

NEMATO FENCING CLUB

CONSTITUTION

1 Name

1.1 The club hereby constituted will be called **Nelson Mandela Township Fencing Club**.

1.2 Its shortened name will be **Nemato Fencing Club** (here after referred to as the club)

2 Body corporate

The club shall:

2.1 Exist in its own right, separate from its members.

2.2 Continue to exist even when its membership changes and there are different office bearers.

2.3 Be able to own property and other possessions.

2.4 Be able to sue and be sued in its own name.

3 Affiliation

3.1 The club shall affiliate with South African Amateur Fencing Association (SAAFA).

3.2 The club shall affiliate to Nemato Sports Federation.

3.3 The club can affiliate to any club as its board of governors sees fit.

4 Objectives

The objectives of the club are:

4.1 Promote the sport of fencing especially amongst the previously disadvantaged communities in Port Alfred.

4.2 Strive to offer fencing at the highest possible level.

4.3 Do all in its power to empower its members to take their rightful place in society.

4.4 Do all in its power to transform fencing in this country to reflect the letter and spirit of our country's constitution.

4.5 Do all in its power to offer skills and values to its members in order for them to become economically productive members of our society.

5 Income and property

5.1 The club must keep record of everything it owns.

5.2 The club may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the club. The payment must be a reasonable amount for the work that has been done.

5.3 A member of the club can only get money back from the club for expenses that she or he has paid for or on behalf of the club.

5.4 Members or office bearers of the club do not have rights over things that belong to the club.

6 Membership

6.1 The club will invite people to become members of the club.

6.2 Members of the club shall attend its AGM. At the annual general meeting members exercise their right to determine the policy of the organisation.

6.3 Membership will end when a member resigns in writing, or a member has been inactive as a member for at least three months in a row.

6.4 The board of governors can end membership in case of serious misbehaviour by a member.

7 Annual general meeting

7.1 The annual general meeting (AGM) must be held once every year in March or April.

7.2 An invitation with the agenda shall be sent to all members at least 14 days before the meeting.

7.3 More than half of members need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.

7.4 The meeting should deal with the following business amongst others:

7.4.1 Agree to the items to be discussed on the agenda.

7.4.2 Write down who is there and who has sent apologies because they can not attend.

7.4.3 Read and confirm the previous meeting's minutes with matters arising.

7.4.4 Chairperson's report.

7.4.5 Treasurer's report.

7.4.6 Changes to the constitution that members want to make.

7.4.7 Elect a chairperson, secretary and treasurer.

7.4.8 Election by the athletes of the captain, who will represent the athletes in the meetings of the board of governors.

7.4.9 General.

8 Special general meetings

8.1 The board or at least half of the members, by signing a petition to the board, can call a special general meeting (SGM).

8.2 An invitation with the agenda shall be sent to all members at least 14 days before the meeting.

8.3 More than half of members need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.

9 **Board of governors**

- 9.1 Members of the board of governors will be the chairperson, secretary, treasurer and captain, elected at the AGM.
- 9.2 The board can appoint more members of the board.
- 9.3 The board will be responsible for the running of the club between the AGM's.
- 9.4 The board will meet preferably once a month, or as often as needed, but at least quarterly. More than half of members need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.
- 9.5 Minutes will be taken at every meeting to record the management committee's decisions. The minutes of each meeting will be given to management committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the board, and shall thereafter be signed by the two board members. All minutes must be kept safely and always be on hand for members to consult.
- 9.6 The board may take on the power and authority that it believes it needs to be able to achieve the objectives that are stated in point number 4 of this constitution. Its activities must abide by the law.
 - 9.6.1 The board has the power and authority to raise funds.
 - 9.6.2 The board does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.
 - 9.6.3 The board has the right to make by-laws for proper management.
 - 9.6.4 The AGM and SGM can decide on the powers and functions of members of the board.
- 9.7 All members of the organisation have to abide by decisions that are taken by the board.
- 9.8 In case of a vacancy for chairperson, secretary or treasurer, the board will appoint a temporary office bearer who will be in function till the next AGM. In case of a vacancy for captain the athletes will elect a new captain who will be in function till the next AGM.
- 9.9 If a board member does not attend three board meetings in a row, without having applied for and obtaining leave of absence from the board, then the board will find a new member to take that person's place.

10 **Finance**

- 10.1 An accounting officer shall be appointed by the club. His or her duty is to annually audit and check on the finances of the club.
- 10.2 The office will take care of the day to day finances of the club. Proper records of all the finances must be kept and monthly financial reports will be published.
- 10.3 The treasurer will control the day to day finances.
- 10.4 All payments have to be approved by the chairperson and treasurer and will be signed together with the monthly financial report.
- 10.5 All funds will be put into a bank account in the name of the club.
- 10.6 The financial year of the club ends on the 31st of December and covers a full 12 months

period.

- 10.7 The club's accounting records and reports must be ready and handed to the Director of Non-profit clubs within six months after the financial year end.
- 10.8 If the club has funds that can be invested, the funds may only be invested with registered financial institutions. These institutions are listed in Section 1 of the Financial Institutions (Investment Fund) Act, 1984. Or the club can get securities that are listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985. The club can go to different banks to seek advice on the best way to look after its funds.
- 10.9 The club will not charge any membership fees.
- 10.10 Members and office bearers do not become liable for any obligations and liabilities of the club solely by virtue of their status as members or office bearers of the club.

11 Changes to the constitution

- 11.1 The constitution can be a changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the members who are at the AGM. Representatives must vote at the meeting to change the constitution.
- 11.2 At least two third of the members shall be represented at the AGM (“the quorum”) before a decision to change the constitution can be taken.
- 11.3 A written notice with details about the proposed changes shall be sent to all members together with the invitation for the meeting as mentioned in point number 7.2. The notice must indicate the purpose of the changes to the constitution that will be discussed at the meeting.

12 Dissolution/Winding-up

- 12.1 The club can close down by a resolution. The resolution has to be agreed upon and passed following the same rules as for changes to the constitution in point number 11.
- 12.2 When the club closes down, it has to pay off all its debts. After doing this, if there is any property or money left, it shall be given to an organisation that has similar objectives. The members can decide what organisation this should be.

Nelson Mandela Township Fencing Club was established and this constitution was approved and accepted at a meeting held on Sunday the 24th of April 2011 at Nelson Mandela Township, Port Alfred.

Chairperson name: signature:

Secretary name: signature:

Treasurer name: signature: