

**CONSTITUTION
OF THE
FREE STATE
SPORT CONFEDERATION**



CONSTITUTION OF THE FREE STATE SPORT CONFEDERATION

1. NAME AND LEGAL PERSONALITY

- 1.1 The **name** of the organization hereby constituted shall be the "**Free State Sport Confederation**" (abbreviation "FSSC") (hereinafter referred to as "The Confederation").
- 1.2 The Confederation, **a voluntary organization not for gain**, with continuous existence apart from its members or executive, is a juristic person which holds property independent of its members, incurs debts and liabilities and initiates or defends legal actions in its own name, and which acts through its properly authorized organs, office bearers and/or representatives, under the said name.
- 1.3 All immovable property or registerable rights in immovable property obtained by the Confederation shall be registered in the name of the Confederation.
- 1.4 The liability of members of the Confederation for the Confederation's obligations is restricted to the outstanding affiliation fees owed by them, and members have as such no interest in any property or casual profit of the Confederation.

2. JURISDICTION

- 2.1 **AREA:** The area of jurisdiction in which the Confederation will raise and collect funds and contributions and render services will be within the borders of the territory of the Free State Province.
- 2.2 **PERSONS:** The Confederation has jurisdiction over its members and their individual members during the tenure of their membership of the Confederation and wheresoever they may be.

3. INDEMNITY

- 3.1 Every office bearer / official of the Confederation shall be **indemnified** by the Confederation against all costs, losses and expenses which he/she may incur or become liable for by virtue of any reason or any act or omission in the discharge of his/her duties, unless the loss in question is caused by his/her own gross negligence, dishonesty or bad faith.
- 3.2 The Confederation **will not be held liable** against any member for anything in accordance with this constitution.

4. AIMS AND OBJECTIVES

- 4.1 The Confederation is an autonomous body that **exists for** the sake of fair, comprehensive and coordinated sport provision within the Free State Province in order to promote organized sport practices and raise the quality of life.
- 4.2 The Confederation's **goal** is to coordinate provision for sport from a total community perspective, as well as to make contributions to sport development.
- 4.3 The Confederation's **objectives** are to administer, in cooperation with other relevant role players, the provision of sport within the Free State Province for the various communities by:
 - 4.3.1. Identifying of needs and the drawing up of strategic plans
 - 4.3.2. Acquiring of funds for the coordinated application thereof
 - 4.3.3. Coordinating the provision of facilities
 - 4.3.4. Contributing towards sport unity, unanimity, liaison, training courses, marketing of sport, development programs and community utilization.
 - 4.3.5. Ensuring transformation and development of sport across the sporting fraternity.

5. POWERS AND OBLIGATIONS

5.1 The Confederation through its Executive Committee is, in the pursuing of its objectives and subject to its constitution, empowered and obliged to:

- 5.1.1 Appoint or discharge any sub-committee, employee or representative, or delegate onto any other body, for such special purpose and with such powers and obligations as the Executive Committee may deem expedient.
- 5.1.2 Grant or disallow leave of absence to any member of the Confederation, employee or representative.
- 5.1.3 Collect entry and affiliation fees, other levies and donations, borrow money on such conditions and against such security as the Executive Committee may deem expedient, and against any movable and immovable property.
- 5.1.4 Open and control one or more banking accounts in the name of the Confederation, receive and invest all of the monies accrued to or in favour of the Confederation upon the said accounts as may be deemed expedient, and possess and control all property of the Confederation, and to utilize it in furtherance of the objectives of the Confederation and in any authorized manner disposed of it.
- 5.1.5 Collect any money or other value due to the Confederation, prove the Confederation's claim against any estate, insolvent or otherwise, or against any company under liquidation, and institute, defend or settle any legal action on behalf of the Confederation.
- 5.1.6 Receive, consider, accept or reject application for membership from provincial sport federations, district and municipal sport councils and associate sport organizations; or to suspend or expel the membership of any member according to the provisions of this constitution.
- 5.1.7 Make, vary and repeal Bye-Laws or Rules for the regulation of the affairs of the Confederation provided such Bye-Laws or Rules do not conflict with the Constitution.
- 5.1.8 Take disciplinary action, as it may deem expedient, against any affiliated body or individual guilty of misbehaviour, malpractice or any other conduct prejudicial to the interests or contrary to the ethics of sport, or of failing to conform to the constitution of the Confederation, and to reinstate any person or affiliated body so suspended or expelled by it.
- 5.1.9 Resolve disputes as provided for in Annexure 4.
- 5.1.10 Provide services to its members, by amongst others:
 - The drawing up of strategic plans addressing needs of all bodies, communities and target groups, in order in the long term to satisfy all needs and to ensure the effective provision of resources and optimal utilization thereof.
 - The rendering of surveys and annual updating thereof to identify needs, to determine priorities and to coordinate the needs of the various bodies.
 - Continual planning and coordination of sport facility provision within the various local communities as well as in the municipal context.
 - Continual identification of all applicable financial resources.
 - Continual coordination of grants from authorities, sport bodies and any other source.
 - Continual liaison with and support of district and local sport councils in the communities with the aim of identifying needs and allocating funds, and better liaison, cooperation and social contact between the administrators of the different sport entities.
 - Continual liaison with the national sport controlling bodies as well as other provincial, national and international sport structures and bodies in the interest of and for sport.

- Liaison and cooperation with other institutions, such as local authorities, education departments, universities, departments responsible for sport, media representatives, etc.
- Organizing of meetings, seminars, coaching projects, clinics, workshops, conferences and symposia for individual members and sport bodies affiliated to the Confederation with regard to sport administration, organizing of events and other related aspects.
- Rendering assistance regarding the provision and planning of sport facilities.
- Rendering assistance with development programs for the various sport codes.
- Rendering assistance with the marketing of sport.
- Rendering assistance with the promotion of the communities' utilization of sport facilities.
- Control the design, form and awarding of any colours and/or emblem registered by the Confederation, and restrain the unlawful use of the emblem or colours registered by the Confederation.
- Generally execute any legal act on behalf of the Confederation that is necessary for the fulfillment of the objectives of the Confederation, provided such legal act is not contrary to the constitution or any instruction of the General Assembly or Executive Committee.

6. COMPOSITION OF THE CONFEDERATION

6.1 The Confederation consists of the following members:

- 6.1.1 all the persons serving on the Executive Committee for the time being
- 6.1.2 all the affiliated municipal and district sport councils
- 6.1.3 all the affiliated Free State Federations of sport codes
- 6.1.4 the affiliated disabled sport association
- 6.1.5 the affiliated schools sport body
- 6.1.6 the affiliated tertiary institutions sport body
- 6.1.7 all the affiliated organizations which deliver service to sport

6.2 The organs which act on behalf of the Confederation shall be as follows:

- 6.2.1 The General Assembly
- 6.2.2 The Executive Committee
- 6.2.3 The Management Committee, and
- 6.2.4 Advisory Committees.

6.3 These organs shall be empowered to appoint representatives for specific actions, provided that only enfranchised members of the Confederation or its affiliated associations may serve as such a representative or in such organ (except the advisory committees).

7. MEMBERSHIP

7.1 **Membership** of the Confederation is **limited to:**

- 7.1.1 Members serving on the Executive Committee for the time being
- 7.1.2 Free State affiliates of nationally recognized sport codes
- 7.1.3 Free State municipal and district sport councils
- 7.1.4 Free State affiliates of nationally recognized disabled sport association
- 7.1.5 Free State affiliates of nationally recognized tertiary institutions sport body
- 7.1.6 Free State affiliates of nationally recognized schools sport body
- 7.1.7 Organizations which deliver service to sport provincially (associate members).

