



**Fat Cats Athletic Club**

**CLUB CONSTITUTION**



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## 1. DEFINITIONS AND TERMS

Wherever the following terms and expressions are used in the text of this Constitution, they shall have the meaning, which is hereby ascribed to them.

- 1.1. **“Constitution”** means this constitution and appendices hereto.
- 1.2. **“Club”** means Fat Cats Athletic Club.
- 1.3. **“CGA”** means Central Gauteng Athletics.
- 1.4. **“A.S.A.”** means Athletics South Africa.
- 1.5. **“Committee”** means the Chairman, Secretary, Treasurer, Vice Chairman and any other additional member/s.
- 1.6. **“Code of Conduct”** means the code of conduct of the Club, as amended from time to time.
- 1.7. **“Fat Cats Club”** means Fat Cats Limpopo, Fat Cats CPT and any other athletic club with the name ‘Fat Cats’ approved by the Committee.
- 1.8. **“Members”** means any member of the Club and Fat Cats Club.
- 1.9. **“Chairman”** means the chairperson of the Club, from time to time.
- 1.10. **“Secretary”** means the secretary of the Club, from time to time.
- 1.11. **“Treasurer”** means the treasurer of the Club, from time to time.
- 1.12. **“Vice Chairman”** means the vice-chairperson of the Club, from time to time.
- 1.13. **“Fat Cats CPT”** means Fat Cats Athletic Club-Cape Town.
- 1.14. **“Fat Cats Limpopo”** means Fat Cats Athletic Club-Limpopo.

## 2. THE NAME

The name of the Club shall be **Fat Cats Athletic Club**.



### **3. ADDRESS**

**3.1** The postal address shall be

**C29/04 Phoenix View Estate, Corner of 14<sup>th</sup> & Riverside Roads, Noordwyk, Midrand, 1684**

**3.2** The physical address shall be as above (or state otherwise)

**C29/04 Phoenix View Estate, Corner of 14<sup>th</sup> & Riverside Roads, Noordwyk, Midrand, 1684**

### **4. COLOURS**

The colours of the club will be as from time to time decided on by the Committee, endorsed at the AGM and approved by CGA. Members are urged to consult Code of Conduct policy for further details

### **5. AIMS AND OBJECTIVES**

The aims and objects of the club shall be to foster, encourage, improve, control and manage the sport of amateur athletics in all its forms, in the area under its control and jurisdiction.

### **6. WAYS AND MEANS OF ACHIEVING AIMS AND OBJECTIVES**

**6.1** By affiliating to the C.G.A.

**6.2** By providing suitable grounds, premises, facilities, equipment and other conveniences necessary for the practising and carrying out of sport of amateur athletics.

**6.3** By acquiring in all legal manner of means, such property, both movable and immovable as may be required to achieve the aims and objects and objects of the Club.

**6.4** The Club's income and property are not distributable to its office-bearers, except as reasonable compensation for services rendered.

**6.5** The Club exists as an entity distinct from its office bearers.

**6.6** The Club continues to exist notwithstanding changes in the composition of its office-bearers.

**6.7** The Club's office beaters have no rights in the property or other assets of the organisation solely by virtue of their being office bearers

### **7 MEMBERSHIP**

**7.1** Membership is open to all persons.

**7.2** Application for membership to the Club must be done in writing and will be accepted at a meeting of the Committee.

### **8 MISCONDUCT OF MEMBERS**

**8.1** The Disciplinary Panel



**8.1.1.** The disciplinary panel shall be constituted on an ad hoc basis and consist of three members of the Committee (other than the Chairman) and any other person nominated by the Chairman, from time to time (the “Disciplinary Panel”).

**8.1.2.** The functions of the Disciplinary Panel shall include, but not be limited to:

- 8.1.2.1.** investigating any alleged contraventions by Members of the Code of Conduct;
- 8.1.2.2.** convening disciplinary meetings; and
- 8.1.2.3.** to take such disciplinary action against Members as it deems necessary.

**8.1.3.** For purposes of this clause 8, the term “Members” shall exclude members of any Fat Cats Club.

## **8.2** Hearings

**8.2.1.** The Secretary shall notify in writing a Member concerned of any complaint against him/her and call for any explanation or representations in writing he/she may wish to make to the Disciplinary Panel, which explanation or representation must be received by the Secretary no later than 14 (fourteen) days after receipt of the Secretary’s notice.

**8.2.2.** The Disciplinary Panel may by majority vote to discipline a Member as they deem necessary, including a fine, the cancellation or suspension for an indefinite period of such Member’s membership (“Disciplinary Action”).

**8.2.3.** Any decision by the Disciplinary Panel shall be conveyed by the Secretary to the Member concerned in writing within 72 (seventy-two) hours of such decision, setting out in full the reasons for the Disciplinary Action.

**8.2.4.** Any Member may appeal the decision of the Disciplinary Panel with the Chairperson by notifying the Secretary of his/her intention to do so in writing no later than 5 (five) days after receipt of notification of the decision and setting out there in reasons for such appeal.

**8.2.5.** The Chairperson shall, in respect of an appeal to any decision by the Disciplinary Panel, have the power to confirm, amend, set aside and/or grant any other order as he/she deems necessary.

**8.2.6.** The fact that any such decision of the Disciplinary Panel as herein



contemplated shall be under appeal shall not have the effect of suspending the operation of such decision pending the hearing of the appeal.

## **9 COMMITTEE**

The Management of the affairs of the Club shall be under the control of the Committee.

The Committee shall consist of:

- 9.1** Chairman; Vice Chairman; Secretary; Treasurer and any other additional member/s.
- 9.2** Every member of the Committee as set out above shall be entitled to one vote at meetings of the Committee with exception of the Chairman who in addition to a deliberate vote shall also have a casting vote.
- 9.3** Members of the Committee as set out above, shall also be elected annually at the Annual General Meeting of the Club.
- 9.4** The names of the nominated Members as set out above must be submitted to the Secretary within 14 days after the date of the notice of the annual general meeting.
- 9.5** Should any vacancies occur in the Committee, the remaining members shall have the power to fill such vacancies except that of the Chairman who has to be elected by a general meeting, and to appoint, whenever necessary an acting Chairman pending the election of such officers.
- 9.6** The Committee shall meet at least once a quarter.
- 9.7** The Committee must comprise a minimum of 50% female.
- 9.8** Members of the outgoing Committee, provided they are willing to stand, are automatically nominated however such member will not be illegible for a further nomination and /or re-election for a further consecutive term.
- 9.9** To be a member of the Committee, a nominee must have been a Member of the Club or Fat Cats Club for a minimum period of one calendar year.

## **10 POWERS OF THE COMMITTEE:**

The powers of the Committee shall be:

- 10.1** To appoint sub committees for the purpose it may deem necessary to further the aims and objects of the Club and to receive, consider and deal with all reports of such sub committees.
- 10.2** To appoint 'Club Captains' for the various facets of the Club and empower them to represent the Club on CGA meetings on the facet they represent.



- 10.3** To prepare or cause to be prepared an 'Annual Report and Financial Statement Balance Sheet' for submission to the annual general meeting.
  - 10.4** To raise money in such a manner as the Committee may think fit.
  - 10.5** To secure the fulfilment of any contracts or engagements entered into by the Committee.
  - 10.6** In the name of the Club, to institute, conduct, defend compound or abandon any legal proceedings by or against the Club; or its officers, or otherwise concerning the affairs of the Club and also to compound or allow time for payment or satisfaction of any debts due, and of any claims or demands by or against the Club.
  - 10.7** To refer any claim or demand by or against the Club to arbitration, and to perform or refuse to perform the award.
  - 10.8** To sell, lease, alienate or otherwise dispose of part or parts of the movable property of the Club as they may think fit with the consent of the Members at an extraordinary general meeting called, and to apply the consideration there from to such manner and to such purpose as they may think most advantageous to the Club;
  - 10.9** The powers of this Committee shall be to enforce the rules of ASA and CGA as an amateur athletic club.
  - 10.10** To co-opt any member of the Club who, by reason of special qualifications is able to assist in the management of the Club.
  - 10.11** Subject to clause 8 (Misconduct of Members), to expel or suspend any member of the Club for conduct detrimental to the interests of the Club, or to refuse to accept any application for membership without assigning any reason therefor.
- To attend to any issue related to a Fat Cats Club as they deem necessary.

## **11 MEETINGS**

Meetings of the Committee:

- 11.1** The Committee shall meet once every quarter when and as required.
- 11.2** All meetings of the Committee shall be convened by written or verbal notice to be addressed to all members of the Committee at least (7) seven days before date of such meeting.
- 11.3** In cases of extreme urgency, the time allowed for the convening of a meeting may be reduced at the discretion of the Chairman and Secretary, in which case members of the Committee may be summoned verbally in person or by telephone to such a meeting.
- 11.4** The quorum at the Committee meeting shall be 50 % plus one except in the case of an emergency meeting.



- 11.5** A meeting consisting of the Chairman and two members of the Committee (3 in all), shall be delegated to deal with matters of urgency - such matters to be confirmed at the next Committee meeting.
- 11.6** The procedure at all Committee meetings shall be as provided for in this constitution for General Meetings.
- 11.7** Minutes shall be kept of the proceedings at all meetings of the Committee and copies of all such minutes shall be circulated to all members of the Committee.
- 11.8** Any member of the Committee who is absent from (3) consecutive meetings of the Committee without apologies shall be deemed to have vacated his seat.
- 11.9** The minimum time to give notice of absence for any Committee meetings is 24 hours.

