

CONSTITUTION

OF THE

SOUTH AFRICAN

MODERN PENTATHLON

ASSOCIATION

Revised: JAN 2026

A handwritten signature in black ink, appearing to be 'F. N. C.', written in a cursive style.

INDEX

1.	DEFINITIONS	3
2.	NAME AND LEGAL PERSONALITY	5
3.	OBJECTIVES	5
4.	WAYS OF ACHIEVING OBJECTIVES	6
5.	MEMBERSHIP	7
6.	ORGANISATION OF THE ASSOCIATION	14
7.	GENERAL MEETINGS	15
8.	EXECUTIVE BOARD	27
9.	SECRETARY GENERAL	42
10.	HEAD OFFICE	47
11.	FINANCES	47
12.	FEES	48
13.	MEMBERS	50
14.	COLOURS AND EMBLEMS	52
15.	HONORARY POSITIONS AND AWARDS	53
16.	CODE OF CONDUCT	57
17.	RULES AND REGULATIONS	57
18.	DISPUTE RESOLUTION PROCEDURE	59
19.	AMENDMENTS TO THE CONSTITUTION	61
20.	DISSOLUTION OF SAMPA	62

	Appendix A – JURISDICTION OF MEMBERS	63
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SEPARATE DOCUMENTS

Appendix B - CODE OF CONDUCT

Appendix C – COLOURS AND EMBLEMS

1. DEFINITIONS

In the Constitution, except where incompatible with the context, the following terms shall have the meanings indicated:

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| 1. “AGM” | Annual General Meeting in terms of Clause 7 |
| 2. “Associated Members” | National associations administering sports codes closely related to Modern Pentathlon Sports and affiliated to the Association |
| 3. “Association” | South African Modern Pentathlon Association |
| 4. “Biathle” | continuous run, swim and run event |
| 5. “CAPM” | Confederation Africaine de Pentathlon Modern |
| 6. “Colours” | recognition of National and Federation representation by an athlete |
| 7. “Constitution” | this document and its Appendixes |
| 8. “Development Members” | Provincial associations administering Modern Pentathlon Sports and provisionally affiliated to the Association |
| 9. “DSAC” | South African Department of Sport, Arts and Culture |
| 10. “Executive Board” | elected board which manages the Association in terms of Clause 8 |
| 11. “Gender” | any reference to one gender includes the other |
| 12. “General Meetings” | meetings convened in terms of Clause 7 |
| 13. “Laser Run” | combination of running and laser shooting |
| 14. “Members” | all Provincial, Associated, Development, Individual and Honorary Life Members of the Association |
| 15. “MGM” | Midyear General Meeting in terms of Clause 7.2 |

16. “Modern Pentathlon” multi-disciplinary sport consisting of running, swimming, laser shooting, obstacle racing, horse riding and fencing as recognised by the UIPM
17. “Modern Pentathlon Sports” any UIPM sport which is a combination of sports outlined in 1.16 including tetrathlon, triathle, laser run, obstacle laser run, biathle and stand-alone disciplines
18. “Obstacle Laser Run” combination of laser run and obstacle course racing
19. “Provincial Members” Provincial associations administering Modern Pentathlon Sports and fully affiliated to the Association
20. “Rules and Regulations” rules and regulations of the UIPM, the Association and of this Constitution to regulate and administer Modern Pentathlon Sports in South Africa
21. “SASCOC” South African Sports Confederation and Olympic Committee
22. “Secretary General” Public Officer of the Association in terms of Clause 9
23. “SGM” Special General Meeting in terms of Clause 7.3
24. “South Africa” the Republic of South Africa
25. “Tetrathlon” combination of any four disciplines set out in 1.16
26. “Triathle” combination of any three disciplines set out in 1.16
27. “UIPM” Union Internationale de Pentathlon Moderne

2. NAME AND LEGAL PERSONALITY

- 2.1 The name of the Association shall be “South African Modern Pentathlon Association”, the abbreviation of which shall be “SAMPA”.
- 2.2 The Association shall, dependent on the stipulations of the Constitution:
- 2.2.1 be a legal entity which will enjoy perpetual succession, and which exists and acts independently of the Members and continues to exist even when its Members and office-bearers change, and
 - 2.2.2 be entitled to acquire, own and dispose of property, and
 - 2.2.3 be entitled to enter into legal transactions, and
 - 2.2.4 be entitled to institute and defend legal actions in connection with the Association including being able to sue and be sued in its own name, and
 - 2.2.5 be entitled to obtain and give up rights, and
 - 2.2.6 be entitled to incur and settle commitments.
- 2.3 The Association shall be a non-profit and/or public benefit organisation.
- 2.4 The income of the Association, nor any part thereof, may be distributed to Members, either directly or indirectly.

3. OBJECTIVES

It is the objective of the Association:

- 3.1 to promote the interests of the Association, the Members, Modern Pentathlon and athletes affiliated with the Association or its Members, and
- 3.2 to uphold, abide by and give full, continuous and consistent affect to the Constitution and all Codes, rules and regulations of the Association and the UIPM, and
- 3.3 to administer Modern Pentathlon Sports, and
- 3.4 to protect, promote and stimulate Modern Pentathlon Sports and provide assistance in the prescription of rules and regulations for the control and protection of Modern Pentathlon Sports without affecting the autonomy of Members, and
- 3.5 to attend to the selection of athletes and officials who are to represent the Association with approval by the Executive Board, and

- 3.6 to provide for the keeping of official lists of performances from local competitions by the Secretary General, and
- 3.7 to decide upon the nature, award and protection of colours as approved by the Executive Board and with approval from SASCOC for National Protea colours, and
- 3.8 to maintain the principle of non-discrimination in respect of the sport, and
- 3.9 to hold annual National championship meetings in Modern Pentathlon Sports and other events sanctioned by the Association, and
- 3.10 to take action against non-sanctioned events, and
- 3.11 to acquire, where possible, equipment and provide training to benefit and promote Modern Pentathlon Sports.

4. WAYS OF ACHIEVING OBJECTIVES

The Association will:

- 4.1 affiliate with the UIPM, and
- 4.2 affiliate with the CAPM, and
- 4.3 affiliate to the South African Sports Confederation and Olympic Committee (SASCOC), and
- 4.4 affiliate or register with DSAC, and
- 4.5 see to it that Provincial Members affiliate to their provincial sports confederations, and
- 4.6 prescribe membership fees payable to the Association, and
- 4.7 facilitate the procurement of suitable grounds, premises, equipment and other conveniences necessary for the hosting and organizing of meetings, and
- 4.8 acquire such movable or immovable property as may be required to achieve the aims and objectives of the Association, and
- 4.9 enter into such negotiations and conclude such contracts and agreements as may be lawfully undertaken by an incorporated body and are not incompatible with the aims and objectives of the Association, and

- 4.10 raise funds to the benefit of Modern Pentathlon Sports, to the benefit of athletes affiliated to the Association, and
- 4.11 set up a disciplinary committee to uphold the rules of the UIPM and the Association in accordance with the provisions of the Constitution, and
- 4.12 inquire into irregularities during Modern Pentathlon Sports competitions and institute disciplinary action where it deems necessary, and
- 4.13 inquire into irregularities in the administration of the Association and institute disciplinary action when deemed appropriate, and
- 4.14 investigate irregularities that come to its attention through disciplinary processes, and
- 4.15 hear appeals against the decisions of Members and to pronounce on such appeals, and
- 4.16 to invest Association funds that may not be immediately required for the administration of the Association with sufficiently secure financial institutions, and
- 4.17 to make, amend or withdraw the Constitution as well as Rules and Regulations of the Association in accordance with the procedures set out hereinafter and in conjunction with requirements of the UIPM, and
- 4.18 to appoint individuals to act as representatives of the Association to any competition or conference worldwide.

5. MEMBERSHIP

The Association has five (5) categories of Members, namely:

5.1 Provincial Members:

- 5.1.1 *Provincial Members* are the modern pentathlon associations of the provinces of the Republic of South Africa affiliated with the Association as *Provincial Members*.
- 5.1.2 The jurisdiction and membership of *Provincial Members* shall be limited by the geographic boundaries of the respective political provinces of the Republic of South Africa which they presently represent and as summarized in Appendix A.
- 5.1.3 A *Provincial Member* shall be deemed to be in good standing if it:

- 5.1.3.1 remains properly constituted, and
- 5.1.3.2 was represented at the most recent AGM of the Association, and
- 5.1.3.3 has held a provincial annual general meeting in the past twelve (12) months, and
- 5.1.3.4 had financial statements approved and adopted at the annual general meeting of the provincial association at the last annual general meeting, and
- 5.1.3.5 held provincial championships for Laser Run, Biathle and Triathle within the last twelve (12) months, and
- 5.1.3.6 has a functioning bank account with a commercial bank registered and authorised to operate by the Prudential Authority of the South African Reserve Bank, and
- 5.1.3.7 remains in good standing with its provincial sports confederation.

5.1.4 *A Provincial Member*, whilst not in good standing, shall be entitled to attend but not to speak or vote at any General Meeting.

5.1.5 *A Provincial Member* may at any time rehabilitate its good standing by fulfilling, in full, the requirements set out under Clause 5.1.5.

5.1.6 *A Provincial Member* which remains in non-conformance with the requirements under Clause 5.1.5. for a period longer than six (6) months after having been notified by the Association of such non-conformance, shall automatically revert to the status of *Development Member* upon receipt of a written declaration to that effect by the Association and will thereafter be governed under the same terms as a first time *Development Member*.

5.1.7 *Provincial Members* shall have jurisdiction over all Modern Pentathlon matters within its geographic area of jurisdiction, subject to this Constitution and the Rules and Regulations as set by the Executive Board

5.2 Individual Members:

5.2.1 *Individual Members* are:

- 5.2.1.1 athletes affiliated with the Association, and
- 5.2.1.2 officials affiliated with the Association, and
- 5.2.1.3 parents of athletes under the age of eighteen (18) years, the athletes being affiliated with the Association, and
- 5.2.1.4 guardians of athletes under the age of eighteen (18) years, the athletes being affiliated with the Association, and

- 5.2.1.5 honorary life members affiliated with the Association, and
- 5.2.1.6 coaches affiliated with the Association.

5.2.2 *Individual Members* are free to attend Annual General Meetings of the Association but are not allowed to speak or vote.

5.2.3 An *Individual Member* shall be deemed to be in good standing for purposes of attending or participating in Association activities and meetings, for as long as the *Individual Member*:

5.2.3.1 remains a duly registered, affiliated and paid-up member of the Association, or maintains the registration, affiliation and paid-up status of the underage athlete they represent, and

5.2.3.2 remains a duly registered, affiliated and paid-up member of their provincial association, or maintains the provincial registration, affiliation and paid-up status of the underage athlete they represent, and

5.2.3.3 have paid all moneys due to the Association in respect of the member's or the underage athlete they represents' representation at local and international competitions and events, and

5.2.3.4 have not been found guilty of a transgression of the Code of Conduct or a Provincial Code of Conduct themselves or alternatively the underage athlete they represent has not been found so, and is not under ongoing sanction by the Association or a provincial association, and

5.2.3.5 or alternatively having been released by the Executive Board from the impositions under Clauses 5.2.3.1. to 5.2.3.4.

5.3 Associated Members:

5.3.1 *Associated Members* of the Association are any national sporting associations, federations and the like, involved in the administration, representation and/or and management of any sporting code closely related to Modern Pentathlon Sports, that have been allowed to affiliate to the Association.

5.3.2 An *Associated Member* shall be deemed to be in good standing for as long as it:

5.3.2.1 remains properly constituted, and

5.3.2.2 was represented at the most recent AGM of the Association, and

- 5.3.2.3 has held an annual general meeting in the past twelve (12) months, and
 - 5.3.2.4 has financial statements approved and adopted at their last annual general meeting, and
 - 5.3.2.5 has a functioning bank account with a commercial bank registered and authorised to operate by the Prudential Authority of the South African Reserve Bank, and
 - 5.3.2.6 operates under a constitution which provides for free and fair election of office bearers by its members.
- 5.3.3 *Associated Members* shall attend the General Meetings of the Association and will have the right to speak and vote at such meetings for as long as they remain in good standing.
- 5.3.4 Should an *Associated Member* fail to remain in good standing, it will lose the right to speak and vote at the Association's General Meetings for as long as it remains in non-conformance of the stipulations under Clause 5.3.2.
- 5.3.5 Any national sporting association, federation or the like, involved in the administration, representation and/or and management of any sporting code closely related to Modern Pentathlon Sports, may apply to the Annual General Meeting for *Associated Membership* of the Association, and such application shall include the following, and in the form prescribed by the Executive Board:
- 5.3.5.1 a copy of the applicant's constitution, as duly adopted by the applicant's annual general meeting, and which constitution shall comply with the provisions of this Constitution, and
 - 5.3.5.2 complete minutes of the applicant's annual general meeting at which it was resolved that application for membership of the Association shall be submitted, and
 - 5.3.5.3 financial statements approved and adopted at the last annual general meeting of the applicant, and
 - 5.3.5.4 printed results of the national championships of the applicant within the last twelve (12) months, and
 - 5.3.5.5 bank confirmation of the applicant's bank account with a commercial bank which is registered and authorised to operate by the Prudential Authority of the South African Reserve Bank.

- 5.3.6 The Annual General Meeting of the Association will consider the application for *Associated Member* status and may approve or reject it.
- 5.3.7 Approval of an application for Associated Memberships shall require an affirmative vote of sixty percent (60%) plus one (1) of all Provincial and Associated Members in good standing of the Association.
- 5.3.8 Should the Annual General Meeting approve the application, the successful applicant will immediately after that Annual General Meeting become an *Associated Member*.
- 5.3.9 Should the Annual General Meeting reject the application, the unsuccessful applicant may re-apply to the Annual General Meeting of the Association but never to successive AGM's.

5.4 Development Members:

- 5.4.1 A provincial modern pentathlon association seeking to be affiliated to the Association and to become a *Development Member*, may apply to the Executive Board of the Association and such application shall include the following, and in the form prescribed by the Executive Board:
- 5.4.1.1 a complete and up to date membership list of the provincial association, and
- 5.4.1.2 a copy of the minutes of the provincial association's founding general meeting,
- 5.4.1.3 the original attendance register of the founding general meeting of the provincial association, and
- 5.4.1.4 unanimously adopted declaration by the provincial association's founding general meeting that it and its members will adhere to the Constitutions and Rules and Regulations of the Association and the UIPM, and
- 5.4.1.5 details (full names, ID numbers, residential addresses, phone numbers and e-mail addresses) of every Executive Committee member of the provincial association.
- 5.4.2 A provincial association which has applied for *Development Member* status in accordance with Clause 5.4.1, may temporarily be granted such status by the Executive Board until the next Annual General Meeting, on terms and conditions determined by the Executive Board.

- 5.4.3 A provincial association with temporary *Development Member* status in terms of Clause 5.4.2, shall submit a new or updated application for *Development Member* status to the next Annual General Meeting of the Association. The Annual General Meeting will consider the application and may approve or reject it; and can freely determine any conditions should the application be approved.
- 5.4.4 A provincial association that is not a temporary *Development Member* status, may apply for *Development Member* status to the Annual General Meeting of the Association. The form and contents of the application shall be the same as for temporary *Development Member* status. The Annual General Meeting will consider the application and may approve or reject it; and can freely determine any conditions should the application be approved.
- 5.4.5 *Development Members* shall have all the responsibilities of *Provincial Members*; however, its rights and privileges will be entirely at the discretion of the Annual General Meeting, save for the right of its representatives to attend General Meetings and being entitled to speak but not vote at such meetings.
- 5.4.6 A *Development Member* shall at the Annual General Meeting after the one at which *Development Member* status was granted, apply for full *Provincial Member* status, and such application shall include the following in the form prescribed by the Executive Board:
- 5.4.6.1 a copy of the *Development Member's* constitution, as duly adopted by the provincial annual general meeting, and which constitution shall comply with the provisions of this Constitution, and
 - 5.4.6.2 minutes of the *Development Member's* annual general meeting held since having been granted *Development Member* status, and
 - 5.4.6.3 financial statements approved and adopted at the last annual general meeting of the provincial association, and
 - 5.4.6.4 printed race results of a provincial championship for at least one of Laser Run, Biathle or Triathle within the last twelve (12) months, and
 - 5.4.6.5 bank confirmation of the *Development Member's* bank account with one (1) of the five (5) large commercial banks in South Africa, and
 - 5.4.6.6 letter of good standing from the provincial sports confederation.
- 5.4.7 The Annual General Meeting of the Association will consider the application for *Provincial Member* status and may approve or reject it.

- 5.4.8 Should the Annual General Meeting approve the application, the successful applicant will immediately after that Annual General Meeting become a *Provincial Member*.
- 5.4.9 Should the Annual General Meeting reject the application, the unsuccessful applicant will continue as a *Development Member* until the next Annual General Meeting, at which meeting a new application for *Provincial Member* status must be submitted. Should an application not be submitted or such application be rejected by the Annual General Meeting, the *Development Member* status of the provincial association shall be cancelled. A new application for *Development Member* status may be submitted in accordance with Clauses 5.4.1. to 5.4.5.

5.5 Honorary Life Members:

- 5.5.1 *Honorary Life Members* shall be appointed at the Annual General Meeting.
- 5.5.2 *Honorary Members* are *Individual Members* that have been honoured by the Association for service to the Association, modern pentathlon and it's multi-sports, obstacle racing or the members or athletes of the Association.
- 5.5.3 The total number of affiliated *Honorary Life Members* shall be limited to a total number of not more than ten (10) at any given time.
- 5.5.4 Nominations, along with a report outlining the services rendered, shall be submitted to the Executive Board by any *Provincial Member* for consideration at least sixty (60) days before the Annual General Meeting.
- 5.5.5 After review and approval by the Executive Board, the names of the nominees along with a report of their services, shall be submitted to the *Provincial Members* and *Associated Members* for consideration and electronic mail vote.
- 5.5.6 The *Provincial and Associated Members* shall each only vote for one (1) nominee, should there be more than one (1). *Provincial and Associated Members* shall vote by electronic mail and only a nominee who received the vote of at least 75% of the lawful votes recorded shall receive the award.
- 5.5.7 Only one (1) *Honorary Life Membership* may be awarded per Annual General Meeting.
- 5.5.8 The name of a successful nominee shall be announced at the Annual General Meeting.

- 5.5.9 The colours for *Honorary Life Members* shall be the official emblem of the Association on a navy-blue background with the following wording added to the blazer badge: “Honorary Life Member”.
- 5.5.10 *Honorary Life Members* remain affiliated members of the Association for life or until they resign from the Association or are removed by the Annual General Meeting.
- 5.5.11 *Honorary Life Members* shall be exempt from paying affiliation fees to the Association or to any provincial or district association.

6. ORGANISATION OF THE ASSOCIATION

- 6.1 The principal constituent bodies of the Association are:
 - 6.1.1 the General Meeting - Annual, Midyear and Special, and
 - 6.1.2 the Executive Board, and
 - 6.1.3 the Office of the Secretary General.
- 6.2 The General Meeting, Annual, Midyear and Special, shall be the supreme authority of the Association.
 - 6.2.1 An Annual General Meeting shall be held once every year at a date, time and place set by the Executive Board and notice given by the Secretary General to all Provincial Members, Associated Members, Provisional Members, and Individual Members.
 - 6.2.2 The set date for an Annual General Meeting shall not be less than nine (9) months and not more than fifteen (15) months after the previous year’s Annual General Meeting.
 - 6.2.3 A Midyear General Meeting shall be held once every year at a date, time and place set by the Executive Board and notice given by the Secretary General to all Provincial Members, Associated Members, Provisional Members, Individual Members and Guardian Members.
 - 6.2.4 The set date for a Midyear General Meeting shall not be less than five (5) months and not more than seven (7) months after the last Annual General Meeting.
 - 6.2.5 A Special General Meeting shall be convened upon instruction from the Executive Board, and notice given by the Secretary General to all Provincial and Associated Members in good standing as well as Executive Board members.

- 6.2.6 Alternatively, a Special General Meeting shall be convened upon demand from at least two (2) of the Provincial and Associated Members in good standing, notice of which shall be sent by the Secretary General to all members of the Executive Board and all Provincial and Associated Members.
- 6.3 The Executive Board will manage the activities of the Association between General Meetings and will be led by the President of the Association.
- 6.3.1 The Executive Board shall include the following office bearers elected by simple majority by the Annual General Meeting of the Association:
- 6.3.1.1 President
 - 6.3.1.2 Vice President
 - 6.3.1.3 Treasurer (Finances)
 - 6.3.1.4 Selection Officer (Selections and Diversity)
 - 6.3.1.5 Athlete Welfare Officer (Safeguarding and Athlete Welfare)
 - 6.3.1.6 Brand Officer (Sponsorships, Marketing and Clothing)
 - 6.3.1.7 Ethics Officer (Ethics, Adherence and Discipline)
 - 6.3.1.8 High-Performance Officer (Athletes, Coaches and Experts)
- 6.3.2 The Executive Board may further co-opt a maximum of two (2) additional members with proven knowledge or experience in a specific field or fields, the addition of which shall be of vital importance to the Executive Board fulfilling its functions, and which co-option will only be until the next Annual General Meeting without the possibility of either extension or reappointment, immediately or at a later date.
- 6.3.3 The Chairperson of the National Athletes Committee shall be an *ex officio* member of the Executive Board.
- 6.4 The General Meeting shall appoint a Secretary General, who will manage the day-to-day activities of the Association and who will serve as *ex officio* member of the Executive Board.
- 6.4.1 Other committees and sub-committees may be constituted by the principal constituent bodies in conformity with the provisions of the Constitution and as the need arises.

7. GENERAL MEETINGS

7.1 Annual General Meetings:

7.1.1 *Notice of Annual General Meetings*

- 7.1.1.1 An Annual General Meeting shall be convened by the Secretary General, in accordance with the timeframe stipulated under Clause 6.2.2. and upon instructions from the Executive Board. Notice of the Annual General Meeting shall be sent to all Provincial, Associated and Development Members at least sixty (60) calendar days before the meeting is to take place.
- 7.1.1.2 The notice will be in writing and will include the date, time and location of the meeting.
- 7.1.1.3 The notice will be sent electronically to all Provincial, Associated and Development Members at their addresses of record with the Association.
- 7.1.1.4 Any written notice of a Provincial or Associated Member motion to be tabled at the Annual General Meeting must reach the Secretary General not less than thirty (30) calendar days before such a meeting.
- 7.1.1.5 The Secretary General shall circulate the agenda and motions of an Annual General Meeting to all Provincial, Associated and Development Members at least twenty-one (21) days prior to the meeting.
- 7.1.1.6 The chairperson may, in the exercise of their discretion, determine shorter periods than the periods stipulated in Clauses 7.1.1.1. and 7.1.1.4. and 7.1.1.5. provided that such shorter periods are subsequently condoned by the Annual General Meeting.

7.1.2 *Representation at Annual General Meetings*

- 7.1.2.1 Provincial Members in good standing shall each be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Provincial Member they represent is in good standing.
- 7.1.2.2 Associated Members in good standing shall be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Associated Member they represent is in good standing.
- 7.1.2.3 The delegate of a Provincial or Associated Member in good standing shall be properly accredited when:
 - 7.1.2.3.1 they have submitted to the Annual General Meeting an official written letter of accreditation by the executive

- committee of the Provincial or Associated Member they represent and signed by the chairperson and secretary of that committee, and
- 7.1.2.3.2 their name appears on the Association's latest register of registered, affiliated and paid-up members of the Association.
- 7.1.2.4 The number of affiliated and paid-up members of Provincial and Associated Members will be calculated on 31 March and that membership count will be used to determine the number of votes allocated to each Provincial and Associated Member and the resultant vote allocation will be of force for all General Meetings until 31 March of the following year.
- 7.1.2.5 Pursuant to Clause 7.1.2.4 the number of allocated votes for Provincial and Associated Members at all General Meetings shall be calculated as follows:
- 7.1.2.5.1 one (1) guaranteed vote, regardless of the number of affiliated members of a Provincial or Associated Member, and
 - 7.1.2.5.2 one (1) numerical additional vote per every full one hundred (100) affiliated and paid-up members of a Provincial or Associated Member, limited to no more than three (3) additional votes per Provincial or Associated Member, and
 - 7.1.2.5.3 one (1) sporting additional vote for any Provincial or Associated members that have hosted a provincial and/or interprovincial Modern Pentathlon championship during a period of twelve (12) months prior to the General Meeting.
- 7.1.2.6 Provincial and Associated Members not in good standing at the time of an Annual General Meeting will be entitled to be represented by one (1) delegate at such a meeting and will not have the right to speak or vote.
- 7.1.2.7 Development Members shall be entitled to be represented by one (1) delegate at Annual General Meetings and will have the right to speak at such meetings but will not be allowed to vote.
- 7.1.2.8 Individual Members may attend Annual General Meetings but will not be allowed to speak.

7.1.3 *Quorum at Annual General Meetings*

- 7.1.3.1 A minimum of sixty percent (60%) plus one (1) of the number of Provincial and Associated Members in good standing represented at an AGM by at least one (1) properly accredited delegate, shall constitute a quorum at an Annual General Meeting.
- 7.1.3.2 If at the date, time and place of the Annual General Meeting there is no quorum present, the chairperson shall adjourn the meeting for one (1) hour. If after one (1) hour at least fifty percent (50%) of Provincial and Associated Members in good standing are represented, such number shall constitute a quorum. If, however, the meeting remains inquorate, the chairperson shall adjourn the meeting for no more than seven (7) days. The Secretary General shall advise all Provincial and Associated Members of the time, date and place of a newly scheduled Annual General Meeting and the Provincial and Associated Members in good standing and represented at such reconvened meeting shall constitute a quorum if there are at least three (3) Provincial Members in good standing present.

7.1.4 *Procedures at Annual General Meetings*

- 7.1.4.1 At Annual General Meetings the President of the Association shall preside as chairperson. Should the President be absent for whatever reason, the Vice President will preside. In the absence of both the President and Vice President, the eligible voting delegates present at the meeting shall elect a chairperson from the office bearers of the Executive Board.
- 7.1.4.2 The agenda of the Annual General Meeting will be disposed of in the following order and shall include each of the following items:
- (a) scrutiny of the standing of Provincial and Associated Members, and
 - (b) scrutiny of the accreditation of voting delegates, and
 - (c) determination of whether the voting Members present represent a quorum, and
 - (d) confirmation and adoption of the minutes of the previous Annual General Meeting, and
 - (e) confirmation and adoption of the minutes of any intervening Midyear and/or Special General Meeting since the previous Annual General Meeting, and
 - (f) receiving of the address of the President, and
 - (g) consideration of the Annual Report of the Executive Board, which report shall include a summary of the activities of every portfolio of the office bearers of the Executive Board, and

- (h) consideration and approval of the accounts, audited balance sheet and reports of the auditors for the previous financial year, and
- (i) appointment of auditors for the next financial year, and
- (j) consideration of the minutes of meetings of the Executive Board since the last Midyear General Meeting, and
- (k) consideration of rules and regulations made by the Executive Board since the last Midyear General Meeting, and
- (l) consideration of applications for Development Membership, and
- (m) consideration of applications for Provincial Membership, and
- (n) consideration of applications for Associated Membership, and
- (o) acceptance of new Honorary Life Members, and
- (p) consideration of the Executive Board's proposed budget for the next financial year, and
- (q) determination of registration and affiliation fees for Individual Members for the ensuing year, and
- (r) consideration of duly brought motions, and
- (s) consideration of amendments to the Constitution, and
- (t) appointment or re-appointment of the Secretary General, and
- (u) election of the Executive Board in an election year, and
- (v) filling of vacancies on the Executive Board by election in non-election years.

7.1.4.3 The minutes of an Annual General Meeting shall be prepared by the Secretary General and distributed to all Provincial, Associated and Development Members within thirty (30) days after conclusion of the respective Annual General Meeting.

7.1.5 *Voting at Annual General Meetings*

7.1.5.1 All matters, excluding elections, requiring a resolution by the Annual General Meeting shall be decided by a show of hands, unless at least two (2) voting delegates request a secret ballot on a specific matter or matters, in which case those matters only will be decided by secret ballot.

7.1.5.2 Provincial and Associated Members' delegates in good standing shall have the number of votes as calculated in accordance with Clauses 7.1.2.4. and 7.1.2.5. and each such delegate shall have that number of votes in all matters, including elections and Constitutional amendments.

7.1.5.3 No proxy vote will be allowed.

7.1.5.4 Elected members of the Executive Board, excluding the chairperson presiding, shall have one (1) vote each in ordinary matters, and no

vote in the election of Executive Board members Constitutional amendments.

- 7.1.5.5 The Secretary General will not be allowed to vote in any matters of the Annual General Meeting, including elections.
- 7.1.5.6 In the event of a tie of votes, the chairperson of the Annual General Meeting shall have a deciding vote, excluding in the election of Executive Board members.
- 7.1.5.7 All matters, except for changes to the Constitution, will be decided by an ordinary majority of fifty percent (50%) plus one (1) of all the votes cast.
- 7.1.5.8 Changes to the Constitution, shall be approved by sixty percent (60%) plus one (1) of the total number of delegates' votes available to Provincial and Associated Members that are eligible to appoint voting delegates to the Annual General Meeting, whether present or not.
- 7.1.5.9 A declaration by the chairperson that a decision has been made will be final unless a recount of votes is immediately requested.

7.2 Midyear General Meetings:

7.2.1 *Notice of Midyear General Meetings*

- 7.2.1.1 A Midyear General Meeting shall be convened by the Secretary General, in accordance with the timeframe stipulated under Clause 6.2.2. and upon instructions from the Executive Board. Notice of the Midyear General Meeting shall be sent to all Provincial, Associated and Development Members at least sixty (60) calendar days before the meeting is to take place.
- 7.2.1.2 The notice will be in writing and will include the date, time and location of the meeting.
- 7.2.1.3 The notice will be sent electronically to all Provincial, Associated and Development Members at their addresses of record with the Association.
- 7.2.1.4 Any written notice of a Provincial or Associated Member motion to be tabled at the Midyear General Meeting must reach the Secretary General not less than thirty (30) calendar days before such a meeting.

7.2.1.5 The Secretary General shall circulate the agenda and motions of a Midyear General Meeting to all Provincial, Associated and Development Members at least twenty-one (21) days prior to the meeting.

7.2.1.6 The chairperson may, in the exercise of their discretion, determine shorter periods than the periods stipulated in Clauses 7.2.1.1. and 7.2.1.4. and 7.2.1.5. provided that such shorter periods are subsequently condoned by the Midyear General Meeting.

7.2.2 *Representation at Midyear General Meetings*

7.2.2.1 Provincial Members in good standing shall each be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Provincial Member they represent is in good standing.

7.2.2.2 Associated Members in good standing shall be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Associated Member they represent is in good standing.

7.2.2.3 The delegate of a Provincial or Associated Member in good standing shall be properly accredited when:

7.2.2.3.1 they have submitted to the Midyear General Meeting an official written letter of accreditation by the executive committee of the Provincial or Associated Member they represent and signed by the chairperson and secretary of that committee, and

7.2.2.3.2 their name appears on the Association's latest register of registered, affiliated and paid-up members of the Association.

7.2.2.4 Provincial and Associated Members not in good standing at the time of a Midyear General Meeting will be entitled to be represented by one (1) delegate at such a meeting and will not have the right to speak or vote.

7.2.2.5 Development Members shall be entitled to be represented by one (1) delegate at Annual General Meetings and will have the right to speak at such meetings but will not be allowed to vote.

7.2.2.6 Individual Members shall not attend Midyear General Meetings.

7.2.3 *Quorum at Midyear General Meetings*

- 7.2.3.1 A minimum of fifty percent (50%) plus one (1) of the number of Provincial and Associated Members in good standing represented at a Midyear General Meeting by at least one (1) properly accredited delegate, shall constitute a quorum.
- 7.2.3.2 If at the date, time and place of the Midyear General Meeting there is no quorum present, the chairperson shall adjourn the meeting for one (1) hour. If after one (1) hour at least forty percent (40%) of Provincial and Associated Members in good standing are represented, such number shall constitute a quorum. If, however, the meeting remains inquorate, the chairperson shall adjourn the meeting for no more than seven (7) days. The Secretary General shall advise all Provincial and Associated Members of the time, date and place of a newly scheduled Midyear General Meeting and the Provincial and Associated Members in good standing and represented at such reconvened meeting shall constitute a quorum if there are at least three (3) Provincial Members in good standing present.

7.2.4 *Procedures at Midyear General Meetings*

- 7.2.4.1 At Midyear General Meetings the President of the Association shall preside as chairperson. Should the President be absent for whatever reason, the Vice President will preside. In the absence of both the President and Vice President, the eligible voting delegates present at the meeting shall elect a chairperson from the office bearers of the Executive Board.
- 7.2.4.2 The agenda of the Midyear General Meeting will be disposed of in the following order and shall include each of the following items:
- (a) scrutiny of the standing of Provincial and Associated Members, and
 - (b) scrutiny of the accreditation of voting delegates, and
 - (c) determination of whether the voting Members present represent a quorum, and
 - (d) receiving of the address of the President, and
 - (e) consideration of the Midyear Report of the Executive Board, which report shall include a summary of the activities of every portfolio of the office bearers of the Executive Board, and
 - (f) consideration of the minutes of meetings of the Executive Board since the last Annual General Meeting, and
 - (g) consideration of rules and regulations made by the Executive Board since the last Annual General Meeting, and
 - (h) consideration of duly brought motions.

7.2.4.3 No elections may be held at Midyear General Meetings and proposals for amendments to the Constitution may be discussed but not resolved by the Midyear General Meeting.

7.2.4.4 The minutes of a Midyear General Meeting shall be prepared by the Secretary general and distributed to all Provincial, Associated and Development Members within thirty (30) days after conclusion of the respective Annual General Meeting.

7.2.5 *Voting at Midyear General Meetings*

7.2.5.1 All matters requiring a resolution by the Midyear General Meeting shall be decided by a show of hands, unless at least two (2) voting delegates request a secret ballot on a specific matter or matters, in which case those matters only will be decided by secret ballot.

7.2.5.2 Provincial and Associated Members' delegates in good standing shall have the number of votes as calculated in accordance with Clauses 7.1.2.4. and 7.1.2.5.

7.2.5.3 No proxy vote will be allowed.

7.2.5.4 Elected members of the Executive Board, excluding the chairperson presiding, shall have one (1) vote each in all matters.

7.2.5.5 The Secretary General will not be allowed to vote in any matters of the Midyear General Meeting.

7.2.5.6 In the event of a tie of votes, the chairperson of the Midyear General Meeting shall have the deciding vote.

7.2.5.7 All matters will be decided by an ordinary majority of fifty percent (50%) plus one (1) of all the votes cast.

7.2.5.8 A declaration by the chairperson that a decision has been made will be final unless a recount of votes is immediately requested.

7.3 Special General Meetings:

7.3.1 *Notice of Special General Meetings*

7.3.1.1 Special General Meetings shall be convened by the Secretary General on instruction from the Executive Board or upon demand from at least two (2) of the Provincial and Associated Members, with a minimum of fourteen (14) days' notice.

- 7.3.1.2 The notice convening a Special General Meeting shall include its agenda, date, time and location.
- 7.3.1.3 The notice will be in writing and sent electronically to all Provincial and Associated Members at their addresses of record with the Association.
- 7.3.1.4 No motions will be allowed, other than those for which a Special General Meeting had been called.
- 7.3.1.5 The chairperson may, due to extraordinary circumstances, determine a shorter period than the period stipulated in Clause 7.3.1.1, provided that such shorter period is subsequently condoned by the Special General Meeting.

7.3.2 *Representation at Special General Meetings*

- 7.3.2.1 Provincial Members in good standing shall each be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Provincial Member they represent is in good standing.
- 7.3.2.2 Associated Members in good standing shall be entitled to be represented by one (1) delegate. The delegate will have the right to speak and vote at such meetings only if they are properly accredited and the Associated Member they represent is in good standing.
- 7.3.2.3 The delegate of a Provincial or Associated Member in good standing shall be properly accredited when:
 - 7.3.2.3.1 they have submitted to the Special General Meeting an official written letter of accreditation by the executive committee of the Provincial or Associated Member they represent and signed by the chairperson and secretary of that committee, and
 - 7.3.2.3.2 their name appears on the Association's latest register of registered, affiliated and paid-up members of the Association.
- 7.3.2.4 Provincial and Associated Members not in good standing at the time of a Special General Meeting will be entitled to be represented by one (1) delegate at such a meeting and will not have the right to speak or vote.

7.3.2.5 A Development Member shall be entitled to be represented by one (1) delegate at a Special General Meeting and will have the right to speak but shall not vote.

7.3.2.6 Individual Members shall not attend Special General Meetings.

7.3.3 *Quorum at Special General Meetings*

7.3.3.1 A minimum of sixty percent (60%) plus one (1) of the number of Provincial and Associated Members in good standing represented at a Special General Meeting by at least one (1) properly accredited delegate, shall constitute a quorum.

7.3.3.2 If at the date, time and place of the Special General Meeting there is no quorum present, the chairperson shall adjourn the meeting for one (1) hour. If after one (1) hour at least fifty percent (50%) of Provincial and Associated Members in good standing are represented, such number shall constitute a quorum. If, however, the meeting remains inquorate, the chairperson shall adjourn the meeting for no more than seven (7) days. The Secretary General shall advise all Provincial and Associated Members of the time, date and place of a newly scheduled Special General Meeting and the Provincial and Associated Members in good standing and represented at such reconvened meeting shall constitute a quorum if there are at least three (3) Provincial Members in good standing present.

7.3.4 *Procedures at Special General Meetings*

7.3.4.1 At Special General Meetings the President of the Association shall preside as chairperson. Should the President be absent for whatever reason, the Vice President will preside. In the absence of both the President and Vice President, the delegates in good standing present at the meeting shall elect a chairperson from the office bearers of the Executive Board.

7.3.4.2 The agenda of a Special General Meeting will be disposed of in the following order and shall include each of the following items:

- (a) determination of the standing of Provincial and Associated Members, and
- (b) scrutiny of the accreditation of voting delegates, and
- (c) determination of whether voting Provincial and Associated Members present represent a quorum, and
- (d) consideration of duly brought motions, and
- (e) voting on the motions brought before the meeting.

- 7.3.4.3 Only the business for which the meeting was called shall be discussed at a Special General Meeting.
- 7.3.4.4 The minutes of a Special General Meeting shall be prepared by the Secretary General and distributed to all Provincial, Associated and Development Members within fourteen (14) days after conclusion of a Special General Meeting.

7.3.5 *Voting at Special General Meetings*

- 7.3.5.1 All matters requiring a resolution by the Special General Meeting shall be decided by a show of hands, unless at least two (2) voting delegates request a secret ballot on a specific matter or matters, in which case those matters only will be decided by secret ballot.
- 7.3.5.2 Provincial and Associated Members' delegates in good standing shall have the number of votes as calculated in accordance with Clauses 7.1.2.4. and 7.1.2.5.
- 7.3.5.3 No proxy vote will be allowed.
- 7.3.5.4 Elected members of the Executive Board, excluding the chairperson presiding, shall have one (1) vote each.
- 7.3.5.5 The Secretary General will not be allowed to vote in any matters of a Special General Meeting, including elections.
- 7.3.5.6 In the event of a tie of votes, the chairperson of the Special General Meeting shall have a deciding vote.
- 7.3.5.7 All matters, except for changes to the Constitution, will be decided by fifty percent (50%) plus one (1) of all the votes cast.
- 7.3.5.8 Changes to the Constitution, shall be approved by seventy five percent (75%) plus one (1) of the total number of delegates' votes available to Provincial and Associated Members that are eligible to appoint voting delegates to the Special General Meeting, whether present or not.
- 7.3.5.9 A declaration by the chairperson that a decision has been made will be final unless a recount of votes is immediately requested.

8. EXECUTIVE BOARD

8.1 Election of Executive Board members:

- 8.1.1 The President and Vice President of the Executive Board of the Association shall be elected by the accredited delegates representing the Provincial and Associated Members in good standing at an Annual General Meeting, for a period of four (4) years.
- 8.1.2 Elections of the President and Vice President of the Executive Board shall occur at every fourth (4th) Annual General Meeting, which shall be in an Olympic year, save to the extent provided to the contrary herein, and shall officially take over the offices of President and Vice President immediately following the completion of the elections, there being a sixty (60) day handover period during which the outgoing President and Vice President remain available to be consulted on Association matters.
- 8.1.3 All other members of the Executive Board, excluding the President and Vice President, shall be elected by the accredited delegates representing the Provincial and Associated Members in good standing at an Annual General Meeting, for a period of two (2) years.
- 8.1.4 Elections of all other Executive Board members, excluding the President and Vice President, shall occur at every second (2nd) Annual General Meeting, which shall coincide every second (2nd) term with the election of President and Vice President, save to the extent provided to the contrary herein, and the newly elected Executive Board members shall take office immediately after the elections are concluded.
- 8.1.5 All incumbent Executive Board members who seek re-election and all new candidates for election shall have to be nominated for election at an Annual General Meeting.
- 8.1.6 Nominations for Executive Board positions shall be submitted in writing to the Auditor at least thirty (30) days prior to the Annual General Meeting.
- 8.1.7 Only Provincial and Associated Members may submit written nominations, which shall be signed by the chairperson and secretary of the nominating Member and include an acceptance of the nomination by the nominee.
- 8.1.8 Only nominations submitted on the official Association nomination document will be considered valid.
- 8.1.9 Incumbent members of the Executive Board, excluding Provincial and Associated Member chairpersons who served on the Executive Board and are accredited delegates of their Members to the Annual General Meeting,

shall retire from the meeting immediately prior to the commencement of an election in terms of Clauses 7.1.4.2.(u) and 7.1.4.2.(v).

- 8.1.10 The Secretary General shall preside as chairperson of the meeting until completion of the election of Executive Board members.
- 8.1.11 Delegates of the Provincial and Associated Members in good standing shall have the number of electoral votes prescribed under Clauses 7.1.2.4. and 7.1.2.5.
- 8.1.12 The office bearers of the Executive Board shall be elected in the following order in a year that a President and Vice President are to be elected and shall exclude Clauses 8.1.12.1. and 8.1.12.2. in other election years:
 - 8.1.12.1 President, then
 - 8.1.12.2 Vice President
 - 8.1.12.3 Treasurer (Finances)
 - 8.1.12.4 Selection Officer (Selection and Diversity)
 - 8.1.12.5 Athlete Welfare Officer (Safeguarding and Athlete Welfare)
 - 8.1.12.6 Brand Officer (Sponsorships, Marketing and Clothing)
 - 8.1.12.7 Ethics Officer (Ethics, Adherence and Discipline)
 - 8.1.12.8 High-Performance Officer (Athletes, Coaches and Experts)
- 8.1.13 Voting in elections shall be done by a show of hands and in case of a tied vote a second (2nd) vote will be done by secret ballot. Should the deadlock remain after the second (2nd) vote, the incumbent President will be asked to join the election meeting and shall cast the deciding vote.
- 8.1.14 The members of the Executive Board shall be elected by a simple majority of fifty percent (50%) plus one (1).
- 8.1.15 All shall be deemed to have been elected only once the election of all Executive Board members have been completed.

8.2 Expulsion and forfeiture of office of Executive Board members:

- 8.2.1 Any member of the Executive Board, including the President, shall be expelled from their position on the Executive Board if so resolved by all other members of the Executive Board unanimously, with the single and only requirement being that the remaining members of the Executive Board inform the Provincial, Associated and Development Members of the expulsion and the reasons for it in writing and within seven (7) days of the vote expelling the Executive Board member.
- 8.2.2 Any member of the Executive Board that fails to remain in good standing, shall forfeit their position on the Executive Board if their good standing is not rehabilitated within thirty (30) calendar days from having been notified in

writing by any other member of the Executive Board of their failure to remain in good standing, which notification will simultaneously be sent to the Secretary General and President.

8.2.3 A member of the Executive Board will remain in good standing for as long as they:

8.2.3.1 remains a duly registered, affiliated and paid-up member of the Association and maintains the registration, affiliation and paid-up status of any underage athlete they represent, and

8.2.3.2 remains a duly registered, affiliated and paid-up member of their provincial association and maintains the provincial registration, affiliation and paid-up status of any underage athlete they represent, and

8.2.3.3 have paid all moneys due to the Association in respect of the member's and any underage athletes they represents' representation at local and international competitions and events, and

8.2.3.4 have not been found guilty of a transgression of the Code of Conduct or a Provincial code of conduct and is not under ongoing sanction by the Association or a provincial association.

8.2.4 If any member of the Executive Board or any other committee or sub-committee absents themselves without leave from two consecutive Executive Board meetings, it shall be presumed that they have forfeited their office.

8.2.5 If any member of the Executive Board is convicted of a criminal offence their position as Executive Board member shall immediately be forfeited.

8.2.6 If the estate of any member of the Executive Board has been sequestrated such member's position on the Executive Board shall immediately be forfeited.

8.3 Business of the Executive Board:

The business of the Association between General Meetings shall be managed and conducted by the Executive Board, subject to the policies, directives and resolutions of the General Meeting.

8.4 Decisions of the Executive Board

A resolution in writing signed by a majority of Executive Board members, in electronic or hard format, shall constitute a valid resolution of the Executive Board.

8.5 Meetings of the Executive Board:

- 8.5.1 The Executive Board shall conduct its first (1st) official meeting every year within fourteen (14) days after the Annual General Meeting.
- 8.5.2 The Executive Board shall meet at least every three (3) months, on dates scheduled in advance at the first (1st) official meeting of the Executive Board after any Annual General Meeting.
- 8.5.3 Additional meetings may be convened pursuant to a resolution of the Executive Board to this effect, or upon request by the President, or upon written request by any two (2) members of the Executive Board addressed to the Secretary General.
- 8.5.4 Notice of quarterly Executive Board meetings and previously resolved additional meetings will be sent by the Secretary General to members of the Executive Board at least fourteen (14) days before the scheduled meeting, and will include the following:
- 8.5.4.1 date, time and place of the meeting, and
- 8.5.4.2 be sent electronically to all members of the Executive Board at their addresses of record with the Association, and
- 8.5.4.3 agenda of the meeting, which shall include the following items:
- i. determination of quorum, and
 - ii. Presidential Report, and
 - iii. Financial Report including bank balances, report of income and expenditure, and budget variances, and
 - iv. Selection Report including selection criteria and teams selected, and
 - v. Disciplinary Report including a summary of pending and finalised cases since the previous Executive Board meeting, and
 - vi. Marketing Report including a summary of all new and ongoing sponsorships, marketing campaigns and clothing and uniform updates, and
 - vii. Safeguarding Report including a review of the functioning of the safeguarding system and the activities and training sessions of the Safeguarding Committee, and
 - viii. High-Performance Report including a summary of activities and progress in the attraction, development and support of athletes, coaches and experts and report on the participation and performances of athletes at national and international competitions, and

- ix. consideration and approval of motions brought before the meeting for resolution.
- 8.5.5 Meetings of the Executive Board outside quarterly Executive Board meetings and previously resolved additional meetings shall be convened by the Secretary General upon request by the President or alternatively any two (2) members of the Executive Board, and the notice shall:
- 8.5.5.1 be in writing, and
 - 8.5.5.2 include the specific matters to be discussed, and
 - 8.5.5.3 include the date and time, and
 - 8.5.5.4 include the location of the meeting, and
 - 8.5.5.5 be sent electronically to all members of the Executive Board at their addresses of record with the Association, and
 - 8.5.5.6 be sent at least seven (7) days before the meeting for which it is intended.
- 8.5.6 The President may at their discretion dispense with the notice period under Clause 8.5.5.6. in cases where expedience is required and professional management demands it, provided that an absolute minimum of forty-eight (48) hours' notice shall be given to members of the Executive Board.
- 8.5.7 The President may direct that meetings of the Executive Board may be held by telephone or video conference call, or by telephonic or written electronic round-robin communication.
- 8.5.8 A quorum for meetings of the Executive Board shall be sixty percent (60%) plus one (1) of all the members thereof.
- 8.5.9 The President, or in their absence, the Vice President, or in the absence of both, a member of the Executive Board elected by the meeting, shall be the chairperson of a meeting of the Executive Board.
- 8.5.10 Members of the Executive Board will have one (1) vote each and in the event of an equality of votes, the chairperson of the meeting shall have a deciding vote.
- 8.5.11 Minutes of Executive Board meetings shall be prepared by the Secretary General and circulated to all Executive Board members within fourteen (14) days of a meeting.

8.6 Powers and duties of the Executive Board:

8.6.1 *Constitutional powers and duties*

The Executive Board shall have all powers and duties granted to it under this Constitution and it shall do everything that is desirable for the affairs of the Association, in keeping with its accepted aims and objectives, subject to the conditions of this Constitution and to directions of the General Meeting.