- 7.2 Any sport association/body wanting to affiliate to the Confederation shall forward a written application for affiliation, a copy of its constitution for approval by this Confederation, and any information and further information which is from time to time needed by the Confederation.
- 7.3 Applications for membership shall be **approved** by the Executive Committee as:
- 7.3.1 Full member (sport association which controls a specific sport code at provincial level)
 - 7.3.2 Associate member (other sport association or institution which provide services to sport)
 - 7.3.3 Special member (any application for affiliation that does not comply with all the requirements for full members as set out by the Executive Committee from time to time).
- 7.4 The Executive Committee may suspend or end affiliated member's membership, or alternatively impose conditions or fines, if such member neglects to pay affiliation fees or any other levies, or to comply with the provisions of the constitution and to the objectives of the Confederation.
- 7.5 A membership register (including database) shall be maintained at the office of the Confederation.
- 7.6 The affiliated associations of the Confederation are amongst others burdened with the following **powers and obligations**:
- 7.6.1 Each federation or body of which the application for affiliation has been approved by the Executive Committee shall pay to the Confederation such affiliation fee and such other levies as may be fixed from time to time by the General Assembly.
 - 7.6.2 The Constitution and correlated policy of the Confederation shall at all times be respected by members and their affiliated participants.
 - 7.6.3 The administration of each member shall be so much orderly and excellent as to hold the Confederation in particular and sport in general in esteem.
 - 7.6.4 Each member shall notify the Confederation in writing within 14 days of any alteration to its address, executive committee, constitution or any other relevant information.
 - 7.6.5 A member who regards itself as being aggrieved by an act of the Confederation or any organ/office bearer thereof can note an objection and shall be heard in the prescribed way.
 - 7.6.6 All sport clubs must affiliate with their respective local sport councils/codes.

8. THE GENERAL ASSEMBLY

- 8.1 The General Assembly of the Confederation is composed of the affiliated members and Executive Committee of the Confederation who convene at a properly constituted annual, biennial or special general meeting, as follows:
- 8.1.1 Executive Committee members of the Confederation
 - 8.1.2 two delegates of each affiliated full member
 - 8.1.3 two delegates of each affiliated associate member
 - 8.1.4 one observer each from interested parties ***with no voting powers***.
- 8.2 Particulars of the delegates shall reach the Confederation at least 7 days prior to the general meeting on the prescribed form.
- 8.3 The **Annual General Meeting** and the **Biennial General Meeting** shall convene in the first quarter each year or each second year, on a date and at a place determined by the Confederation.
- 8.4 A **Special General Meeting** shall convene on a date and at the place determined by the Confederation if circumstances require it or on written request to the Confederation by at least two thirds of the members, in order to transact only the business mentioned in the notice of such meeting.
- 8.5 A **General Assembly** is the **highest authority** of the Confederation and is empowered to:

- 8.5.1 Alter or replace this constitution in the prescribed manner;
- 8.5.2 Establish the general policy of the Confederation;
- 8.5.3 Elect the office bearers and other executive committee members in the prescribed manner;
- 8.5.4 Ratify or amend or rescind (where reasonably and practically possible) the decision of the other organs;
- 8.5.5 Adopt the minutes of the previous general meeting and the biennial report and properly audited annual financial statements;
- 8.5.6 Determine entry, affiliation and other fees; and
- 8.5.7 Transact any other business authorized in the constitution or necessary to attain the Confederation's main objectives.

9. THE EXECUTIVE COMMITTEE

- 9.1 The **Executive Committee** of the Confederation shall be **composed** as follows:
 - 9.1.1 President
 - 9.1.2 1st Vice President and 2nd Vice President
 - 9.1.3 Treasurer
 - 9.1.4 General Secretary (full time position seconded from department)
 - 9.1.5 Four (4) elected additional members from the ranks of the affiliated codes
 - 9.1.6 One (1) representative from each district sport council
 - 9.1.7 One (1) representative from the affiliated tertiary institutions sport body
 - 9.1.8 One (1) representative from the affiliated schools sport body
 - 9.1.9 One (1) representative from the affiliated disabled sport association
- 9.2 The administration and management of the Confederation shall be vested in the Executive Committee, and it is empowered to act in accordance with article 5.1, and to liaise with other persons, institutions and sport bodies.
- 9.3 The Executive Committee shall be responsible only to the General Assembly.

