

# CONSTITUTION OF THE PRETORIA MUNICIPAL RECREATION CLUB

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## **CONSTITUTION OF THE PRETORIA MUNICIPAL RECREATION CLUB**

### **1. NAME**

The name of the Club is "Pretoria Municipal Recreation Club" hereinafter referred to as "the Club".

### **2. COLOURS**

The Colours of the Club shall be Scarlet and Yellow on a Navy-Blue background. The Badge shall be the City Council of Pretoria Coat of Arms. The Blazer, Hatband and the Tie shall be of Navy Blue cloth of the Club colours. The Club Flag shall have stripes of scarlet and yellow on a Navy-Blue background, and shall bear in the centre the Club Badge.

### **3. OFFICE**

The Headquarters and Office of the Club shall be the main Club House, c/o Annie Botha Avenue and Union Streets, in the suburb of Riviera, Pretoria.

### **4. OBJECTIVES**

**The objectives of the Club shall be:**

- 4.1. To promote and foster all branches of sports, social well-being and pastimes amongst the members of the Club;
- 4.2. To establish, maintain, promote and control for the benefit of its members, sections facilitating the individual sporting, social and other recreational activities;
- 4.3. To provide club and other facilities and amenities to fulfil all the usual objectives of a social and sports club and to do all such things and to carry out all such undertakings as may be necessary for, or incidental to such objectives;

- 4.4. To hold or arrange matches and competitions and offer and grant or contribute towards the provisions of prizes, awards, distinctions and the holding of social functions;
- 4.5. To do all things necessary or required to further the objectives and/or interests of the Club and/or its members, including improvement of facilities and services to members and the provision of all kinds of apparatus;
- 4.6. To purchase, enter leases or otherwise acquire any property, movable or immovable, which may be required to the purpose of, or capable of being conveniently used about the management of the Club and for these and other purposes in the interest of the Club to borrow and/or raise money;
- 4.7. To enter arrangements or contracts with any juristic entity, natural person, club or body, for the fulfilment of the Club's objectives and/or for the promotion of any sport, social activities or any other matters of mutual interest;
- 4.8. To let or grant use of club facilities to any member, members, person or persons with permission within certain prescribed requirements;
- 4.9. To build up and maintain a reserve amount from the monthly returns, which shall be kept in a separate bank account, equal in value to twice the Club's total monthly expenses, to serve as an emergency reserve to be utilised from time to time for any situation which was declared an emergency by the Management Committee;
- 4.10. To reinvest all reserves, except the reserves referred to in clause 4.9 above, back into the management of the Club, in an endeavour to reach the Club's objectives.

## **5. MEMBERSHIP**

### **5.1. THE MEMBERS OF THE CLUB SHALL BE DIVIDED INTO:**

#### **5.1.1 Foundation members**

Those members who joined the Club prior to 31 August 1968.

#### **5.1.2 Ordinary members**

Those members who joined the Club after 31 August 1968.

#### **5.1.3 Honorary members**

Members or persons on whom honorary membership is bestowed by a recommendation from the members of the Club, which recommendation have been approved by the Management Committee of the Club and advertised, without objection, on the notice board of the Club for a period of at least one (1) month.

#### **5.1.4 Temporary and/or Reciprocity members**

Persons who are bona fide candidates for membership and hold some public office, or persons engaged in any match, competition or function at the Club, if such membership only be bestowed by way of a resolution of the Management Committee of the Club, for a fixed temporary period and duly signed in by a member with constitutional voting power.

#### **5.1.5 Junior members**

Persons under the age of 18 years who are admitted to a sport subsection of the club.

### **5.2. APPLICATION FOR MEMBERSHIP**

5.2.1 Application for membership shall be made on the form(s) prescribed by the Management Committee of the Club and provided for that purpose;

5.2.2 Any application for membership shall be posted on the Club's notice boards provided for that purpose for at least fourteen (14) days prior to the Management Committee dealing with such application. A potential member of the Club shall not be admitted less than fourteen (14) days after nomination;

5.2.3 Any member with constitutional voting power may object to the application of any new member by notifying the Chairperson of the Club in writing of his objection and the reason thereto. This objection must reach the Chairperson of the club within three (3) days after the expiry of the fourteen (14) day notice period referred to in the clause above.