8.6.2 *Filling of vacancies*

The Executive Board may fill any vacancy among its members with a new appointment that will hold office until the next Annual General Meeting, when an election shall be held for the vacated position, notwithstanding that such Annual General Meeting is not an elective Annual General Meeting.

8.6.3 *Executive*

The Executive Board shall:

- 8.6.3.1 establish an Executive Committee that will include at least the President and Vice President of the Executive Board and the Secretary General, to take decisions on behalf of the Executive Board and to submit same for approval and ratification by the next meeting of the Executive Board. The Executive Committee shall however always be accountable to the Executive Board and shall otherwise exercise only those powers and duties specifically delegated to it by the Executive Board, and
- 8.6.3.2 prepare an Annual Report to be submitted to the Executive Board and after approval to be presented to the Annual General Meeting, and
- 8.6.3.3 decide where meetings of the Association will be held, and
- 8.6.3.4 appoint employees where the need arises, the budget allows, and the Executive Board agrees it vital to the proper functioning of the Association, and
- 8.6.3.5 from time-to-time appoint, on terms not exceeding six (6) months: a competition director for a national or international championship, a local organising committee for an international competition, competition officials and judges, a public relations officer or any other specialist person or body the Executive Board believes necessary, and
- 8.6.3.6 convene General Meetings of the Association in accordance with the provisions of the Constitution, and

- 8.6.3.7 establish from time-to-time sub-committees to conduct its business more effectively, and
- 8.6.3.8 endeavour to make the Association and its Modern Pentathlon Sports more accessible to participants, both financially and practically, and
- 8.6.3.9 strive to make the Association and Modern Pentathlon Sports representative of all communities of the Republic of South Africa, and
- 8.6.3.10 appoint a legal advisor if necessary, and
- 8.6.3.11 shall facilitate the active and proper functioning of the National Athletes Committee.

8.6.4 *Financial Management*

The Executive Board shall:

- 8.6.4.1 control all financial matters of the Association, and
- 8.6.4.2 establish a Financial Committee, preferably under the chairpersonship of someone with financial accounting experience, to manage the financial matters of the Association, and
- 8.6.4.3 at every quarterly meeting consider the financial affairs of the Association, and
- 8.6.4.4 submit to the Annual General Meeting an audited financial report and financial statements for the previous financial year, and
- 8.6.4.5 submit to the Annual General Meeting for approval a detailed annual budget of income and expenditure for the next financial year, including a discretionary spending budget for the Executive Board which shall not exceed fifteen percent (15%) of the total spending, and

8.6.4.6 open bank accounts for the Association, and draw and receive payments, bills of exchange and IOU's in connection with the financial business of the Association, and

8.6.4.7 pay salaries to employees of the Association, and

8.6.4.8 agree to the settlement of the travel and subsistence expenses of any athlete or official when funds are available.

8.6.5 *Selections*

The Executive Board shall:

8.6.5.1 establish a selection system consisting of a Selection Committee and Selection Criteria for representative teams of the Association, and

8.6.5.2 furthermore, provide for the appointment of suitable and qualified members to the Selection Committee, and

8.6.5.3 review and revise the Selection Criteria annually and circulate a new season's criteria to all Members by no later than 28 February of every year, failing which the previous year's criteria will apply for the following twelve (12) months, and

8.6.5.4 consider and approve the representative teams of the Association, and

8.6.5.5 submit all representative teams to SASCOC and any other bodies or organisations required, and

8.6.5.6 manage and ensure recognition of deserved athletes and performances.

8.6.6 *Ethics, Adherence and Discipline*

The Executive Board shall:

8.6.6.1 enforce the Constitution, Code of Conduct and Rules and Regulations of the Association, and

- 8.6.6.2 promote ethical conduct throughout the Association and its affiliates, and
- 8.6.6.3 ensure that General Meetings, the Executive Board, committees, sub-committees and all other bodies, offices and functionaries of the Association adhere to the Constitution, Code of Conduct, Rules, Regulations and policies of the Association, General Meetings and Executive Board, and
- 8.6.6.4 establish a Disciplinary Committee, preferably under the chairpersonship of someone with legal experience, to manage compliance with the Constitution, Code of Conduct and Rules and Regulations of the Association, and
- 8.6.6.5 consider any violation or infringement of the Constitution, Code of Conduct and Rules and Regulations of the Association, and to take the necessary action in terms of this Constitution and the Code of Conduct, and
- 8.6.6.6 suspend temporarily or permanently any person who has been found guilty of misbehaviour or dishonourable practices involving the activities of the Association and to restore the status of such a person in accordance with a finding of the Annual General Meeting, if a motion to this effect was proposed, and
- 8.6.6.7 hear appeals against the decisions of Provincial Members and the Associated Member, and
- 8.6.6.8 at an Executive Board meeting called for specifically this reason, hear appeals against the findings of the Disciplinary Committee and to pronounce on these.

8.6.7 *Communication*

The Executive Board shall:

- 8.6.7.1 on its own or through the Secretary General, be the mouthpiece of the Association in dealing with communication to and from the UIPM, other international sporting bodies, SASCOC, the South African Department of Sport and Recreation and other national sporting bodies and federations, which communications may only take place via the President or Secretary General, or alternatively by a member of the Executive Board after that member having been delegated by the Executive Board to conduct such communications, and

- 8.6.7.2 select from among themselves and where appropriate all persons that are Members of the Association, delegates to represent the Association at meetings, conferences and congresses of national and international associations, organisations and forums to which it is affiliated or invited.

8.6.8 Marketing

The Executive Board shall:

- 8.6.8.1 development and manage a brand and marketing strategy for the Association, and
- 8.6.8.2 actively and continuously seek sponsorships for the Association and Modern Pentathlon Sports, and
- 8.6.8.3 approve and manage sponsorships that may be approved by the Executive Board, and
- 8.6.8.4 establish a Marketing Committee, preferably under the chairpersonship of someone with marketing experience, to manage all marketing related activities of the Association, including all marketing done by the Provincial, Associated and Development Members, and
- 8.6.8.5 control and manage the clothing and competition wear of all athletes, officials and representatives of the Association, including at national championships, and with due regard for the prescriptions of the UIPM, SASCOC, the Association and provincial sporting bodies, and
- 8.6.8.6 distribute a quarterly newsletter to all Members, which will include:
- i. a summary of the decisions and actions of the Executive Board during the past quarter, and
 - ii. a calendar with all national and provincial championships to be hosted during the forthcoming quarter, and
 - iii. teams selected for international competitions during the past quarter, and
 - iv. a list of all accredited and/or affiliated coaches in each provincial association with their contact details, and
 - v. the names and designations of all the Executive Board members and their e-mail addresses, and

- vi. any other newsworthy or relevant information that the Executive Board wishes to share with Members.

8.6.9. *Safeguarding and Athlete Welfare*

The Executive Board shall:

- 8.6.9.1. establish a safeguarding system with safeguarding policies and procedures, Safeguarding Committee and safeguarding officers in every Provincial, Associated and Development Member, and
- 8.6.9.2. control and manage the safety, safeguarding and welfare of all Members' involvement in the activities of the Association, and
- 8.6.9.3. ensure compliance with UIPM and SASCOC prescriptions in relation to safeguarding, safety and athlete welfare, and
- 8.6.9.4. implement and maintain a national framework and reporting system for the safety of equipment and sporting infrastructure, and
- 8.6.9.5. to arrange and host training sessions for Members in relation to safety and athlete welfare.

8.6.10. *Competitions*

The Executive Board shall:

- 8.6.10.1. decide on, bid for and control international competitions hosted in the Republic of South Africa, and
- 8.6.10.2. decide on where and by who national competitions will be hosted and will be in control of such competitions, and
- 8.6.10.3. decide on participation of Association athletes at international sporting competitions, and
- 8.6.10.4. consider and approve the selection of all national athletes for international competitions, and
- 8.6.10.5. appoint team managers and other officials to accompany national teams to international competitions.

8.6.11 *High-performance*

The Executive Board shall:

- 8.6.11.1 endeavour to attract, develop and support athletes that can represent the Association at the highest level of international competition in specifically Modern Pentathlon, it being an Olympic sport, and
- 8.6.11.2 strive to attract and develop coaches and other experts that can support athletes in achieving the highest level of international competitiveness in specifically Modern Pentathlon, it being an Olympic sport, and
- 8.6.11.3 establish a High-Performance Committee to develop and maintain a framework and system to attract, develop and support those athletes, coaches and experts identified as strategically important to achieve international sporting success in Modern Pentathlon, and

8.6.12 *National Athletes Committee*

8.6.12.1 The Executive Board shall facilitate the establishment, election and continuous operation of a National Athletes Committee.

8.6.12.2 The National Athletes Committee shall:

- 8.6.12.2.1 represent the views and opinions of athletes and ensure their voice is heard on the Executive Board, and
- 8.6.12.2.2 inform athletes about Association activities, including but not limited to training opportunities, educational matters, competitions, rules and any other matters relating to athletes, and
- 8.6.12.2.3 work with and support the Association in its mission to develop and promote Modern Pentathlon Sports and specifically Modern Pentathlon, and
- 8.6.12.2.4 contribute towards making Modern Pentathlon Sports and the Association more diverse and representative of all South African communities, and
- 8.6.12.2.5 consider issues related to athletes and provide advice to the Association, and
- 8.6.12.2.6 engage actively with initiatives and projects that protect and support clean athletes on and off the field of play, and
- 8.6.12.2.7 represent the rights and interests of athletes and make related recommendations, and

- 8.6.12.2.8 consult with athletes in the evaluation of the rules and regulations and to provide feedback to the Executive Board, and
 - 8.6.12.2.9 maintain contact with the SASCOC Athletes' Commission.
- 8.6.12.3 Athletes may be elected to and may only remain on the National Athletes Committee if they:
- 8.6.12.3.1 are Individual Members of the Association in good standing, and
 - 8.6.12.3.2 are active participants in Modern Pentathlon Sports, and
 - 8.6.12.3.3 have competed in at least one (1) international Modern Pentathlon Sports championship in the past two (2) years, and
 - 8.6.12.3.4 are at least eighteen (18) years of age, and
 - 8.6.12.3.5 will not be older than thirty-nine (39) years of age at completion of their two (2) year term, and
 - 8.6.12.3.6 have never received any sanction in relation to the World Anti-Doping Code, and
 - 8.6.12.3.7 have not been found guilty of a transgression of the Code of Conduct or a Provincial Code of Conduct and is not under ongoing sanction by the Association or a provincial association.
- 8.6.12.4 Every Provincial and Associated Member of the Association will elect one (1) Provincial/Associate Athletes Representative, elected to that position by all active and affiliated athletes of a Provincial or Associated Member, to serve on the National Athletes Committee for a term of two (2) years.
- 8.6.12.5 Elections for Provincial/Associate Athletes Representatives will take place no earlier than thirty (30) days before and no later than thirty (30) days after an Annual General Meeting where Executive Board members are elected biannually.
- 8.6.12.6 A newly elected National Athletes Committee will meet for the first time no later than sixty (60) days after the Annual General Meeting of their election year and shall at their first meeting elect a chairperson by simple majority (50% + 1) who will serve as National Athletes Representative and *ex officio* member of the Executive Board.
- 8.6.12.7 Only the Provincial/Associate Athletes Representatives of Provincial and Associated Members in good standing shall have the right to speak and vote at National Athletes Committee meetings.

8.6.12.8 The National Athletes Committee shall meet at least every three (3) months, shall keep proper minutes of those meetings and will submit written minutes of such meetings to the Executive Board and Secretary General within fourteen (14) days after they took place.

8.6.12.9 The agenda of meetings of the National Athletes Committee will be disposed of in the following order and shall include at least each of the following items:

- 8.6.12.9.1 scrutiny of the standing of Provincial and Associated Members, and
- 8.6.12.9.2 scrutiny of the good standing of Provincial/Associate Athletes Representatives, and
- 8.6.12.9.3 determination whether the Provincial/Associate Athletes Representatives present represent a quorum, a quorum being at least fifty percent (50%) of all Representatives in good standing, and
- 8.6.12.9.4 confirmation and adoption of the minutes of the previous National Athletes Committee meeting, and
- 8.6.12.9.5 report of the National Athletes Representative of all activities and matters of interest since the previous National Athletes Committee meeting, and
- 8.6.12.9.6 reports by each Provincial/Associate Athletes Representative, including activities and initiatives as well as feedback about the views and suggestions of the athletes they represent, and
- 8.6.12.9.7 dissemination of information that must be shared with athletes about Association activities, including but not limited to training opportunities, educational matters, competitions, rules and any other matters relating to athletes, and
- 8.6.12.9.8 discussion on how to develop and promote Modern Pentathlon Sports and specifically Modern Pentathlon and how to make it more diverse and representative of all South African communities, and
- 8.6.12.9.9 discussion of any other matters of interest to athletes of the Association.

