
- 6.12.b Any member whose membership fees are in arrears for 12 months or more, who has been notified by the Treasurer during that period, and who has been given a final warning by Council, shall lose their membership status, but shall remain liable for fees in arrears. Such members shall not be re-admitted to ASAPA until they are once again in good standing with ASAPA.
- 6.12.c Should any ineligible candidate be inadvertently admitted as a member of ASAPA, Council may declare his/her membership void, and it shall give him/her notice to that effect.
- 6.12.d If at any time after the activation of membership it becomes apparent that a candidate has been mistakenly admitted as a result of misrepresentation, mistaken identity, or incorrect information submitted, Council shall have the power to cancel such membership.
- 6.12.e Membership of all types may be terminated for any activities that ASAPA's Grievance Procedures (Appendix D) find violate this Constitution, the Code of Ethics, the Code of Conduct or the Minimum Standards of Practice (Appendices A-C).

7 FEES AND SUBSCRIPTIONS

- 7.1 Council shall determine annual subscriptions for all categories of membership.
- 7.2 Honorary members are exempt from any fees.
- 7.3 Every new member shall, immediately on receipt of written notification of his/her acceptance, pay the subscription fee for membership to become effective.
- 7.4 Council will determine additional fees for CRM accredited professional members.
- 7.5 Annual subscriptions shall be payable directly to the Council Treasurer on or before 1 January each year.

8 CONTROL AND MANAGEMENT BY COUNCIL

- 8.a The Council shall be the executive organ of ASAPA and shall act on behalf of ASAPA in accordance with its mission and aims as well as the values, objectives and broad mandates given to them by the General Meeting and interim resolutions.
- 8.b The control and management of ASAPA's affairs shall be vested in a Council elected from professional members of ASAPA in good standing at the General Meeting, and whose terms of office shall coincide with the appropriate administrative year or years of ASAPA.
- 8.c No Council member shall receive compensation for services rendered to ASAPA. Reasonable travel expenses incurred by Council members attending to ASAPA business shall be paid by ASAPA in accordance with rules and procedures adopted by Council, subject to prior approval by Council.

8.1 The Council shall comprise:

- 8.1.a Officers elected at the General Meeting: Chairperson, Secretary, Treasurer, and two representative from the CRM standing committee. At Council's discretion the offices of Secretary and Treasurer may be combined.
- 8.1.b A maximum of two other members either elected at a General Meeting or appointed by the elected Council officers.
- 8.1.c Additional members, up to a maximum of six, may be co-opted by Council at its discretion.
- 8.1.d CRM seats on Council shall not be less than 25 per cent of the total number of seats on Council and the interests of CRM accredited members in private practice must be adequately represented.
- 8.1.e No single southern African country may hold all Council positions at one time.

8.2 Term of office for Council members

- 8.2.a The new Council shall assume office immediately after the General Meeting at which it is elected.
- 8.2.c Members of Council shall be elected for a period of two years **or** for the period of time that elapses between successive General Meetings of ASAPA.
- 8.2.d Members of Council shall be immediately eligible for re-election on expiry of their term of office up to a maximum of three consecutive terms.

8.3 Vacancies on Council

- 8.3.a Council may fill any vacancy arising from whatever reason during its administrative period, and shall notify membership of such appointment.
- 8.3.b In the event of the positions of all of the elected Council officers becoming vacant, the remaining member(s) of Council shall at the earliest opportunity **either** convene a Special General Meeting **and/or** arrange for an electronic/postal ballot of all professional members in good standing for the election of new officers.
- 8.3.c In the event of the resignation of the entire Council, any professional member in good standing may convene a Special General Meeting **and/or** arrange for an electronic/postal ballot of all members in good standing for the election of new officers.

8.4 Duties of Council

- The duties of Council shall be:
- 8.4.a To further and promote the objectives of ASAPA.
 - 8.4.b To resolve and adapt future ASAPA policy in accordance with this Constitution.

- 8.4.c To establish, control and manage all sectors or branches of ASAPA in southern Africa.
- 8.4.d To govern the Constitution, Code of Ethics, Code of Conduct, Minimum Standards of Practice, Grievance Procedures, rights, privileges, obligations and duties of ASAPA sectors or branches, and if warranted, to dissolve the same, or modify such rights, privileges, obligations or duties.
- 8.4.e To ensure that complete and true records of the membership and transactions of ASAPA are maintained.
- 8.4.f To convene General Meetings of members in terms of section Nine of this Constitution, any other meetings, or to arrange for electronic/postal ballots as prescribed in this Constitution.
- 8.4.g To establish correspondents in each of the represented SADC states, and maintain correspondence in order to be informed about changes and developments in heritage legislation and other relevant matters in each represented country.
- 8.4.h To report at the General Meeting on the activities of Council and ASAPA.
- 8.4.i To give final approval of all members who apply for any category of membership.
- 8.4.j To prompt new applications.
- 8.4.k To represent all ASAPA members and their interests.
- 8.4.l To establish and publish information by and for the benefit of all ASAPA members.

