

**CONSTITUTION OF PINELANDS ATHLETIC CLUB**  
(Established 1937)

**1 ESTABLISHMENT**

- 1.1 It is recorded that Pinelands Athletic was founded in 1937.
- 1.2 The separate corporate existence of the Club is hereby confirmed.
- 1.3 The Club shall be a separate body corporate with perpetual existence, shall be capable of suing and being sued, owning immovable property and otherwise acquiring all rights and incurring all obligations in its own name and as a separate juristic person, subject only to the provisions of this Constitution.

**2 NAME**

- 2.1 The name of the Club shall be “Pinelands Athletic Club”.
- 2.2 The name of the Club may be changed to reflect any change in the Club’s principal sponsor by a majority decision at the annual general meeting of the Club to be held in accordance with the provisions of clause 8 below (“the Annual General Meeting”).

**3 PRESIDENT**

- 3.1 The Club shall elect a President at each Annual General Meeting. As from 2020, no nominations for the position of President will be taken from the floor. Such nomination will be done via a nomination form for President and must be submitted to the club secretary by no later than 48 hours prior to the AGM. Voting shall then be carried out in the form of a ballot system, should there be more than one nomination.  
Any person so nominated must be a member of the Club and been continuously active as a competitor, official or administrator of the Club for not less than 5 (five) years, and is nominated and seconded by existing members.
- 3.2 The President shall hold office until the next following Annual General Meeting and may be invited to attend meetings of the Committee, but shall not have any vote thereat.
- 3.3 The President shall be entitled to all the privileges of membership of the Club during his term of office, and shall not be required to pay any administration fees and/or annual membership subscriptions, but will however still be liable for the annual WPA licence fee. On termination of his office, the member shall once again be liable for all such fees and subscriptions.  
*(Proposed and accepted at the AGM 21<sup>st</sup> November 2019)*

**4 ADMINISTRATION**

- 4.1 The administration and management of the Club shall be vested in a committee (“the Committee”), which shall be elected annually at the Annual General Meeting, and shall consist of the following office-bearers:
  - 4.1.1 the Club Chairperson
  - 4.1.2 the Club Secretary
  - 4.1.3 the Club Treasurer

- 4.1.4 such number of additional members (minimum of five but not exceeding ten) as shall be approved of by the Annual General Meeting.
- 4.1.5 nominations for the Committee and President shall be made by members of the Club on Nomination forms which will be made available at the Club and electronically three weeks before the AGM. Such nomination forms are to be submitted to the secretary no later than 48 hours prior to the AGM
- 4.2 The portfolios and responsibilities of the additional members shall be as nominated by the Committee.
- 4.3 The Committee shall meet not less than once a month. A quorum for the conduct of business at any meeting of the Committee shall be one half the members of the Committee from time to time.
- 4.4 Decisions at a Committee meeting shall be taken by a majority vote. The Chairperson shall have a casting vote in the event of a deadlock.
- 4.5 The Committee shall frame by-laws in respect of the day-to-day administration and management of the affairs of the Club, and shall further be entitled to fill vacancies on the Committee. All by-laws in terms of this clause 4 shall remain in force until the next following Annual General Meeting and shall be subject to ratification thereat.
- 4.6 A member of the Committee shall hold office for a period of 2 (two) years from the Annual General Meeting unless he or she resigns, or is absent from three consecutive meetings of the Committee without a valid apology for not attending, in which event he or she shall be deemed to have vacated his or her office.  
*(Proposed and accepted at the AGM 21<sup>st</sup> November 2019)*

## **5 MEMBERSHIP**

- 5.1 Membership of the Club shall be open to all amateur athletes, as determined in accordance with the rules of Athletics South Africa (“ASA”) from time to time. Each applicant for membership of the Club shall sign a declaration confirming his amateur status in such form as may be prescribed by ASA from time to time. (To be guided by the WPA Constitution).
- 5.2 Completion of the WPA Registration form also constitutes application as a member of the Club, subject to any bye-laws in place.
- 5.3 Each person applying for new membership to the Club shall pay an administration fee upon entry, and shall further pay the annual membership subscriptions determined in accordance with clause 8 below.
- 5.4 Membership must be renewed annually. Any person failing to pay the annual membership subscription on or before 1 March in any calendar year, his/her membership shall automatically lapse. An administration fee shall be payable upon any application by such member for re-admission to the Club.
- 5.5 The Committee shall be entitled to frame and propose a disciplinary code and code of conduct for members of the Club, which code shall be subject to approval at an Annual General Meeting. Any member failing to comply with the said code shall be subject to the disciplinary procedures set out in such code.

