

CONSTITUTION

of the

CAPE TOWN GYMNASTICS ASSOCIATION

22 OCTOBER 2013

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1. DEFINITIONS AND INTERPRETATION

The following short terms shall be used and interpreted in the spirit of the following meanings unless specifically defined elsewhere:

AGA	Annual General Assembly
Board	Board of Management of the Association
Board Member	An elected or appointed member of the Board
Executive Committee	The President, Vice President and Treasurer
Association	The Cape Town Gymnastics Association
District affiliates	Properly constituted District bodies representing their ordinary members
Regulations and Procedures	All by-laws, policies and rules that are made with the authority of this Constitution
Majority	More than 50 percent of those persons eligible, voting of the one accord
Special Majority	Two Thirds of those persons eligible, voting of the one accord
WCGA	Western Cape Gymnastics Association
Wording	Words importing the singular shall include the plural and vice versa and words importing the masculine gender shall include the feminine gender and vice versa

2. NAME AND OBJECTIVES

2.1 Name

The name of the association shall be the Cape Town Gymnastics Association

2.2 Jurisdiction

The Association claims absolute and sole jurisdiction throughout the Cape Town Metropole district over all gymnastic activities that fall within the SAGF. The Association reports to Western Cape Gymnastics Association.

2.3 Objectives & Mission

- 2.3.1 To be the official district governing body for Gymnastics in the Cape Town metropole, subject to the guidance of the parent bodies, the Western Cape Gymnastics Association (WCGA) and the South African Gymnastics Federation (SAGF)
- 2.3.2 The Association will develop, consult and implement vision, mission and goal statements for the Association's future direction by promoting and developing quality activities for everybody to participate in gymnastic sport programmes in the Cape Town Metropole district.
- 2.3.3 The association is committed to promoting, encouraging and extending gymnastics in district to all persons.
- 2.3.4 To control the name of the Association, the design and form of the Association's emblem, insignia and colours, to restrain the unlawful and unauthorised use thereof and to take disciplinary action in respect to any such unlawful use.

3. ORGANS OF THE ASSOCIATION

Organs of the association:

The organs of the association shall be as follows:

- 3.1 The General Assembly
- 3.2 The Board
- 3.3 The Technical Assemblies. All matters relating hereto are dealt with under the Regulations and Procedures relevant to the Constitution of the Cape Town metropole

4. POWERS

For the purpose of effecting its objectives, the Association shall, as deemed necessary:

- 4.1 act alone or with approved representative bodies in the best interests of sport generally, and in particular, to its gymnastic sport programmes.
- 4.2 award district representation and represent Cape Town Gymnastics at provincial competitions and conferences.
- 4.3 make rules, policies and regulations for the proper control of gymnastic programmes throughout the Cape Town Metropole;
- 4.4 keep proper records of all decisions taken and matters of importance pertaining to gymnastic programmes;
- 4.5 equitably enforce due observance of the Association's constitution, rules, policies and regulations;
- 4.6 appoint, hire, employ, remove, replace or reinstate appropriate honorary officials, paid administrators, or other persons to the Association;
- 4.7 control and develop district programs, resources, publications and events consistent with the objectives;
- 4.8 ensure that any remuneration or payment to any person will not be excessive but regarded as generally considered reasonable in return of any services actually rendered to the Association.
- 4.9 continue to exist, notwithstanding changes in the composition of its members or office-bearers
- 4.10 be an Association as a separate legal identity and existence distinct from its members or office-bearers.
- 4.11 impose and collect levies, subscriptions, fees and other authorised charges from affiliates.
- 4.12 the power to operate a bank account

5. MEMBERSHIP

5.1 Classes of Membership

All members shall be registered members of the SAGF and Western Cape Gymnastics Association

There shall be the following classes of membership of the Association all of which shall be bound by the Constitution and Rules and Regulations in force at the time:

- 5.1.1 Ordinary members:
are persons, clubs, schools or institutions duly registered in terms of SAGF Rules and Procedures
- 5.1.2 District affiliates:
are duly constituted District Affiliates and who represent the ordinary members.
- 5.1.3 Associate members:
are properly constituted District bodies, (organisations whose objectives are similar to those of the SAGF).
- 5.1.4 Honorary life members:
are persons granted this title in recognition of their contribution to and promotion of the sport
- 5.1.5 Life members:

are persons or companies who have been granted this title in recognition of their financial contributions.

5.1.6 Any other type of membership as accepted by the general assembly

5.2 Admission to Membership

Any entity can affiliate by applying to join the Cape Town Gymnastics Association shall do so in writing to the Association. The affiliate will be required to forward

- Details of the Club
- Details of its Management
- Any other documents required by the board.

The affiliates who are members will be bound by the rules and regulations of SAGF, WCGA and Cape Town Gymnastics Association

A person who has contributed outstanding service to the Association may be elected as an honorary life member at any General Assembly. Admission to honorary life membership must be carried by a special majority of a General Assembly.

5.3 Registration Fees

Registration fees payable by each member shall be prescribed by the board. Registration fees shall be due on the second Monday of March in each year. A member in default after 90 days shall be regarded as no longer in good standing and shall be excluded from participating in any event organised by the Association.

5.4 Rights of Members

All members shall have access to membership privileges that the Association may grant from time to time, and shall be entitled to the benefits of the provisions of this Constitution and rules, policies or regulations.

Members may not sell their membership rights or any entitlements.

Members or office-bearers have no rights in the property or other assets of the association solely by virtue of their being members or office-bearers.

The members or office-bearers shall not be liable for any of the obligations and liabilities of the Association solely by virtue of membership or as office-bearers of the Association. Each Board member undertakes to contribute to the assets of the Association in the event of it being wound up while he is a member or within one year afterwards, for payment of debts and liabilities of the Association contracted before he ceases to be a member, and the cost, charges and expenses of winding-up for adjustments of the rights of the contributories among them an amount of R7.00 (seven rand)

5.5 Discipline disputes and appeals

All members shall be bound by this Constitution and Regulations and Procedures. Any contravention thereof shall be dealt with by the Association under its power specified in the Rules and Regulations.

6. ASSEMBLIES AND OTHER MEETINGS

6.1 General Organisation

6.1.1 Date and Time

A General Assembly shall be held every year for the members of the Association. Every second year a Biennial General Assembly shall be held at which assembly the election of the Board shall take place. The Assemblies shall be held on such dates and at such venues as the Board may determine.

6.1.2 Notice of Meeting

The notice convening a General Assembly stating the place, date and hour of the meetings must be sent by the administration officer to the club affiliates and to such persons including the auditors, as are entitled to receive such notices from the Association, at least 4 (four) weeks prior to the commencement of a General Assembly.

Notice of the terms of any resolution to be proposed at a General Assembly shall be lodged with the administration officer at least 2 (two) weeks before the date fixed for such meeting. The administration officer shall forthwith inform the Board thereof and send a copy of such notice to each affiliate and members of the Board at their registered address at least 1 week before the meeting.

6.1.3 Composition

It is composed of not more than two authorised delegates from each of the affiliates together with the members of the board. Board members and employees of CTGA may not represent an affiliate.

Life members, honorary life members and CTGA technical and program managers shall be entitled to attend the Biennial, Special and General Assemblies of the Association as observers only.

6.1.4 Presiding

The President shall chair the General Assembly. In his absence the Vice-President shall act as chairperson failing this the treasurer shall act as chairperson. In the event

of this provision not being possible, a chairperson may be elected by the delegates assembled.

6.1.5 Quorum

No business shall be transacted at any General Assembly unless a quorum is present when the assembly proceeds to business. A majority of the affiliates entitled to vote and present or represented by their delegates or proxies shall be a quorum.