8.6.13 *Executive Board Committees*

8.6.13.1 The Executive Board shall establish the following committees:

- 8.6.13.1.1 Executive Committee, that will include at least the President, Vice President and Secretary General of the Executive Board, and

- 8.6.13.1.2 Financial Committee, that will include at least the Treasurer and President of the Executive Board and one (1) additional member, and
- 8.6.13.1.3 Selection Committee that will include at least the Selection Officer of the Executive Board and two (2) additional members of which at least one (1) shall not be a member of the Executive Board, and
- 8.6.13.1.4 Athlete Welfare Committee that will include at least the Athlete Welfare Officer of the Executive Board and one (1) member of the Executive Committee plus one (1) member that is not on the Executive Board, and
- 8.6.13.1.5 Disciplinary Committee that will include at least the Ethics Officer of the Executive Board and two (2) additional members of which at least one (1) shall not be a member of the Executive Board, and
- 8.6.13.1.6 Marketing Committee that will include at least the Brand Officer of the Executive Board and two (2) additional members of which at least one (1) shall not be a member of the Executive Board, and
- 8.6.13.1.7 High-Performance Committee that will include at least the High-Performance Officer and two (2) additional members of which at least one (1) shall not be a member of the Executive Board, and
- 8.6.13.2 Committees of the Executive Board shall meet at least every three (3) months, shall keep proper minutes of those meetings and will submit written minutes of such meetings to the Executive Board and Secretary General within fourteen (14) days after they took place.
- 8.6.13.3 The Executive Board may from time-to-time establish ad hoc committees and/or sub-committees to assist in the work of the Executive Board.
- 8.6.13.4 Ad hoc committees and sub-committees shall keep proper minutes of their meetings and shall submit these to the Executive Board and Secretary General immediately upon request.

9. SECRETARY GENERAL

- 9.1 The General Meeting shall appoint a Secretary General, who will manage the day-to-day activities of the Association and who will be an *ex officio* member of the Executive Board.
- 9.2 The Secretary General will be appointed every four (4) years by the Annual General Meeting, in the year following the Annual General Meeting where the President and Vice President are elected, after:
- 9.2.1 the position was advertised both within the structures of the Association and outside it, and
 - 9.2.2 a thorough vetting and interview process during which at least three (3) viable candidates were interviewed and assessed by the President, Vice President, Treasurer and at least two (2) other members of the Executive Board, and
 - 9.2.3 the interview and assessment process having been completed and a summary of the findings having been shared with all Executive Board members, being selected for the position by the Executive Board by a majority vote of at least sixty percent (60%) plus one (1) of the full Executive Board excluding the sitting Secretary General, and
 - 9.2.4 the Executive Board's selection vote having been completed and the interview and assessment findings having been shared with the Provincial and Associated Members, the selection being approved via electronic mail vote by at least fifty percent (50%) plus one (1) of the Provincial Members and Associated Member in good standing, no later than thirty (30) days before the Annual General Meeting, and
 - 9.2.5 the Members vote having been completed and the results of the Executive Board vote and the Members vote, including named tallies of both votes, having been communicated to the Executive Board members and the Provincial, Associated and Development Members at least fourteen (14) days before the Annual General Meeting, and
 - 9.2.6 the appointment having been announced by the President at the Annual General Meeting.
- 9.3 The Secretary General's position is remunerated and the person filling the position shall be an employee of the Association, appointed for a fixed term of four (4) years, which term will start immediately after the Annual General Meeting at which the Secretary General is appointed.
- 9.4 The Secretary General is the chief administrative officer of the Association and serves as the coordinating link between the Executive Board, Members, employees

and outside parties.

- 9.5 The Secretary General is also the Association’s officer responsible for managing, collecting, reviewing and disseminating information.
- 9.6 The Secretary General is responsible for collecting all the key Association information created and used during the year and previous years and shall ensure the handover of the information and knowledge to an incoming Executive Board.
- 9.7 The Secretary General is expected to:
- 9.7.1 at all times act in the best interest of the Association and its Members, and
 - 9.7.2 undertake the role of Secretary General in good faith and honesty, and
 - 9.7.3 ensure that no conflict of interest ever arises between itself and the Association, and
 - 9.7.4 if at any stage the Secretary General becomes aware of a personal conflict of interest, real or perceived between themselves and the club, they should immediately notify the President of the conflict, who will immediately inform all other Executive Board members, and
 - 9.7.5 attend all General Meetings, and
 - 9.7.6 attend all Executive Board meetings, and
 - 9.7.7 make themselves available for safeguarding checks before taking up their position.

9.8 Rules Responsibilities:

- 9.7.1 The Secretary General shall ensure that the Association is at all times managed in accordance with:
- 9.7.1.1 the Constitution, Statutes and Regulations of the Republic of South Africa, and
 - 9.7.1.2 the rules, policies and procedures dictated by SASCO, and
 - 9.7.1.3 the UIPM’s Constitution, Rules and Regulations, and
 - 9.7.1.4 the Constitution, Code of Conduct, Rules, Regulations and policies of the Association.
- 9.7.2 The Secretary General shall act as the “Public Officer” of the Association.

9.8 Meeting Responsibilities:

- 9.8.1 Prior to General Meetings and Executive Board meetings the Secretary General shall:

- 9.8.1.1 in conjunction with the Executive Board, schedule all General Meetings and Executive Board meetings, and
- 9.8.1.2 prepare and circulate notices for General Meetings and Executive Board meetings, and
- 9.8.1.3 prepare and circulate the agendas and supporting documents and reports required to be considered by General Meetings and Executive Board meetings.
- 9.8.2 During General Meetings and Executive Board meetings the Secretary General shall take the meeting minutes of all General Meetings and Executive Board meetings.
- 9.8.3 After General Meetings and Executive Board meetings the Secretary General shall:
 - 9.8.3.1 circulate the meeting minutes of all General Meetings and Executive Board meetings to the attendees, Provincial Members, Associated Member and Development Members, and
 - 9.8.3.2 ensure that the minutes of each meeting are signed by the President and themselves, confirming they are a true and correct reflection of the meeting, until ratified by the next General Meeting or Executive Board meeting.
- 9.8.4 The Secretary General shall meticulously maintain a minute book of all minutes of General Meetings and Executive Board meetings.
- 9.9 Administrative Responsibilities:
 - 9.9.1 The Secretary General shall maintain a database of:
 - 9.9.1.1 the Association's affiliated membership and retain records of membership for a minimum of three (3) years, and
 - 9.9.1.2 coaches affiliated with the Association and/or involved in the coaching of Association affiliated athletes, and
 - 9.9.1.3 UIPM accredited judges affiliated with the Association or who previously were affiliated with the Association.
 - 9.9.2 The Secretary General shall maintain minute books for:
 - 9.9.2.1 Annual General Meetings, and
 - 9.9.2.2 Midyear General Meetings, and
 - 9.9.2.3 Special General Meetings, and
 - 9.9.2.4 Executive Board meetings, and

- 9.9.2.5 Executive Board Committee meetings, and
- 9.9.2.6 Sub-committee meetings.

- 9.9.3 The Secretary General shall maintain a register of all Association equipment and the equipment held by the Provincial, Associated and Development Members and their subordinate structures.
- 9.9.4 The Secretary General shall keep a detailed record of all competitive sporting events organised or hosted by the Association, Provincial, Associated and Development Members and the results of such sporting events.
- 9.9.5 The Secretary General shall keep a database of all management committee members of Provincial, Associated and Development Members, district association management committee members and the chairperson's of all schools, clubs and other bodies involved in Modern Pentathlon Sports.
- 9.9.6 The Secretary General shall keep a record of all legal and compliance obligations of the Association and documents submitted in this regard and current standing of the Association pertaining to legal and compliance matters.
- 9.9.7 The Secretary General shall keep a record of all financial statements and books of account of the Association and all legally required source documents for such financial statements.

9.10 Communication Responsibilities:

The Secretary General shall:

- 9.10.1 handle all general Association correspondence, responding to any correspondence as required, and
- 9.10.2 oversee the Association's communication strategy, including its website, email newsletters and social media with the Marketing Committee of the Executive Board, and
- 9.10.3 be the Association's point of contact for key stakeholders including the UIPM, SASCOC, government departments and other sporting bodies.

9.11 Knowledge Management Responsibilities:

- 9.11.1 The Secretary General shall maintain a register with:
 - 9.11.1.1 the latest version of all Association documentation, including but not limited to the Constitution, Code of Conduct, rules, regulations, policies and procedures, and

9.11.1.2 all Association position descriptions, officials and their contact details, and

9.11.1.3 all committee and subcommittee terms of reference and members serving on the different committees.

9.11.2 The Secretary General shall maintain a register of all Association intellectual property, including but not limited to:

9.11.2.1 names, and

9.11.2.2 logos and insignia, and

9.11.2.3 slogans, and

9.11.2.4 methods, and

9.11.2.5 shall protect the Association against infringement upon these properties.

9.11.3 The Secretary General shall ensure that the media, social media and all other digital accounts of the Association remain under the continuous control of the office of the Secretary General and that no other person or party shall have final administrative control over such accounts.

9.12 Sporting Responsibility:

9.12.1 The Secretary General shall keep a record of:

9.12.1.1 the selection criteria of the Association, and

9.12.1.2 Association teams entered in international competitions, and

9.12.1.3 the results of UIPM sanctioned World Championships and the performance of affiliated athletes in these competitions, and

9.12.1.4 the results of UIPM sanctioned African Championships and the performance of affiliated athletes in these competitions.

9.12.2 The Secretary General shall supervise the hosting of all national championships approved by the Association.

9.13 The Secretary General shall co-ordinate the induction, orientation and training for incoming Executive Board members.

9.14 At the end of their term in office, the Secretary General shall facilitate the handover of office to the incoming Secretary General and Executive Board members. The purpose of this induction is to introduce the new Secretary General to:

- 9.14.1 the history of the sport and association, and
- 9.14.2 Constitution of the Association, and
- 9.14.3 the regulations, rules, policies and procedures of the Association and its managing bodies, and
- 9.14.4 Association structure and roles and responsibilities of each body and position, and
- 9.14.5 as much other information as possible to enable the incoming Secretary General to be as effective as possible.

10. HEAD OFFICE

- 9.1 The Head Office of the Association shall be situated at the place decided upon by the Executive Board at its first meeting after the Annual General Meeting.
- 9.2 Should the Executive Board decide to move the Head Office all Members must immediately be notified of the new address and the Head Office must be established at the new address within two (2) months.

11. FINANCES

11.1 Monies:

All monies of the Association shall be deposited into a bank account as authorized by the Executive Board.

11.2 Signing powers:

- 11.2.1 All authorised documents that need to be issued on behalf of the Association shall be considered correct if properly signed by the Secretary General and the President.
- 11.2.2 All authorised invoices and receipts that need to be issued on behalf of the Association shall be considered correct, if properly signed by the Secretary General and the Treasurer.
- 11.2.3 The Association will make use of internet banking services, where the President, Vice President, Treasurer and Secretary General will have access to all bank account balances and statements of all bank accounts of the Association.

11.2.4 The Association will make use of internet banking services, where the Secretary General and Treasurer will have the authority to load transfers and payments.

11.2.5 The Association will make use of internet banking services, where the President and Vice President will have the authority to authorise transfers and payments.

11.3 Audit:

11.3.1 At the Annual General Meeting, a professional auditor shall be appointed to fill this office until the next Annual General Meeting. The Executive Board may fill any accidental vacancy in the office of auditor until the next Annual general Meeting. The auditor shall revise the Association's books at least once after the financial year.

11.3.2 The Association's financial year is 1st of March to 28th February of the following year.

11.3.3 The auditor's financial statements shall be presented to the Annual General Meeting every year for scrutiny and approval.

11.3.4 It shall be the duty of the auditor to examine the books at a time reasonably determined by the Executive Board. The auditor shall for the purpose of their duties have access to the books and records of the Association.

11.3.5 No Executive Board member shall be eligible for the office of auditor, and no auditor may be direct family of any Executive Board member.

