
CONSTITUTION

1. **NAME:**

The name of the club shall be the _____.

2. **OBJECTIVES:**

2.1 To promote and foster mind sports.

2.2 To stimulate public opinion in providing facilities for acquiring and practising these activities.

2.3 To promote the forging of links with other bodies through membership with MIND SPORTS SOUTH AFRICA.

2.4 To affiliate to, and operate as a club, under the auspices of the MIND SPORTS SOUTH AFRICA and comply with MIND SPORTS SOUTH AFRICA's Rules and Regulations.

2.5 To respect MIND SPORTS SOUTH AFRICA's jurisdiction as the national controlling body for the games that it promotes.

2.6 To enforce the observance of the rules and bylaws of the CLUB, and to deal with any infringement thereof.

3. **TITLE AND LEGAL PERSONALITY**

3.1 The CLUB shall have perpetual succession and shall continue to exist notwithstanding changes in membership and office-bearers.

3.2 The CLUB shall own property and other possessions separate from its members.

3.3 The CLUB shall be able to be sued in its own name.

3.4 The CLUB shall exist in its own right separate from its members.

4. **ADMISSION TO MEMBERSHIP:**

4.1 Applicants for membership to the CLUB shall complete and sign the application forms prescribed by the committee of the CLUB from time to time, and simultaneously tender payment of the entrance fee and subscription. Each candidate shall be proposed by two members in good standing of the CLUB who shall not be members of the committee.

4.2 The committee shall consider all applications for membership at the next committee meeting following upon the application being received by the General Secretary and subject to the right to accept or reject any application without assigning any reasons therefore.

5. **CLASSES OF MEMBERS:**

5.1 There shall be the following classes of membership:

- 5.1.1 Voting members
- 5.1.2 Playing members

5.2 **VOTING MEMBERS**

Voting members shall be:

- 5.2.1 The original founder members, and
- 5.2.2 Any other person whom the majority of Voting Members have agreed to affiliate as a Voting Member.

5.3 **PLAYING MEMBERS**

Playing members shall be members who currently represent the CLUB at competitions.

6. **DUTIES OF MEMBERS**

- 6.1 Upon being admitted to membership, each member agrees to abide by the provisions of this Constitution and any rules, regulations, and resolutions duly passed by the CLUB or its Committee and to pay all entrance fees, subscriptions and other levies payable in terms thereof.
- 6.2 Subscriptions shall be due and payable on the first day of August in each year.

7. **LIABILITY OF MEMBERS:**

- 7.1 The liability of any member shall be limited to the sum of the monies owing by such member to the CLUB from time to time, whether by way of subscription or otherwise.

8. **TERMINATION OF MEMBERSHIP:**

- 8.1 Any member may withdraw from membership at any time by giving notice in writing to the General secretary.
- 8.2 The Committee of the Club may require, without assigning any reason, the withdrawal from the CLUB of any member upon three-fourth's majority vote of the Voting Members.
- 8.3 Any member who fails to pay his subscription to the CLUB within THREE months of due date, being 1 September in each year, shall automatically cease to be a member of the CLUB.

The committee, in its discretion, may reinstate such member upon payment of the arrears subscription and such penalty as may be prescribed and provided that an explanation which is acceptable to the committee is given for such late payment.

- 8.4 The withdrawal of any person from membership shall not affect any existing liability of that person to the CLUB.

9. **THE COMMITTEE:**

- 9.1 The Committee shall consist of :
 - 9.1.1 Chairman/woman
 - 9.1.2 General Secretary
 - 9.1.3 Competition Secretary.

- 9.2 Only Voting Members of the CLUB are eligible for election to the Committee.
- 9.3 The Committee shall be elected at the Annual General Meeting, and shall hold office until the next Annual General Meeting, when it shall retire unless required to do so earlier by a resolution of a Special General Meeting of the CLUB. In electing the committee each position on the Committee shall be voted upon separately.
- 9.4 The Committee shall have the power to fill any vacancy or add to its number by co-opting another or additional members.
- 9.5 A candidate for election to the Committee shall be nominated in writing by at least one member of the CLUB, and such nomination, together with the consent in writing of the nominee, shall be delivered to the General Secretary not less than 24 hours before the Annual General Meeting.

Such nomination shall specify the position or positions on the committee for which the candidate concerned is nominated.
- 9.6 Notwithstanding the provisions of 8.5, members of the Committee retiring at an Annual General Meeting shall be eligible for re-election to any post on the Committee without nomination, provided that the member in question has advised the Committee at any Committee Meeting held not more than six months prior to such Annual General Meeting that he is willing to stand for election to such post. A co-opted member shall not be so eligible.
- 9.7 A quorum at a meeting of the Committee shall be three members.

10. POWERS OF THE COMMITTEE:

The Committee shall have the power to do all things, which in its discretion are necessary to further the objects of the CLUB, which powers shall include, but not be limited to the following:

- 10.1 To raise funds in such manner as the Committee deems fit.
- 10.2 To apply the funds of the CLUB in such manner as the committee shall deem to be in the best interests of the CLUB.
- 10.3 To reprimand, suspend, or otherwise discipline any member.
- 10.4 To appoint sub-committee's to attend to or administer any of the CLUB's affairs, the members of which need not be members of the Committee but shall be members of the club.

