

**CONSTITUTION  
OF  
SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION ("SASSF")**

**16th MAY 2013**

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### **1. CONSTITUTION, NAME AND CORPORATE PERSONALITY**

- 1.1 This is the Constitution of the body known as "SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION", which Association is the national body duly recognised by the South African Sport Confederation and Olympic committee.
  
- 1.2 SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION is a voluntary Association having a corporate identity separate from that of its Members and is entitled to own property, whether movable or immovable or otherwise, and is entitled

to sue and to be sued in its own name and, notwithstanding any change in the composition of its Members from time to time, shall have perpetual succession.

- 1.3** The provisions of this Constitution are founded upon and shall be implemented and administered in the recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitution of the Republic of South Africa (1996), the rule of law and good corporate governance.

## **2. DEFINITIONS AND ABBREVIATIONS USED**

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 2.1 "Act of Parliament" refers to the National Sport and Recreation Act, (Act No 110 of 1998) and the National Sport and Recreation Amendment Act (Act No 18 of 2007), also referred to as "The Act".
- 2.2 "AGM" means the Annual General Meeting of Members held in accordance with the provisions of this Constitution.
- 2.3 "Appeal Board" means a body of appeal appointed by the General Meeting in terms of this Constitution.
- 2.4 "Associate Members" means all those associations or organisations having the same or similar objects to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION and having their National Office within the area of jurisdiction of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, which bodies have made application and have been accepted as Associate Members of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION in terms of the provisions of this Constitution.
- 2.5 "Annual Financial Statements" means the annual audited balance sheet, income and expenditure account, Treasurer's report and Auditor's report.
- 2.6 "CEO" means the Chief Executive Officer (and who may be referred to as the Secretary General) who may be employed by SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION in terms of the provisions of this Constitution.
- 2.7 "Club" means any SHOOTING club which caters for any discipline of SHOOTING in a district, region or Province, as contained in this Constitution
- 2.8 "Code of Conduct" shall mean the set of rules which is endorsed by the membership.
- 2.9 "Compliance" means that the member club or individual has fulfilled the necessary provisions of this Constitution in regard to specific requirements as contained herein, and as such is regarded as being in good standing with SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.
- 2.10 "Constitution" means the Constitution of the South African Shooting sport Confederation.

- 2.11 "SHOOTING" means the sport of SHOOTING and includes the disciplines referred to in this Constitution and as well as defined by the ISSF and other recognise International Bodies.
- 2.12 "Day" means a calendar day. "Working day" means a calendar day excluding Saturdays, Sundays and Public Holidays.
- 2.13 "Event" means a SHOOTING event held by the Federation under the auspices of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION
- 2.14 "EXCO" means the Executive Committee of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, as constituted in terms of this Constitution.
- 2.15 "High Performance Shooting" means high level participation in major international shooting sports events including but not limited to world championships and other international multi-sport events such as the Olympic Games, Para-Olympic Games, Commonwealth Games, All-Africa Games and Zonal Games.
- 2.16 "Honorary Life Members" means all those persons bestowed with this honour by the Annual General Meeting of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, and shall include any persons to whom this honour was bestowed prior to the acceptance of this Constitution.
- 2.17 "ISSF" means the World Shooting Sport Federation known as *International Shooting Sport Federation*, being the supreme controlling body of Olympic Shooting at global and continental levels, having its headquarters in Munich.
- 2.18 "Levies" means the monies levied and due by the membership to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION and as approved and agreed to by membership at each Annual General Meeting of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.
- 2.19 "Member" shall mean an Ordinary Member or an Associate Member.
- 2.20 "Members in good standing" shall mean members who have fully paid up their fees and dues in terms of the rules, as at 31 May each year.
- 2.21 "Month" means a calendar month.
- 2.22 "National Sport Confederation" means the national governing body of a Shooting discipline as recognised by the SOUTH AFRICAN SHOOTING SPORT CONFEDERATION.
- 2.23 "National Office" means the head office of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION as defined in this Constitution.
- 2.24 "Non-high performance shooting" shall include the recreational and/or informal, developing, or occupational sport of shooting, not being High Performance.
- 2.25 "Ordinary General Meeting" means a meeting convened in terms of this Constitution.
- 2.26 "Ordinary Members" means those members THAT ARE National Federations representing the different disciplines at National level that is affiliated to a recognise International body
- 2.27 "Patrons" shall mean a person duly appointed as such in terms of this Constitution.

- 2.28 "Person" means a natural or legal person.
- 2.29 "President" means the President of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, duly elected in terms of this Constitution.
- 2.30 "Province" means one of the nine (9) geopolitical areas as defined in Section 103 of the Constitution of the Republic of South Africa 1996 (as amended).
- 2.31 "Provincial Shooting General Meeting" means a body consisting of more than one Shooting Union within a Province associated with each other for the special and specific purpose of liaison and communication with the sporting codes of that Province, and the Department of Sport and Recreation in that Province and the Provincial Sports Confederation.
- 2.32 "Rules & Regulations" means the rules and regulations of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.
- 2.33 "SA SHOOTING SPORTS CONFEDERATION" hereafter referred to as SASSCo, means the body recognised by SASCOC as the organisation responsible for SHOOTING in the Republic of South Africa, and as referred to in this Constitution, and incorporates all rights that may have existed or exist in the entity formerly known as the SOUTH AFRICAN SHOOTING SPORT FEDERATION.
- 2.34 "SAIDS" means the South African Institute for Drug-Free Sport.
- 2.35 "SASCOC." means the South African Sport Confederation and Olympic Committee duly recognized and approved by the Department of Sport and Recreation as the governing body of Sport in the Republic of South Africa.
- 2.36 "Administrator" means the person appointed by the National Executive Committee of the Sport, to be employed in terms of an employment contract. It is specifically recorded that such person may be a member of the National Executive, but shall not be entitled to any voting rights in terms of this Constitution.
- 2.37 "Shooting Federation" shall mean a national Shooting body established to govern the affairs of a specific recognised discipline.
- 2.38 "Shooting Sport" shall mean the organised competitive shooting as determined by the proclaimed rules of the specific discipline with the sole purpose of testing the marksmanship of the competitors.
- 2.39 "Special General Meeting" means a meeting convened in terms of this Constitution.
- 2.40 "SRSA.", means the Department of Sport & Recreation in South Africa.
- 2.41 "Treasurer" means the person either elected or employed in terms of the provisions of this Constitution
- 2.42 "Vice-President" means the Vice-President of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION as defined in this Constitution.
- 2.43 "WADA" means the World Anti-Doping Agency.
- 2.44 "Year" means a calendar year.
- 2.45 Any words intending one gender includes the other.

decided by EXCO, whether within or without the area of jurisdiction of SA SHOOTING SPORTS FEDERATION and irrespective of whether or not such other Associations or Organisations be connected with the sport of SHOOTING.

- 6.4 To uphold and enforce the rules of SHOOTING as prescribed by the International Shooting governing bodies from time to time and to encourage and promote the highest standard of sporting behaviour in connection with the playing of SHOOTING.
- 6.5 To uphold and enforce any code of conduct pertaining to the sport of SHOOTING approved by the International SHOOTING Union and/or any other code of conduct decided upon by SA SHOOTING SPORTS CONFEDERATION.
- 6.6 To encourage the appointment of coaches at all levels within the education system.
- 6.7 To award local and international colours in terms of the criteria laid down in the Rules and Regulations.
- 6.8 To recognise and accept the jurisdiction, rules and regulations of the South African Institute for Drug-free Sport ("SAIDS") as well as the code of the World Anti-Doping Agency ("WADA").
- 6.9 The Code of Conduct is endorsed by the Membership as follows:-
  - 6.9.1 to promote the safe and responsible use of firearms in pursuit of the sport of Shooting.
  - 6.9.2 to promote the establishment, practice, advancement and encouragement of the Sport of Shooting in accordance with the law and the International Sporting Convention.
  - 6.9.3 to assist, formulate and co-ordinate Shooting Sport's policies.

## **7. MEMBERSHIP**

- 7.1 SA SHOOTING SPORTS FEDERATION consists of 2 (two) categories of members, namely:
  - 7.1.1 Ordinary Members, are those National Shooting Federations representing specific shooting disciplines and is affiliated to International recognize controlling bodies.
  - 7.1.2 Associate Member(s) shall comprise those bodies who have made application and have no International affiliation and has been accepted as Associate Members.
  - 7.1.3 SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION may, by a majority vote taken at an Annual General Meeting or a Special General Meeting convened inter alia for this purpose, grant associate membership status to any other association operating on a national level provided that no associate membership shall be granted to an association with the same aims and objectives as SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.

### **3. INTERPRETATIONS**

- 3.1 The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used in the interpretation hereof.
- 3.2 Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.

### **4. HEADQUARTERS**

The National Office Headquarters shall be in Gauteng Province, Republic of South Africa, and shall remain at that place until the General Meeting shall decide that the National Office shall be moved to another place, provided that the National Office shall always be at a place within the Republic of South Africa.

### **5. AREA OF JURISDICTION OF SA SHOOTING SPORTS CONFEDERATION**

The geographical area of jurisdiction of SA SHOOTING SPORTS CONFEDERATION shall be the Republic of South Africa.

### **6. OBJECTIVES OF SA SHOOTING SPORTS CONFEDERATION**

The objectives of SA SHOOTING are:

- 6.1 To operate and function as the autonomous controlling and administrative body of the sport of SHOOTING within the area of its jurisdiction.
- 6.2
  - 6.2.1 to direct, develop, promote and administer the Sport of SHOOTING within the area of its jurisdiction in accordance with sound business and financial principles;
  - 6.2.2 to ensure that the encouragement, promotion, development and administration of the Sport of SHOOTING, whether same be at National Provincial, Regional or Local level, is carried out in accordance with the principles of non-racism, by which it is meant that race ethnicity and nationality shall not be a basis for discriminating against or of affording privileges to any one person or group of persons, such principles are more fully set out in Schedule 1 of the Rules and Regulations of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION
  - 6.2.3 To promote sportsmanship and fair play at all levels of the sport, free of any interference.
  - 6.2.4 To apply annually to be a member of SASCOC and to abide by their Constitution, Rules and Regulations, as well as to affiliate to any National or International sports body as the Annual General Meeting upon the recommendation of the national executive may decide.
  - 6.2.5 To cooperate with SASCOC, in particular as regards the participation of Shooters in all Multi-Code Games and Events.
- 6.3 To advance the objects of SA SHOOTING SPORTS CONFEDERATION and to associate itself with all such other lawfully constituted Associations and Organisations as shall be

7.1.4 SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION may, by a two-thirds majority vote taken solely for this purpose, withdraw its recognition of any associate member contemplated in this Constitution, in which event; the relevant association will cease, forthwith, to be an associate member of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.

7.1.5 In matters of mutual interest, SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION and any members may, if the need arises, enter into a written agreement covering specific issues for the benefit of the Sport and its members.

**7.2 The list of present Ordinary Members (national disciplines) shall be:-**

- 7.2.1 Clay Target Shooting South Africa – CTSASA
- 7.2.2 South African Air Rifle Association – SAARA
- 7.2.3 South African Benchrest Shooting Federation – SABSF
- 7.2.4 South African Bisley Union – SABU
- 7.2.5 South African Combat Rifle Association – SACRA
- 7.2.6 South African Metallic Silhouette Shooting Association – SAMSSA
- 7.2.7 South African Pistol Association – SAPA
- 7.2.8 South African Practical Shooting Association –SAPSA
- 7.2.9 South African Target Rifle – SATRA
- 7.2.10 Compak SA
- 7.2.11 South African Field Target Airgun Association – SAFTAA
- 7.2.12 South African Hunters and Game Association –SA Hunt Sport Shooting

**7.2.13 The list of present Associate Members shall be:-**

- 7.2.14 South African Hunting Rifle Association-SAHRA
- 7.2.15 South African Pin Shooting Federation-SAPSF
- 7.2.16 Confederation of Hunters Associations of South Africa Sport-CHASA-SPORT
- 7.2.17 Lowveld Sport Association-LSSA
- 7.2.18 South African Paint Ball Association

7.3 Each Individual member shall strive to be represented in the nine (9) geographical Provinces and affiliated to the respective Provincial Sport Confederations comprising of the composite disciplines within that Province, categorized and made up of the following Regions per Province:

**8. POWERS OF SA SHOOTING SPORTS CONFEDERATION TO CARRY OUT ITS OBJECTS**

8.1 SA SHOOTING SPORTS CONFEDERATION shall have all such powers and authorities as shall be necessary or desirable or conducive of achieving any and all of the objects of SA SHOOTING SPORTS CONFEDERATION. These powers and authorities shall be exercised by the MANCO and/or by the Secretary General and/or by any duly constituted sub-



committee in accordance with and subject to the provisions of this Constitution and the Act. Without in any way limiting the generality of the a foregoing, the powers and authorities of SA SHOOTING SPORTS CONFEDERATION shall include those set out in Clauses 8.2 to 8.20 below.

- 8.2 To acquire by purchase, exchange, hire, sub-lease, donation or otherwise movable and/or immovable property of any kind.
- 8.3 To sell, let, mortgage, dispose of, give in exchange, turn to account or otherwise deal with all or any part of the property or rights of SA SHOOTING SPORTS CONFEDERATION
- 8.4 To enter into contracts of any and all kinds necessary to carry out, give effect to or secure the objects of SA SHOOTING SPORTS CONFEDERATION.
- 8.5 From time to time, in accordance with sound business and financial principles to invest the funds of SA SHOOTING SPORTS CONFEDERATION in such property or assets or other security as may be deemed advisable.
- 8.6 To employ, suspend or dismiss and remunerate employees, professional assistants and experts.
- 8.7 To establish and contribute to a pension, annuity, medical and/or other fund for the benefit of its employees and/or the dependants of such employees in accordance with the rules of such fund.
- 8.8 To arrange a pension and medical aid scheme for the benefit of and to grant pensions, allowances, gratuities and bonuses to employees or ex-employees of SA SHOOTING SPORTS CONFEDERATION, or the dependants of such persons, and to support or subscribe or make donations to any charities or other institutions, clubs, societies and funds.
- 8.9 To regulate relations between its Members and SA SHOOTING SPORTS CONFEDERATION or its members or individual Shooters.
- 8.10 To invite the patronage of any person or persons as it may consider advisable.
- 8.11 To insure against losses, damage, risk and liability of all kinds.
- 8.12 To draw, make, accept, endorse, execute, negotiate and issue cheques, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments.
- 8.13 To institute, conduct, defend, compound or abandon any legal proceedings by and against SA SHOOTING SPORTS CONFEDERATION or its officers or otherwise concerning the affairs of SA SHOOTING SPORTS CONFEDERATION, or the action of its Members, and also compound and allow time for payment or satisfaction of any debts due or any claims or demands made by or against SA SHOOTING SPORTS CONFEDERATION.
- 8.14 To raise money whether by subscription or levies which are to be paid to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION by the 1<sup>st</sup> day of March each year from its Members inclusive of clubs, tertiary institutions, and or any other associations or organisations which are affiliated directly or indirectly to SA SHOOTING SPORTS CONFEDERATION on behalf of ordinary Shooting who are members of the bodies referred to above, as well as to obtain funding from any other source, and to recover by legal process monies due by any of the above.

- 8.15 To contribute or subscribe to bodies with aims similar to the aims of SA SHOOTING SPORTS CONFEDERATION, and invest monies upon such security and in such manner as it may from time to time determine.
- 8.16 To borrow and guarantee or otherwise secure the repayment of money in such manner and in such terms as it may think fit.
- 8.17 To make and pass rules, by-laws or regulations and to add to, repeal or alter such rules, by-laws or regulations, with or without penalties for the carrying out, administration and implementation of this Constitution and the attainment of the objects of SA SHOOTING SPORTS CONFEDERATION.
- 8.18 To impose fines, to suspend for a period of time, to ban and/or implement any other disciplinary measures on its Members or former Members or on any Shooting Player or club or association or organisation connected or concerned with SHOOTING arising out of or connected with any contravention or breach of the provisions of this Constitution or any rule, by-law or regulation passed by EXCO, including those of SAIDS, SASCO and World Anti-Doping Code and recover by legal action or otherwise such fines or compulsory contributions or damages from its Members or former Members. Without in any way limiting the generality of the a foregoing, SA SHOOTING SPORTS CONFEDERATION shall have the power to suspend or ban any Shooting Player, Member or club from participating in any championship or event.
- 8.19 To take all such action as may be required or necessary to enforce fully and effectively all obligations of whatsoever nature and howsoever arising which may be owed to SA SHOOTING SPORTS CONFEDERATION by its Members, former Members or any other persons or body.

## **9. MEMBERSHIP AND TERMINATION OF MEMBERSHIP**

- 9.1 Any SHOOTING Association that wishes to become an Associate Member of SA SHOOTING SPORTS CONFEDERATION shall apply in writing to EXCO to be admitted as an Associate Member and shall furnish a copy of its constitution and all such information as EXCO may require to decide upon its application.
- 9.2 No SHOOTING Association shall be admitted to membership of SA SHOOTING SPORTS CONFEDERATION unless EXCO is satisfied that the constitution of such Association substantially complies with the requirements contained in Schedule 2 (two) hereto.
- 9.3 In deciding whether or not to admit a new SHOOTING Association as an Associate Member, EXCO shall have regard to such factors as it considers relevant including the number of clubs and Shooting within the jurisdiction of the applicant, clubs run by the applicant, and whether or not the applicant and the clubs within its jurisdiction are committed to the scheme in terms of which levies are paid to SA SHOOTING SPORTS CONFEDERATION
- 9.4 EXCO'S decision to admit or refuse any application for membership shall be referred to the next meeting of the General Meeting for ratification.

- 9.5 Associate Members shall agree upon and define their geographic areas of jurisdiction provided that in the event of dispute and failure to reach agreement such areas of jurisdiction shall be defined by EXCO.
- 9.6 The right of each existing and future Member to have one or more representative teams participate in the various events and championships which are held or staged under the auspices of SA SHOOTING SPORTS CONFEDERATION shall be determined by EXCO, which may vary such rights from time to time.
- 9.7 Any Member which ceases to operate a viable structure as defined in this Constitution and may ipso facto be suspended from membership after due process was followed by the EXCO and the Annual General Meeting shall decide whether the membership of such member should be terminated.
- 9.8 Any member of any classification may, at any time, tender their resignation to SA SHOOTING SPORTS CONFEDERATION. Any member so resigning shall continue to be liable for any monies due and owing by such member, to SA SHOOTING SPORTS CONFEDERATION at the date of their resignation.

## **10. VOTING RIGHTS**

- 10.1 The voting rights set out in this clause shall apply in respect of any and all meetings of the General Meeting.
- 10.1.1 EXCO members with one vote each
- 10.1.2 Ordinary Members shall each have 2 (two) votes.
- 10.1.3 Associate Members shall each have 1(one) vote.
- 10.1.4 Athlete's representative with 1 (one) vote.
- 10.1.5 Honorary Life members shall have no vote.
- 10.1.6 Only Members whose representatives are personally present at the meeting concerned shall have the right to vote, no provision shall be made for proxy votes .
- 10.1.7 Each Ordinary Member shall be entitled to nominate a maximum of 2 (two) representatives(s) whilst an Associate Member will be entitled to nominate one representative to attend and to vote at any general meeting. Such nominations shall be in writing, addressed to the Secretary General and must be received by the National Office not less than 72 (seventy-two) hours prior to the time for the commencement of that meeting.