8.5 Powers of Council

Without in any way limiting its general powers to conduct the affairs of ASAPA, and in addition to any other powers granted under this Constitution, Council shall have the power on behalf of and in the name of ASAPA:

- 8.5.a To open and operate accounts in the name of ASAPA at any reputable financial institution.
- 8.5.b To appoint independent auditors.
- 8.5.c To use and manage in the interests of ASAPA any money or property which the ASAPA may obtain.
- 8.5.d To appoint by resolution, authorised signatories to operate accounts and deal with assets in the name of and on behalf of ASAPA.
- 8.5.e To initiate and defend any legal actions on behalf of ASAPA, and to sign any authorisations or documents in this regard.
- 8.5.f To appoint committees for special purposes and determine their terms of reference.
- 8.5.g To make and amend rules for the proper conduct of ASAPA's affairs and of its members in relation to the ASAPA's activities in accordance with this Constitution.
- 8.5.h To delegate such of their powers as may be necessary and at any time cancel such delegated powers in whole or in part.

8.6 Meetings of Council

- 8.6.a Council shall meet at least twice a year, and at other times when the need arises.
- 8.6.b A quorum shall consist of at least one elected officer and two other members of Council, whether elected, appointed, or co-opted.
- 8.6.c In the event of all of the positions of the elected officers becoming vacant, a quorum at meetings of Council to make the arrangements set out in clause 8.3 of this Constitution shall consist of the remaining members of Council.
- 8.6.d Voting shall be by simple majority except that the Chairperson shall have a casting vote in cases where a simple majority cannot be reached.
- 8.6.e In cases where proposals concerning the suspension or cancellation of membership are to be voted on, such proposals shall require the vote of every member of Council either in person or submitted in writing to the Secretary. The right to vote on such proposals may not be delegated.
- 8.6.f A Council member who is unable to attend a Council meeting shall notify the Secretary beforehand and may by notification in writing appoint a proxy to speak and vote on his/her behalf except in the case of proposals concerning the suspension or cancellation of membership.
- 8.6.g The Secretary shall cause minutes to be taken of every Council meeting and shall submit these for ratification at the following meeting. All such minutes shall be made available for scrutiny by professional members in good standing, on request, except on matters where confidentiality is considered appropriate by Council.

8.7 Termination of office of members of the Council

The office of a member of the Council shall be vacated:

- 8.7.a If s/he ceases to be a member of ASAPA.
- 8.7.b If by notice in writing to ASAPA s/he resigns the office.
- 8.7.c If s/he fails to attend, without electronic or telephonic participation in the meeting, at least three consecutive Council meetings, subject to the discretion of Council.
- 8.7.d If s/he is found, by application of the Grievance Procedures, to have violated any of the conditions set out in the ASAPA Constitution, Code of Ethics, Code of Conduct or Minimum Standards of Practice.

9 FINANCES AND AUDIT

- 9.1 Council shall from time to time make such financial arrangements as are deemed necessary for the proper functioning of ASAPA and shall keep such books of account and balance sheets necessary to exhibit a true and fair view of the financial state of ASAPA.
- 9.2 The financial year is deemed to run over a full calendar year from 1 April to 31 March of a given year.
- 9.3 All members in good standing shall have full access to documents that reflect the financial status of ASAPA.
- 9.4 The Treasurer shall present the accounts of ASAPA to the members at each General Meeting for acceptance by the meeting.
- 9.5 The accounts of ASAPA shall be examined annually by a firm of professional auditors to be appointed by Council.

10 CONTROL AND MANAGEMENT OF THE CRM STANDING COMMITTEE

- 10.1 The control and management of the CRM standing committee shall rest with Council who shall defer relevant matters to the CRM standing committee. The CRM committee is to meet once a year and reasonable meeting expenses will be funded by Council. The standing committee is to be elected at the General Meeting.
- 10.2 The CRM standing committee shall comprise a Chairperson, Secretary, and a maximum of two additional members co-opted at committee's discretion.
- 10.3 At least one member of Council shall be present at all meetings conducted by the CRM committee.
- 10.4 Where possible and appropriate, representation on the standing committee should comprise representatives from more than one southern African nation.
- 10.5 The new committee shall assume office immediately after the General Meeting at which it is elected.
- 10.6 Members of the committee shall be elected for a period of two years or such period as may intervene between successive General Meetings of the Association.
- 10.7 Members of the committee shall be immediately eligible for re-election on expiry of their term of office for up to a maximum of two consecutive terms.
- 10.8 The committee may fill any vacancy arising among its members during its term of office. In the event of the positions of the elected officers becoming vacant, the remaining member(s) of the committee shall at the earliest opportunity either convene a CRM accredited membership meeting or arrange for a ballot of all CRM accredited members in good standing for the election of new officers.
- 10.9 In the event that no elected or co-opted members remain in the committee any CRM accredited professional member in good standing may arrange for a ballot of all CRM accredited members in good standing for the election of new officers.
- 10.10 The duties of the committee shall be to advise and support Council on all matters relating to CRM as requested by Council, to report at the General Meeting on the activities of the CRM standing committee, and to further the aims of CRM in southern Africa.
- 10.11 A quorum shall consist of at least two elected officers and one other committee member, whether elected, appointed, or co-opted. In the event of all the positions of the elected officers becoming vacant, a quorum at meetings of the committee to make the arrangements shall consist of the remaining members of the committee.
- 10.12 Voting shall be by simple majority except that the Chairperson shall have a casting vote in

- cases where a simple majority cannot be reached.
- 10.13 The Secretary shall cause minutes to be taken of every committee meeting and shall submit these for ratification at the following meeting. The ratified minutes shall be lodged with Council.

11 GENERAL AND OTHER MEETINGS

11.1 General Meeting

- 11.1.a The General Meeting of ASAPA shall normally be held every second year.
- 11.1.b The date, time and place shall be determined by Council following discussion at the preceding General Meeting.
- 11.1.c A preliminary notice of the General Meeting shall be communicated to members not less than two months before the date on which the meeting is to be held, together with a request to submit to the Secretary in writing any proposals for inclusion in the agenda.
- 11.1.d Proposals for inclusion in the agenda of the General Meeting must be in the hands of the Secretary not less than one month before the date of the Meeting and must state in specific terms the resolution to be put to the Meeting and the reasons therefor.
- 11.1.e Not less than three weeks before the date of the General Meeting the Secretary shall circulate to all members a notice giving the date, time and place of the General Meeting together with the agenda for the meeting and the minutes of the preceding General Meeting which are to be ratified at the meeting.
- 11.1.f The General Meeting shall be chaired, in order of priority, by the Chairperson of Council; the Secretary; the Treasurer; any other member of Council, or any member nominated by the members at the meeting.
- 11.1.g The Chairperson shall have a casting as well as a deliberative vote.
- 11.1.h Twenty-five per cent of the total of professional members in good standing shall constitute a quorum.
- 11.1.i Voting shall be by simple majority expressed by a show of hands or by ballot at the Chairperson's discretion.
- 11.1.j Council may request, at its discretion, technical members to vote on matters not restricted to the practice of professional archaeology and/or professional membership of ASAPA.
- 11.1.k Council may request, at its discretion, affiliate members to vote on certain issues together with other members of ASAPA.
- 11.1.l Members eligible for voting, but unable to be present may appoint by written proxy another professional member in good standing to speak and vote for him/her, or submit a postal ballot. Such proxies must be in the hands of the Secretary before the commencement of the meeting.
- 11.1.m Should a quorum not be present at the meeting the Chairperson shall have the discretion to take into account written proxies and ballots in order to make up the quorum.

11.2. Special General Meeting/Postal ballot/Electronic ballot

- 11.2.a A Special General Meeting may be convened or an electronic/postal ballot of members called for by Council at any time following a majority decision of Council or a written request to Council from not less than ten per cent of the total of professional members in good standing, provided that the request is signed by all members supporting it, that the proposal to be put to the meeting/ballot is set out as a resolution in proper form and in specific terms, and that the reason for the proposal is given.
- 11.2.b Notice of a Special General Meeting shall be sent to voting members not less than two months before the meeting and shall specify the time and place of the meeting as well as the agenda. Other aspects of the meeting shall follow the procedure for the General Meeting.
- 11.2.c Council may request, at their discretion, technical members to vote on matters not exclusively dealing with the practice of professional archaeology and or professional membership of ASAPA.
- 11.2.d Council may request, at their discretion, affiliate members to vote on certain issues together with other members of ASAPA.
- 11.2.d In the case of an electronic/postal ballot, the Secretary shall circulate details of the proposal to all members eligible to vote and shall provide an appropriate ballot form for return to Council. Such forms shall be returned to the Secretary duly completed and dated by the member. Ballot forms incompletely or incorrectly completed will be counted as spoilt papers and not included in the count of votes.

- 11.2.e Not less than one month after the date on which the ballot forms have been distributed, Council shall tally the votes for and against the proposal and shall appoint one or more professional members in good standing, who are not members of Council to act as scrutinisers.
- 11.2.f At Council's discretion, the closing date for receipt of completed ballot papers may be extended to six weeks from the date of posting of the paper to voting members.
- 11.2.g Not more than one month after the closing date the Secretary shall circulate the results of the ballot to all members. The circular shall include a signed certification by the scrutiner(s) that the results of the ballot are correctly set out in the circular.
- 11.2.h The proposal that is the subject of the electronic/postal ballot shall be accepted or rejected by a simple majority, save that if less than twenty-five per cent of the total voting membership return their papers (excluding spoilt papers) the proposal shall be considered as having been rejected.
- 11.2.i At Council's discretion, a secret ballot can be arranged.

12 AMENDMENTS TO CONSTITUTION

No amendment to this Constitution whether by addition, deletion, substitution or other change shall be valid except on a resolution voted upon by professional members in good standing, and receiving at least sixty per cent of the votes in favour of the amendment. Voting shall be either:

- 12.1 In person or by proxy at a General Meeting or a Special General Meeting; or
- 12.2 By means of an electronic/postal ballot conducted according to the procedure laid down in section Nine of this Constitution, save that the closing date for return of ballot papers shall be two months after the date of posting of the appropriate notice with suitable deferment of the date by which the Secretary shall notify members of the result of the ballot.
- 12.3 In the event that counter-proposals or amendments to the proposed amendments are submitted by professional members in good standing or honorary members prior to the circulation of the agenda for the meeting these shall be included in the agenda. If the proposed amendments are the subject of an electronic or postal ballot Council shall decide whether counter-proposals or amendments to the proposals shall be circulated to members prior to voting or whether the proposals shall be deferred until the next General Meeting.
- 12.4 In all other respects the conditions for the General Meeting and Special General Meeting/Postal Ballot set out in Section Nine of this Constitution shall apply.

13 INTERPRETATION OF CONSTITUTION

If any dispute arises over the interpretation of the terms of this Constitution the decision of Council shall be final and binding and shall be reported for the information of members at the next General Meeting.

14 DISSOLUTION OF THE ASSOCIATION

- 14.1 The Association shall be dissolved if, at a General Meeting or at the discretion of Council, by an electronic/postal ballot of members, not less than sixty per cent of the members voting in person or by proxy are in favour of such dissolution.
- 14.2 The winding up of the Association's affairs and disposal of its assets shall be at the discretion of Council. Such assets shall, however, be transferred to an Association, institution or society whose objects are, or include, the furtherance of archaeology in southern Africa.