10 MEETINGS OF THE EXECUTIVE COMMITTEE

- 10.1 Meetings of the Executive Committee shall be held at least **once in each quarter**.
- 10.2 Meetings shall be convened on seven (7) days notice by the General Secretary of the Confederation or as may be decided by the Executive Committee from time to time.
- 10.3 Any member of the Executive Committee who is absent from three (3) consecutive meetings of the Executive Committee shall forfeit status in the Executive Committee, even if apologies have been tendered, except in cases of illness.
- 10.4 The meeting is properly constituted if the General Secretary has given proper notice thereof to all members, and a quorum is present. At least 50% plus one of the members of the Executive Committee constitute a quorum.

11 MANAGEMENT COMMITTEE

- 11.1 The Management Committee consists of the properly constituted meeting of members of the Executive Committee composed of follows:
 - President;
 - One Vice-President;
 - General Secretary (full time position seconded by department);
 - Treasurer.
- 11.2 The Management Committee shall be responsible for managing the affairs of the Confederation and, in cases of emergency, shall constitute an emergency committee to consider and decide upon any matter occasioned by such emergency.

- 11.3 The administration and management of the Confederation shall be vested in the Management Committee, and it is empowered to execute any of the Executive Committee's powers if urgent action is needed, and especially to summon meetings of the Executive Committee, and ***liaise*** with other persons, institutions and macro sport bodies, etc. The Management Committee shall be responsible only to the Executive Committee.
- 11.4 The Management Committee shall operate in the official office and/or any other office as may be necessary and engage the services of full time or part time personnel to ensure proper management of the Confederation. It shall convene at least once a month.
- 11.5 The meeting is properly constituted if the President has given proper notice thereof to all members, and a quorum is present. At least three members of the Management Committee constitute a quorum.
- 11.6 The Management Committee shall install an appropriate infrastructure for the due and efficient functioning of the Confederation and in the furtherance of the aims and objectives of the Confederation.
- 11.7 The Executive Committee shall from time to time consider or ratify all decisions of the Management Committee.

12 ADVISORY COMMITTEES AND DISTRICT SPORT COMMITTEES

- 12.1 On recommendation of Executive Committee the Confederation may approve advisory committees for the Confederation, for the purpose of research and report on any technical aspect of interest to sport in general.
- 12.2 Each advisory committee approved by the Confederation shall be authorized and obliged to make recommendations to the Executive Committee in respect of matters on and within the limits of which it has received instructions.
- 12.3 On recommendation of the Executive Committee, the Confederation may approve any amount of additional district / municipal sport councils for the Confederation, for the purpose of more efficient implementing of the Confederation's programmes or to manage any aspect of interest to sport in general or district communities in particular. For this purpose the Confederation may acknowledge existing sport federations, which coordinate several sport clubs at local areas or community level, or initiate structures in areas where effective structures are non-existent.
- 12.4 Each district / local sport council approved by the Confederation shall be authorized and obliged to report to the Executive Committee in respect of matters on which it has received instruction, powers or duties.

13 RESOLUTIONS

- 13.1 Resolutions are carried in a meeting by ordinary majority vote (except where the constitution specifically provides otherwise) of affiliated members present, by way of show of hands, or by way of secret ballot if the Chairperson so decides.
- 13.2 A member association whose affiliation fees are fully paid for the previous financial year in the case of a Biennial General Meeting and for the current financial year in the case of a Special General Meeting will be eligible to vote.
- 13.3 The Chairperson has an ordinary as well as a casting vote.
- 13.4 All meetings of the Confederation shall be held in accordance with the standing orders in this constitution. The holding of meetings of sub-committees under control of the Confederation shall also be in accordance with these orders.

