



Masters and Ladies Cycling Club

Constitution

Document Date:
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Final

Amendments made to Constitution

July 2022: (Approved at 2022 AGM)

Point 7.1 Changed – Changed to include males and females 15 years and older may join the club

March 2016: (Approved at 2016 AGM)

Incorporate Non-Profit Organisation requirements:

Point 1.2 Added – Body Corporate

Point 5.2 Added – Clubs existence

Point 8 Changed – Changed to current requirements

Point 9.5 Added – Raising Funds for club

Point 9.6 Added – Power to buy and hire etc.

Point 17 Added – Property and Income

Point 18 Added – Rights in the property or other assets of the organisation

Changed names to reflect new naming as per provincial changes made over time e.g., EPC to ECC and Eastern Province to NMB District

June 2012: (Proposed and Approved at AGM and confirmed at July 2012 Committee Meeting)

Point 15 Quorum Changed from $\frac{1}{4}$ of membership for AGM to members present constitute a quorum

Constitution

1. NAME

1.1. The name of the Club shall be:

MASTERS & LADIES CYCLING CLUB, PORT ELIZABETH hereafter referred to as the Club

1.2. Body Corporate. The Club shall:

1.2.1. Exist in its own right, separately from its members

1.2.2. Be able to own property and other possessions

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

2. COLOURS

2.1. The colours of the Club shall be such as may be determined by the Committee from time to time.

3. OBJECTIVES

3.1. The objectives of the Club shall be to encourage and facilitate cycling among veterans and ladies. The Club is, and shall remain, affiliated to East Cape Cycling (ECC) and shall abide by the rules and regulations of Cycling South Africa (CSA).

4. HEADQUARTERS

4.1. The headquarters of the Club shall be in Port Elizabeth.

5. STATUS

5.1. Membership of the Club confers upon the Members the right only to the privileges of Membership and without any claim to a share in any of the monies, property or assets of the Club.

5.2. The Club shall continue to exist even when its membership changes and there are different office bearers.

6. MEMBERS' LIABILITY

6.1. Members' liability is limited to the amount of unpaid subscriptions or any other monies owing by them to the Club.

7. MEMBERSHIP

7.1. Any male or female from the age of 15 (fifteen) years (as determined on the 30th June following the end of the season) may apply for Membership of the Club.

- 7.2. However, the Club, through its Committee, shall have the right at its sole discretion to either refuse Membership to any applicant, or to withdraw the Membership of any Member without stating the grounds therefor.
- 7.3. The Membership fees shall be such as may from time to time be determined by the Committee and on such terms and conditions as the Committee may deem fit.
- 7.4. The Constitution and/or rules of the Club will be binding upon the Members upon them being accepted as such by the Committee.

8. COMMITTEE

- 8.1. The management and control of the Club shall be vested in a Committee consisting of the following:
 - 8.1.1. Chairman
 - 8.1.2. Secretary
 - 8.1.3. Treasurer
 - 8.1.4. Minimum Seven (7) Members.
- 8.2. In addition, a Patron may be appointed. The office of Patron shall be elected by the above Committee. A Patron shall be in office for life, or until resignation, or until such time as his/her appointment is withdrawn by a decision taken by a full Committee meeting.
- 8.3. The Chairman, Treasurer, Secretary and additional minimum seven (7) Members shall be elected at the Annual General Meeting of the Club from nominations proposed and seconded at the Annual General Meeting.
- 8.4. Should the office of any one of the Committee for any reason not be filled at the Annual General Meeting, or fall vacant during the year, the remaining Members of the Committee may elect a substitute to occupy that office until the next Annual General Meeting.
- 8.5. The Committee of the Club shall consist of at least the Chairman, Secretary, Treasurer and two Members, and a Committee not complying with the aforementioned requirement shall only have the power to elect a substitute to occupy any vacant office.

9. POWERS AND DUTIES OF THE COMMITTEE.

The powers and duties of the Committee shall be:

- 9.1. The management of the business and the control of the Club.
- 9.2. The Committee may delegate any of its powers to sub-Committees consisting of such Member or Members of the Club as it thinks fit.
- 9.3. To appoint, discuss and fix honoraria or emoluments of officials.
- 9.4. To authorize expenditure.
- 9.5. To raise funds or to invite and receive contributions.
- 9.6. To have the power to buy, hire, or exchange for any property that it needs to achieve its objectives
- 9.7. To make, amend or rescind rules for the regulation of the Club.
- 9.8. To open and operate such banking or savings bank accounts with such banks or other financial institutions as may be determined and to draw, make, sign, accept, endorse, discount and issue bills of exchange, promissory notes, cheques and other negotiable or transferable instruments.
- 9.9. To organise and control such cycling events as it may deem fit.
- 9.10. To deal with applications for Membership of this Club.

10. NOTICE OF MEETINGS

- 10.1. All meetings of the Club shall be convened by notice in writing by the secretary, giving not less than 7 (seven) days prior to meetings. Such notices of meetings shall set forth the items to be discussed at the meeting. Written notice and/or the minimum of seven days may be dispensed with in respect of a Committee meeting, at the discretion of the secretary.

