

CONSTITUTION OF THE STRAND ATHLETIC CLUB

1 NAME

1.1 The name of the club is the Strand Athletic Club.

2 DEFINITIONS

2.1 In this constitution, unless the context otherwise indicates:-

2.1.1 athletics means cross country and road running, race walking, as well as track and field events;

2.1.2 club means the club duly constituted in terms of this constitution;

2.1.3 day means a calendar day;

2.1.4 financial year means the financial year of the club commencing on 1 January and ending on 31 December of each year;

2.1.5 member means a fully paid-up member as defined in clause 5 of this constitution and adult member means any fully paid-up member who is 18 years or older;

2.1.6 notice means a notice by ordinary post, e-mail, SMS or fax to the last postal or e-mail address, cell phone or fax number, of the member provided to the committee, and notice shall be deemed to have been given 3 days after the date on which it was submitted.

2.2 Words in the singular include the plural, and words in the plural include the singular, where the context so indicates.

3 LEGAL PERSONALITY

3.1 The club shall have a legal personality and shall, through its authorised representatives:-

3.1.1 have an independent existence;

3.1.2 be entitled to acquire, encumber or dispose of movable or immovable property;

3.1.3 be entitled to enter into legal transactions and institute or defend legal proceedings.

3.2 The club shall be a non-profit making organisation, but may raise funds for any purpose in accordance with its objectives.

3.3 The club shall continue in existence notwithstanding changes in the composition of its membership or office-bearers.

3.4 The club shall be affiliated to Western Province Athletics (WPA), or an appropriate body of Athletics South Africa, as defined in the constitution of the WPA.

4 OBJECTIVES

4.1 The objectives of the club are to:-

4.1.1 provide a central organisational structure, and the appropriate facilities, to members for their participation in athletics in an organised manner;

4.1.2 develop and foster the sport of athletics amongst its members and the community;

- 4.1.3 encourage its members to participate in athletics;
- 4.1.4 provide the necessary facilities to members;
- 4.1.5 represent the interests of its members at all levels;
- 4.1.6 promote non-racialism and combat unfair discrimination in athletics.
- 4.2 In order to achieve its objectives, the club may:-
 - 4.2.1 organise athletics events;
 - 4.2.2 employ such persons as are appropriate to the needs and resources of the club;
 - 4.2.3 affiliate to any organisation if such affiliation could assist it in pursuing and attaining its objectives;
 - 4.2.4 enter into any contract and/or acquire any asset.

5 MEMBERSHIP

5.1 Ordinary membership

- 5.1.1 Any person residing in the Helderberg Municipal Area who subscribes to the provisions of this constitution may apply for membership of the club.
- 5.1.2 Members of other athletic clubs may apply for membership of the Strand Athletic Club, provided that they submit a letter of release from their former club together with their application.
- 5.1.3 An application for membership shall be submitted to a committee member, who shall table the application at the next committee meeting.
- 5.1.4 The committee shall decide whether to accept such application or not.

5.2 Life membership

- 5.2.1 Life membership is an honour bestowed on an individual who:-
 - 5.2.1.1 is of exemplary stature;
 - 5.2.1.2 has been continuously involved in the club's activities for at least 10 years;
 - 5.2.1.3 has set and maintained standards which are significantly higher than those normally expected from a person in his or her position, and
 - 5.2.1.4 has set an outstanding example to club members and office-bearers.
- 5.2.2 Life members shall be elected at a general meeting, with at least an 80% majority of the votes cast.
- 5.2.3 The number of life members shall not be limited.
- 5.2.4 Although life membership shall endure, in principle, for the natural life of the recipient, it may be revoked in exceptional circumstances by a majority vote at a general meeting.
- 5.2.5 On election, a life member shall receive a certificate to such effect.

5.3 Honorary presidency

- 5.3.1 The club may elect an honorary president at a general meeting and in accordance with the

voting procedures for the election of the club's committee members.

5.3.2 The honorary president shall be elected from the ranks of club members, and shall serve in this capacity for as long as he or she remains a member of the club.

5.3.3 The club shall not have more than 1 honorary president at any given time.

6 GENERAL MEETINGS

6.1 Annual general meetings and Special general meetings

6.1.1 A general meeting of the club may be either the annual general meeting (AGM) or a special general meeting.

6.1.2 All meetings of the club shall be presided over by the chairperson of the club. In the absence of the chairperson, all the powers and duties of the chairperson shall devolve on the vice-chairperson and if the vice-chairperson too is absent, the said power and duties shall devolve on a member elected by the remaining members of meeting.

