

CONSTITUTION

BOLAND TABLE TENNIS UNION

1. ESTABLISHMENT AND NAME

The Boland Table Tennis Union is hereby established and hereafter shall be referred to as the "Union".

2. COLOURS

The official colours shall be yellow and black and these shall also be the official playing colours.

3. OBJECTIVES

The Union is

3.1 To encourage, organise and control table tennis in the Boland area, that will be three divisions:

a) the Cape Winelands District area,

- b) the West Coast and
- c) the Overberg region

and to maintain a spirit of goodwill amongst all organizations and persons interested therein.

3.2 To support and maintain the rules of the game of table tennis as adopted by the South Africa Table Tennis Board.

3.3 To advance the interest of table tennis in the Board.

3.4 To arrange leagues and tournaments, organise facilities for the training of players, coaches, umpires; act as court of appeal, raise, invest and administer, with or without security, monies of funds, acquire or dispose of property or other assets as may be determined from time to time in General Meetings.

3.5 To do all things that may directly or indirectly be conducive to these objectives.

3.6 To affiliate to the South African Table Tennis Board.

4. POWERS

The Union has the power

4.1 To employ staff, acquire assets and enter into commitments for the promotion of the Union's aims and objectives.

4.2 To enter into donor funding arrangements with companies or individuals and to solicit and accept fees, sponsorship, donations, bequests, contributions and subscriptions for the funds of the Union, provided however that the Union shall ensure that that none of its members nor any person in its employment will derive any monetary advantage, other than remuneration and/or allowances in respect of such employment, from any monies paid to or on behalf of the Union.

4.3 To take on lease, purchase or otherwise acquire premises, equipment, vehicles furniture or other property or assets, whether movable or immovable, this may be deemed necessary or convenient for any of the purposes or the Union.

4.4 To improve, manage, exchange, lease, mortgage, sell and dispose of and grant options, rights and privileges in respect of, or otherwise deal with, all or any part of the property and rights of the Union.

4.5 To deposit or invest the monies and assets of the Union not immediately required, in such securities and in such a manner as may from time to time be determined, provided that such deposits and investments shall only be made with recognized financial institutions.

4.6 To borrow or raise money in such a manner as the Union shall deem fit and in particular to ensure the payment of any money so borrowed by means of mortgage, pledge, charge or lien upon the whole part of the Union's property or assets; and also by mortgage, pledge or lien to secure and guarantee the due performance by the Union of any obligation or liability it may undertake.

4.7 To operate bank accounts and to draw, make, accept, endorse, sign, discount, execute and issue cheques, promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable instruments.

4.8 To make rules this shall not be inconsistent with the terms of this institution.

4.9 To select teams for representative matches, to arrange tours, to sanction matches and tournaments and to regulate the transfer of players to and from other clubs, regions or provinces.

4.10 To inquire into the administration and/or financial affairs of any Affiliated Club or Association.

4.11 To appoint such sub-committees or commissions upon such term as it may consider necessary to give effect to its powers.

4.12 To suspend, fine, terminate the membership of or otherwise deal with any club, association or individual affiliated to the Union for infringing the Constitution, rules, policies, principles and resolutions of the Union or for engaging in acts of misconduct, improper practices, misdemeanor, acts of defiance or bringing the Union into dispute.

4.13 And in general to do all things as may be necessary to attain the objectives of the Union.

5. AUTHORITY

5.1 The supreme authority of the Union shall be the collective Membership of the Union as set out in clause 6 hereof, assembled in a duly constituted by the Union.

5.2 The legislative and administrative structure of the Union shall consist of:

5.2.1 The Annual General Meeting as provided in clause 8.1 hereof;

5.2.2 The Special Affiliation and Registration Meeting and the General Informative Meeting as provided in clause 8.2 and 8.4 hereof;

5.2.3 The Special General Meeting as provided in clause 8.3 hereof;

5.2.4 The Executive Committee Meeting as provided in clause 8.5 hereof

5.3 In absence of a specific limit placed on the powers of the Union's Officers by a General Meeting, the Officers shall have full authority to exercise their powers as set out in clause 4 above.

6. MEMBERSHIP

6.1 The Union shall consist of;

6.1.1 Ordinary members. Those are either

6.1.1.1 Affiliated (Table Tennis) Clubs in the Boland or

6.1.1.2 Affiliated Associations constituted for the furthering of the interest in a special sphere of table tennis activities in the Boland;

6.1.2 Honorary members. Those are

the Patrons and life members of the Union for the time being and individuals who wish to assist the Union in attaining its objectives.

6.2 Ordinary membership shall, subject to the approval to the Union, be open to clubs or associations playing table tennis in the area of jurisdiction of the Union.

6.2.1 Application for ordinary membership shall be made in writing at the AGM or at a Special General Meeting referred to in clause 8.2;

6.2.2 The application shall be accompanied by a list of all club members, a copy of its constitution, the club's colours and emblems;

6.2.3 Subsequent applications for affiliation may be accepted by the Executive Committee.

6.2.4 Any Affiliated Club or Association can leave the Union according to its own decision any time it decides to do so. Clubs from the "Cape Winelands municipality area" division can leave by the end of any calendar year with twelve (12) months notice, clubs from the 2 other divisions can leave by the end of any calendar year with six (6) months notice in writing.

7. OFFICERS

7.1 The officers of the Union who shall constitute the Executive Committee of the Union shall consist of up to two (2) persons nominated by any affiliated club in writing.

7.2 The nomination of officers as provided in 7.1 above shall be submitted in writing to the Secretary of the Union by the Executive in office and/or by any Affiliated Club or Association not later than seven (7) days before the Annual General Meeting. All such nominations shall be supported by a written acceptance of the nomination by the nominee. The nomination needs no acceptance by the AGM.

7.3 To fill up posts and officers needed the nominated members of the Executive Committee themselves have the right to co-opt as many other members as is equal to their number minus one. Those co-opted members have the same rights as the members nominated by the Clubs but are never allowed to act as Chairperson or Vice-Chairperson.

7.4 All members of the Executive Committee in office shall be eligible for re-nomination or re-co-option and shall be deemed to have accepted nomination for re-election or re-co-option to positions held by themselves.

7.5. The Executive Committee has to elect one of its members for one of the following posits: Chairperson, Vice-Chairperson, Secretary, Treasurer, Match & Registration Officer, Tournament Organizing Officer, Public Relation Officer, Coaching & Development Officer. Provided, however, that one officer may hold more than one post.

7.6 Vacant positions in the Executive Committee

7.6.1 Any vacant positions which may arise for any reason whatsoever may be filled at any subsequent Executive Committee Meeting.

7.6.2 That club which nominated the previous member of the Executive Committee has the right to nominate the substitute.

7.7 Life membership may be conferred on any person at a General Meeting on recommendation by the Executive Committee.

7.8 Voting at the Executive Committee's meetings shall proceed as follows:

7.8.1 Any member of the Executive Committee shall be entitled to one (1) vote each.

7.8.2 All the businesses shall be decided upon by a simple majority by those present and voting, and in the case of an equality of votes, the Chairperson shall have a casting vote.

7.8.3 The decision of the meeting shall be ascertained by a show of hands or by a ballot if so requested by any member present.

7.9 The quorum of any meeting shall be the presence of at least twenty percent (20%) plus one (1) of the total number of members of the Executive Committee.

7.10 Should no quorum be present within thirty (30) minutes of the advertised time of the meeting the meeting shall proceed and decisions taken at such meeting shall be binding.

8. GENERAL MEETINGS

8.1 Annual General Meeting

8.1.1 The Annual General Meeting shall be held on or before 30th November of each year, at such time and place as determined by the Executive Committee.

8.1.2 At least fourteen (14) days' notice of the General Meeting shall be forwarded to all members.

8.1.3 In the absence of both the Chairperson and the Vice-Chairperson the meeting shall elect the chair by simple majority vote.

8.1.4 Observers and the Press may attend the Annual General Meeting, but may not sit with the delegates or take part in the proceedings unless allowed to do so by the Chairperson, in the event of the meeting going into Committee, the observers and the Press shall withdraw.

8.1.5 The businesses of the Annual General Meeting shall be preceded with the following order:

- (1) To receive delegates credentials and to record voting strength;
- (2) Minutes of the previous Annual General Meeting;

- (3) Minutes of the previous Special General Meeting;
- (4) Annual reports;
- (5) Financial Statements;
- (6) To amend, modify or amplify the Constitution and the Bye-Laws in terms of clause 18;
- (7) To elect members of committees for the ensuring year;
- (8) To elect auditors;
- (9) To consider any other competent business as enumerated in the notice of the Meeting.

8.2 Special Affiliation and Registration General Meeting.

8.2.1 If not done in the AGM such meetings shall be convened prior to each Season by the Executive Committee to receive written application for affiliation to the Union and the registration terms and players; such application to be submitted personally by the representative of the club or association seeking affiliation.