14 MANAGEMENT AND CONTROL

- 14.1 The Executive Committee shall manage an approved control system and keep complete financial records, statements and books, and submit those for approval to the first following General Meeting.
- 14.2 14.2.1 At the beginning of each financial year the Executive Committee shall draft a budget for presentation to the general meeting.
- 14.2.2 The Executive Committee shall during its financial year collect monies through affiliation fees, donations or any other manner described in the constitution.
- 14.2.3 All funds obtained in accordance with the constitution shall within 72 hours after receipt be deposited and kept in a bank account in the name of the Confederation, and no member or any individual has any claim on it.
- 14.2.4 The Executive Committee may however after approval by the Confederation keep a reasonable amount for petty cash.
- 14.2.5 Cheques and other financial documents shall be co-signed by two members of the Executive Committee, provided that any cheque may be endorsed by any member of the Executive Committee on behalf and in favour of the Executive Committee.
- 14.3 The annual subscription for membership shall be such sum as the General Assembly of the Confederation may from time to time determine.
- 14.4 All subscriptions are due and payable not later than 1st of June in each calendar year.
- 14.5 Any affiliated member whose subscription is in arrears shall be deprived of any benefits and opportunities and shall not be regarded as member of the Confederation.
- 14.6 The financial year of the Confederation shall be from 1st of April to the 31st of March in the following year.
- 14.7 No individual has any right to any casual profit from the sale of any item or in any other manner obtained by the Confederation. No portion of the income and property of the Confederation may either directly or indirectly be paid or transferred by way of dividend, bonus or in any other form of profit to members, provided that the payment of any reward made in good faith to any officer or member in return for services actually rendered to the Confederation is not prevented.
- 14.8 The President shall submit a written report to every Annual or Quadrennial General Meeting.
- 14.9 Members of the Confederation shall see to it that the objectives of the Confederation are pursued and that its property is preserved, and that facilities are used only by members or authorized visitors who have paid the prescribed fees.
- 14.10 The principles of responsibility to the Executive Committee and its members and equality between all members or sport codes or clubs shall be maintained. All activities of the Confederation shall also comply with the principles of social justice (access, redress, affirmative action, multi-cultural), accountability (quality assurance), sustainability (efficiency and cost effectiveness), and involvement and empowerment (democracy, non-racialism, non-sexism, regionalism).
- 14.11 The officers of the Executive Committee of the Confederation shall determine the **retention** period of all records of the Confederation, but until otherwise so determined, the period shall be four (4) years.

15 DISSOLUTION

- 15.1 The Confederation shall **dissolve** if two thirds of the affiliated members present (and in good standing) at a Special General Meeting convened for that purpose vote in favour thereof. The prescribed notice shall clearly state that the matter of dissolution of the Confederation and **disposal of its assets** would be considered.
- 15.2 If the Confederation should be dissolved, all assets remaining after all its debts and obligations are settled, shall not be divided amongst or paid to members, but shall be transferred to such organization with similar objectives that is deemed expedient.

16 ALTERATIONS TO THE CONSTITUTION

- 16.1 The constitution and its annexures may be **amended** by a resolution of a general meeting if such alteration is passed by a majority of not less than two thirds and if the alteration intended is set out in the notice whereby the meeting is convened.
- 16.2 In the event of any dispute over the meaning of any word, phrase or article of this constitution, the interpretation of the Executive Committee shall be final and binding.
- 16.3 All matters pertaining to and detailing the establishment of committees, delimitation of areas, code of conduct, breach of rules, disciplinary hearing, appeals, payments of fines, suspension of members, awarding of any colours, and related matters shall be contained in annexures to this constitution.

17 ADOPTION OF CONSTITUTION

- 17.1 This constitution was **adopted** at the Inaugural General Meeting of the Confederation held at the Free State Sport Science Institute, Bloemfontein, on this **05th** day of **December 2009**.
- 17.2 This constitution shall become operative and in full force with effect from the **05th** of **December 2009**.