**11. ANNUAL GENERAL MEETING ("AGM")**

- 11.1 An AGM shall be held once in every year provided that not more than fifteen months shall elapse between one AGM and the next.
- 11.2 EXCO shall cede the power to MANCO to decide the time, date and venue of the AGM provided such meeting is held within three (5) months after the date of the financial year. (This period of three months is not normally practical as the auditors are at their busiest time after 31 March – see also time frames 11.6).
- 11.3 The following persons shall be entitled to attend and speak at the AGM:
- 11.3.1 All members of EXCO
  - 11.3.2 Not more than 2 (two) representatives of each of the Ordinary Members, and athlete's representative, and 1 (one) from Associate Members.
  - 11.3.3 The Patrons
  - 11.3.4 All Honorary Life Members
  - 11.3.5 Any other person who may be invited by EXCO to do so.
- 11.4 The business to be transacted at an AGM shall be:
- 11.4.1 To read the notice convening the Meeting
  - 11.4.2 Approval of the circulated agenda.
  - 11.4.3 To read and confirm the Minutes of the previous AGM and Special General meetings, and to consider any matters arising there from
  - 11.4.4 To receive and consider the Annual Report of the President, for the period since the date of the previous AGM
  - 11.4.5 To consider with or without modification, the audited Annual Financial Statements for the period since the date of the previous AGM, provided that if not so adopted the Annual Financial Statements shall stand for consideration and adoption, with or without modification at the Special General Meeting called for that purpose.
  - 11.4.6 To appoint the auditors of SA SHOOTING SPORTS CONFEDERATION to hold office until the next AGM
  - 11.4.7 To consider and to adopt with or without modification, or to reject any recommendations of EXCO
  - 11.4.8 To consider all nominations by EXCO of persons to be Patrons or Honorary Life Members and to accept or to reject any such recommendation or nomination
  - 11.4.9 To elect the EXCO in terms of clause 15 as read with clause 16
  - 11.4.10 To discuss and consider any matter of which 30 (thirty) days written notice has been given.

- 11.5 Notice of each AGM stipulating the time, date and venue, shall be sent to all the Members, Members of EXCO, Patrons and Honorary Life Members not less than 60 (sixty) working days prior to the date of the AGM.
- 11.6 Not less than 21 (twenty-one) working days prior to the date of any AGM, copies of the Agenda for that AGM and the Annual Financial Statements for the financial year preceding the date of the AGM shall be disseminated to all Members, Patrons and Honorary Life Members by post, and/or by hand, and /or by fax, and/or by electronic mail.

## **12 SPECIAL GENERAL MEETINGS ("SGM's")**

- 12.1 An SGM of Members shall be convened:
- 12.1.1 By resolution of EXCO, or
- 12.1.2 Upon the written requisition of not less than 5 (five) Members, addressed to the Secretary General and delivered to the National Office provided that such written requisition shall state the exclusive purpose for which the SGM is to be called and the text of the motion to be put to the meeting.
- 12.2 Within 14 (fourteen) working days after receipt of the resolution or requisition referred to in sub-clause 12.1, the Secretary General shall send written notification to all Members, which notice shall specify the time, date and place of the SGM, which time, date and place shall have been determined by EXCO provided that the date shall not be more than 21 (twenty-one) working days and not less than 7 (seven) working days after the date of posting dissemination of the notification, together with written notification of the purpose of and measures to be transacted at the SGM and the text of motions to be put to and considered by the meeting.
- 12.3 No business other than that stated in the notification, referred to in sub-clause 12.2, shall be transacted at the SGM.
- 12.4 Only the persons referred to in 11.3 excluding those referred to in sub-clause 11.3.5 shall be entitled to attend and speak at SGM's.

## **13 GENERAL PROVISIONS RELATING TO AGM's &SGM's.**

- 13.1 The following provisions shall apply to all AGM's and SGM's:
- 13.2 AGM's, and SGM's shall, subject to the terms of this constitution, be held at such time and place as shall be decided by EXCO.
- 13.3 The chairperson of any AGM or SGM shall be the President or in his or her absence the Vice-President, or in his or her absence such other person as shall be elected for that purpose by the representatives of Members present at the Meeting and entitled to vote.
- 13.4 The Chairperson of any general meeting shall have 1 (one) vote, in that capacity, and a second or casting vote in the event of an equality of votes except in the case where it is about a person.

