

CENTRAL HOCKEY CLUB - CONSTITUTION -

1. NAME

The organisation shall be called **Central Hockey Club**, hereinafter referred to as the "**Club**", and shall be affiliated to and play in accordance with the Constitution, Bye-Laws and rulings of the Western Province Hockey Union and the South African Hockey Association.

2. INTRODUCTION AND INTERPRETATION

Central Hockey Club was formed in 1993 when members of the following clubs, affiliated to the Western Province Men's Hockey Union, established in 1962, merged their interests:

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| ACACIA HOCKEY CLUB | Established 1992 |
| BLACKBURN HOCKEY CLUB | Established 1972 |
| MOCAMBO HOCKEY CLUB | Established 1962 |
| QUEENS PARK RANGERS MEN'S HOCKEY CLUB | Established 1962 |
| RIDGEVILLE HOCKEY CLUB | Established 1990 |
| WESTRIDGE CAVALIERS HOCKEY CLUB | Established 1982 |

In the Constitution and Bye-Laws, where the context so requires, words and expressions importing one gender shall include the other gender, save when referring to the previous Bodies.

Any decision made on the interpretation of the Constitution and Bye-Laws by the Executive shall be final.

3. OBJECTIVES

The objectives of the Club shall be:

- (a) To control, promote and develop hockey at all levels under the auspices of the Western Province Hockey Union, in terms of this constitution and in accordance with the statutes of the F.I.H.
- (b) To support and maintain the rules of the game of hockey as adopted by the South African Hockey Association.
- (c) To adjudicate on points arising out of playing the game of hockey.
- (d) To advance the interests of the game of hockey in the Western Province generally, regardless of politics, race, religion or gender.
- (e) To do all things that may be directly or indirectly conducive of these objectives.
- (f) To promote a Development Programme that will urgently address any imbalances that exists in facilities, coaching, umpiring and resources.
- (g) To co-operate with other hockey organisations with a view to improving the standard of the sport at all levels.

4. HEADQUARTERS

The Headquarters of the Club shall be based at Vygieskraal Complex in Athlone.

5. COLOURS and AWARDS

- (a) The playing colours of the Club (i.e. shirts, shorts, skirts, socks and tracksuits) shall be royal blue, black and white.
- (b) The official badge shall be royal blue and black against a white background and shall have the name "Central Hockey Club".
- (c) Awards categories for the annual awards presentation shall be ratified by the Executive.
- (d) Nominations for awards shall be ratified by the Executive.

6. MEMBERSHIP

- (a) Membership shall be open to all persons who support the objectives of the Club on application and subject to acceptance at a Management, Executive and Annual General and/or a Special General Meeting.
- (b) There are different categories of membership which include, senior members, junior playing members, non-playing members, staff, Honorary Life Presidents or Honorary Life Members. The membership categories are further defined below.
 - (i) Senior members – Members over the age of 18 playing in the senior league.
 - (ii) Junior members playing senior league – Players who are under the age of 18 playing in the senior league. Membership forms of players in this category must be completed by the players' parents / guardians. If a player in this category also falls into the Junior Playing Members' category, then this category will take precedence.
 - (iii) Junior playing members – Members who play in the u/13, u/15 leagues and minis. Membership forms of players in this category must be completed by the players' parents / guardians.
 - (iv) Non-playing members - Any person who would like to be a member of Central, but does not want to play. Non-playing members may include executive members. Non-playing members enjoy the same benefits as the rest of the members of the club, except that a non-playing member does not represent the club in the WPHU competition.
 - (v) Staff – Anyone officiating in a match such coaches, managers, umpires, tech table officials and administrators who are not senior playing members. Senior playing members who officiate matches and perform admin tasks may also be considered staff.
 - (vi) Honorary Life President
 - (aa) To be bestowed on a member after a minimum of 20 years of active membership and who has served as President for a minimum 2 terms (4 years)

on a voluntary basis. The member must also have rendered an outstanding service and contributions to the Club.