6.1.3 The presiding officer at any meeting shall have both a deliberative and a casting vote on any matter, except during the election of office-bearers.

6.2 Quorum for general meetings

6.2.1 The quorum for a general meeting shall be 50 adult members, including at least 5 committee members.

6.2.2 In the absence of the required quorum at any meeting, the meeting shall be adjourned.

Notice shall thereafter be given to all the members of the club of the date and time on which the meeting shall be reconvened, which shall not be less than 7 days and not more than 21 days after the meeting at which a quorum was not reached. When the meeting reconvenes, it shall conduct all business which was on the agenda for the initial date, regardless of the existence or not of a quorum.

6.3 Voting at general meetings

6.3.1 Only adult members may vote at any general meeting of the club.

6.3.2 No voting may be effected by proxy.

6.3.3 Voting shall be by show of hands or, if the meeting so decides by a simple majority, by ballot.

6.3.4 Except where otherwise provided, all matters determined by vote shall be decided by a simple majority of votes.

6.3.5 In the event of a tied vote, a revote shall be conducted after further discussion of the matter at hand.

6.3.6 Should the deadlock remain in the revote, the presiding chairperson shall cast the deciding vote.

6.4 Annual general meeting

6.4.1 The AGM shall be held annually before the end of November.

6.4.2 Notice of the AGM shall be given to members at least 8 weeks in advance. Such notice shall include, but not be limited to, a notice thereof being affixed to the notice board in the clubhouse. It shall provide the date, time and venue for the meeting, together with the deadline for the submission of motions.

6.4.3 Notices of motions shall be submitted in writing to the committee by no later than 5 weeks prior to the AGM.

6.4.4 The agenda of the AGM shall be dealt with in the following order, as far as possible:-

6.4.4.1 Constituting of the meeting by determining the presence of a quorum;

6.4.4.2 Opening;

6.4.4.3 Reading of the notice of the meeting;

6.4.4.4 Confirmation of the agenda, including the incorporation of all matters to be raised under "general";

6.4.4.5 Reading, discussing, amending (if necessary), and adopting the minutes of the previous AGM and any ensuing special general meeting;

6.4.4.6 Reading, discussing, amending (if necessary) and adopting the reports of the chairperson, and the ladies' and men's captains;

6.4.4.7 Reading, discussing, amending (if necessary) and adopting the treasurer's report for the financial year under review;

6.4.4.8 Dealing with motions;

6.4.4.9 Election of a new committee;

6.4.4.10 Attending to all matters raised under "general".

6.5 Special general meetings

6.5.1 A special general meeting may be convened by the committee at any time, or within 30 days after receipt of a written request to this effect and signed by at least 10 adult members.

6.5.2 The request to convene a special general meeting and the notice of such meeting shall state the business to be considered, and the meeting's deliberations shall deal with such business only.

6.5.3 Notice of a special general meeting shall be served on members at least 7 days prior to the date of the meeting.

7 THE COMMITTEE

7.1 Composition

7.1.1 A committee shall be elected at the AGM to manage all the affairs of the club.

7.1.2 The committee shall consist of the following members:-

7.1.2.1 chairperson;

7.1.2.2 vice-chairperson;

7.1.2.3 secretary;

7.1.2.4 treasurer;

7.1.2.5 ladies' captain;

7.1.2.6 men's captain;

7.1.2.7 four additional members.

7.1.3 All the aforesaid positions shall be filled by different persons during any particular term of office.

7.1.4 The chairperson shall be elected only from the ranks of the committee members who served the club as such in the year prior to the election of the new committee.

7.1.5 One and the same person may not serve as chairperson for more than 3 consecutive terms.

7.1.6 Any vacancy arising on the committee may be filled at a general meeting or by co-option.

7.1.7 A person co-opted to the committee shall have all the rights, including the right to vote, of a committee member.

7.1.8 Co-opted persons may not exceed more than one third of the committee membership.

7.1.9 Only members of the club may be co-opted to the committee.

7.1.10 The term of office of a co-opted person shall not exceed that of the committee.

7.1.11 All positions on the committee are honorary, unless any payment is expressly approved in advance by a general meeting.