8.3 Special General Meetings:

Special General Meetings shall be convened by:

8.3.1 The Executive Committee as it may deem expedient.

8.3.2 The Secretary of the Union specifying the object of the meeting within one (1) calendar month from receipt of a written request by at least 25% of Affiliated Clubs and Associations;

8.3.3 At least fourteen (14) days notice of every Special General Meeting specifying the object/s of the meeting shall be forwarded to all members.

8.3.4 The Chairpersonship, the qualification of the delegates, the voting powers and the quorum of Special General Meetings shall be the same as laid down for the Annual General Meeting, but only the business/es for which the meeting is called shall be discussed.

8.4 General Informative Meetings:

8.4.1 General Informative Meeting may be convened by the Executive Committee from time to time in order to convey information to members and to obtain their views generally.

8.5 Executive Committee Meetings:

8.5.1 The Executive Committee shall meet at least once each calendar month at a time and place as designated by the Secretary. Any extraordinary matters to be discussed must be advised to the Executive Committee's members prior to the meeting.

9. DELEGATES

9.1 Two (2) representatives from each Affiliated Club.

9.2 One (1) representative from each Affiliated Association

9.3 The officers of the Union for the time being.

9.4 Patrons and life members can be invited as guests.

10. VOTING

Voting at a General Meeting shall proceed as follows:

10.1 Affiliated Clubs shall be entitled to one (1) vote each, and furthermore shall be entitled to one (1) additional vote for each team entered into one of the Union's leagues, with a maximum of four (4) votes.

10.2 Affiliated Associations shall be entitled to one (1) vote each.

10.3 All votes of an Affiliated Club shall be vested in one representative.

10.4 All the businesses, except as provided for in the clauses 18 and 20, shall be decided upon by a simple majority by those present and voting. In the case of an equality of votes, the Chairperson shall have a casting vote.

10.5 The decision of the meeting shall be ascertained by a show of hands or by a ballot if so requested by any delegate present.

10.6 No voting by proxy shall be allowed at any meeting of the Union or its Executive Committee.

11. SPECIAL VOTING

11.1 In addition to the voting at a General Meeting as regulated in clause ten (10) in two (2) special cases an additional voting has to take place as follows:

11.1.1 In cause of clause 19 **ALTERATION TO THE CONSTITUTION** and of clause 21 **DISSOLUTION** any resolution that is taken in terms of this clause to become effective, shall not only require a majority of two-thirds (2/3) vote of those delegates present and voting, but also a majority of two-thirds (2/3) vote of those affiliated clubs in good standing at the time of the General Meeting.

11.1.2 In line with the regulation according to clauses 19.2 and 21 fourteen (14) days before the day of the General Meeting the Secretary of the Union must inform all associated clubs about the proposed alterations or about the intended dissolution of the union and the clubs must give their approval or non-approval of the proposed alterations or about the intended dissolution of the union in writing.

11.1.3 Each affiliated Clubs is entitled to give his written decision about the proposed alterations or about the intended dissolution of the union within seven (7) days after receipt of the Secretary's letter.

12. QUORUM

12.1 The quorum of any meeting in terms of clause 8 above shall be the presence of representatives of at least twenty percent (20%) plus one (1) of the total number of Affiliated Clubs and Associations.

12.2 Should no quorum be present within thirty (30) minutes of the advertised time of the meeting such meeting shall be adjourned to a date to be fixed by the Secretary of the Union. Should a quorum not be obtained at the adjourned meeting, the meeting shall proceed and decisions taken at such meeting shall be binding.

13. ELECTIONS

13.1 Elections shall be held at the Annual General Meeting or, if a vacancy occurs, at any other General Meeting of the Union.

13.2 Any person shall be eligible for election to any post whether or not such a person is an accredited delegate of an affiliate; provided that no person shall be eligible for the election to any post if he/she is not present at the meeting when the election takes place and he/she has not indicated his/her willingness to accept such a post in writing.

14. FINANCE

14.1 The financial year of the Union shall commence on 1st October and close in 30th September of the following year.

14.2 All monies received by the Treasurer shall be deposited by him/her in the Union's current bank account within three (3) business days from the date of receipt.

14.3 The Treasurer shall keep true accounts of all receipts, payments, assets and liabilities of the Union and all of other matters necessary for showing a true reflection of the financial position of the Union.

14.4 The books of account shall be kept in such books and in such manner as the Union in consultation with the Auditor deems necessary and shall be handed to the Auditor as soon as possible after the end of the financial year of the Union.

14.5 Accounts in respect of monies due to the Union shall be posted to the affiliates and shall be due and payable by the date stipulated on the account.