11.3.6 The auditor may, if deemed necessary, request a General Meeting at any time. The auditor's written request for a General Meeting shall be addressed to the Secretary General and will include a summary of reasons for requesting the meeting. The Secretary General shall convene a General Meeting, subject to the usual rules of notice for such meetings, to take place no later than sixty (60) days after having received the request from the auditor.

12. FEES

The Association shall levy the following fees:

12.1 Affiliation fees:

12.1.1 All Individual Members, excluding non-participating parents and guardians, shall register and affiliate with the Association and the Provincial, Associated or Development Member under which's jurisdiction they resort.

- 12.1.2 Employees, contractors, subcontractors, sponsors and the like are excluded from registration and affiliation with the Association, unless they qualify as Individual Members and are solely involved as non-participating parents or guardians.
- 12.1.3 The Association shall demand from those Individual Members that are obligated to affiliate to the Association, to contribute an annual affiliation fee to the funds of the Association.
- 12.1.4 The Association may furthermore demand an affiliation fee from Provincial, Associated and Development Members, on condition that all Provincial, Associated and Development Members are charged an equal amount per association.
- 12.1.5 Affiliation fees shall be determined by the Annual General Meeting with due consideration of the:
- 12.1.5.1 overall financial position of the Association, and
 - 12.1.5.2 proposed annual budget of the Association, and
 - 12.1.5.3 growth of the Association's membership, and
 - 12.1.5.4 competitiveness of the athletes of the Association, and
 - 12.1.5.5 affordability and value of affiliation for Members.
- 12.1.6 The Association shall advise the Provincial, Associated and Development Members in the determination of their provincial membership fees for Individual Members.
- 12.1.7 All Individual Members' affiliation fees due to the Association and the affiliation fees due to Provincial, Associated and Development Members, shall be paid directly and without setoff of any nature into the official bank account of the Association for purposes of proper administrative and financial control.
- 12.1.8 After individual payments have been reconciled with submitted registration and affiliation documents, the Provincial, Associated and Development Members' affiliation fees shall be paid over into their bank accounts at the earliest convenient date, which shall not be later than thirty (30) days after receipt.
- 12.1.9 Provincial, Associated and Development Members shall provide the Secretary General of the Association with a comprehensive list containing the names, surnames, South African ID numbers and details of involvement of all persons involved in their associations by no later than 28 February of

every year, and thereafter monthly before the last day of every calendar month, until completion of the national season.

12.1.10 Individual Members affiliated with the Association in the previous year, shall renew their Association and provincial affiliations for the new year by completing and submitting the requisite documents and make full payment of Association, provincial and district affiliation fees on or before 31 January of every year, failing which penalties may be charged by the Association, with the understanding that any person who's affiliation documents and full payment of all fees, including penalties, have not been received by the Association on 31 March, shall not be allowed to affiliate for that particular year.

12.1.11 Persons not previously affiliated to the Association and who wish to affiliate, shall submit registration and affiliation documents to the Association and make full payment of Association, provincial and district affiliation fees before 31 March of the year they intend affiliating to the Association, failing which they shall not be allowed to affiliate for that particular year.

12.2 Administration fees:

The Executive Board shall determine and levy an administration charge on every Individual Member, excluding non-participating parents and guardians, that accompanies a representative Modern Pentathlon Sports team of the Association to an international competition, with the proviso that it shall remain the same for every travelling Individual Member during any calendar year.

13. MEMBERS

Conditions for affiliated membership:

13.1 Provincial Members shall consist of provincial associations which have affiliated to the Association in terms of Clause 5.1.

13.2 The Associated Members are national sporting associations, federations and the like affiliated to the Association in terms of Clause 5.3.

13.3 Development Members shall consist of provisionally allowed associations which have affiliated to the Association in terms of Clause 5.4.

13.4 District associations shall affiliate with the provincial associations corresponding with the political provinces of South Africa and in which they are geographically situated.

13.5 Clubs, schools and individual persons shall affiliate with:

- 13.5.1 the geographical district in which they are situated or, in the case of individual persons, in which they reside, and
 - 13.5.2 the provincial association to which their district is affiliated, and
 - 13.5.3 the Association.
- 13.6 Provincial, Associated and Development Members shall be responsible for ensuring that all athletes who compete at district, provincial or national championships shall be duly registered, affiliated and paid-up with the Association, their provincial association as well as their district association.
- 13.7 The Executive Board shall ensure that all athletes who are selected for Association representative teams shall be registered, affiliated and paid-up with the Association no later than 31 March of the year in which the athlete is selected.
- 13.8 Every Provincial, Associated and Development Member shall submit a comprehensive annual report to the Executive Board no later than thirty (30) days before the Annual General Meeting, which report shall include at least the following:
- 13.8.1 latest duly adopted Provincial Constitution, and
 - 13.8.2 organogram of the Members' organisation, including office bearers and portfolios, and
 - 13.8.3 completed membership audit form prescribed by the Executive Board, and
 - 13.8.4 minutes of last annual general meeting of the Member, agenda and attendance register, and held within twelve months before the forthcoming Annual General Meeting of the Association, and
 - 13.8.5 financial statements duly adopted as correct at the Members' last annual general meeting, and
 - 13.8.6 proof of all active bank accounts of the Member, including the latest bank statement/s showing bank balances, and
 - 13.8.7 non-Profit Organisation or Non-Profit Company certificates (if in place). and
 - 13.8.8 duly adopted safeguarding policy of the Member, and
 - 13.8.9 letter of good standing from the Members' Provincial Sports Confederation, where applicable, and
 - 13.8.10 up to date asset register, including all equipment, and

13.8.11 the Member's growth and development strategy, and

13.8.12 the Member's diversity strategy, and

13.8.13 chairperson's report with a summary of the past year, including:

13.8.13.1 general financial position and prospects, and

13.8.13.2 pending and finalised disciplinary cases, and

13.8.13.3 details of all sponsorships received, and

13.8.13.4 marketing campaigns, and

13.8.13.5 clothing and uniform changes, and

13.8.13.6 sporting infrastructure and equipment maintenance, and

13.8.13.7 leagues and training clinics hosted, and

13.8.13.8 provincial championships and team selections, and

13.8.13.9 high-performance strategies and activities.

13.9 If requested in writing by the Executive Board, a Provincial, Associated or Development Member shall submit a report on a specific matter within a specified period.

13.10 Should a Provincial, Associated or Development Member cease to exist, the Executive Board shall take the necessary steps to liquidate the affairs of such Member.

13.11 Should a Provincial, Associated or Development Member act in a way that indicates that it has abandoned its activities, the Executive Board shall give written notice to the responsible Member that it shall resume its activities within fourteen (14) days, failing which the Executive Board will take the necessary steps to liquidate the affairs of such Member.

14. COLOURS AND EMBLEMS

14.1 National colours and emblems:

14.1.1 The Annual General Meeting shall resolve on the criteria and qualification standards for the award of national (Protea) and Association (Federation) colours for athletes and officials in all disciplines under the jurisdiction of the Association, subject to the directions of SASCO.

14.1.2 The Executive Board shall from Annual General Meeting to Annual General Meeting determine the criteria and qualifications for the award of national (Protea) and Association (Federation) colours for athletes and officials in all disciplines under the jurisdiction of the Association, subject to the directions of the General Meeting and SASCO.

- 14.1.3 The colours and emblems of Protea and Junior Protea representatives shall be determined by SASCOC and so implemented by the Association.
- 14.1.4 The colours and emblems of Association are detailed under Appendix C of the Constitution.
- 14.1.5 Development representatives shall wear the colours and clothing prescribed by the Association.

14.2 Provincial colours and emblems:

- 14.2.1 Provincial and Development Members may decide upon their provincial colours, subject to the approval of the Executive Board and the prescriptions of their provincial sports authorities.

14.3 Associated Member colours:

- 14.3.1 Associated Members may decide upon its colours, subject to the approval of the Executive Board.

- 14.4 No Member, district association, club, school, nor any body or individual person shall be allowed to use or to adopt the National Emblems of the Association.

15. HONORARY POSITIONS AND AWARDS

15.1 Honorary President:

- 15.1.1 An Honorary President may be elected by the Annual General Meeting, and if so elected, shall serve for a period of one (1) year or until the next Annual General Meeting, whichever comes first.
- 15.1.2 The position and office of Honorary President shall be purely symbolic and there will be no actual power or portfolio attached to it.
- 15.1.3 Nominations for the office of Honorary President shall be submitted in writing to the Secretary General by Provincial Members and the Associated Member at least thirty (30) days before the Annual General Meeting.
- 15.1.4 Nominations submitted by the Provincial and Associated Members shall appear unaltered and without addition on the agenda of the Annual General Meeting.
- 15.1.5 No current Individual Member or employee of the Association shall be allowed to be nominated for the office of Honorary President.

- 15.1.6 An outgoing Honorary President will automatically be deemed to have been nominated for the office again, unless having withdrawn their nomination personally and in writing before the election.
- 15.1.7 Voting shall be by secret ballot.
- 15.1.8 Should a vacancy occur in the office of Honorary President during its term of office, the office shall remain vacant until the next Annual General Meeting or for so ever long no new Honorary President is elected to the position by the Annual General Meeting.
- 15.1.9 An Honorary President shall be elected by all the Provincial and Associated Member delegates that have voting rights at the Annual General Meeting.
- 15.1.10 The office of Honorary President shall only be filled if one of the nominees receive sat least sixty percent (60%) of votes cast in the election, failing which the position shall remain vacant, and no second round of voting will be allowed.
- 15.1.11 The Honorary President shall be invited to attend all General Meetings of the Association and shall make no further contributions to any meeting unless asked to do so by the chairperson.
- 15.1.12 An Honorary President shall be removed from office if the Executive Board unanimously resolve to do so.

15.2 Honorary Life Members:

- 15.2.1 Honorary Life Members shall be appointed at the Annual General Meeting and shall remain Honorary Life Members for the rest of their lives or until they resign the membership.
- 15.2.2 The number of Honorary Life Members shall be limited to no more than a total of ten (10) at any given time.
- 15.2.3 Nominations, along with reports outlining the services rendered to the Association and Modern Pentathlon Sports shall be submitted to the Executive Board by any Member for consideration at least thirty (30) days before the Annual General Meeting.
- 15.2.4 Only current Members in good standing and with at least five (5) years uninterrupted affiliation with the Association shall be nominated.
- 15.2.5 After review and approval by the Executive Board, the names of the nominees along with a report of their services, shall be submitted to the

Provincial and Associated Members for consideration and electronic mail vote.

- 15.2.6 The Provincial and Associated Members in good standing shall have the same number of votes as for an Annual General Meeting and each Provincial and Associated Member shall vote for one (1) of the nominees. Provincial and Associated Members shall vote by electronic mail and only a nominee who received at least seventy five percent (75%) of the total number of Provincial and Associated Members votes, whether cast or not, shall become an Honorary Life Member.
- 15.2.7 The name of a successful candidate shall be announced at the forthcoming Annual General Meeting.
- 15.2.8 Only one (1) Honorary Life Membership may be awarded per Annual General Meeting.
- 15.2.9 The colours for Honorary Life Members shall be the official emblem of the Association on a navy-blue background with the following wording added to the blazer badge: "Honorary Life Member".
- 15.2.10 Honorary Life Members are free to attend Annual General Meetings, but no other General Meetings of the Association, and are not allowed to speak or vote.
- 15.2.11 An Honorary Life Member shall lose their membership only when a General Meeting resolves to do so by secret ballot and with at least seventy five percent (75%) of all voting delegates voting in favour of such resolution.

15.3 Honorary Awards:

- 15.3.1 The Annual General Meeting shall make Honorary Award for service to the Association in the following categories:

15.3.1.1 *Years of Service Award*

Awarded for:

- i. five (5) years uninterrupted status as Individual Member, and
- ii. ten (10) years status as Individual Member and/or Honorary Life Member, and

- iii. thereafter fifteen (15), twenty (20), twenty-five (25), thirty (30), thirty-five (35), forty (40), forty-five (45) and fifty (50) years status as Individual Member and/or Honorary Life Member.