- (bb) Shall be under no obligation to attend meetings or any other Club activities.
- (cc) Shall be exempt from club season fees if a non-playing member, but will have to pay affiliation fees if still a playing member.
- (dd) The Award shall be presented to the recipient at the Annual General Meeting.

(vii) Honorary Life Member

- (aa) To be bestowed on a member after a minimum of 20 years of active membership and the member must also have rendered an outstanding service and contributions to the Club.
- (bb) Shall be under no obligation to attend meetings or any other Club activities.
- (cc) Shall be exempt from club season fees as a non-playing member, but will have to pay affiliation fees if still a playing member.
- (dd) The Award shall be presented to the recipient at the Annual General Meeting.

7. ORGANISATION

- (a) Council, as defined in Section 8, shall determine the policies of the Club and shall be responsible and accountable to the Members.
- (b) The policy of the Club shall be endorsed by the Members in General Meetings.
- (c) The policies of the Council shall be effected and implemented through the Executive, as defined in Section 9.

8. GENERAL COUNCIL

8.1 Council will consist of registered members of the club.

9. EXECUTIVE

- (a) The Executive shall implement the policy of the Club as determined by General Council, which shall be applied to the administration of hockey, subject to this Constitution and Bye-Laws.
- (b) The Executive shall comprise the following persons and their duties are:
 - (i) **PRESIDENT and VICE-PRESIDENT (PRESIDENCY)**
 - (aa) to act as Chairperson in the following meetings:
 - 1) Annual General Meeting
 - 2) Special General Meeting
 - 3) Executive Meeting
 - 4) General Council Meeting
 - (bb) To play an oversight role in all club affairs.

Note: Where the President is unavailable, the Vice President will chair the above meetings, and where both are not available, a chairperson must be nominated from the Executive Committee members present.

(ii) SECRETARY

- (aa) to deal with all correspondence addressed to the Club and to reply to such as instructed by the Executive.
- (bb) to send out notices, reports, minutes and meeting agendas to the Executive and to Members of the Club.
- (cc) to maintain a register of the names of all players, umpires and officials selected to represent the Club.
- (dd) to maintain and update a register of all registered players.

(iii) TREASURY

to convene a Finance Sub-Committee whose task it will be to personally attend to or delegate responsibility:

- (aa) to prepare annual long, medium and short term planning of the financial affairs of the Club. These planning documents to be presented to the Executive for approval.
- (bb) to keep accurate records of the finances of the Club.
- (cc) to present monthly financial reports to the Executive.
- (dd) To present a quarterly financial report to the PBO trustees.
- (ee) to prepare for and arrange an Annual Audit of the Club's finances each year.
- (ff) to present an annual Financial Statement and Report to the Annual General Meeting.
- (gg) to prepare and present to the Executive for approval, an annual budget.
- (hh) to act as the custodian of all the Club's property (e.g. trophies, banners, flags, playing kit etc.)
- (ii) to present a detailed inventory of the above to the Annual General Meeting.

(iv) LEAGUE SECRETARY

- (aa) to liaise with the League Secretary of the Western Province Hockey Union and clubs with regard to fixtures.
- (bb) convey information to all teams.
- (cc) to submit Match Reports to the Western Province Hockey Union's League Secretary as required by the Union's League Regulations.
- (dd) may co-opt members to assist with these tasks.
- (ee) to present an annual report to the Annual General Meeting.

(v) FACILITIES CONVENOR

to convene a projects committee whose task it shall be:

- (aa) to formulate and pursue projects that will lead to an improvement of the facilities of the Club, be it in any of the facets involved in hockey.
- (bb) manage the relationship with the facilities owner and other role players related to the facilities.
- (cc) to present an annual report of its activities to the Annual General Meeting.