Disciplinary code as was approved in the AGM of 2014 as follows:  
Club members shall conduct themselves in an orderly manner while representing the club both on and off the road. Any club member found

guilty of assaulting, harassing or interfering or being abusive to another club member, or bringing the club into disrepute, may be expelled, suspended or fined. Every member of the Club shall be subject to the disciplinary code.

Any complaints must be made in writing, stating full details of the complaint and handed to the club secretary or the chairman should the secretary be involved. The secretary will hand the complaint to the disciplinary committee. The disciplinary committee shall consist of three club members each with five years membership and will be chaired by the Club President. Such appointments could be made at the AGM or by the committee should the meeting agree. This committee will investigate the matter and depending on its seriousness, decide what action should be taken. Records will be kept which the secretary will keep on file.

Should the matter not be resolved it may be referred to the disciplinary committee of WPA.

*(Proposed and accepted at the AGM 20<sup>th</sup> November 2014)*

- 5.6 The members of the Committee shall be indemnified by the Club against all claims and demands of whatsoever nature that may be made upon them arising out of the exercise or purported exercise of any of the powers conferred upon them by this Constitution.
- 5.7 Social membership shall be open to all who are not intent on obtaining a WPA licence as yet on payment of the annual fee as determined by the committee. Social members shall have full voting rights on any club matters and may participate in the Club's Annual General Meeting, provided he/she is not a member of another club affiliated to WPA, and may apply to become a fully paid-up member at any time. Social members may partake in organised runs but will need to purchase a temporary licence number and may not run or participate in the club's vest. If during the year they apply to become full club members, they will be required to pay the difference in cost of membership fees and purchase a WPA licence.

## **6 VICE PRESIDENTS**

- 6.1 The Club may, at each Annual General Meeting, appoint such number of Vice Presidents as may be decided upon at that meeting, after approval by the Committee.
- 6.2 The term of office of each Vice President shall be 1 (one) year, and shall terminate at the next following Annual General Meeting of the Club.
- 6.3 A Vice President shall be entitled to all the privileges of membership of the Club during his/her term of office, and shall not be required to pay any administration fees and/or annual membership subscriptions. On termination of his/her office, the member shall once again be liable for all such fees and subscriptions.
- 6.4 The office of the Vice President is a prestigious appointment, to be given only to members who, in the opinion of the Committee are of suitable stature, has been continuously active as a competitor, official or administrator of the Club for not less than 7 (seven) years, have set a standard which is higher than that normally expected of a person in this position, and have set an outstanding example to other members of the Club.

- 6.5 For the avoidance of doubt, it is recorded that the offices referred to herein are of a ceremonial nature only, and the bearers thereof shall not have any administrative or executive authority in respect of the business of the Club.

## **7 LIFE MEMBERSHIP**

- 7.1 Any person who, in the opinion of the Committee has rendered special service to the Club, or to the amateur athletic world (WPA or ASA) and who has been a member of the Club for a period of at least 15 (Fifteen) years, may be elected to honorary life membership. The election shall be by vote of the Committee, and shall be referred to the next Annual General Meeting of the Club for approval. Honorary life membership shall commence at the close of the Annual General Meeting at which the election is approved.
- 7.2 The maximum number of life members of the Club shall be determined by the Annual General Meeting from time to time.
- 7.3 Honorary life members of the Club shall be entitled to all the privileges of membership of the Club, but shall not be required to pay any administration fees and/or annual membership subscriptions.  
*(Proposed and accepted at the AGM 21<sup>st</sup> November 2019)*

