

SAGF



CONSTITUTION

of the

SOUTH AFRICAN GYMNASTICS FEDERATION

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1. DEFINITIONS AND INTERPRETATION

The following short terms shall be used and interpreted in the spirit of the following meanings unless specifically defined elsewhere:

AGA	Annual general assembly
Board	Board of management of the federation
Board Member	An elected or appointed member of the board
CEO	chief executive officer
Executive Committee	The president, 1st vice president and CEO and 2nd vice president when required
FIG	Federation Internationale de Gymnastique
UAG	Union Africaine de Gymnastique
Federation	The South African Gymnastic Federation
Provincial affiliates	Properly constituted provincial bodies representing their ordinary members
Regulations and Procedures	All by-laws, policies and rules that are made with the authority of this constitution
Majority	More than 50 percent of those persons eligible, voting of the one accord
Special Majority	75 percent of those persons eligible, voting of the one accord
Wording	Words importing the singular shall include the plural and vice versa and words importing the masculine gender shall include the feminine gender and vice versa

2. NAME AND OBJECTIVES

2.1 Name

The name of the federation shall be the South African Gymnastic Federation.

2.2 Jurisdiction

The federation, claims absolute and sole jurisdiction throughout South Africa over all gymnastic activities that fall within the FIG, UAG. It also claims sole jurisdiction over such other activities as are deemed appropriate.

2.3 Objectives & Mission

- 2.3.1 The federation will develop, consult and implement vision, mission and goal statements for the federation's future direction by promoting and developing quality activities for everybody to participate in gymnastic sport programmes in South Africa.
- 2.3.2 The federation is committed to promoting, encouraging and extending gymnastics in South Africa to all persons.

3. ORGANS OF THE FEDERATION

Organs of the federation:

The organs of the federation shall be as follows:

- 3.1 The general assembly
- 3.2 The chairpersons' council
- 3.3 The board
- 3.4 The technical assemblies. All matters relating hereto are dealt with under the regulations and procedures relevant to the constitution of the SAGF

4. POWERS

For the purpose of effecting its objectives, the federation shall, as deemed necessary:

- 4.1 act alone or with approved representative bodies in the best interests of sport generally, and in particular, to its gymnastic sport programmes.
- 4.2 award national colours and represent South African gymnastics at international competitions and conferences.
- 4.3 make rules, policies and regulations for the proper control of gymnastic programmes throughout South Africa;

- 4.4 keep proper records of all decisions taken and matters of importance pertaining to gymnastic programmes;
- 4.5 equitably enforce due observance of the federation's constitution, rules, policies and regulations;
- 4.6 appoint, hire, employ, remove, replace or reinstate appropriate honorary officials, paid administrators, or other persons to the federation;
- 4.7 control and develop national programs, resources, publications and events consistent with the objectives;
- 4.8 ensure that any remuneration or payment to any person will not be excessive but regarded as generally considered reasonable in return of any services actually rendered to the federation.
- 4.9 continue to exist notwithstanding changes in the composition of its members or office-bearers
- 4.10 be a federation as a separate legal identity and existence distinct from its members or office-bearers.
- 4.11 impose and collect levies, subscriptions, fees and other authorised charges from affiliates.

5. MEMBERSHIP

5.1 Classes of Membership

All members shall be registered members of the SAGF

There shall be the following classes of membership of the federation all of which shall be bound by the constitution and rules and regulations in force at the time:

- 5.1.1 Ordinary members:
 - are persons, clubs, schools or institutions duly registered with a provincial affiliate in terms of SAGF rules and procedures
- 5.1.2 Provincial affiliates:
 - are duly constituted provincial associations and who represent the ordinary members.
- 5.1.3 Associate members:
 - are properly constituted national bodies, (organisations whose objectives are similar to those of the SAGF).
- 5.1.4 Honorary life members:
 - are persons granted this title in recognition of their contribution to and promotion of the sport
- 5.1.5 Life members:
 - are persons or companies who have been granted this title in recognition of their financial contributions.
- 5.1.6 Any other type of membership as accepted by the general assembly

5.2 Admission to Membership

Any provincial or associate affiliate applying to join the federation shall do so in writing to the federation. The affiliate will be required to forward

- Its constitution
- Details of its management
- Any other documents required by the board.

The general assembly will accept or reject the application by special majority and the affiliate shall be notified in writing. Upon being accepted to membership the affiliate shall be bound by the provisions of this constitution which shall prevail in any conflict with its own constitution.

Provisional membership may be granted by the board pending final acceptance by the general assembly.

A national body must apply in writing, including a list of its officers, to be accepted as an associate member. This application must be accepted by a special majority vote of a general assembly.

A person who has contributed outstanding service to the federation may be elected as an honorary life member at any general assembly. Admission to honorary life membership must be carried by a special majority of a general assembly.

5.3 Registration Fees

Registration fees payable by each member shall be prescribed by the board. Registration fees shall be due on the first Monday of April in each year. A member in default after 90 days shall be regarded as no longer in good standing and shall be excluded from participating in any event organised by the federation.

5.4 Rights of Members

All members shall have access to membership privileges that the federation may grant from time to time, and shall be entitled to the benefits of the provisions of this constitution and rules, policies or regulations.

Members may not sell their membership rights or any entitlements.

Members or office-bearers have no rights in the property or other assets of the federation solely by virtue of their being members or office-bearers.

The members or office-bearers shall not be liable for any of the obligations and liabilities of the federation solely by virtue of membership or as office-bearers of the federation.

5.5 Discipline disputes and appeals

All members shall be bound by this constitution and regulations and procedures. Any contravention thereof shall be dealt with by the federation under its power specified in the rules and regulations.

6. ASSEMBLIES AND OTHER MEETINGS

6.1 General Organisation

6.1.1 Date and Time

A general assembly shall be held every year for the members of the federation. Every second year a biennial general assembly shall be held at which assembly the election of the board shall take place. The assemblies shall be held on such dates and at such venues as the board may determine.

6.1.2 Notice of Meeting

The notice convening a general assembly stating the place, date and hour of the meetings must be sent by the chief executive officer to the provincial affiliates and to such persons including the auditors, as are entitled to receive such notices from the federation, at least 6 (six) weeks prior to the commencement of a General assembly.

Notice of the terms of any resolution to be proposed at a general assembly shall be lodged with the chief executive officer at least 4 (four) weeks before the date fixed for such meeting. The chief executive officer shall forthwith inform the board thereof and send a copy of such notice to each affiliate and members of the board at their registered address at least 2 weeks before the meeting.

6.1.3 Composition

It is composed of not more than four authorised delegates from each of the provincial affiliates together with the members of the board. Board members and employees of SAGF may not represent an affiliate.

Life members, honorary life members and SAGF technical and program managers shall be entitled to attend the biennial, special and general assemblies of the federation as observers only.

6.1.4 Presiding

The president shall chair the general assembly. In his absence the 1st vice-president shall act as chairperson failing this the 2nd vice president shall act as chairperson. In the event of this provision not being possible, a chairperson may be elected by the delegates assembled.

6.1.5 Quorum

No business shall be transacted at any general assembly unless a quorum is present when the assembly proceeds to business. A majority of the provincial affiliates entitled to vote and present or represented by their delegates or proxies shall be a quorum.

6.1.6 Proceedings

If, within half an hour from the time appointed for the holding of a general assembly, a quorum is not present, the assembly, if convened on the requisition of members, shall be dissolved. In any other case it shall stand adjourned, to the same day in the next week, at the same time and place, or at such other place as the chairperson shall appoint for its reconvening. If at such reconvened meeting a quorum is not present within half an hour from the time appointed for holding the meeting, the members present shall constitute a quorum.

The business at the general assembly shall follow a prescribed agenda as set out in the rules and regulations and which may be amended from time to time by the board.