(vi) MARKETING CONVENOR

to convene a Marketing Sub-Committee whose task it shall be:

- (aa) to devise and implement plans to market the Club to potential sponsors.
- (bb) to liaise with and service the needs of all existing sponsors of the Club

- (cc) to liaise with the Executive / membership in order to identify areas where there is a need to obtain sponsorship in order to alleviate the financial obligations of the Club.
 - (dd) to present an annual report of its activities to the Annual General Meeting.
 - (ee) To facilitate the production of all promotional material and to manage the Club's branding relating to marketing collateral.
- (c) In the election of the Executive in terms of 9(b) of the Constitution, it is desirable that no one gender fill more than 60% of the positions on the Executive
 - (d) Subject to the approval of the Executive, the President shall have the right to co-opt any other person or persons to assist the Executive in the execution of specific duties. Such person or persons shall be required to attend meetings of the Executive for the business in question but may only vote on those specific items.
 - (e) The Executive shall hold office from Annual General Meeting to Annual General Meeting and serve a term of two years.
 - (f) The Executive shall have the power to give rulings in any matters affecting the affairs of the Club, which are not specifically regulated by the Constitution or Bye-Laws. Such rulings shall be binding on all members unless overruled by a General Meeting.
 - (g) The Executive shall have the power to frame Bye-Laws for the purpose of carrying out the provisions of the constitution. The Executive shall submit any such Bye-Laws to a Special General Meeting for adoption, with or without amendment. Such meeting to be called so as to immediately precede the following Council Meeting.
 - (h) The Executive shall meet once a month, at which each Executive Member shall have one vote with the President or the elected chairperson at that meeting having a casting vote as well.
 - (i)
 - (i) In a case where an office bearer fails to be elected in an AGM or where an office bearer ceases to hold office during a term, a new office bearer can only be elected through nomination prior to a general meeting and voted for in a General Meeting and in accordance with Section 9(b).
 - (ii) Any appointments under (i) above shall be reported in writing by the Executive to the members referred to in Section 6 within fourteen (14) days of such appointment.

10. MEETINGS

- a) Minutes shall be amended in official meetings only.
- b) Minutes of all meetings must be kept safely and always be on hand for members to consult.

10.1 ANNUAL GENERAL MEETING

- (a) The Annual General Meeting of the Club shall take place on the last Thursday in March of each year at a venue to be determined by the Executive.

- (b) Notice of the Annual General Meeting as well as an Agenda shall be circulated by the Honorary Secretary to the Executive and members of the Club not later than twenty-one days prior to the date of the Meeting.
- (c) The President of the Club shall preside at the Annual General Meeting. If unavailable Refer to Section 9 (b) (i)
- (d) The members present will elect a Chairperson to facilitate the election process and must not include any executive members nominated for election for the following term.
- (e) The following agenda shall be followed at the Annual General Meeting:
 - (i) Notice of Meeting
 - (ii) Credentials
 - (iii) Apologies
 - (iv) Confirmation of the minutes of the previous Annual General and any Special General Meetings and matters arising therefrom.
 - (v) The President's report and Executive office bearers' reports as required in section 9(b), and matters arising therefrom.
 - (vi) Finance - the appointment of an Auditor for the ensuing year.
 - (vii) Approval and adoption of the draft or audited annual financial statements.
 - (viii) Election of office bearers (Executive Committee) as referred to in section 9(b) (i) to (viii).
 - (ix) Election of Honorary Life Presidents and Honorary Life Members.
- (f) Only senior and life members may vote in an AGM.

10.2 SPECIAL GENERAL MEETINGS:

- (a) The Secretary, upon receiving a written request made by three registered members or the Executive, shall convene a Special General Meeting. The agenda shall express the purpose of the meeting to be called and no other business other than that which is specified shall be transacted at the Special General Meeting.
- (b) Notice of such meeting shall be given not later than fourteen days prior to the date of the meeting to all persons entitled to receive notice of such a meeting. The notice shall include an agenda of business to be conducted at the Special General Meeting.
- (c) Attendance at such meeting shall be the same as for an Annual General Meeting, with voting rights limited to Council members in good standing with the Club.

10.3 COUNCIL MEETINGS:

- (a) Council Meetings of the Club shall take place at least once a year or when substantive issues need to be dealt with.
- (b) The agenda for each Council Meeting shall be drawn up by the Executive. Should a member wish to have any item included on the Agenda, such item should be submitted to the Hon. Secretary in writing at least 21 days prior to the scheduled date of the Council Meeting.