## **8 ANNUAL GENERAL MEETING**

- 8.1 The Annual General Meeting shall be held in November of each calendar year, upon twenty-one day's notice being given to members thereof.
- 8.2 The quorum for an Annual General Meeting shall be not less than 15% or 24, whichever is the lesser, of the registered membership of the Club from time to time. If at any Annual General Meeting the requisite quorum is not present, the meeting shall stand adjourned for a period of twenty-one days, and the Secretary shall give notice of the re-convened meeting. The number of members present at the re-convened meeting shall constitute a sufficient quorum for all purposes.
- 8.3 All members of the Club over the age of eighteen years shall be entitled to vote at an Annual General Meeting.
- 8.4 The business of the Annual General Meeting shall be to deal with all of the matters entrusted to it in terms of this constitution, and further to consider such other matters as may have been placed on the agenda thereof at the written request of any member and are provided to the Secretary not less than fourteen days prior to the Annual General Meeting.
- 8.5 Without limiting the generality of clause 8.4, the Annual General Meeting shall determine the annual subscription and administration fees payable by members of the club.
- 8.6 Decisions of the Annual General Meeting shall be taken by majority vote.
- 8.7 The President for the time being, or in his absence, one of the Vice Presidents nominated by the Committee shall act as Chairperson at the Annual General Meeting. In the absence of the President or any Vice President, a Chairman shall be elected from those members of the Committee present at the meeting, by a majority vote of all members present thereat. Should no member of the Committee be present, the Chairman shall be appointed from amongst the members themselves, by a majority vote.

## **9 SPECIAL GENERAL MEETING**

- 9.1 A special general meeting of the Club shall be held:
- 9.1.1 upon receipt by the Secretary of a requisition in writing from not less than seven members of the Club requesting such meeting, and indicating the matters to be raised thereat; or
  - 9.1.2 upon being called by the Committee, and upon the Secretary providing each member of the Club not less than twenty-one days' notice of such meeting.
- 9.2 The provisions of clause 8 shall apply, *mutatis mutandis*, to a special general meeting.

## **10 FINANCES**

- 10.1 The financial year of the Club shall be 1 October to 30 September in the following year.
- 10.2 The funds of the Club shall be deposited in an account in the name of the Club with a registered financial institution, and shall be administered by the Committee in accordance with the following provisions:
- 10.2.1 All payments shall be approved by the Committee;
  - 10.2.2 All withdrawal of funds / Payments greater than R10, 000 to agreed to by prior to payment by two of Chairman, Treasurer and Secretary. (Excludes transfers between Current account and Call Deposit account.) Payments below this threshold can be ratified retrospectively by the committee on presentation of monthly Income and Expense Schedule.
  - 10.2.3 Any ad-hoc Capital Expenditure in excess of R10, 000 needs to be approved by the Committee subject to receipt of at least two suitable quotations.
  - 10.2.4 Payments may be made via Electronic Fund Transfer (EFT) / cheque / cash.
- 10.3 The Committee shall approve a budget for each major event organised and/or presented by the Club, and shall for this purpose be entitled to authorise the organiser of the said event to make payments and withdrawals on behalf of the Club, subject to such conditions as may be determined by the Committee.
- 10.4 The annual financial statements of the Club shall be prepared and audited, and presented to the Annual General Meeting for its approval.

## **11. CLUB COLOURS**

- 11.1 The colours of the Club shall be dark blue (navy blue), light blue and orange, consisting of light blue shorts, dark blue vests and orange wings. Deviations must be approved by the Committee.
- 11.2 The colours of the Club may, subject to the approval of Western Province Athletics, be changed by an Annual General Meeting.

**12. AMENDMENTS TO THE CONSTITUTION**

- 12.1 This constitution shall be capable only of amendment by a majority vote of not less than two-thirds of all the members of the Club present and entitled to vote at an Annual General Meeting or at a Special General Meeting called for this purpose.
- 12.2 All proposed amendments to this constitution shall be notified to the members not less than 21(twenty-one) days prior to the Annual General Meeting or Special General Meeting concerned.

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**CHAIRMAN**

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**PRESIDENT**