7.2 Term of office of committee members

7.2.1 The committee shall serve from the date of its election until completion of the next AGM.

7.2.2 Any person shall cease to be a committee member if that member:-

7.2.2.1 ceases to be a member of the club, or

7.2.2.2 is excluded or suspended from the club, or

7.2.2.3 tenders a resignation in writing and such resignation is accepted by the committee, or

7.2.2.4 misses 2 consecutive committee meetings without advancing good cause or giving notice of such non-attendance to a committee member, and, after having received written notice from the secretary, misses a further meeting.

7.3 Election of committee

7.3.1 The entire committee is elected annually at the AGM.

7.3.2 Only adult members are eligible for nomination as committee member.

7.3.3 Nomination forms shall accompany the notice of the AGM.

7.3.4 Except where they indicate otherwise, and subject to the limitation on the position of chairperson as recorded in clauses 7.1.4 and 7.1.5, committee members shall be regarded as having been automatically nominated for re-election to the position in which they have served immediately prior to the AGM.

7.3.5 Completed nomination forms shall be submitted to a committee member by no later than 2 weeks prior to the AGM.

7.3.6 Where no nominations were received for a particular position on the committee prior to the 2 week deadline, such nominations may be made at the meeting.

7.3.7 Candidates need not be present at the AGM.

7.4 Duties and powers of the committee

7.4.1 The duties of the committee shall be to:-

7.4.1.1 hold regular committee meetings;

7.4.1.2 convene the AGM, special general meetings, as well as any other meeting which may be necessary for the effective management of the club's affairs and activities;

7.4.1.3 keep proper minutes of all committee and club meetings, as well as detailed financial records, and to make such minutes and records available to club members as may be necessary or requested;

7.4.1.4 establish the infrastructure necessary for the effective administration and organisation of the club's affairs and projects, including, but not limited to, the co-option of club members to assist the committee, the appointment of sub-committees for the organisation of club races, as well as the appointment of one or more members to represent the club;

7.4.1.5 conduct all the affairs of the club, including both routine and urgent matters;

7.4.1.6 open such accounts as may be necessary and nominate the members who are permitted to draw upon such accounts;

7.4.1.7 determine and collect the subscription payable by members;

7.4.1.8 make, amend and enforce rules and regulations for the proper functioning of the club;

7.4.1.9 maintain discipline within the club, subject to clause 11.

7.4.2 In the event of a vacancy arising on the committee, the committee may transfer the functions entrusted to the absent member to one or more of the remaining members of the committee or to a co-opted or newly elected member.

7.5 Committee meetings

7.5.1 The committee shall meet at least once a month.

7.5.2 The chairperson, or 2 committee members acting together, may convene a meeting of the

committee whenever it is deemed necessary.

7.5.3 The secretary shall give notice of committee meetings to all office-bearers at least 1 week prior to such meeting.

7.5.4 Five committee members shall constitute a quorum.

7.5.5 All meetings of the committee shall be presided over by the chairperson. In the absence of the chairperson, all the powers and duties of the chairperson shall devolve on the vice-chairperson and if the vice-chairperson too is absent, then the said powers and duties shall devolve on a member elected by the remaining members of committee.

7.5.6 Where necessary, the committee shall take decisions by a simple majority vote of the members present. The chairperson shall have a deliberative and a casting vote.

7.5.7 In the event of a matter of urgency arising between meetings of the committee, such matter may be attended to by the chairperson, in conjunction with any or all of the committee members affected by such decision.

7.5.8 In the absence of a quorum at any committee meeting, the business of the meeting may be conducted without the necessary quorum, provided that the minutes of the meeting is submitted to the full committee within 7 days of the meeting. In such event, and provided that no objection is recorded within 14 days, all matters reflected in the said minutes shall be considered to have been dealt with by the committee.

7.5.9 Any member of the committee may, within 14 days object to any decision taken at a meeting where a quorum was not present, in which event a meeting shall be held within 14 days to reconsider that decision. In the event of the meeting not being held within 14 days of the objection being received the decision shall lapse. In the event of there again not being a quorum, the meeting shall be adjourned until such time as a quorum can be obtained.

8 FINANCES

8.1 The club shall conduct its financial affairs through a banking account.

8.2 All monies received by the club shall be deposited into the club's bank account.

8.3 The treasurer shall prepare, for presentation to each monthly meeting of the committee, income statements and balance sheets pertaining to the club's finances.

8.4 All financial reports and statements shall be available for inspection by any member at all reasonable times.

8.5 Surplus funds shall be used only in furtherance of the club's objectives, and shall not be distributed amongst its members.