6.1.6 Proceedings

If, within half an hour from the time appointed for the holding of a General Assembly, a quorum is not present, the assembly, if convened on the requisition of members, shall be dissolved. In any other case it shall stand adjourned, to the same day in the next week, at the same time and place, or at such other place as the chairperson shall appoint for its reconvening. If at such reconvened meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall constitute a quorum.

The business at the General Assembly shall follow a prescribed agenda as set out in the Rules and Regulations and which may be amended from time to time by the Board.

All propositions contained in the agenda must be put to the vote except that any proposition from an affiliate not present will be withdrawn unless another affiliate or the Board shall adopt it as its own and, subject to acceptance by a majority of the delegates present, submit it for consideration.

At all General Assemblies a resolution put to the vote of the assembly shall be decided by a show of hands unless a ballot be requested and supported by a majority of affiliates present in person or by proxy and entitled to vote.

In the case of an equality of votes, whether on a show of hands or on a ballot, the chairperson of the meeting shall be entitled to a deciding vote.

6.1.7 Majorities:

Dissolution of the Association; transfer of headquarters; expulsions and changes to the constitution all require a special majority of entitled votes both present and by proxy and voting in accord. In all other cases a majority of entitled votes both present and by proxy and voting in accord is required.

6.2 General Assembly

The General Assembly is the highest authority and the final body of appeal of the Association. It assembles annually and shall have the powers to:-

- 6.2.1 establish policies and actions to be followed in carrying out the aims and objectives of the association as set forth in this constitution and the "Regulations and Procedures Relevant to the Constitution of the WCGA".
- 6.2.2 ratify or reject policies and/or actions of the Board made or taken during the preceding period.
- 6.2.3 amend and/or repeal articles of this Constitution and make, amend and/or repeal the clauses of the "Regulations and Procedures Relevant to the Constitution of the WCGA".
- 6.2.4 receive the annual report of the Board and approve the audited financial statements

6.3 The Biennial General Assembly

The Biennial General Assembly shall meet every second year and shall have the powers to elect the officers of the Board for the period until the next Biennial General Assembly.

6.3.1 Nomination of Candidates for the Board

- Any 2 (two) affiliates, may nominate any qualified person to serve on the Board.
- The name of each member so nominated, together with the names of his proposer and seconder and his consent to serve in the nominated position shall be sent on the form prescribed by the board to the administration officer at least 2 (two) weeks before the Biennial General Assembly at which the serving members of the Board of the Association are due to retire. The administration officer shall notify members forthwith of these nominations, which notification must include a curriculum vitae.
- If more than 1 (one) candidate is nominated for any of the posts, or if the number of persons nominated exceeds the number of vacancies, ballots shall be held for these positions.

6.3.2 Representation and Voting Powers

- An Affiliate in current good standing shall be entitled to 1 (one) basic vote plus (statistics taken from previous year's registrations): 1 (one) additional vote per every completed 50 registrations up to 300 (three hundred) registrations, thereafter 1 (one) additional vote for every completed 100 (one hundred) registrations up to 1 000 (one thousand) registrations, thereafter 1 (one) additional vote for every completed 200 (two hundred) registrations up to 2 000 (two thousand) registrations. Once registrations exceed 2 000 (two thousand) by not less than 500 (five hundred) 1 (one) additional vote will be granted.

6.4 Special General Assembly

6.4.1 Convening a Special General Assembly:

A Special General Assembly may be convened either as a result of a decision by the Board or of a requisition stating the purpose for the assembly and supported by at least three affiliates. Such assembly shall take place no later than 60 (sixty) days following the date of the Board's decision or the date following the requisition. The date for the assembly is to be decided on by the administration officer who shall issue notice of the assembly including the purpose thereof not later than fourteen (14) days prior to the start of the assembly.

6.4.2 Failure of administration officer to convene a Special General Assembly

Should the administration officer fail to call for a Special General Assembly in terms of 6.4.1 then the affiliates requesting the assembly may issue the notice of a Special General Assembly on behalf of the administration officer. In doing so they shall observe the conditions of clause 6.4.1.