All propositions contained in the agenda must be put to the vote except that any proposition from an affiliate not present will be withdrawn unless another affiliate or the board shall adopt it as its own and, subject to acceptance by a majority of the delegates present, submit it for consideration.

At all general assemblies a resolution put to the vote of the assembly shall be decided by a show of hands unless a ballot be requested and supported by a majority of provincial affiliates present in person or by proxy and entitled to vote.

In the case of an equality of votes, whether on a show of hands or on a ballot, the chairperson of the meeting shall be entitled to a deciding vote.

6.1.7 Majorities:

Dissolution of the federation; transfer of headquarters; expulsions and changes to the constitution all require a special majority of entitled votes both present and by proxy and voting in accord. In all other cases a majority of entitled votes both present and by proxy and voting in accord is required.

6.2 General assembly

The general assembly is the highest authority and the final body of appeal of the federation. It assembles annually and shall have the powers to:-

- 6.2.1 establish policies and actions to be followed in carrying out the aims and objectives of the federation as set forth in this constitution and the "Regulations and Procedures Relevant to the Constitution of the SAGF".
- 6.2.2 ratify or reject policies and/or actions of the Board made or taken during the preceding period.
- 6.2.3 amend and/or repeal articles of this constitution and make, amend and/or repeal the clauses of the "Regulations and Procedures Relevant to the Constitution of the SAGF".
- 6.2.4 receive the annual report of the board and approve the audited financial statements

6.3 The biennial general assembly

The biennial general assembly shall meet every second year and shall have the powers to elect the officers of the board for the period until the next biennial general assembly.

6.3.1 Nomination of Candidates for the Board

- Any 2 (two) provincial affiliates, may nominate any qualified person to serve on the Board.
- The name of each member so nominated, together with the names of his proposer and seconder and his consent to serve in the nominated position shall be sent on the form prescribed by the board to the chief executive officer at least 4 (four) weeks before the biennial general assembly at which the serving members of the board of the federation are due to retire. The chief executive officer shall notify members forthwith of these nominations, which notification must include a curriculum vitae.
- If more than 1 (one) candidate is nominated for any of the posts, or if the number of persons nominated exceeds the number of vacancies, ballots shall be held for these positions.
- The athlete's representative shall be an athlete elected by the athletes according to the procedures laid down in the rules and regulations pertaining to this constitution and who is currently active or has not been retired for more than three years.

6.3.2 Representation and Voting Powers

- A Provincial Affiliate in good standing shall be entitled to 1 (one) basic vote plus: 1 (one) additional vote per every completed 500 registrations up to 6000 (six thousand) registrations, thereafter 1 (one) additional vote for every

completed 1000 (one thousand) registrations up to 10000 (ten thousand) registrations, thereafter 1 (one) additional vote for every completed 4000 (four thousand) registrations up to 26000 (twenty six thousand) registrations. Once registrations exceed 26000 (twenty six thousand) by not less than 10000 (ten thousand) 1 (one) additional vote will be granted.

6.3 The chairperson's meeting

The chairperson's council meeting assembles annually and shall have the same powers as the general assembly excluding dissolution of the federation, transfer of headquarters, expulsions, appeals, revision of constitution and elections.

6.4 Special general assembly

6.4.1 Convening a special general assembly:

A special general assembly may be convened either as a result of a decision by the board or of a requisition stating the purpose for the assembly and supported by at least six affiliates. Such assembly shall take place no later than 60 (sixty) days following the date of the board's decision or the date following the requisition. The date for the assembly is to be decided on by the chief executive officer who shall issue notice of the assembly including the purpose thereof not later than twenty eight (28) days prior to the start of the assembly.

6.4.2 Failure of chief executive officer to convene special general assembly

Should the chief executive officer fail to call for a special general assembly in terms of 6.4.1 then the affiliates requesting the assembly may issue the notice of a special general assembly on behalf of the chief executive officer. In doing so they shall observe the conditions of clause 6.4.1.