14.6 The annual affiliation and registration fee payable to the Union shall be based on the number of teams entered into the league and on the assumption that four (4) players are available for each team entered: provided, however that the Executive Committee may, upon receipt of a written application for financial relief, waive or reduce such fees or extend the date on which such fees are due and payable. Any such application shall be accompanied by a current financial statement, details of membership and the number of members who are unable to meet their obligations in whole or in part, a clear indication of what the club can afford to pay and details of the steps being taken by the club to improve its position. When considering the application the Executive Committee shall take into consideration the financial position of the Union, the situation of the applicant, the number of clubs seeking relief and the efforts being made by the clubs to improve their positions.

14.7 Annual fees payable by the associations affiliated in terms of clause 6.1.2 above shall be based on such terms and conditions as set out in the Bye-laws as appended.

15. FORCE OF RESOLUTIONS

15.1 Resolutions and decisions of the Union shall be binding on the membership of the Union.

16. LEGAL PERSONALITY

16.1 The Union shall be a body with legal rights capable of suing and being sued and no matter shall have any rights to its assets or liability for its obligations.

16.2 The Union shall not be liable for any injuries sustained by any player or official caused during the practice or performance of the game.

16.3 The Union shall not be liable for theft, damage or injury to the property of the players or officials.

16.4 The Union may act as arbitrator if called upon to do so by any Affiliated Club or Association or any member thereof, in deciding upon disputes advised to it in writing by such aggrieved parties.

16.5 The Union is indemnified against any loss, including financial loss that may arise out of the performance of the Union's duties and objectives, carried out in good faith.

17. JURISDICTION

17.1 The Executive Committee of the Union shall have jurisdiction over every Affiliated Club or Association and their members, but not in their financial or legal matters.

17.2 Every Affiliated Club or Association shall be responsible to the Union for the actions of its officials, who may only take part in or attend matches and tournaments on condition that they observe the rules, regulations and Bye-laws of the Union.

17.3 Home teams will be responsible for the actions of spectators.

18. BYE-LAWS

18.1 Bye-laws covering competition, registration of players, affiliation of clubs or associations, subscriptions, conduct of players and officials, admission to facilities and all other matters falling under the jurisdiction of the Union, as well as points of procedure not covered by this Constitution, may be adopted by a General Meeting on a motion either by the Executive Committee or any Affiliated Club or Association, provided that:

18.2 Twenty-one (21) days' notice of such motion is received by the Secretary of the Union in writing for inclusion on the agenda of this Constitution.

18.3 Such Bye-Laws are not in conflict with the provisions of this Constitution.

19. ALTERATION TO THE CONSTITUTION

19.1 No addition, alteration or amendment shall be made to or in this Constitution unless the same shall have been included in the notice convening a General Meeting and shall have been carried by a vote of two-thirds (2/3) of the delegates present at such meeting and voting.

19.2 Twenty-one (21) days' notice of any proposed addition, alteration or amendment must be received by the Secretary of the Union in writing for inclusion on the agenda of this Constitution.

19.3 As stated in clause 11.3 any alteration to the constitution needs also a majority of two-thirds (2/3) vote of those affiliated clubs in good standing at the time of the General Meeting.

20. DISCIPLINARY ACTION

20.1 The Disciplinary Committee shall consist of at least three (3) members who shall be members of the Executive Committee and shall include the Chairperson and/or the Vice-Chairperson.

20.2 The Disciplinary Committee shall be appointed by the Executive Committee at its first meeting after the Annual General Meeting. Replacements shall be made by the Executive Committee due to incapacity, death or resignation of members of the Disciplinary Committee.

20.3 Disciplinary procedures shall provide a fair opportunity of a hearing in defense, in person or by a representative, of any party subject to the disciplinary action. Seven (7) days' notice in writing shall be given to such party subject to disciplinary action giving the date, time and place, as well as the subject, of such hearing. Sentence may have immediate effect notwithstanding the lodging of an appeal. Such sentence may include a fine, censure and/or suspension from play for a determined period, suspension from the Union for a determined period and/or exclusion from representative teams for a determined period.

20.4 The disciplined party shall have the right of appeal to the following Annual General Meeting whose decision shall be final.

21. DISSOLUTION

21.1 The Union retains the right to dissolve itself by an act of own resolution taken at a Special General Meeting called for that purpose; provided that six (6) months notice of this resolution is given to all ordinary members of the Union. Any resolution that is taken in terms of this clause to become effective, shall require a majority of two-thirds (2/3) vote of those delegates present and voting, immediately for the winding up of the Union in terms of the Companies Act No. 61 of 1973 (as amended).

21.2 As stated in clause 11.3 the dissolution of the union needs also a majority of two-thirds (2/3) vote of those affiliated clubs in good standing at the time of the General Meeting.