- (c) The Hon. Secretary shall circulate to members and to the Executive copies of the Agenda for a Council Meeting at least 14 days prior to such meeting taking place.

10.4 EXECUTIVE MEETINGS:

- (a) Executive meetings shall be scheduled for the last Thursday of each month unless advised otherwise by the Secretary.
- (b) Notification of the meeting shall be sent 7 days prior to the date of the meeting.
- (c) A fixed agenda will be tabled which addresses each portfolio and relevant convenors are required to submit written reports to the Secretary 72 hours prior to the meeting.

10.5 MANAGEMENT MEETINGS (Manco)

Manco meetings shall take place as required, will not require formal official notification and shall be chaired by a nominated Executive member present. The agenda will be open and any decision taken shall be binding, however shall be ratified at the next Executive meeting.

11. QUORUMS

- (a) For the Annual General Meeting, Special General Meetings and Council Meetings, a quorum shall consist of at least 10 of the active membership in attendance. If such quorum is not present within 30 minutes of the appointed time for the meeting, the meeting shall stand adjourned for one week from the appointed hour at the same venue and each member or member of the Executive shall be notified thereof. At such adjourned meeting, the members present shall constitute a quorum.
- (b) For Executive Meetings a quorum shall consist of fifty-percent of Executive members in attendance. If such quorum is not present within 30 minutes of the appointed time for the meeting, the meeting shall stand adjourned for twenty-four hours from the appointed hour and each member shall be notified thereof. At such adjourned meeting, the members present shall constitute a quorum.
- (c) For Manco meetings, a quorum shall consist of three Executive members.

12. NOMINATION AND ELECTION OF OFFICERS

- (a) The following office bearers shall be nominated and elected every second year as defined in section 9(b)
- (b) Any member in good standing with the club and who has been a member for at least one year or more before an election year shall be entitled to nominate persons for election as office bearers as set out in section 9(b).
- (c) Only members who have been members of the club for two years or more before the election year can be nominated as an office bearer.
- (d) Nomination of office bearers may be done through a nomination form, where any member of the club who fulfils the criteria in accordance with 12 (b) may nominate an office bearer. On the nomination form, the nominee must accept the nomination and another member is required to second the nomination. The nomination form must be accompanied by a motivation letter.
- (e) From the nominations submitted, members entitled to vote shall elect, at the Annual General Meeting, the office bearers referred to in paragraph (a) above.

- (f) The voting members at the Annual General Meeting may elect Honorary Life Presidents and Honorary Life Members. The nomination of Honorary Life Presidents and Honorary Life Members must take the same nomination course as for office bearers.
- (g) Any office bearer not available for the next term must inform the Executive 60 days prior to an election year AGM date. If an executive member is not available for the next term, this information must be communicated to all members when the notice of the AGM is sent out.

13. FINANCE

- (a) The financial transactions of the Club shall be conducted by means of a banking account/s. Only the Treasurer, President and Vice-President will have access to and transact through the bank accounts and will have the right to sign for banking transactions
- (b) Each member affiliated to the Club shall pay an annual fee to the Club as set out in the Bye-Laws.
- (c) The financial year of the Club shall be 1 January to 31 December each year.
- (d) The annual financial statement must be signed by at least three executive members and at least three PBO Trustees.

Immovable Property

The Club shall have the right to sell, purchase, exchange, let, hire, dispose of and otherwise deal with immovable property, such property to vest in the Club. The Club shall have the right, after being authorised thereto at a General Meeting, to borrow or raise money:

- (i) By the issue of debentures, mortgage bonds, pledges or other securities founded or based upon all or any of its property, or
- (ii) By acts of surety ship, promissory notes or other negotiable instruments.