APPENDIX A TO THE CONSTITUTION OF ASAPA: CODE OF ETHICS FOR ASAPA MEMBERS

The Code of Ethics establishes ethical standards for all ASAPA members to follow in fulfilling the objectives of the ASAPA Constitution and their responsibilities to the archaeological profession, affiliated activities, and the residents of southern Africa.

In adherence to this code ASAPA members shall:

- 1 Carry out their professional and affiliated activities, as far as possible, in accordance with established principles of research, teaching, cultural resource management and sustainable development with the highest standards of protection in the spirit of the Charter for the management of the archaeological heritage approved by ICOMOS (International Council on Monuments and Sites) in 1990, or relevant updated equivalent Charter.
- 2 Place the integrity of cultural heritage resources, and the health, safety and enrichment of society as a whole above any commitment to sectoral or private interests.
- 3 Draw to the attention of the relevant authorities any threats to archaeological heritage, including the plundering of sites and monuments and illicit trade in antiquities, and to use all the means at their disposal to ensure that action is taken in such cases by the relevant authorities.
- 4 Not illicitly deal in, sell, trade, nor knowingly aid any individual or organisation in the illicit sale, trade, or transfer of any antiquity (archaeological object, site or property) for the purpose of anyone's personal profit, and support the terms of the UNESCO 1970 convention, or relevant updated equivalent, regarding illegal import, export, or transfer of ownership of cultural property.
- 5 Contribute to general education about the cultural heritage value of artefacts, sites and contemporary human attachments to these.
- 6 Acknowledge and respect community views of the cultural heritage value of artefacts and sites, and incorporate consultation and participation with communities where appropriate.
- 7 Provide ethical leadership, and not mislead students, technicians, affiliates, volunteers or the public concerning their limitations, training or abilities.
- 8 Not conduct professional or affiliated activities in a manner involving dishonesty, fraud, deceit or misrepresentation.
- 9 Refrain from advertising or presenting their knowledge and services in a manner that may bring discredit to the profession or affiliated activities.
- 10 Ensure that they have the necessary experience and expertise for the tasks at hand, or obtain and support the necessary specialists/experts to complete such tasks.
- 11 Avoid and counter the spread of false, erroneous, biased, unwarranted or exaggerated statements concerning archaeology to protect the profession and affiliated activities from misunderstanding and misrepresentation.
- 12 Be obliged, when they have substantial evidence of a breach of the ASAPA Constitution, Code of Ethics, Code of Conduct or Minimum Standards of Practice to bring such conduct to the attention of the offending member and to Council.

APPENDIX B TO THE CONSTITUTION OF ASAPA: CODE OF CONDUCT FOR ASAPA MEMBERS

It is the responsibility of all archaeologists, archaeological technicians and affiliated practitioners in southern Africa to work for the long-term research, conservation and protection of the archaeological record by practising and promoting appropriate stewardship, and adhering to the Minimum Standards of Practice of ASAPA (Appendix C of the Constitution).

1 CONDUCT TOWARDS THE PUBLIC AND CULTURAL HERITAGE RESOURCES

In acknowledgement of archaeologists' responsibility to the public and to the cultural heritage resources of southern Africa, ASAPA members shall:

- 1.1 Carry out professional and affiliated activities, in accordance with the understanding that cultural heritage is an inter-connected and often finite resource that belongs to the people of southern Africa.
- 1.2 Acknowledge that appropriate access to knowledge from the past is an essential part of human cultural heritage, and that the conservation of that heritage is a preferred option.
- 1.3 Restore sites in a timely fashion, unless superseding factors, such as conservation or public outreach and education prerogatives intervene.
- 1.4 Endeavour to ensure that cultural heritage sites that are open to the public are protected through adequate and sustainable survey, management, planning and infrastructure and that their heritage value is not jeopardised by commercial requirements.
- 1.5 Within reasonable limits of time, finance and expertise, volunteer their special knowledge, skills and training to the public for the benefit of society as a whole, and where possible provide information about cultural heritage for educational and humanitarian purposes.
- 1.6 Be sensitive to, and respect the legitimate concerns of individuals and groups whose cultural heritage is the subject of archaeological investigations.
- 1.7 Act with sensitivity in all dealings with archaeological human remains, recognising that such remains and associated objects may be of special significance to contemporary communities or individuals, and that extraction and curation requires consultation and co-operation with, and permission from, all affected parties.
- 1.8 Present, upon request by rightful petitioner, evidence of qualifications, accreditation, professional training, expertise and experience.
- 1.9 Refrain from expressing a professional opinion, making a public report, or giving a legal testimony involving archaeological matters without being as thoroughly informed as might reasonably be expected.

2 CONDUCT TOWARDS PEERS AND ASSOCIATES

In acknowledgement of archaeologists' responsibility to the integrity of the archaeological profession, peers, colleagues, archaeological technicians and affiliated practitioners, ASAPA members shall:

- 2.1 Understand that professionalism implies that maximum use will be made of resources, knowledge and competencies with honesty and integrity.
- 2.2 Avoid conflicts of interest with awareness that the profession is often judged by the performance of an individual.
- 2.3 To the best of their ability, keep informed of advances in archaeological and related knowledge and techniques, and legal requirements for the practice of archaeology in the country/ies they practise, and integrate such knowledge and techniques into their professional, technical and affiliated activities, including teaching and mentorship.
- 2.4 In all communication, give full and proper credit to, and avoid misrepresentation of, the work and ideas of others.