8.6 Payment on behalf of the club shall require the signature, or written approval, of at least two

of any of the chairperson, vice-chairperson or treasurer.

8.7 The financial statements of the club shall be audited at least once a year prior to the AGM.

9 ASSETS OF THE CLUB AND NON-PROFIT OBJECTIVE

9.1 The club shall not engage in any transaction with a view to achieve pecuniary gain or profit for any of its members.

9.2 No member shall have any personal claim on the income or property of the club or make any profit out of her or his membership, save where such member is also a duly appointed and salaried employee of the club.

9.3 Any member must declare any personal interest in any contract entered into or business undertaken by the club.

10 SUBSCRIPTIONS

10.1 The committee shall determine an annual subscription, covering membership from 1 January to 31 December and payable annually in advance by all members of the club.

10.2 The subscription of new members shall be due and payable upon submission of their application to the committee. In the event of a new member joining the club in the second half of a year, the subscription shall be calculated on a pro-rata basis.

10.3 Members' annual subscription shall be due and payable prior to the renewal of their official licence.

10.4 The subscription is non-refundable.

10.5 Any member who fails to pay the subscription or any other debt to the club within the time period laid down by the committee shall be regarded as not being in good standing and shall cease to enjoy the rights of membership until such debt is paid.

11 DISCIPLINE

11.1 The committee has the right and duty to ensure good order in the club at all times. As such, it shall be entitled to exercise discipline in accordance with its sole and reasonable discretion.

11.2 In the event of any member acting in an unbecoming manner, either by bringing the club's good name into disrepute or by being in breach of the rules of the WPA, the committee shall have the right to take disciplinary and appropriate action.

11.3 A member believed to have transgressed, shall be notified in writing of the disciplinary measures envisaged and shall have the right to a fair hearing.

11.4 Should a member be found guilty of misconduct which is harmful to athletics, or which brings the club or the WPA into disrepute, the committee may, in its absolute and sole discretion:-

11.4.1 issue an oral or written warning;

11.4.2 suspend the member for not more than 2 years;

11.4.3 expel the member from club activities;

11.4.4 terminate the member's membership.

11.5 Failure by any member to wear the prescribed club attire during official races may lead to the imposition of a fine.

11.6 Any member adversely affected by a decision made in terms of this clause may give notice of appeal against such decision to a special committee meeting within 7 days of the decision against which is being appealed.

11.7 After exhausting all internal remedies, the said member may appeal to the WPA.

12 INJURY AND CLAIMS

12.1 Athletes join the club at their own risk and neither the club nor any of its office-bearers shall be held liable for any injury or harm that may arise from such membership.

13 CLUB COLOURS

13.1 The clubs colours, to be used only by members, shall be:-

13.1.1 royal blue running shorts, and

13.1.2 a yellow and white running vest or yellow crop-top, as provided by the club.

14 CONSTITUTION

14.1 A copy of this constitution shall be kept in the club's minute book at all times, and a copy made available to any member on request.

14.2 New members shall receive a copy of the constitution when they join the club.

14.3 All members of the club shall be deemed to have read, understand, accept and fall in with the provisions of the constitution.

14.4 The constitution may only be amended in the following manner:-

14.5 A written proposal, containing the exact wording of the proposed amendment and signed by at least 10 adult members, must be submitted to a committee member.

14.6 The proposed amendment shall be dealt with either as a motion at the AGM, or as the subject matter of a special general meeting of the club.

14.7 Notice of the proposed amendment shall be given in accordance with the provisions regarding notice for the AGM and special general meetings.

14.8 The constitution may be amended only at a properly constituted AGM or a special general meeting convened for this purpose and with at least 40 adult members voting in favour thereof.

14.9 In the event of a dispute over the interpretation of the constitution, the ruling of an arbitrator, duly appointed by the committee, shall be final and binding on all members.

14.10 Upon acceptance of the amendment it shall be entered in the copy of the constitution in the minute book of the club under the signature of the chairperson.

15 DISSOLUTION

15.1 Should the club be unable to achieve its objectives, the committee shall call a special general meeting for the sole purpose of deciding whether to continue with the club.

15.2 The club may only be dissolved if at least 40 adult members vote in favour of such a decision at the special general meeting.

15.3 Should such a decision be taken, the meeting shall appoint a receiver, who may or may not be a member of the club, to wind up the affairs of the club.