14. AMENDMENTS TO THE CONSTITUTION

The constitution of the Club shall not be amended except at a Special General Meeting called for that purpose; and no amendment shall be made to the Constitution of the Club unless supported by not less than two-thirds of the total votes of those present and eligible to vote. Notice of intention to amend, rescind or add any articles or provision of the Constitution shall be given to the Secretary who shall within 14 (fourteen) days of receipt of such notice call the Meeting by Notice posted not less than 21 (twenty one) days prior to the date of the Meeting to those entitled to receive such notice in terms of Section 10.2.

15. MISCONDUCT AND DISCIPLINE

- (a) All members of the Club shall at all times:
 - (i) Abide by the provisions of the Constitution and all Bye-Laws, rules and regulations framed and promulgated in terms hereof.
 - (ii) Conduct their own affairs in the best interests of the Club and the game.
 - (iii) Insofar as is applicable, procure and ensure that their respective members, officials and players comply with and abide by the Constitution, Bye-Laws,

rules and regulations and conduct themselves appropriately with a view to maintaining the best interests of the Club and the game.

- (b) Without derogating from the generality of the foregoing provisions, the Club from time to time and always consistent with the South African Hockey Association, by which it is bound, may frame, adopt and promulgate its own Bye-Laws, rules and regulations for the purpose of maintaining the best interests of the Club. Such Bye-Laws may include the appointment of a Disciplinary Committee and its method of constitution and powers.
- (c) Any member of the Club guilty of any breach of this Constitution or of the Bye-Laws framed here-under, shall be liable to discipline by the Disciplinary Committee (Refer to Annexure 1 – Disciplinary Procedures).
- (d) At any disciplinary or appeal hearing, the Executive / Disciplinary Committee shall adopt such rules of procedure as are laid down in the Disciplinary Code or, in the absence thereof, such rules as it may deem to be appropriate.
- (e) In the event of it being found that:
 - (i) A member is guilty of a breach of this Constitution or the Bye-Laws, rules and regulations framed hereunder, the Executive may, at its discretion, impose a monetary fine and/or suspension of voting rights, provided that no such fine shall exceed the annual affiliation and capitation fee payable by such member for the year in which such member is found guilty.
 - (ii) If a member of the Club is guilty of any misconduct, the Executive / Disciplinary Committee may suspend such member or official from participation in the playing or administration of hockey for such period determined through the authority vested in this body.
- (f) Every member shall ensure the effectiveness of any disciplinary action imposed in terms of this section and preclude any such disciplined member, player or official from participation in hockey during the period of suspension.
- (g) Every disciplinary meeting and / or appeal hearing held by the Executive shall be recorded and reported to the next General Meeting.

16. LIABILITY

- (a) Any actions instituted by or against the Club shall be taken in the name of the Club as such, and no member of the Club shall be personally liable for any debts or obligations, irrespective of the manner incurred.
- (b) The Club shall not be liable for any loss or injury sustained by any member or official in the playing or administration of hockey.
- (c) No member of the Executive or officer or employee of the Club shall incur any personal liability for any act done on behalf of the Club in the discharge of his duty, unless such person shall be guilty of gross negligence or fraud.

17. NON-PROFIT ORGANISATION (NPO)

- (a) The Club shall be deemed to be a Non-Profit Organisation (NPO).

- (b) The Club's Executive Committee as referred to in section 9(b) (i) to (vi) will manage the NPO.
 - I. The NPO management committee will be made up of not less than 7 members, who may or may not be members or office-bearers of the Club.
 - II. It is desirable to have a qualified accountant as a member.
- (c) The NPO management committee may take on the power and authority that it believes it needs to be able to achieve the objectives of the NPO.
- (d) The provisions of Sections 10 & 11 of this document shall apply to the NPO meetings.
- (e) The NPO shall be able to own property and other possessions.
- (f) However, the NPO may not give any of its money or property to its committee members. The only time it can do this is when it pays for work that a committee member of the NPO has done for the organisation. The payment must be a reasonable amount for the work that has been done.
- (g) The NPO may employ people to carry out work for the NPO.
- (h) Committee members of the NPO do not have rights over things that belong to the NPO or the Club.
- (i) Legal proceedings may be instituted by or against the NPO in the name of the NPO.
- (j) The NPO may continue to exist even when its committee membership changes and there are different committee members.