11. SPECIAL GENERAL MEETINGS

- 11.1. The Committee may, whenever it deems fit and the secretary shall, on the written request of a minimum of three (3) Members, forthwith call a Special General Meeting. Such request shall set forth fully the objectives of the meeting. Representation and voting powers at such meetings shall be the same as at an Annual General Meeting.

12. VOTING

- 12.1. All decisions made at a meeting, except where otherwise provided, shall be made by way of a show of hands, unless at least one-quarter of those present and entitled to vote demand that a secret ballot be taken, when the vote shall be by way of a secret ballot. The vote of the majority shall be decisive and, in the case of an equal number of votes at a meeting, the Chairman shall, in addition to his ordinary vote, have a casting vote.
- 12.2. Subsequent to the first Annual General Meeting, no Member who is in default with dues owing to the Club may be entitled to vote at meetings.

13. CONDUCT OF MEETINGS

- 13.1. The Chairman shall preside at all meetings and, in the absence of the chairman; the Members shall for the purposes of that meeting elect a chairman.

- 13.2. The Secretary shall keep minutes, which shall consist of a proper record of all proceedings and discussions at such meetings, and such minutes shall be available at every meeting.
- 13.3. The Committee may from time to time as it deems fit put matters to the vote by Members by way of postal ballot / web surveys / e-mail responses. The provisions regarding such ballot in general, and in particular as far as notice and the returns of the ballot are concerned, shall be determined from time to time by the Committee.

14. ANNUAL GENERAL MEETING

- 14.1. An Annual General Meeting shall be held at such time and place as the Committee may from time to time decide but shall not be held more than fourteen (14) months apart.

15. QUORUM

- 15.1. A quorum for any meeting of the Club shall be the Members present.

16. FINANCIAL YEAR AND BOOKS OF ACCOUNT.

- 16.1. The financial year shall be from the first day of April to the thirty-first day of March of the following year.
- 16.2. The Treasurer shall keep a true and correct record and account in the proper books, deposit to the credit of the Club in any approved bank all monies received, and annually lay before the Club revenue and expenditure account and balance sheet which shall be duly audited by a qualified auditor.
- 16.3. All cheques or withdrawals from the Club's bank account shall be on the joint signature of the Treasurer and the chairman.
- 16.4. Internet banking by the Treasurer is permissible.
- 16.5. The Treasurer shall from time to time report to the Committee with regard to the finances of the Club.
- 16.6. The Treasurer shall hold such amount of petty cash as authorised by the Committee from time to time.
- 16.7. The Treasurer shall deposit all monies received by the Club not later than seven (7) days following the date of receipt thereof.

17. PROPERTY AND INCOME

- 17.1. 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.

18. RIGHTS IN THE PROPERTY OR OTHER ASSETS OF THE ORGANISATION

- 18.1. Members or office bearers of the Club do not have rights over things that belong to the Club.

19. INTERPRETATION OF THE RULES

- 19.1. Should any doubt arise or exist as to the interpretation of any portion of this Constitution or the rules and regulations of the Club, the interpretation placed thereon by the Committee of the Club shall be final and binding.

20. ALTERATION TO CONSTITUTION

- 20.1. No alteration to the Constitution shall be made except by a two-thirds majority of Members at an Annual General Meeting, duly entitled, or a majority at a Special General Meeting convened for that purpose.

21. INJURIES

- 21.1. The Club does not accept any responsibility for injuries which may be sustained by a participant as a result of cycle racing, or training, being practised under the auspices of the Club, or injury sustained while travelling to or from such racing or training events, or any medical or other expenses arising therefrom.

22. DISSOLUTION OF THE CLUB

- 22.1. The Club may be dissolved on the recommendation of the Committee, provided that the recommendation is confirmed by a majority of Members.
- 22.2. The Club may be dissolved or merged with another association with similar purposes and objects only by proposal at a General Meeting which is carried with a (75%) seventy-five majority.
- 22.3. When The Club is dissolved it has to pay off all its debts. After doing this, if there is property or money left over it should not be paid or given to members of the Club It shall be transferred to a provincial body to which the Club may be affiliated, should no such provincial body exist it should be given in some way to another non-profit organisation that has similar objectives. The Club's general meeting can decide what organisation this should be.


23. PRIZES

- 23.1. No prizes gained in Club competitions shall be handed to Members who are in default with respect to Club dues until such time as the liabilities are fully settled.
- 23.2. No floating trophies of the Club shall be taken outside the NMB District.
- 23.3. All Club trophies must be signed for on a prescribed form before possession is taken of them.

24. GENERAL

24.1. The Committee shall have the power to take a decision on any matter not provided for in the Constitution, provided that it is submitted to the following Special General Meeting or Annual General Meeting for confirmation.

Signed



Chairperson

2022/07/29
2022/07/29 (Date)

Witness

_____ (Date)



Witness

2022/07/29 (Date)