- 2.5 Communicate and co-operate with colleagues with common professional, technical or affiliated interests and, wherever reasonable, give due respect to colleagues' interests in, and rights to, information about sites, areas, collections, or data where there exists a mutual or potential active research concern.
- 2.6 In all actions regarding research, teaching, fieldwork, laboratory work and the public arena, promote the appropriate management of cultural heritage and associated materials and their context.
- 2.7 Offer professional, technical or affiliated advice only on those subjects in which they are informed and qualified through professional training and experience.
- 2.8 Ensure that ASAPA members act in a manner consistent with the stature of ASAPA and the honour and standing of the discipline of archaeology and affiliated activities.
- 2.9 Mentor less experienced colleagues and co-workers to encourage personal, professional or technical development, and an enthusiasm for the profession and its affiliated activities.
- 2.10 Not represent themselves as spokespersons for heritage authorities without foundation, or imply that they can influence any cultural heritage authorisation processes.
- 2.11 Not seek employment, grants or gain or by offers of gifts or favours.
- 2.12 Not attempt to unjustly injure the reputation or opportunities for employment of another archaeologist, archaeological technician or affiliated practitioner by false, biased or undocumented claims.

3 CONDUCT FOR ARCHAEOLOGICAL IMPACT ASSESSORS AND CONTRACTORS

In acknowledgement of the responsibility of professional archaeologists who act as impact assessors or contract archaeologists, ASAPA members shall:

- 3.1 Consider all reasonable alternatives when assessing mitigation or destruction of cultural heritage resources.
- 3.2 Inform employers or clients of any professional or personal interest that may impair the objectivity of their work.
- 3.3 Provide clients with access to the provisions of this code and the Minimum Standards of Practice.
- 3.4 Assist government departments wherever reasonable by supplying adequate and accurate information.
- 3.5 Report on concerns beyond their own brief to the relevant heritage resources authority and ASAPA.
- 3.6 Respect requests for confidentiality expressed by clients (**confidentiality can only be applied to information of non-archaeological nature gained in the course of the contract**), provided that such confidence will not contribute to unnecessary degradation of the cultural heritage resources or jeopardise the interests of the public in respect of the national estate. Should a conflict develop, ASAPA members shall notify the client in writing, and advise the appropriate heritage authority that such conflict exists.
- 3.7 Specify limitations, constraints and knowledge gaps and clearly indicate aspects that could not be investigated, and the reasons for these omissions.
- 3.8 Record all relevant communications and decisions in writing.
- 3.9 Involve specialists where appropriate or required and not attempt to conduct work for which they are not accredited, or do not have the necessary experience and/or expertise.
- 3.10 Reflect any community or stakeholder issues that have been identified and indicate how each has been considered/resolved.
- 3.11 Recognise, respect, and protect where necessary, the knowledge of local and affected communities.
- 3.12 Respect the confidentiality requirements of stakeholder communities, e.g., initiation sites, ceremonies, burial rites and sacred artefacts and localities where these are affected.
- 3.13 Accept that, in cases of query or conflict of interest, evaluations shall be peer reviewed, where possible under the aegis of ASAPA and/or the relevant heritage authorities.
- 3.14 Notify the appropriate heritage authorities of any technical and legal loopholes in the legislation.
- 3.15 Refrain from unethical bidding for contracts, and allow the prospective client/s to select professional archaeologists on the basis of ability and expertise as accredited by ASAPA and the legislation and guidelines of the various southern African countries.
- 3.16 Describe fully in writing all salaries or fees and the extent and kinds of service to be rendered.
- 3.17 Accept payment for a particular service or report from one source only, except with the full knowledge and consent of multiple parties, were so concerned.

- 3.18 Refrain from undertaking assessments for which they are not accredited, or do not have, or cannot provide, the relevant experience and/or expertise.
- 3.19 Not mislead the public or clients in any way.
- 3.20 Refuse to accept briefs that involve benefit from the illicit sale of protected material or any other illegal activities.
- 3.21 Refuse to accept limited briefs, and ensure that all aspects and areas associated with the development are covered, e.g., increased traffic, tourism activities, construction access roads, or position of construction camps.

APPENDIX C TO THE CONSTITUTION OF ASAPA: MINIMUM STANDARDS OF PRACTICE FOR ASAPA MEMBERS

ASAPA members agree that all archaeological work, including research, teaching, contract and rescue archaeology, must be conducted according to these minimum standards of practice. Archaeologists, archaeological technicians and affiliated practitioners have a responsibility to design and conduct projects that will add to our understanding of the past and/or develop better theories, methods, or techniques for interpreting the archaeological record, while causing minimal attrition of the archaeological resource base. In the conduct of an archaeological or affiliated project, the following minimum standards apply:

1 STANDARDS FOR PROJECT INITIATION

Archaeologists, archaeological technicians and affiliated practitioners have a responsibility to prepare adequately for any archaeological or affiliated project, research or otherwise. ASAPA members shall:

- 1.1 Assess the adequacy of their qualifications for the demands of the project, and minimise inadequacies by acquiring additional expertise and/or bringing in associates with the requisite qualifications, or by modifying the scope of the project.
- 1.2 Inform themselves of any previous relevant research and documentation.
- 1.3 Develop a specific project plan that specifies the objectives of the project, takes into account previous relevant research and documentation, and employ a suitable methodology that provides for the most economical use of the resource base consistent with the objectives of the project and ASAPA's general aims and methods.
- 1.4 Ensure the availability of adequate and competent staff and support facilities to carry the project to completion, and arrange adequate, suitable and sustainable curatorial facilities for material and records.
- 1.5 Comply with all legal and safety requirements and obtain all necessary permits and permission from the relevant authorities, landowners, legal custodians or other stakeholders.
- 1.6 Inform themselves of any existing minimum standards required by the appropriate authorities before starting the project.
- 1.7 Determine whether the project is likely to interfere with the programme or projects of other researchers and initiate negotiations to minimise interference if there is such likelihood.