11. GENERAL MEETINGS:

- 11.1 An Annual General Meeting shall be held annually prior to 30 January.
- 11.2 Two week's notice of the Annual General Meeting shall be given to all voting members. The notice convening such meeting shall be given by the committee and shall contain details of the business to be attended to at such meeting plus a statement explaining the purpose and effect of any special or extraordinary matter to be raised at that meeting. General Meetings shall be held at such time and place as the Committee may decide.

- 11.3 The business to be done at the Annual General Meeting shall be:
- 11.3.1 To confirm the minutes of the previous Annual General Meeting, and any intervening extraordinary general meeting, if any;
 - 11.3.2 To receive and consider the report of the Chairman/woman on the affairs of the CLUB for the past year;
 - 11.3.3 To receive, consider and adopt the statement of final accounts and balance sheet for the previous financial year ending 31 December;
 - 11.3.4 To elect office bearers for the ensuing year;
 - 11.3.5 To consider and resolve any particular matter of which notice has been given in the Agenda;
 - 11.3.6 To levy entrance fees, subscriptions, and other dues, and from time to time, to add or abolish the same;
 - 11.3.7 To consider all notices of motion, as included in the Agenda;
 - 11.3.8 General.
- 11.4 The Committee, or half of the voting members of the CLUB, shall be entitled to call a General Meeting.
- 11.5 A quorum at a General Meeting shall be one-quarter of the CLUB's voting members.
- 11.6 All motions at a General Meeting shall be decided by a show of hands, unless a secret ballot is called for by the Chairman/woman or by half of the members present, in which event, each member present of good standing shall have one vote. No person shall be entitled to vote by proxy. In the event of an equal number of votes being cast, the Chairman/woman shall have the casting vote.
- 11.7 The accidental omission to give notice of a General Meeting to any member or the non-receipt of such notice by any member shall not invalidate any resolution passed at such a meeting.
- 11.8 The constitution may be changed by a notice of motion proposing such change. The proposed motion for change of constitution has to be agreed upon, and passed by, not less than two thirds of the voting members who are present and eligible to vote at the Annual General Meeting or Special General Meeting, in order to be accepted.
- 11.9 In order for any motion to be accepted to amend the Constitution a quorum of at least one-quarter of the CLUB's voting members shall be present.
- 11.10 The CLUB's Executive shall be advised of all Notices of Motion to amend a Constitution at least Twenty One (21) days prior to the General Meetings, and notice of such Notice of Motion shall be sent to all Members, together with the Agenda to be dealt with at the Meeting at least fourteen (14) days prior to such meeting. Such notice of meeting shall indicate the proposed changes to the Constitution that shall be discussed at such meeting.

11. COLOURS:

- 11.1 The CLUB colours shall be _____.
- 11.2 The badge shall consist of _____

12. **CONSTITUTION:**

- 12.1 A copy of this Constitution shall be lodged with the Secretary of MIND SPORTS SOUTH AFRICA.
- 12.2 No addition or amendment of the CLUB's Constitution shall be made except by a two-thirds majority of the members present and entitled to vote at any General Meeting.
- 12.3 The Executive Committee shall determine any questions arising from the construction and interpretation of the Constitution and Rules and byelaws.

13. **DISPUTE RESOLUTION CLAUSE**

- 13.1 Any dispute arising out of or in connection with the enforceability of this constitution, or the application, and interpretation of the provisions hereof, or any dispute between any members of the MIND SPORTS SOUTH AFRICA (MSSA) or between a member and an elected office bearer of MSSA itself, shall be referred to the Arbitration Foundation of South Africa (AFSA) for resolution through mediation or expedited arbitration in terms of the Rules and Procedures for the Resolution of Disputes in Sport, prevailing at the time such Disputes is so referred. In the event of arbitration in terms of the afore-going, such resolution shall be final and binding on the parties to the dispute.
- 13.2 In recognition of the desire to resolve all disputes in the sporting fraternity as amicably and as effectively as possible, it is required of all existing and future members of the MSSA to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as clause i (as above) of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided for by the Arbitration Foundation of Southern Africa (AFSA).

14. **DISSOLUTION:**

- 14.1 The CLUB may be dissolved should this be supported by a two-thirds majority of the members eligible to vote at a General Meeting.
- 14.2 Notice of the proposed dissolution must be in writing and circularised to all affiliated members as well as to the MIND SPORTS SOUTH AFRICA.
- 14.3 Assets are to be realised by members delegated to the task.
- 14.4 Funds and assets remaining after the settlement of any debts shall be donated to a union, association, club or society that agrees to pursue the CLUB's objectives.
- 14.5 A statement detailing assets realised and donated, and how the proceeds of realised assets were disposed of shall be submitted to all members as well as to MIND SPORTS SOUTH AFRICA.

15. **ADOPTION OF THE CONSTITUTION:**

- 15.1 This constitution was approved and accepted by members of:
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At a Special General Meeting held on:

Day/Month/Year

Chairperson

General Secretary