### **5.3. CANCELLATION OF MEMBERSHIP**

5.3.1 The Management Committee shall have the right to suspend or terminate forthwith, with written reasons, the membership of any member. A member whose membership is thus suspended or terminated, shall cease to be a member of the Club, and shall have no claim whatsoever against the Club for repayment of entrance fees, subscription fees and/or damage;

5.3.2 No member shall be allowed to continue as a member and membership shall automatically be terminated in the case of entrance fees, membership fees and levies, any of which are in arrears for two (2) months or more after due date;

5.3.3 Notification of suspension, cancellation or termination of membership shall be forwarded by registered post to the address of the member as it appears on the records of the Club or served in person on the member.

#### **5.4. MEMBERSHIP FEES**

Membership fees and the means and date of payment thereof, shall in respect of members of the Club and sections of the Club, from time to time, be recommended by the Management Committee of the Club and thereafter approved at the following Annual General Meeting.

#### **5.5. MEMBERSHIP CARDS**

The membership card issued after admission as a member and thereafter on such times as the Management Committee may decide, shall give the member access to the Club and subsection facilities and must always be produced on request when using Club facilities. Failure by any person to produce a membership card, may lead to refusal of admission to the Club and the use of any of the Club facilities.

#### **5.6. SUBMISSION TO RULES**

5.6.1 Acceptance of membership by the new member shall be regarded as a distinct and specific acknowledgement of a member that he/she is bound by the Constitution and any regulations and/or rules of the Club that have been or may hereafter be made by the Management Committee;

5.6.2 No club member shall be absolved from the constitution, regulations or rules on the plea of not having received a copy thereof or any subsequent amendments thereto.

#### **5.7. RIGHTS OF MEMBERS**

5.7.1 Membership shall confer upon such member the right and privileges of entering the grounds and the erections of the Club and of using and enjoying them, in accordance with the purpose thereof and subject to such restrictions as the Management Committee may from time to time impose and subject to the rules and regulations of the Club from time to time in force;

5.7.2 Nothing contained in this Constitution shall prevent the Management Committee from charging an entrance fee or fees in

respect of the grounds or erections of the Club or any portion thereof, upon occasions when the grounds or erections of the Club, or any portion or portions thereof, shall be used for tournaments, or for other special purposes or events.

#### **5.8. LIABILITY OF MEMBERS**

In the event of the Club being wound up, there shall be no liability incurred by any Management Committee Member or any ordinary member other than in respect of his/her unpaid subscription and any money he/she may be owing to the club.

#### **5.9. CONSTITUTIONAL VOTING POWER**

Only foundation, ordinary and/or honorary members who are paid up members, shall have constitutional voting power and be competent to vote at the Annual General Meeting or any Special General Meeting of the Club.

#### **5.10. RESIGNATION OF MEMBERS**

The resignation of a member shall take effect at the end of the month in which written notice to that effect has been sent to the Chairperson or the Secretary of the Club and submitted to the Management Committee.

### **6. MANAGEMENT**

#### **6.1 Management Committee**

6.1.1 The Management Committee shall consist of the Chairperson, the Vice Chairperson, the Chairperson or a representative of each sport sub section and at least two (2), but not more than four (4) additional club members who were duly elected by the club members at the Annual General Meeting convened for this purpose;

6.1.2 All members of the Management Committee shall have similar rights, powers and obligations. The Chairperson however shall furthermore be obliged to chair all management committee meetings as well as all annual general meetings and special general meetings. The Vice Chairperson shall stand in for the Chairperson, only when the Chairperson is not available to fulfil his duties;

6.1.3 Only fully paid up and willing club members may be nominated for election and to serve on the Management Committee.

#### **6.2 Mandate of the Management Committee**

6.2.1 The management of the Club, in all its facets, shall at any given time be the sole responsibility of the Management Committee as elected and referred to in this Constitution;

6.2.2 The Club's assets and all rights and powers relative thereto, shall vest in the Management Committee to manage all the affairs of the Club to the benefit and in the interest of the Club and to reach the objectives of the Club.

### **6.3 Temporary disqualification as a member of the Management Committee**

6.3.1 No club member or private person who at the same time is appointed as an employee, a contractor, service provider or who is contracted as a tenant of the Club, may simultaneously serve on the Management Committee of the Club, while he or she remains in the above-mentioned relationship with the Club;

6.3.2 No husband and wife may serve on the Management Committee at the same time, but a husband and wife may at the same time serve one on the Management Committee while the other act as Treasurer and/or Secretary.