2 STANDARDS FOR SURVEYING, COLLECTING, EXCAVATION AND CURATION

Procedures for field surveys, shovel tests/auguring, collection, excavation, recording and curation must meet the following minimum standards:

- 2.1 The management of all archaeological and affiliated projects in southern Africa must respect the National and Provincial Standards relating to permitting, conditions of employment and safety of the country/ies in which the project is taking place.
- 2.2 The minimum standards set by the appropriate authorities of the region in which the work is being conducted should be followed in addition to any stipulations in this document.
- 2.3 A field record must be established for every survey undertaken including CRM surveys, and submitted to the appropriate national or regional recording centre and/or heritage agency of the country where the survey or project is being conducted. Such documents should be complete, and able to stand alone, regardless of its possible submission as part of an Environmental or Heritage Impact Assessment
- 2.4 Reports/records shall contain the following minimum information:
 - Where possible, a national site number as allocated by the appropriate regional recording centres or authorities in the country where the work is being conducted (not the recorder's own site number).
 - Recorder's name and institution, date of recording.
 - Site name and co-ordinates (indicate whether these were derived from a GPS reading).
 - Map sheet 1:50 000 indicating the location of the site/s or surveyed area.
 - Site category/ies; e.g.: Earlier Stone Age, Middle Stone Age, Later Stone Age, Early Iron Age, Middle Iron Age, Late Iron Age, Rock Art, Historical.
 - Site type; e.g.: open, shelters, cave, structure.
 - Owner/s and/or occupier/s of the site.
 - Merits of conservation, salvage, research.
 - Existing threats if any.

- Site description.
- Location of photographic record (artefacts should be photographed as close to their original positions as possible using a cm or m scale).
- Relevant background or other information or where appropriate, a full desktop study.

- 2.5 Members of ASAPA who author and/or sign research or CRM reports dealing with southern African archaeology shall deposit copies of said reports within one calendar month of the date of producing the document with the relevant governmental heritage authority (RGHA).
- 2.6 Members of ASAPA agree to allow *ad hoc* peer review committees to review reports that they have deposited with the RGHAs, and to have the right to appeal the findings of such committees.
- 2.7 If artefacts or samples are collected during a survey or as a result of excavation or affiliated activity, it should be noted on the field record, and a system for recording their proveniences must be maintained.
- 2.8 During surveys, excavation or affiliated activities, uncollected entities such as artefacts, environmental or cultural features, depositional strata, and the like, must be fully and accurately documented by appropriate means.
- 2.9 ASAPA does not encourage the excavation of entire sites under normal circumstances. Substantial portions of sites should be preserved to allow future work by other archaeologists. The absolute minimum requirement is that a witness section must be retained for future investigation.
- 2.10 All excavated sites should be dated as accurately as possible.
- 2.11 Sites must be restored in a timely fashion, unless superseding factors, such as conservation or the construction of display facilities intervene.
- 2.12 During the survey, excavation or restoration any rock art should be protected from all contact, for example dust resulting from such activities.
- 2.13 The methods employed to collect data must be fully and adequately described. Significant stratigraphy and/or relationships amongst artefacts, other specimens, cultural and environmental features and oral histories must be accurately recorded.
- 2.14 All records should be intelligible to other archaeologists, archaeological technicians or affiliated practitioners. If terms lacking commonly held referents are used, they should be clearly defined.
- 2.15 Insofar as possible, the interests of other researchers should be considered. For example, upper levels of a site should be scientifically excavated, recorded and curated, even if the focus of the project is on underlying levels.
- 2.16 During accessioning, analysis, and curation of archaeological material and records, precautions must be taken to ensure that accurate correlation between the material and the field records are maintained.
- 2.17 Archaeological material and research records associated with a project must be deposited at an institution with permanent curatorial facilities that provide long-term access to archaeological collections, records, and reports, unless otherwise required by law.
- 2.18 Institutions housing archaeological material and data archives must have written collections management policies covering procedures on acquisition, processing, documentation, storage management, conservation, inventory control, and the management of human remains where applicable.
- 2.19 Researchers, including CRM practitioners, must comply with the curation requirements and the collections policy of the archaeological materials repository.

3 ADDITIONAL MINIMUM STANDARDS FOR CRM PRACTITIONERS

In addition to section 2 of this document all ASAPA members conducting contracted mitigation shall:

- 3.1 Outline the logic of the mitigation strategy as relating to the site description and the significance rating applied to the site.
- 3.2 Describe the mitigation and its yield using accepted archaeological recording and documentation methods.
- 3.3 Discuss the results of the mitigation that places the sites in the regional context and indicate how the mitigation has contributed to archaeological knowledge or identified areas for future research.
- 3.4 Where possible, date sites that are excavated as a result of mitigation (it is understood that the cost

incurred is borne by the developer).