Signed on behalf of the Confederation:

PRESIDENT

GENERAL SECRETARY

ANNEXURE 1: ELECTION OF EXECUTIVE COMMITTEE

1. The election of the Executive Committee shall take place at the Quadrennial General Meeting as provided for above, after which the new Executive Committee will function.
2. (a) The President of the outgoing Executive Committee chairs the meeting on which the new Executive Committee is elected until the end of that meeting.
(b) The newly elected President takes over the leadership immediately after this meeting.
3. Members of the outgoing Executive Committee are eligible for re-election.
4. (a) There must be a proposer and a seconder for each nomination.
(b) Only affiliated members (in good standing) may propose and second members for the Executive Committee.
(c) Nominations must include the consent of the nominee by way of signature on the prescribed form, and must be submitted to the Executive Committee at least 7 days before the Quadrennial General Meeting.
(d) If no valid nomination for a specific portfolio is received, nominations can be made during the course of the general meeting.
5. (a) After all nominations per portfolio are accepted, there will be a vote by show of hands or secret ballot for the candidates.
(b) Members only write or mark the name of the candidate for which they vote for on the paper strip provided.
(c) Three (3) persons from the meeting appointed by the Chairperson will act as election officers.
(d) In the event of equality of votes, the members again write or mark the name of the candidate for which they vote for on the newly provided paper strip.
(e) If the votes are equal again on these candidates the matter will be decided by chance.
(f) Members may not vote for more than the required number of candidates. If so, such ballot is regarded as spoiled.
6. (a) All ballot papers must after the count be sealed in an envelope and kept securely by the General Secretary for at least two months.
(b) Objections relating to the elections must be submitted in writing to the General Secretary within 30 days after the count.
7. The General Secretary must inform all members of the Confederation of the results of the election, and later, of any co-opted members.

ANNEXURE 2 ORDER REGULATION FOR MEETINGS OF THE CONFEDERATION

1. All **proceedings** are conducted in accordance with the following. In cases not covered hereby, the Chairperson can decide. If any member objects in such a case, the meeting can decide by way of an ordinary majority.
2. **Motions and Amendments**
 - (a) **Motions and amendments** must be positive as far as possible, and start with the word "that".
 - (b) Each motion or amendment must be tabled in writing and must have a proposer and seconder.
 - (c) A motion or amendment can only be withdrawn with the consent of the proposer.
 - (d) After a motion has been accepted or rejected, discussion thereon at the same meeting can only be re-opened if a motion to that effect is accepted with a two-third majority.
 - (e) No debate is conducted on a motion for reconsidering, although the proposer may give an explanation.
 - (f) Any motion or amendment can be amended as follows:
 - i) by scratching words;
 - ii) by adding words;
 - iii) by substituting certain words for other; or
 - iv) by scratching all words after the word "that" and substituting by other words that deal with the same subject as the original motion or amendment.
 - (g) An amendment that is accepted by the proposer and seconder of the original motion or amendment is **ipso facto** included therein.
 - (h) An amendment is brought to vote before the original motion. If accepted, the original motion falls away. The amended motion then becomes the independent motion, is read as a whole by the Chairperson, and is then brought to a vote again.
 - (i) Amendments on previous amendment may be proposed, in which case the same procedure as in the previous clause is followed.
 - (j) There will be no vote on any amendment before the debate on the motion is closed. Amendments are brought to a vote on the opposite sequence than in which they were proposed.
3. **DEBATE**
 - (a) If a member is not satisfied with a ruling of the Chairperson, he can request the Chairperson **on a point of order** to change his ruling. If the Chairperson refuses, the meeting will decide by way of an ordinary majority.
 - (b) All matters that do not relate to the subject under discussion at the meeting, are ruled out of order by the Chairperson.
 - (c) The proposer of a motion has the right to reply. After the reply has been delivered no further discussion will be allowed.
 - (d) A **debate** can be closed at any stage by a motion that the matter be brought to a vote. Such motion must immediately be brought to a vote without discussion.

ANNEXURE 3: COLOURS AND EMBLEM

- 1.1 The Confederation shall control the design, form and awarding of any colours and/or emblem registered by the Confederation, and restrain the unlawful use of the emblem or colours registered by the Confederation.
- 1.2 The Confederation reserves the right to retract awards to any individual member or other sport person if the subsequent conduct of such person dishonours the Confederation colours, or for any other reason the Confederation deems expedient.
- 1.3 The Confederation shall maintain a uniform registered colours and emblem for awards by affiliated members to sport persons who in the opinion of such association qualifies for the awarding of Confederation colours.