### **6.4 Election of Management Committee Members**

6.4.1 All the Management Committee Members shall be elected annually from amongst foundation, ordinary and honorary members at the Annual General Meeting convened for this purpose, by way of a secret ballot;

6.4.2 Nominations for members of the Management Committee to be elected shall be submitted, by members in writing on the prescribed nomination form to the Chairperson or Secretary of the Club fourteen (14) days before the Annual General Meeting is convened for this purpose;

6.4.3 Should there be no nominations for any Management Committee members, nominations shall be called for from the floor at such Annual General Meeting.

### **6.5 Replacement of Management Committee Members**

In the event of a vacancy arising during the term of office of a member of the Management Committee, the remaining Management Committee Members may fill such vacancy by electing a new Management Committee member from any of the other paid up and willing club members to such vacancy.

**6.6. Appointment of the Secretary and the Treasurer or the “Secretary/Treasurer”**

6.6.1 At the new Management Committee's first meeting after the Management Committee was elected at the Annual General Meeting convened for that purpose, the Management Committee shall appoint a Secretary and a Treasurer or a Secretary/Treasurer to serve together with the same Management Committee, from amongst any of the other paid up and willing club members;

6.6.2 The Secretary and the Treasurer or the Secretary/Treasurer so appointed shall have no voting powers on the Management Committee at any point in time during their term of office;

6.6.3 In the event of a vacancy arising during the term of office of the Secretary, the Treasurer or the Secretary/Treasurer, the Management Committee may fill such vacancy by electing a new Secretary, Treasurer or Secretary/Treasurer, from amongst any of the other paid up and willing club members.

**6.7 Right to co-optation and sub-committees**

6.7.1 The Management Committee have a full mandate from the members of the Club and therefor the right and power to co-opt and consequently appoint any other paid up and willing club member, to serve on any sub-committee, upon a decision and request of the Management Committee;

6.7.2 The Management Committee have a full mandate from the members of the Club and therefor the right and power to set up as many sub-committees as it deems necessary, to operate and function as working committees in the fulfilment of the Club's objectives.

**7. DUTIES AND POWERS OF THE MANAGEMENT COMMITTEE**

**The Management Committee shall-**

7.1. Administer and manage all matters related to the Constitution of the Club and promote and further the objectives of the Club in such a way or ways it deems fit;

7.2. Administer and manage the affairs, funds, reserves and assets of the Club, give attention to all matters affecting the Club and make such other provisions necessary for carrying out the work or to reach the goals of the Club, as may from time to time be necessary;



- 7.3. Make such appointments as deemed necessary and determine salaries, wages, bonuses and honorariums;
- 7.4. Enter agreements on behalf of the Club and conduct the affairs of the Club and attend to all matters affecting the Club, whether directly or indirectly provided for or not in the constitution of the Club;
- 7.5. Delegate such functions as deemed desirable and fit to applicable sub-committees;
- 7.6. Decide on, set up and implement from time to time, such control or disciplinary rules as may be deemed necessary for the proper functioning of the Club, its Management Committee and/or its members;
- 7.7. Prescribe or amend, from time to time, the duties and obligations of the Secretary, the Treasurer or the Secretary/Treasurer;
- 7.8. Ensure that proper books, membership lists, financial and other records are kept, including proper minutes of all official meetings held;
- 7.9. Deal with all matters or business related to the Club, convene and regulate its meetings and delegate powers to sub committees or a single member of the Management Committee or to a paid up and willing member of the Club;
- 7.10. Take out such insurance and indemnities as deemed necessary;
- 7.11. Implement, manage and control such resolutions as taken from time to time at Management Committee meetings and/or Annual General Meetings;
- 7.12. Prepare a detailed annual report, personally overseen and approved by the Chairperson together with the Vice Chairperson, detailing the business and at the Club for the past year and submit this report for possible discussion and questions by the fully paid up attending members of the Club, together with any other possible matters of interest, to the Annual General Meeting;
- 7.13. Have a full mandate from the members of the Club and therefor the right and power and authority, from time to time, to issue rules, regulations and/or disciplinary codes to promote the control and management of the day-to-day activities of the Club, as well as to maintain discipline amongst all the members or visitors of the Club on the short, medium and the long term.