- 13.5 A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Members in good standing.
- 13.6 If a quorum shall not be present at the place of the meeting within 30 (thirty) minutes after the time set for commencement of the meeting, or the Member is not present during the meeting, until the proceedings have been duly declared to have been concluded so by the President, the meeting if convened upon the requisition of Ordinary Members, shall be dissolved; in any other case, it shall stand adjourned to a date not earlier than 5 (five) working days and not later than 15 (fifteen) working days after the date of that meeting, and, at such adjourned meeting the representatives of Ordinary and Associate Members present and entitled to vote, shall constitute a quorum and may transact the business of that meeting.
- 13.7 Where a meeting has been adjourned as aforesaid, the Secretary General shall, upon a date not later than 3 (three) working days after the adjournment disseminate a written notice to each Member stating:
- 13.7.1 the date, time place to which the meeting is adjourned;
  - 13.7.2 the matter before the meeting, when it was adjourned;
  - 13.7.3 the ground for the adjournment; which notice shall have been settled by the President.
- 13.8 Voting shall be by a show of hands unless a poll be demanded by representative of not less than 40% (forty per centum) of Members represented and entitled to vote, and in such event, the poll shall be conducted in such manner as the Chairperson of the meeting shall decide. The voting procedure during elections or where voting is related to a person, such voting shall be by secret ballot.

#### **14. EXECUTIVE COMMITTEE**

- 14.1 The Executive Committee of SA SHOOTING SPORTS CONFEDERATION ("EXCO") shall consist of the following persons elected for a term of 4 (four) years:
- 14.1.1 President,
  - 14.1.2 Vice-President .
  - 14.1.3 Treasurer,
  - 14.1.4 Secretary General
  - 14.1.5 Four (4) Additional Members
  - 14.1.6 Athletes represented by the Athletes Commission
- The EXCO has the power to co-op persons to the EXCO but shall not exceed 30% of the total number of the EXCO.
- 14.1.7 Administrator shall be an Ex Officio Member and appointed by the EXCO
  - 14.1.8 Provided that at no stage shall there be less than 2 (two) women who shall occupy any of the positions mentioned above.
  - 14.1.9 Only one person per Member may be elected to the EXCO.

- 14.2 EXCO may co-opt other persons as Members in order to discharge specific functions provided that no co-opted member shall have a vote and provided further that although the predominant criterion for co-option shall always be merit, EXCO shall, as far as possible, seek to preserve a balance of men and women members.
- 14.3 Members of EXCO shall vote on all resolutions by a show of hands.
- 14.4 Members of EXCO shall decide on all matters by a simple majority vote.
- 14.5 Each Member of EXCO shall have 1 (one) vote, and the President of any meeting of EXCO shall have a second or casting vote, in the event of an equality of votes, save and except at an Elective Annual General Meeting where the EXCO shall have no vote after item to clause 11.4.7 of the AGM's Agenda.
- 14.6 The chairperson of any meeting of EXCO shall be the President, or in his or her absence the Vice-President, or in his or her absence such other Member of EXCO as shall have been appointed at that meeting by the Members of EXCO present and entitled to vote.
- 14.7 No person may serve for more than 12 (twelve) consecutive years as President nor may any person serve for more than 12 (twelve) consecutive years as Vice-President.
- 14.8 EXCO shall meet not less than 3 (THREE) times per annum provided that it shall not be necessary for EXCO to meet in those months in which one the AGM is held.
- 14.9 A quorum at EXCO Meetings shall be 50% plus 1 (one), and if there is not a quorum present at the appointed time and place for any meeting of EXCO or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the chairperson of that meeting to have been concluded, such meeting shall stand adjourned until a date, time and place to be determined by those members of EXCO who are present at that meeting provided that such date shall not be more than 10 working days after such meeting; and at such adjourned meeting those members of EXCO present and entitled to vote shall constitute a quorum and may transact the business of that meeting.
- 14.10 The Secretary General shall, by such means as is most expedient and by such means as appears most appropriate in the circumstances, inform those members of EXCO who were not present at the meeting of the date, time and place to which the meeting has been adjourned.
- 14.11 Except where otherwise stated herein and subject to the provisions of this constitution, EXCO shall be vested generally with all such powers and authorities as are necessary to promote and attain the objects of SA SHOOTING SPORTS CONFEDERATION and, without in any way limiting the generality of the a foregoing, EXCO shall have all such powers and authorities as are necessary to carry out the duties and functions as refer to clause 14.16 hereunder.
- 14.12 EXCO shall control all expenditure of the funds of the CONFEDERATION and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of the CONFEDERATION.
- 14.13 No cheque or promissory note drawn on behalf of SA SHOOTING SPORTS CONFEDERATION shall be valid unless signed by any 2 (two) of the President, the Vice-

President, the Treasurer, the Secretary General , or any other employee of SA SHOOTING SPORTS CONFEDERATION who has been authorised by EXCO to have signing powers provided that it shall not be competent for the two signatures to be those employees of SA SHOOTING SPORTS CONFEDERATION, whether or not one of them is that of the Secretary General.