6.4.3 Proceedings at special general assemblies

At special general assemblies only the matter for which the meeting was called will be dealt with.

7. BOARD

The management of the affairs of the federation is vested in a board which is responsible for the administration of the federation as described in this constitution and the "Regulations and Procedures Relevant to the Constitution of the SAGF". The board is given the right to make and or amend rules and regulations. Such rules and or amendments must be ratified at the next general assembly.

The quorum for board meetings shall be a majority of voting members

The president will chair board meetings. In his/her absence the vice president will assume the role. In their absence those present may appoint a chairman

Where there is an equal but divided number of votes on a matter by board members the chairperson will have a casting vote

7.1 Composition of the Board

The board shall consist of the following persons

- The President
- 1st Vice president
- 2nd Vice president
- Transformation representative
- 1 additional members
- Schools representative
- 1 athlete's representative
- The chief executive officer (ex-officio)

Only elected members shall have a vote excepting that should an elected board member vacate his position then that position may be filled by a person co-opted by the board and that person shall have full voting rights as if elected.

The board may co-opt as ex-officio members, persons with specific expertise or for a specific purpose.

The Athletes representative shall be elected by the Athletes commission and will be regarded as an elected member of the Board.

The schools representative shall be elected by the relevant schools gymnastics structure as recognized by Sport and recreation South Africa and shall also be regarded as an elected member of the Board.

7.2 The executive committee

The president, the vice president and the CEO shall form the executive committee. In the event of the non-availability of either the president or the first vice president then the second vice president shall become a member of the management committee

The executive committee shall have the power to act outside board meetings on matters of importance which cannot wait until the following board meeting. Decisions must be reached by consensus.

The executive committee shall report to the next board meeting and their decisions must be ratified and/or amended by the board

The executive committee may resolve such matters by conference call and/or other electronic communications.

7.3 Chief executive officer

The position of CEO shall be filled by the board at its discretion and is a salaried position.

The CEO shall implement the strategies, plans and policies approved by the board and shall comply with its directions, and subject thereto shall be responsible for the management and direction of the federation and its finances.

8. ACCOUNTS AND FINANCE

8.1 Financial Year

The financial year of the federation shall end on the thirty-first day of March in each year.

8.2 Administration of accounts and audit.

The federation shall have a bank account

Auditors shall be appointed annually and they shall have the right of access at all times to such information and meetings as they may deem necessary to fulfil their lawful duties as auditors of the federations accounts.

The annual financial statements shall be approved by the board and signed on its behalf by the president and the chief executive officer.

A copy of the annual financial statements for the preceding year together with the report of the board shall be sent to each affiliate not later than 30 June each year.

Annual financial statements and/or any available audited financial statements shall be laid before the annual general and biennial general assemblies of the federation for adoption.

There shall be an audit committee which shall be a sub committee of the board of the SAGF and whose sole purpose is to assist the board of the SAGF in fulfilling its oversight responsibilities. The establishment and functions of this committee are detailed in the rules and regulations pursuant to this constitution.

9. GENERAL

Copies of the Constitution and the Regulations and Procedures relevant to the constitution of the SAGF are available on request at the offices of the SAGF.

9.1 Alterations to the Constitution

This constitution may be added to, altered, or rescinded in whole or in part at any AGA or SGA of the federation provided notice of motion is forwarded in writing to the federation and to the affiliates twenty eight days prior to the date of the meeting, and that the motion is approved by a special majority.

9.2 Dissolution and Winding up

If the federation is wound up, the surplus assets after payment of the federation's liabilities and the expenses of winding up shall be distributed, given or transferred to such other institutions societies, associations or clubs having objectives similar to the objectives of the federation, and in such proportions and manner as the federation by special majority may determine.

We, the undersigned, hereby certify that the above is the constitution of the South African Gymnastics Federation.

SIGNED at _____ on this _____ day of
_____ 200__

PRESIDENT : _____

CHIEF EXECUTIVE OFFICER : _____