18. REGULATIONS RELATED TO THE CLUBS PUBLIC BENEFIT ORGANISATION (PBO) STATUS

- (a) The Club was granted Public Benefit Organisation Status on 10 August 2022 and was required to add the clauses as set out in this section. The club is to re-evaluate this section every year to ensure compliance to any changes of the Income Tax Act.
 - (i) Donations made to or by the PBO are exempt from Donations Tax in terms of section 56(1)(h) of the Income Tax Act.
 - (ii) Submit an annual Income Tax Return (IT12EI) by the due date via SARS eFiling.
 - (iii) The exemption approval as contained in this letter is subject to review on an annual basis by the TEU upon receipt of the annual income tax return.
 - (iv) SARS must be informed in writing within 21 days of any change in registered particulars (e.g., Representative, change of name, address, trustee details, office bearers, etc.).
- (b)
 - (i) At least three persons who accept fiduciary responsibility for the public benefit organisation will not be connected persons in relation to each other, and no single person directly or indirectly controls the decision-making powers relating to such organisation.
 - (ii) on dissolution of the public benefit organisation, the remaining assets must be transferred to –
 - (iii) A public benefit organisation, which has been approved in terms of section 30 of the Act.

- (iv) Any institution, board or body which is exempt from the payment of income tax in terms of section 10(1)(cA)(i) of the Act, which has as its sole or principal object the carrying on of any public benefit activity; or
 - (v) Any department of state or administration in the national or provincial or local sphere of government of the Republic, contemplated in section 10(1)(a) or (b) of the Act.
 - (vi) The activities of the organisation are carried on in a non-profit manner and with an altruistic or philanthropic intent.
 - (vii) No activity will directly or indirectly promote the economic self-interest of any fiduciary or employee of the organisation otherwise than by way of reasonable remuneration.
 - (viii) No funds will be distributed to any person (other than in the course of undertaking any public benefit activity).
 - (ix) The funds of the public benefit organisation will be used solely for the objects for which it was established.
 - (x) The public benefit organisation will not be a party to, or does not knowingly permit, or has not knowingly permitted, itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under this Act or any other Act administered by the Commissioner;
 - (xi) No resources will be used, directly or indirectly, to support advance or oppose any political party.
 - (xii) No remuneration will be paid to any employee, office bearer, member or other person, which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
 - (xiii) No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A: Provided that a donor (other than a donor which is an approved public benefit organisation or an institution, board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.
 - (xiv) A copy of all amendments to the founding document will be submitted to the Commissioner.
- (c) The club must elect three members to form part of the PBO Trustees Committee. The PBO Trustees must ensure that the Club's funds are administered in accordance with the regulations set out in section 18 (a) - (b).

19. CLUB POLICY

- (a) Privacy Policy – The club is required to follow regulations relating to the POPI Act. The club must therefore have a privacy policy in place.
- (b) Procurement Policy – The club must have a procurement policy in place which must be adhered to when procuring goods and services. The procurement policy may be amended in an SGM.

- (c) Safety and Security Policy – The club must have a security policy in place which must be adhered to by all members, the City of Cape Town and all security personnel whether hired by the Club or another organisation.
- (d) Club Documents – A list of all official club documents must be available to any club member upon request. Any official club document must be made available to any club member upon request

20. DISSOLUTION OF THE CLUB

- (a) The Club may dissolve if at least two-thirds of the members present and voting at a meeting convened for the purpose of considering such a matter, are in favour of closing down.
- (b) If upon dissolution of the Club there remain any assets whatsoever after the satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed among its members, but shall be given to such other organisation or organisations (preferably having similar objects) which is or are authorised to collect contributions in terms of the Fund-Raising Act 1978, as may be decided either by the members at the General Meeting at which it was decided to dissolve the Club or, in default of such decision, by the Director of Fund-Raising.

SIGNED BY:



NAME : Gregory Williams
CAPACITY : President
DATE : 26 July 2023