- 14.14 EXCO shall be entitled to make any and all by-laws or regulations necessary to promote the aims and objects of the Association and such by-laws and/or regulations shall be binding upon members. Such regulations shall be ratified at the next Ordinary General Meeting.
- 14.15 EXCO may delegate the exercise of any of its powers and functions to one of its Members or to a sub-committee of SA SHOOTING SPORTS CONFEDERATION.
- 14.16 In addition to the foregoing, EXCO shall:
  - 14.16.1 undertake and perform all such duties and functions as shall be decided by the Annual General Meeting;
  - 14.16.2 consider and, if thought fit, approve the separate constitutions, by-laws, rules and regulations of each Member, and any amendments or alterations thereto;
  - 14.16.3 generally undertake and perform all such duties and obligations as are reasonably required to achieve the objects of SA SHOOTING SPORTS CONFEDERATION, and to implement the policies to be followed by SA SHOOTING SPORTS CONFEDERATION;
  - 14.16.4 formulate recommendations and resolutions for the consideration of the Annual General Meeting, and to prepare the agenda for Annual General meetings;
  - 14.16.5 subject to the provisions of the Constitution, make, amend, vary, repeal and enforce rules, by-laws and regulations;
  - 14.16.6 conduct disciplinary proceedings in respect of any infringement of this constitution or the by-laws, rules or regulations or any agreement between any participant and SA SHOOTING SPORTS CONFEDERATION or the rules of the game and to impose sanctions whether by way of fines, or suspension or banning/ exclusion from participating in any championships, event being held under the auspices of SA SHOOTING SPORTS CONFEDERATION or the activities of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION or by way of withdrawing monies for which any person would otherwise be eligible. For the purposes of this Constitution, all events and championships of whatsoever nature organised and/or run by Members of SA SHOOTING SPORTS CONFEDERATION shall be deemed to be under the auspices of SA SHOOTING SPORTS CONFEDERATION;
  - 14.16.7 impose and collect levies, subscriptions, dues and imposts;
  - 14.16.8 arrange, control, regulate and promote events, championships and any other forms of competition;



- 14.16.9 employ any person upon such terms and conditions as shall be decided and, when considered necessary or desirable, terminate the employment of any such person. In particular, EXCO may from time to time appoint a suitable person to act as the CEO/Secretary General of SA SHOOTING SPORTS CONFEDERATION and shall determine his or her powers, duties, remuneration and privileges. Such person shall be an ex officio member of the board with no voting rights at any board or general meetings.;
- 14.16.10 decide upon and resolve any dispute between any Members, and/or Club, and/or persons who are members of such clubs;
- 14.16.11 subject to 7.3 above, determine the area/s or jurisdiction of Members and vary or alter such areas from time to time when necessary;
- 14.16.12 The EXCO shall appoint a committee that will be responsible for co-ordinating the Olympic component . The EXCO has the right to summon the chairperson of the said committee to report on its activities at EXCO meetings.
- 14.16.13 co-opt any person to EXCO as may be required to achieve the objects of SA SHOOTING SPORTS CONFEDERATION or fulfil any purpose incidental thereto;
- 14.16.14 form committees, consisting of one or more persons, for any purpose incidental to the objects and powers of SA SHOOTING SPORTS CONFEDERATION and, subject to the constitution, by-laws, rules and regulations, delegate such of its powers to such sub-committees as may be required;
- 14.16.15 appoint special advisers and consultants, for any purposes, and terminate such appointment/s;
- 14.16.16 accept or reject any application for membership subject to ratification by the Annual General Meeting.
- 14.16.17 open accounts with any recognised commercial banking or financial institution or building society, and invest any funds of SA SHOOTING SPORTS CONFEDERATION and pay any such funds to any person (natural, corporate or otherwise) who has a valid claim for payment against SA SHOOTING SPORTS CONFEDERATION;
- 14.16.18 decide upon the criteria for the award of National Colours;
- 14.16.19 ensure that full and proper books of accounts are kept in accordance with sound accounting principles;
- 14.16.20 .ensure that the said books of account and all records of SA SHOOTING SPORTS CONFEDERATION finances and assets are duly audited each year as soon as is