3.5 Where possible, collect samples of datable material from sites that will be destroyed without mitigation.

4 ADDITIONAL MINIMUM STANDARDS FOR ROCK ART PRACTITIONERS

In addition to section 2 of this document all ASAPA members conducting rock art research and/or recording shall:

- 4.1 Acquire the necessary permits from the appropriate authorities to conduct any research or recording (special note: although some rock art research does not require a permit in South Africa, all rock art research and recording requires a permit in most other SADC countries).
- 4.2 Conduct research and recording with respect to rock arts' makers and descendant communities.
- 4.3 Ensure that their work involves minimal contact with the rock art or the adjacent rock support except in the instance of direct tracing (see clause 4.10 of this document)
- 4.4 Implement measures to ensure that the generation of dust is controlled when working near the art.
- 4.5 Refrain from wetting the rock art or rock support or applying any other substance to the art or to the rock support, except in the instance of direct tracing (see clause 4.10 of this document).
- 4.6 Refrain from making rubbings or castings of rock engravings unless circumstances make this a viable option and that this is explicitly authorised by a valid permit from the appropriate authorities.
- 4.7 Refrain from removing any rock art from its original context unless this is explicitly authorised by a valid permit from the appropriate authorities.
- 4.8 Refrain from disturbing other archaeological remains or deposits (e.g. by using mats to stand on while tracing and not excavate around engravings over which deposit has accumulated).
- 4.9 Ensure that rock art research, conservation and outreach are given precedence over commercial interests.
- 4.10 If tracing is permitted the following conditions should be complied with:
 - Direct tracing should only be conducted by members who have received specialist training, or members under the direct supervision of a specialist tracer.
 - No tracings shall be made if the rock surface, engraving or painting is flaking, unstable or fragile. In such cases, non-contact recording methods should be used.
 - Only tape or adhesive that leaves very little residue should be used to affix tracing sheets, and such materials should never be placed over the rock art.
 - Tracing sheets should be acid-free and generate the minimum of electro-static charge (drafting film is the standard for rock paintings and plain polythene for engravings)
 - Tracing instruments should not place undue pressure on the art or leave any residue on the art or the rock surface (fine propelling pencils are the standard for tracing rock paintings and fine marker pens are the standard for recording rock engravings.
 - All tracings and copies thereof must be lodged with an appropriate institution with a demonstrable capacity to catalogue and curate the tracings and copies.

5 ADDITIONAL MINIMUM STANDARDS FOR UNDERWATER ARCHAEOLOGICAL PRACTICE

In addition to section 2 of this document all ASAPA members conducting recording or research on wrecks shall:

- 5.1 Provide the presumed name of the vessel, date of the wreck and the name of the nearest port on the site record and other reports.
- 5.2 Provide a record of the names and details of all participating divers on permit applications and in reports.
- 5.3 Keep a log of all dives on the wreck site to be submitted with the site record and other reports, recording the date, times, names of persons involved, weather and sea conditions and the work accomplished.
- 5.4 Where appropriate provide the contact details of any collaborating institutions, companies or individuals to the appropriate authorities and on the site record and other reports.
- 5.5 Make a formal, legal agreement with collaborating institutions, companies or individual regarding the curation and/or disposal of any objects recovered from the wreck and any proposed division of such objects between the member and the collaborators.
- 5.6 Comply with the appropriate authorities' requirements for salvage licences and customs regulations.
- 5.7 Dispose of objects recovered from a wreck only to the appropriate heritage authority, collaborating

institutions, companies or individuals, except where the permission of the appropriate authorities has been obtained to do otherwise.

- 5.8 Resort to the use of explosives, cranes or other equipment designed to move large quantities of overburden or obstructions only with written permission from the appropriate authorities.
- 5.9 Remove wood, ivory, other organic materials or ferrous materials only once special facilities for their recovery and curation have been arranged.
- 5.10 Not allow divers other than those listed on the permits to take part in the project without permission from the appropriate authorities.

6 ADDITIONAL MINIMUM STANDARDS FOR EXCAVATING HUMAN REMAINS

In addition to section 2 of this document all ASAPA members conducting research or management projects on human remains, associated objects, gravesites or burial grounds shall:

- 6.1 Adhere to all relevant legislative requirements of the respective countries where archaeological work is being conducted on human remains and associated objects.
- 6.2 Show due respect for all human remains and the customs, beliefs and practices of any person/s or community/ies concerned with such graves, burial grounds and/or associated objects.
- 6.3 Provide the correct contact details on the site record and other reports of the owner of the land on which the grave or burial ground is situated, as well as contact details of individuals, groups or communities with claims to the graves, burial grounds and/or associated objects.
- 6.4 Include in the report the details any of arrangements for the exhumation and re-interment of the contents of graves in the case of the destruction of graves or burial grounds.
- 6.5 Make a concerted and documented effort to identify, contact and consult communities, groups and/or individuals that may have an interest in the graves or burial grounds.
- 6.6 Provide copies of agreements reached with such communities or individuals regarding the future of the graves or burial grounds to the relevant authorities.
- 6.7 Refrain from disturbing any previously unknown grave discovered in the course of excavation, development or any other activity, except when mandated to do so by the relevant authorities.

7 ADDITIONAL MINIMUM STANDARDS FOR CURATING HUMAN REMAINS

In addition to section 2 of this document all ASAPA members shall:

- 7.1 Adhere to all relevant legislative requirements of the respective countries, regarding the curation of human remains.
- 7.2 Deposit human remains with an institution with permanent curatorial facilities, unless arrangements for re-interment have been made (as per 6.4).
- 7.3 Deposit human remains only with curatorial institutions that have developed, or are developing, institutional policy for the responsible curation of human remains.