6.4.3 Proceedings at Special General Assemblies

At Special General Assemblies only the matter for which the meeting was called will be dealt with.

7. BOARD

The management of the affairs of the Association is vested in a board which is responsible for the administration of the association as described in this Constitution and the "Regulations and Procedures Relevant to the Constitution of the CTGA". The Board is given the right to make and or amend rules and regulations to achieve the objectives of the organisation. Such rules and or amendments must be ratified at the next General Assembly.

The quorum for Board meetings shall be a majority of voting members

The President will chair Board meetings. In his/her absence the Vice President will assume the role. In their absence those present may appoint a chairman

Where there is an equal, but divided number of votes on a matter by Board members the chairperson will have a casting vote

7.1 Composition of the Board

The Board shall consist of the following persons

- The President
- Vice president
- Secretary
- 1 additional member
- Schools representative

Only elected members shall have a vote excepting that should an elected Board member vacate his position then that position may be filled by a person co-opted by the Board and that person shall have full voting rights as if elected.

The Board may co-opt as ex-officio members, persons with specific expertise or for a specific purpose.

The Schools Representative shall be elected by the relevant Schools Gymnastics structure as recognized by Department of Culture Affairs and Sport and shall also be regarded as an elected member of the Board.

7.2 The Executive Committee

The President, the Vice President and the Secretary shall form the Executive Committee. In the event of the non-availability of either the President or the Vice President then an appointed member of the Board shall become a member of the Executive Committee

The Executive Committee shall have the power to act outside board meetings on matters of importance which cannot wait until the following board meeting. Decisions must be reached by consensus.

The Executive Committee shall report to the next board meeting and their decisions must be ratified and/or amended by the Board

The Executive Committee may resolve such matters by conference call and/or other electronic communications.

7.3 Administration officer

The position of administration officer shall be filled by the board at its discretion and is a salaried position.

The administration officer shall implement the strategies, plans and policies approved by the board and shall comply with its directions, and subject thereto shall be responsible for the management and direction of the Association and its finances.

8. ACCOUNTS AND FINANCE

8.1 Financial Year

The financial year of the Association shall end on the thirty-first day of December in each year.

8.2 Administration of accounts and audit.

The Association shall have a bank account

Auditors shall be appointed annually and they shall have the right of access at all times to such information and meetings as they may deem necessary to fulfil their lawful duties as auditors of the association's accounts.

The annual financial statements shall be approved by the Board and signed on its behalf by the President and the Treasurer.

A copy of the annual financial statements for the preceding year together with the report of the Board shall be sent to each affiliate not later than 31 March the following year.

Annual financial statements and/or any available audited financial statements shall be laid before the Annual General and Biennial General Assemblies of the Association for adoption.

9. GENERAL

Copies of the Constitution and the Regulations and Procedures relevant to the constitution of the CTGA are available on request at the offices of the CTGA.

9.1 Alterations to the Constitution

This Constitution may be added to, altered, or rescinded in whole or in part at any Annual General Assembly or Special General Assembly of the association provided notice of motion is forwarded in writing to the association and to the affiliates fourteen days prior to the date of the meeting, and that the motion is approved by a special majority.

9.2 Dissolution and Winding up

The Association may be dissolved by a resolution passed at a Special General Assembly called for that purpose, provided that such resolution is passed by a special majority. The assembly will have the power to pass a resolution by a simple vote regarding the disposal of the surplus funds and assets of the Association (after liquidation and after payment of all debts and obligations of the Association) provided such surplus funds shall not be available for distribution to any individual or club, but will be given to such other organisation(s) having similar aims and objectives.

We, the undersigned, hereby certify that the above is the Constitution of the Cape Town Gymnastics Association

SIGNED at _____ on this _____ day of
_____ 201__

PRESIDENT : _____

VICE PRESIDENT : _____