ANNEXURE 4: DISPUTE RESOLUTION**DISCIPLINE, DISPUTE RESOLUTION AND ARBITRATION**

- 4.1 Any member referred to in article 7 hereof or any registered member of a Provincial or other member Association referred to in the said clause, who contravenes any of the terms or provisions of this Constitution, fails or refuses to implement any decision of the Confederation, its Executive Committee or any standing committee of the Confederation, may be charged with misconduct and be dealt with as is provided for in this Constitution and/or the Bye Laws promulgated thereunder.
- 4.2 Any disagreement relating to the enforceability of this Constitution or the interpretation or application of the provisions hereof, or any conflict of interest between any number of members of the Confederation or between a member of the Confederation and the Confederation itself, shall be deemed to be a dispute. Such dispute shall be dealt with in terms of the Bye-Laws to this Constitution.
- 4.3 All members as defined in Article 7 of this Constitution (which, for the purpose of this Article, and without limiting the generality thereof, shall include persons, officials, schools, clubs and associations) shall be obliged to submit any appeal against the decision of or penalty imposed by the Executive Committee and General Assembly, to the Arbitration Foundation of South Africa within seventy-two hours of such decision having been conveyed formally to them in writing.
- 4.4 The arbitrator's decision shall be obtained in the manner prescribed in the Bye-laws, and shall be final and binding on the parties, and no further appeal shall be entertained.

DISCIPLINARY JURISDICTION OVER INDIVIDUAL MEMBERS

- 4.5 It shall be the obligation of each member association to take appropriate disciplinary action against any of its individual members who contravene any applicable Code of Conduct, Rule or Bye Law or commit a serious act which brings sport and/or sport people into disrepute. Provided however, should a Disciplinary Committee have been appointed to deal with disciplinary issues at a specific tournament, as per the Tournament Circular, the obligation of the member association to discipline, shall then cease.
- 4.6 In the event that it becomes necessary for the Confederation to take disciplinary action against an individual member, any disciplinary hearings shall be conducted in the area in which that member resides, or at a venue where he/she is then present.

PENALTY PROVISIONS FOR MEMBER ASSOCIATIONS

- 4.7 The Executive Committee has the power to suspend the membership of a member association who, in its opinion, acts directly against the Confederation or contrary to its principles or purposes. This suspension shall act as a temporary measure until the next General Assembly meeting. For good cause shown the Executive Committee may remove the suspension of such member.
- 4.8 If, and so long as, a member is suspended, such member shall be deprived of all rights of membership and shall not be eligible to participate in any event under the jurisdiction of the Confederation or in any officially recognized international/national or provincial fixture.
- 4.9 Further penalties imposable upon offending members shall include the power of the Executive Committee to impose a monetary fine not exceeding R1 000 and or to withhold any benefits or grants which otherwise may have accrued to such a member.

PENALTY PROVISIONS IN RESPECT OF INDIVIDUAL MEMBERS

- 4.10 In the event that it becomes necessary for the Confederation to discipline an individual member, pursuant to a failure by a member association concerned to have taken disciplinary action against such individual member, the following penalties may be imposed by the Executive Committee upon such member if found guilty of misconduct, namely,
- a. Impose a monetary fine not exceeding R1 000.
 - b. Suspension, either permanently or for a specific period of time.

- c. Withhold any awards, benefits or such like, which may have accrued to such member.

This clause shall not apply in a case where a Disciplinary Committee has been appointed to deal with on sight misconduct, as per the Tournament Circular.

RIGHT TO APPEAL

- 4.11 Any member or individual member who has been disciplined, either by the Confederation Disciplinary Committee, Disciplinary Committee appointed by a member association or Disciplinary Committee appointed by the Executive Committee, shall have the right of appeal.
- 4.12 A committee of Appeal, consisting of three (3) persons, under the Chairpersonship of the Legal Advisor of the Confederation, shall preside over the appeal. The remaining members of this Appeal Committee shall be appointed by the Legal Advisor. No members of the Executive Committee shall qualify to serve on this Appeal Committee.
- 4.13 The decision of this Appeal Committee shall be final and no further Appeal shall lie against this decision.