8 STANDARDS FOR DISSEMINATION

Archaeologists, archaeological technicians and affiliated practitioners are responsible for the dissemination of the results of their research or related projects to the appropriate constituencies with reasonable dispatch.

- 8.1 Intellectual property, as contained in the knowledge and documents created through the study of archaeological resources, is part of the archaeological record. As such it is best treated in accord with principles of stewardship. If there is a compelling reason, and no legal restrictions or strong countervailing interests, a researcher may have primary access to original materials and documents for a period of 10 years, after which these materials and documents must be made available to others. Disputes will be dealt with in accordance to the Grievance Procedures for ASAPA Members (Appendix D to the Constitution).
- 8.2 Failure to complete a full scholarly report within 10 years after completion of a research project shall be construed as a waiver of an archaeologist's right of primacy with respect to analysis and publication of the data. Upon expiration of such 10-year period, or earlier, if the archaeologist shall determine not to publish results, such data should be made fully accessible to other archaeologists or qualified parties for analysis and publication.
- 8.3 Results that are considered significant contributions to substantive knowledge of the past, or advancements in theory, method or technique should be disseminated to colleagues and other interested persons by appropriate means such as publications, reports at professional meetings

or letters to colleagues.

- 8.4 Requests from qualified colleagues for information on research results should be honoured, if consistent with the researcher's prior rights to publication and with her/his other professional responsibilities.
- 8.5 While contractual obligations in reporting must be respected, archaeologists should not enter into a contract that prohibits the archaeologist from including her/his own interpretations in the contractual reports, or from the right to use the data after completion of the project.
- 8.6 The intellectual property of communities under/amongst whom archaeological work is conducted must be acknowledged and protected where appropriate.

APPENDIX D TO THE ASAPA CONSTITUTION: GRIEVANCE PROCEDURES FOR ASAPA MEMBERS

Any person or organisation may file allegations of misconduct against any ASAPA member in writing with Council.

1 PROCEDURES

- 1.1 Council will consider written allegations of misconduct against any member of the association within the context of the ASAPA Constitution, Code of Ethics, Code of Conduct and Minimum Standards of Practice, but may request documentation from complainants to support their allegations before action is taken. In the case of illiteracy the complainant must appoint a scribe or provide a recorded complaint that will be transcribed by Council.
- 1.2 Upon receipt of an allegation as described above, Council shall make a preliminary inquiry in order to determine if there is reasonable cause to believe that the charged member has violated a provision of the ASAPA Constitution, Code of Ethics, Code of Conduct or Minimum Standards of Practice. This action shall be taken within one calendar month of the filing of the allegations.
- 1.3 In the case of violations considered minor by Council an attempt will be made to resolve the problem by compromise between all parties.
- 1.4 If it appears that a more serious violation might have occurred, and compromise is inapplicable or unobtainable Council shall initiate a formal investigation. This action shall be taken within two calendar months of the filing of the allegations.
- 1.5 Council shall inform the charged member and the complainants of the impending investigation in writing.
- 1.6 For the investigation process Council shall appoint one member of Council, and one independent professional member of ASAPA in good standing, the charged member shall also appoint one ASAPA member in good standing in order to form a grievance investigating committee.
- 1.7 Complainants must provide all documentation of the complaint as requested by the grievance investigating committee. Copies of all documentation shall be provided to the charged member in good time for him/her to prepare to answer the allegations.
- 1.8 The grievance investigating committee shall investigate all allegations of possible violations of the ASAPA Constitution, Code of Ethics, Code of Conduct and Minimum Standards of Practice, and shall prepare a report, which is a finding of facts as well as a recommendation to Council. This action shall be taken within two calendar months of the appointment of the committee.
- 1.9 Upon recommendation from the grievance investigating committee, Council shall support the case of the charged member, give him/her a written reprimanding or warning, or suspend or terminate his/her ASAPA membership by written notification.
- 1.10 In the case of a reprimand or warning the member will be given the opportunity to respond to the allegations in writing to Council. This procedure will remain confidential to the involved parties, the grievance investigating committee and Council.
- 1.11 Whether Council supports the case of the charged member or not, it will submit a formal report to the complainant/s stating its position.
- 1.12 In the case that Council supports the case of the charged member it may choose, at its discretion, to provide professional archaeological opinions and support to the charged member in any forum where s/he needs such assistance.

2 APPEAL PROCESS

- 2.1 A charged member may submit a written appeal against the suspension or termination of his/her ASAPA membership. The document shall clearly state the grounds for appeal based on the Constitution or Appendices thereof. This action shall be taken within one calendar month of the notification of suspension or termination of membership.
- 2.2 Complainants shall be informed by Council of the charged member's appeal in writing.

- 2.3 If an appeal is submitted to the ASAPA Council, the Council shall consider the merit of the appeal and action shall be taken within one calendar month of the submission of the appeal.
- 2.4 During this period Council may appoint legal or other appropriate advisors to assist in reaching an ultimate decision.
- 2.5 The decision of Council on the appeal is final, and all parties will be notified in writing of the final decision.
- 2.6 All decisions not appealed will be put into effect 45 days after the decision is taken. There shall be no circulation of the results of the investigation proceedings prior to this date or prior to the results of the appeal process.
- 2.7 After 45 days of notification of suspension or termination of membership, and if no appeal has been submitted to Council by the charged member, the complainants and ASAPA members will be informed of the decision to suspend or terminate the charged member's membership.