## **8. MEETINGS OF THE MANAGEMENT COMMITTEE**

- 8.1. The Management Committee shall meet at least once a month except during December and January;
- 8.2 Five (5) members of the Management Committee shall constitute a quorum. Any resolutions or decisions taken or made by the Management Committee where this quorum was not attained and kept during any of the meetings and reflected in the minutes of that meeting, shall be null and void and without any effect;
- 8.3 All decisions relating to the management of the Club by the Management Committee, without any exception and at all the meetings of the Management Committee, shall be determined by a majority vote of the Management Committee Members present at a meeting, subject to the Management Committee members present, at least attaining the required quorum;
- 8.4 Only the Chairperson shall have an ordinary vote as well as a casting vote, in the case of an equality of votes;
- 8.5 If a representative of a sport section of the Club fails to attend two successive meetings of the Management Committee without prior apology, he/she will automatically relinquish his/her right to attend meetings for the remainder of that Management Committee's term. In such case, the Secretary will inform the Chairperson of that Section accordingly and request that a successor be nominated to represent that sub-section on the Management Committee. If no representative of that sub-section attends the ensuing meeting of the Management Committee without prior apology, that sub-section will relinquish its right to be represented on the Management Committee for the remainder of that Management Committee's term.

## **9. ANNUAL GENERAL MEETING**

An Annual General Meeting of fully paid up members, convened by the Management Committee, shall be held at the Club's premises on or before the end of March each year. The business to be discussed at the Annual General Meeting shall only be:-

- 9.1. To confirm the Minutes of the previous Annual General Meeting;
- 9.2. To consider and possibly ask questions on the report of the and position of the Club as personally overseen, prepared and approved by the Chairperson and Vice Chairperson of the term concerned, as well as the applicable financial statements;
- 9.3. To elect a Chairperson, a Vice-Chairperson, two (2) but not more than four (4) additional Management Committee members as well as the Chairpersons or representatives of the various sub sections, who shall all

serve with equal right and say as the Management Committee, for the ensuing year;

- 9.4. To appoint the Club's auditors;
- 9.5. To consider any resolutions concerning the affairs of the Club of which due notice have been given;
- 9.6. To consider any business concerning the affairs of the Club of which is brought under consideration by the report of the Management Committee;
- 9.7. To approve membership fees and the payment thereof for the following twelve (12) months as recommended by the Management Committee;
- 9.8. To consider any motions duly submitted to the Management Committee.

## **10. NOTICE OF ANNUAL GENERAL MEETING**

A notice stipulating the day and hour of the Annual General Meeting shall be posted on the Club's notice boards for at least fourteen (14) days prior to the meeting.

## **11. MOTIONS FOR THE ANNUAL GENERAL MEETING**

- 11.1 Any motions to be proposed at the Annual General Meeting shall be in writing and shall reach the Secretary or the Chairperson on or before the end of February each year;
- 11.2 Any such motion shall be submitted by the Secretary to the Management Committee for consideration before inclusion thereof in the agenda of the Annual General Meeting.

## **12. AGENDA FOR THE ANNUAL GENERAL MEETING**

An agenda for the Annual General Meeting shall be posted on the notice boards of the Club and so, made available at the Club to members at least fourteen (14) days before the day of such meeting.

## **13. SPECIAL GENERAL MEETING**

- 13.1. The Management Committee may at any time call a Special General Meeting of members by giving not less than fourteen (14) days written notice, specifying for what purpose the meeting is called;
- 13.2. The Management Committee shall, in a similar manner call a Special General Meeting upon receipt of a request signed by at least fifteen (15)

members of the Club, specifying the purpose for which such meeting is called;

13.3. No business other than that specified in the original agenda shall be discussed and decided on at such meeting;

13.4. All notices in this regard shall be posted on the Club's notice boards for at least fourteen (14) days prior to the meeting.

#### **14. QUORUM AT MANAGEMENT COMMITTEE MEETINGS**

A quorum for any management committee meeting shall be a minimum of five (5) members of the total number of members elected as management committee members.

#### **15. QUORUM AT THE ANNUAL GENERAL AND SPECIAL GENERAL MEETINGS**

A quorum for an Annual General Meeting or Special General Meeting shall be twenty (20) members. If no quorum is present within fifteen (15) minutes after the time fixed for the meeting, the meeting shall, in the case of an Annual General Meeting or a Special General Meeting be postponed to the same day and hour in the following week and at such adjourned meeting the members present shall be deemed to be a quorum for the transaction of all business of that meeting. In the case of a Special General Meeting called on request of members, and at this Special General Meeting there is no quorum present, such meeting shall finally be dissolved.