## **12 GENERAL MEETINGS**

There shall be two kinds of General Meetings -

**12.1** Annual General Meeting

**12.2** Special General Meeting

### **12.1 ANNUAL GENERAL MEETING**

- 12.1.1.** The annual general meeting of the Club shall be held during December of each year.
- 12.1.2.** Notice of the annual general meeting must be in writing giving the venue, date and time and the agenda shall be posted to all Members at least (21) twenty-one days before the date of such meeting.
- 12.1.3.** The following business in the order given, shall be dealt with at the annual general meeting:

- 12.1.3.1.** *Opening and welcome*
- 12.1.3.2.** *Attendance register (credentials)*
- 12.1.3.3.** *Apologies and proxies*
- 12.1.3.4.** *Confirmation of the quorum*
- 12.1.3.5.** *Adopt the minutes and matter arising.*
- 12.1.3.6.** *Annual report*
- 12.1.3.7.** *Election*
- 12.1.3.8.** *General matters*





## **12.2 SPECIAL GENERAL MEETING**

Special general meeting of the Club shall be called:

- 12.2.1.** Upon a resolution to that effect by the Committee.
- 12.2.2.** Upon a receipt of the requisition for such a special general meeting, signed on behalf of at least 20% of the Members, and giving reasons for holding such a special general meeting.
- 12.2.3.** The Secretary, shall send out notices in writing to all Club Members within seven (7) days of receipt of such requisition, giving venue, date and time and clearly stating the business of such a special general meeting.
- 12.2.4.** The date of such a special general meeting shall not be less than (14) fourteen days and not more than twenty-one (21) days from date of dispatch of the notice convening such a special general meeting.
- 12.2.5.** The business of such a special general meeting shall be to deal with the special business for which the special general meeting has been called.
- 12.2.6.** No business other than that for which the special general meeting has been called can be dealt with at such special general meeting unless agreed to by at least two-thirds (2/3) of the Members present.

## **13 REPRESENTATIVES OF GENERAL MEETINGS**

**13.1** At every general meeting of the Club, Members shall be entitled to vote.

**13.2** Members of the outgoing Committee, provided they are willing to stand, are automatically nominated

## **14 PROCEDURES AT GENERAL MEETINGS**

Quorum

- 14.1** At least 20% of the Members must be represented at the general meeting to form a quorum. Should there be no quorum within the half-hour after the time for which the general meeting has been called, the meeting shall stand adjourned for seven (7) days as per the immediate notice by the Secretary to all Members.
- 14.2** Those Members represented at the adjourned meeting shall be deemed to be a quorum and the business for which the meeting was originally called shall be proceeded with.
- 14.3** At every general meeting of the Club the members of the Committee shall be entitled to one vote each with the proviso that the Chairman shall have additional vote should they be deadlock.



- 14.4** The Chairman shall preside at all general meeting of the Club. Should the Chairman not be present, the Vice Chairman will preside over the meeting and if the Vice Chairman is also not present the members of the Committee shall elect from amongst themselves one member to preside at such a general meeting.
- 14.5** Voting at all general meetings shall be by secret ballot.
- 14.6** Every Member shall have one vote.
- 14.7** Minutes shall be kept of the proceedings at all general meetings
- 14.8** Club and certified copies of such minutes shall be sent electronically to all members of the Committee and all Members.

## **15 FINANCES**

- 15.1** The Club shall generate funds by the following manner.
- 15.1.1.** By Membership fees.
  - 15.1.2.** By gifts, grants, donations and legacies.
  - 15.1.3.** By interest on investments.
  - 15.1.4.** By profit on sales at sports meeting programmes and other sales.
  - 15.1.5.** By any other means as the Committee may deem necessary.
- 15.2** All moneys generated by the Club shall be deposited in a bank account in the name of the Club.
- 15.3** All moneys and other assets belonging to the Club shall be under the control of the Committee.
- 15.4** As far as it is practical, all payments made on behalf of the Club shall be made via electronic transfer.
- 15.5** The Treasurer shall keep proper books.
- 15.6** Financial Statements (Audited if possible) shall be submitted to each annual general meeting and the Treasurer shall give a brief report on the finances of the Club at every meeting of the Committee
- 15.7** The Committee may order an audit of the accounts at any time.
- 15.8** The Financial Year shall be the 31<sup>st</sup> October each year.

## **16 AMENDMENTS TO THE CONSTITUTION**

The Constitution shall only be amended at the annual General meeting or a special general meeting called specifically for the purpose of amending the Constitution.



## **17 DISSOLUTION OF THE CLUB**


The dissolution of the Club may only be effected when:

- 17.1** A resolution is supported by at least 70% of the Members and passed at a special general meeting called specifically for this purpose.
- 17.2** On the dissolution of the Club, the assets and liabilities of the Club shall be transferred to another nominated, similar, non-profit organisation.

**The constitution is approved at the Special General Meeting on 24 March 2018 at Panorama sports Grounds in Roodepoort.**

## **18 POLICY APPROVAL**

This document has been approved by:

<b>Name</b>	<b>Title</b>	<b>Date</b>	<b>Signature</b>
Vongani Mashile	Chairman	30 April 2020	
Lebogang Morare	Secretary	30April 2020	