15.3.1.2 *Special Service Award*

- i. A Special Service Award may be awarded by the Executive Board to no more than one (1) person per year, that person being an Individual Member, Honorary Life Member or any other person involved with the Association past or present, including employees, for extraordinary service to the Association extending further than duration of involvement.
- ii. Nominations for the Special Service Award shall be submitted by Provincial, Associated and Executive Board members to the Secretary General no less than thirty (30) days before an Annual General Meeting, together with a detailed written report on the services rendered to the Association.
- iii. The Executive Board shall:
 - a) if no (0) nominations are received, make no such award for that year, and
 - b) if one (1) nomination is received, vote on the matter and will make such an award only if seventy-five percent (75%) of all the Executive Board members vote in favour of doing so, and
 - c) if two (2) or more nominations are received, have voting rounds in which the nominee with the least votes will be eliminated after each round, until there is only one (1) nominee remaining, who will be voted on and must receive at least seventy-five percent (75%) of all the Executive Board members' votes to be awarded the Special Service Award.

15.3.2 The names of Honorary Award recipients shall be announced at the Annual General Meeting and/or at any other award ceremony the Executive Board decides appropriate.

15.3.3 The honorary colours for a Years of Service Award recipient shall be the official badge of the Association on a navy-blue background with the number of years' service underneath the wording: "Service" added to the blazer badge.

- 15.3.4 The honorary colours for a Special Service Award recipient shall be the official badge of the Association on a navy-blue background with the following wording: "Honoris Causa" added to the blazer badge.

16. CODE OF CONDUCT

- 16.1 The Code of Conduct for all Members of the Association, is attached to the Constitution as Appendix B, and forms an integral part of the Constitution.
- 16.2 The Constitution and Code of Conduct shall be distributed to all Members and every Provincial, Associated and Development Member, and every Individual Member, Honorary Life Member and employee, as well as every district association, school, club and body involved in the business and/or sports of the Association, shall declare in writing that they are informed about the content and bind themselves to the terms thereof.
- 16.3 The Executive Board shall take disciplinary action against any Member who does not behave in conformity with the terms of the Code of Conduct. Such action may include the forfeiture of membership and/or the withdrawal of representative colours.
- 16.4 The behaviour of athletes and officials representing the Association on international duty, shall be measured in especially strict terms and their conduct shall at all times be to the credit of Modern Pentathlon Sports, the Association, the insignia they have been awarded and above all their country, the Republic of South Africa.
- 16.5 The Secretary General shall upon selection send each athlete and official to whom national colours, Association colours or Development colours have been awarded a copy of the Code of Conduct, and such selected athletes and officials shall within seven (7) days submit a declaration to the Secretary General, in the form prescribed by the Executive Board, binding themselves to the terms of the Code of Conduct.

17. RULES AND REGULATIONS

- 17.1 In addition to the provisions of the Constitution, the Association shall issue such Regulations as may be required for the smooth running of its affairs and for the development of Modern Pentathlon Sports from time to time.
- 17.2 Such Regulations may be issued or amended only by:
- 17.2.1 an Annual General Meeting, or
 - 17.2.2 a Midyear General Meeting, or
 - 17.2.3 a Special General meeting called for this purpose, or

- 17.2.4 the Executive Board, with the proviso that it is approved at the following General Meeting.
- 17.3 Any amendment of the Regulations shall be entered in the minutes of the meeting at which such amendment has been passed. When the minutes have been duly circulated, as provided for in the Constitution, this shall be deemed sufficient notice of such amendment.
- 17.4 No Regulations may in any way conflict with the Constitution of the Association.
- 17.5 All Provincial, Associated and Development Members, Individual and Honorary Life Members, as well as all district associations, clubs, schools and bodies involved in the business or sports of the Association, shall:
- 17.5.1 observe and accept the Regulations of the Association, and
 - 17.5.2 provide all information requested by the Association in connection with any matter relating to the Regulations and activities of all bound parties under this Clause 17.5, and
 - 17.5.3 refrain from introducing any incompatible amendments or additions to the Regulations of the Association.
- 17.6 The Association shall adopt the Rules of Order in respect of General Meetings, only by General Meeting, and only insofar it is not stipulated by the Constitution.
- 17.7 The Association shall additionally issue Competition Rules in conformity with UIPM Rules and which shall apply at all interprovincial, national and domestic championship meetings.
- 17.8 Decisions of the Executive Board concerning the validity of any clauses of the Rules in terms of which Modern Pentathlon Sports are administered, shall be binding.
- 17.9 Doubts concerning interpretations, the definitions of an amateur or any matter not provided for shall be laid in writing before the Secretary General of the Association only by a Provincial, Associated or Development Member, to be investigated and commented upon by the Executive Board. The decision of the Executive Board shall be binding.
- 17.10 An appeal against the in-competition decision of any hosting association, official or judge in connection with the Rules:
- 17.10.1 shall in the first instance be addressed to the team manager of the association the athlete represents, who shall decide whether to lodge an official appeal or not, and

17.10.2 should the team manager decide to lodge an official appeal, it shall be submitted by them in writing to the competition director with immediate payment of the appeal fee, and

17.10.3 if satisfaction is not obtained and/or if there is any uncertainty about the decision, an appeal may be directed via the Provincial, Associated or Development Member to which the athlete is affiliated, to the Executive Board within twenty-four (24) hours, accompanied by a fee in a sum determined by the Executive Board from time to time, which shall rule on the matter, and

17.10.4 the decision of the Executive Board shall be final and binding and may include a decision to refund the appeal fee.

18. DISPUTE RESOLUTION PROCEDURE

18.1 In the event of a dispute arising between Provincial, Association and Development Members, Individual Members and Honorary Life Members, or between any such Member and the Association, on any issue relating to Modern Pentathlon Sports, or its administration, either party may declare a dispute by written notice to the other, with a copy sent to the Secretary General of the Association.

18.2 The chairperson/s of the Provincial, Associated or Development Member/s involved in the declared dispute, and/or person/s involved and/or the President of the Association, as the case may be, shall immediately communicate with each other in the most practical manner, including if necessary by meeting each other, and attempt to resolve the matter within fourteen (14) days of declaration of the dispute. Should the matter be resolved, a written record of the resolution arrived at, duly signed by both parties, shall be binding on the parties to the dispute, and if a party to the dispute, binding on the Association.

18.3 If a dispute is not resolved in the manner under Clause 18.2. any party thereto may give written notice of non-resolution to the other party or parties to the dispute and to the Secretary General.

18.4 If the dispute is between Members, the Secretary General shall refer the dispute to the Executive Board within seven (7) days of receipt of notice thereof. The Executive Board shall determine an appropriate procedure for the resolution of the dispute, which may include:

18.4.1 ordering the parties to submit information and/or written submissions, or

18.4.2 demanding the parties appear before the Executive Board, or

18.4.3 demanding the parties appear before a legal panel appointed by the Executive Board, and

present oral or written evidence. The Executive Committee, alternatively the legal panel appointed by the Executive Committee, shall thereafter declare in writing on the dispute within twenty-one (21) days of referral of the dispute to them.

- 18.5 If the dispute is between a Provincial, Associated or Development Member and the Association, the Association, represented by the President and the Provincial, Associated or Development Member represented by the chairperson of that Member shall attempt to agree on an arbitrator to consider and arbitrate the dispute. Should the parties remain unable to agree on such a person within seven (7) days of the declaration of the dispute, either party may refer the matter to SASCOC to appoint an attorney or advocate for the purpose of determination of the dispute.

The attorney or advocate may:

- 18.5.1 order the parties to submit information and/or written submissions, or
- 18.5.2 demand that the parties appear before them, and
- 18.5.3 make orders as to the costs of the hearing.

- 18.6 No party to a dispute referred to under Clause 18 shall be entitled to be represented by a legal professional, acting as such.
- 18.7 Any other dispute arising in the structures of the Association, excluding disciplinary proceedings as a result of misconduct or alternatively non-compliance with the terms of this Constitution and/or the Code of Conduct, shall be resolved in the manner determined by the Executive Board, which process may include but is not limited to the appointment of a legal panel in order to preside over the dispute, which legal panel will make a finding regarding any dispute no later than fourteen (14) days after the date of the hearing.
- 18.8 Any disciplinary proceedings because of misconduct or alternatively non-compliance with the terms of this Constitution and/or the Code of Conduct, shall be conducted and determined by the Disciplinary Committee of the Executive Board, with the proviso that any decision of the Disciplinary Committee may be appealed by any of the parties to such proceedings by submitting a request for appeal to the Executive Board, which shall either determine the matter themselves or refer it to a legal panel in order to preside over the dispute, which legal panel will make a finding regarding the dispute no later than fourteen (14) days after the date of the hearing.
- 18.9 The size and composition of the legal panel will be decided by the Executive Board. In the event of a member of the Executive Board being involved in the dispute, the remaining members of the Executive Board will make such decisions that are required.

- 18.10 In the event of the dispute being disciplinary proceedings, the legal panel will only make a finding and will not be responsible for imposing a sanction in the event of a Member being found guilty of misconduct.
- 18.11 The decision regarding sanctions to be imposed against a Member being found guilty of misconduct shall be at the sole discretion of the Executive Board.
- 18.12 In any matter where a dispute arises between the Executive Board members, which cannot be resolved at a full Executive Board meeting, the Executive Board will appoint a mediator to facilitate a resolve to the benefit of the Association.
- 18.13 In the event that a dispute between Executive Board members cannot be resolved with the assistance of a mediator, the matter will be referred to the General Meeting, whose decision will be binding.

19. AMENDMENTS TO THE CONSTITUTION

- 19.1 The Constitution may be amended only at an Annual General Meeting or at a Special General Meeting called for this specific purpose.
- 19.2 Notice of any proposed amendments shall be entered on the agenda in accordance with the procedure laid down in Clause 7.
- 19.3 The notice shall specify which clause of the Constitution it proposes to amend and shall indicate clearly what should be omitted or added to it.
- 19.4 Changes to the Constitution by the Annual General Meeting, shall be approved by sixty percent (60%) plus one (1) of the total number of delegates' votes available to Provincial and Associated Members that are eligible to appoint voting delegates to the Annual General Meeting, whether present or not.
- 19.5 Changes to the Constitution by a Special General Meeting, shall be approved by seventy five percent (75%) plus one (1) of the total number of delegates' votes available to Provincial and Associated Members that are eligible to appoint voting delegates to the Annual General Meeting, whether present or not.
- 19.6 Any amendment to the Constitution takes immediate effect unless the contrary is decided.
- 19.7 Amendments to the Constitution must be submitted by the Executive Board to SASCOC as well as to the UIPM.

20. DISSOLUTION OF ASSOCIATION

The dissolution of the Association may only be affected by the General Meeting, provided that the following is met:

- 20.1 the decision to dissolve the Association is approved by at least a two-thirds majority of votes at a Special General Meeting convened for the purpose of considering the dissolution, and
- 20.2 the same Special General Meeting shall approve the recipients of all Association assets in accordance with Clause 20.6, and
- 20.3 an interim committee be appointed to finalise the affairs of the Association, and
- 20.4 such interim committee be appointed from the members of the Executive Board, a representative from the Association's official bank and three (3) representatives appointed by the Executive Board from the ranks of Provincial and Associated Members, and
- 20.5 the official documents of the Association be placed in the care of SASCOC, and
- 20.6 on dissolution the Association will pay off its debts and, after doing so, any assets left over shall be transferred or paid over to other non-profit organisations that have similar objectives to the Association, which may or may not include its Provincial and Associated Members, other modern pentathlon organisations and/or SASCOC.

Appendix A – Jurisdiction of Members

PROVINCES

There are nine (9) provinces, encompassing the following geographical provinces and their constituent districts:

Eastern Cape

Alfred Nzo	Cacadu	OR Tambo
Amathole	Chris Hani	Ukhahlamba
Buffalo City	Nelson Mandela	

Free State

Xhariep	Lejweleputswa	Fezile Dabi
Motheo	Thabo Mofutsanyane	

Gauteng

Sedibeng	Ekurhuleni	Tshwane
Johannesburg	Metsweding	

Kwazulu-Natal

Amajuba	uGu	Uthukela
Ethekwini	Umgungundlovu	Uthungulu
Ilembe	Umkhanyakude	Zululand
Sisonke	Umzinyathi	

Limpopo

Mopani	Capricorn	Sekhukhune
Vhembe	Waterberg	

Mpumalanga

Gert Sibande	Nkangala	Ehlanzeni
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Northern Cape

Frances Baard	Namakwa	Siyanda
Kgalagadi	Pixley-ka-Seme	

North West

Bojanala	Bophirima	Southern District
Central District		

Western Cape

Cape Town	Eden	West Coast
Central Karoo	Overberg	Winelands