#### **16. ADJOURNMENT OF MEETINGS**

The Chairman of any Meeting may, with the consent of the meeting, adjourn that meeting from place to place and from time to time, but no other business shall be discussed and decided on at any of the following meetings, other than the items left unfinished at the meeting from which the adjournment took place.

#### **17. VOTING AT THE ANNUAL GENERAL AND SPECIAL GENERAL MEETINGS**

17.1 Every motion submitted to the Annual General or Special General Meetings, shall first be proposed and seconded, and only thereafter shall be decided on in the first instance by a show of hands;

17.2 Only if so proposed and accepted by the meeting of the day, shall the Chairperson be obliged to render voting amongst the attending and paid up members of the Club, by way of a secret ballot;

- 17.3 Only the Chairperson shall have an ordinary and casting vote in the case of an equality of votes;
- 17.4 Unless a ballot is requested, shall a declaration by the Chairperson of the result of the voting by show of hands, be conclusive, final and binding.

## 18. MISCONDUCT OF MEMBERS

- 18.1 Should any member(s) in the opinion of the Management Committee or in the opinion of any other fully paid up member(s):-
- 18.1.1. Commit any wilful breach of the constitution, regulations or rules of the Club or;
  - 18.1.2. Be guilty of improper, dishonest, unsportsmanlike or offensive conductor;
  - 18.1.3. Fail to make payment of moneys due to the Club or;
  - 18.1.4. Be prejudicial to any interest of the Club;
  - 18.1.5. Bring the Club into disrepute or;
  - 18.1.6. Commit any other act objected to by any member or the Management Committee;

then the Management Committee shall have a full mandate from the members of the Club, the right and power to institute disciplinary steps against such member in his presence, or if he, after proper written notice to him or them, he or they fail to be present at his or their disciplinary hearing, the Management Committee may proceed with the same disciplinary steps in his or their absence;

- 18.2. If the member(s) was found guilty of the charges brought against him, the Management Committee shall have the power:-
- 18.2.1. To terminate the membership of such member, either permanently or suspend such member for any period of time;
  - 18.2.2. To deprive such member of any or all the rights, benefits and advantages of his/her membership, during such time or period as the Management Committee in its absolute discretion may deem fit and advisable, or
  - 18.2.3. To call upon such member in writing to resign, and if he/she fails to resign within seven (7) days from the date of such request, to terminate his/her membership.

**19. SPORT SUB SECTIONS**

- 19.1 Each sub section formed or to be formed shall have at least twenty (20) members who shall always be members of the Club;
- 19.2 Each sub section formed or to be formed shall submit a constitution and/or its rules for approval to the Management Committee and shall not be allowed to function before such constitution and/or rules is approved by the Management Committee.

**20. DUTIES OF SPORT SUB SECTION COMMITTEES**

Sport sub section Committees shall conduct and control their sub sections under the constitution and the sub sections' constitution and rules duly sanctioned by the Management Committee.

**21. AMENDMENTS TO CONSTITUTIONS AND RULES OF SPORT SUB SECTIONS**

Whenever any such amendment had been made to the constitution or rules of any sub section, a copy thereof shall be submitted to the Management Committee for approval and shall thereafter be made available to the members of the Club.

**22. DISSOLUTION OF A SPORT SUB SECTION**

Should the Management Committee execute a member audit of a sport sub section and find that the members of any sport sub section are not numerically sufficient, or that due interest is not taken in such section by its members, the Management Committee may dissolve such section, after giving the section concerned one (1) months' notice of their intention to do so.

**23. INTERPRETATION OF RULES**

In case of doubt as to the meaning or interpretation of the constitution or any regulation or rules of the Club or sport sub sections, the Management Committee shall be the final arbiter and its decision shall be final and binding upon members of all classes, subject to an appeal to be decided at the next Annual General Meeting of the Club.

**24. AMENDMENT TO THE CLUB'S MAIN CONSTITUTION**

Any deletions, additions or amendments to this constitution shall only become effective if a two third ( $\frac{2}{3}$ ) majority of paid up and willing members voted at an Annual General meeting or at a Special General Meeting in favour thereof. Notice of at least fourteen (14) days of such deletions, additions or amendments shall be given by the posting thereof on the Club's notice boards.