- practicable after the financial year end of SA SHOOTING SPORTS CONFEDERATION which shall be 31 March of each year and that annual financial statements are prepared;
- 14.16.21 deal with any question or issue arising out of or relating to or incidental to non-racialism as described in the schedule one hereto;
- 14.16.22 deal with any question or issue arising out of or relating to or incidental to non-sexism or discrimination on any grounds as referred to in this Constitution.
- 14.16.23 address any question or issue or matter concerning or incidental to development including budgeting for and expenditure on development;
- 14.16.24 approve the employment and termination of employment of staff by SA SHOOTING SPORTS CONFEDERATION including all matters incidental thereto and the review from time to time of all existing contracts of employment of staff and all matters incidental thereto;
- 14.16.25 decide any question, issue or matter relating to emblems, colours, or anthems for SA SHOOTING SPORTS CONFEDERATION;
- 14.16.26 make recommendations on any question or issue relating to the affiliation to or disaffiliation from any macro or other body;
- 14.16.17 decide any question or issue relating to the use of SHOOTING facilities and/or other facilities incidental thereto and/or the standard thereof;
- 14.17 EXCO's jurisdiction shall not be limited to dealing with such matters as are referred to it but shall include the power and capacity to be pro-active and initiate such enquiries and/or take such steps as EXCO deems fit.
- 14.18 Any member of EXCO who, without having first obtained leave of absence from EXCO, shall otherwise than in circumstances beyond his or her control, not attend 3 (three) consecutive meetings of EXCO, of which meetings due notice has been given, shall be deemed to have resigned from EXCO.
- 14.19 No member of EXCO shall be entitled to any remuneration, but all members of EXCO shall be entitled to be refunded any disbursement incurred by any such member in fulfilling any duties or functions as shall be approved by EXCO.
- 14.20 The Administrator shall be appointed by EXCO, and shall:
- 14.20.1 represent an Ex-Officio member of the EXCO with no voting rights
- 14.20.2 Send to all Members, and to all members of EXCO:
- 14.20.2.1 Written notification of all meetings of EXCO (excluding emergency meetings), and the proposed Agenda, not less



- 15.8 The retiring President, the retiring Vice-President and the retiring Treasurer and Secretary General shall be eligible for re-election without nomination, provided the Secretary General shall have received written notification from such persons of their willingness to continue in office, if re-elected.
- 15.9 If there is more than one nomination for any of the posts of President, Vice-President, Treasurer, and Secretary General then such posts shall be elected separately by ballot, such elections to be held in the sequence aforesaid.
- 15.10 With reference to the clause 14.1.9 which stipulates that no less than 2 (two) women be elected to the EXCO, the voting shall proceed in a normal manner for all positions nominated and in the event that no women are elected to the position of President, Vice-President, Treasurer or Secretary General, the two women with the most votes shall be elected to the positions of additional members.
- 15.11 Each person who votes shall record a vote for not more and not less than the number of vacancies.
- 15.12 All members of EXCO shall hold office until the end of his/her term as elected.
- 15.13 No member of EXCO shall represent any Member, of any discipline at any meeting of SA SHOOTING SPORTS CONFEDERATION or EXCO.

## **16. MANAGEMENT COMMITTEE**

- 16.1 EXCO shall appoint a Management Committee (MANCO) which shall consist of the following members:
- 16.1.1 President
  - 16.1.2 Vice-President
  - 16.1.3 Treasurer
  - 16.1.4 Secretary General
  - 16.1.5 One of the additional members of EXCO elected by the AGM.
  - 16.1.6 Administrator as Ex officio with no vote
- 16.2 The Management Committee shall meet at least once a month, and shall be responsible for the day to day operations of SASSCo.
- 16.3 The Management Committee with the support of the Discipline Commissions referred to above, will function as the decision-making body around policy matters and shall be empowered to take decisions and to immediately undertake any action required by given events as stipulated in Part 2 (Roles & Responsibilities of Board Members, Commissions and Committee Members) of the Rules and Regulations of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.
- 16.4 The Management Committee shall appoint an independent Disciplinary Committee to deal with all disciplinary matters relating to the Membership and/or their individual members.

- 16.5 The President may call on any member of EXCO to attend a Management Committee Meeting.
- 16.6 The minutes of the Management Committee Meetings must be distributed to all members of EXCO for ratification at their next EXCO meeting.
- 16.7 Each discipline shall elect a representative to serve on the under mentioned Committees. These committees are, but will not be limited to:
  - 16.7.2 Development Committee
  - 16.7.3 Registration and Ratings Committee
  - 16.7.4 Youth Committee
  - 16.7.5 Public Relations Committee
  - 16.7.6 Events Committee
- 16.8 The roles and responsibilities of Committee Members will be defined in Part 2 of the Rules and Regulations of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION.
- 16.9 The membership and representation of each sub-committee shall be decided and approved by EXCO.
- 16.10 Each sub-committee shall, subject to the provisions of this Constitution and to the by-laws, rules and regulations of SA SHOOTING SPORTS CONFEDERATION, perform such duties and functions as are delegated to it by EXCO.
- 16.11 The powers and authority of each standing sub-committee shall be as set out in the by-laws, rules and regulations of SA SHOOTING SPORTS CONFEDERATION, provided that EXCO may by resolution add to or subtract there from.
- 16.12 It is specifically recorded that any Head of a Commission in any discipline shall not be entitled to occupy such position in the event of such person having a financial interest in a business venture connected to the Sport of SHOOTING.

## **17. ASSOCIATE MEMBERS**

- 17.1 Any association or organisation which wishes to become an Associate Member of SA SHOOTING SPORTS CONFEDERATION shall apply in writing to EXCO to be admitted as such and shall furnish a copy of its constitution and all such information as EXCO may require to decide upon its application.
- 17.2 EXCO may in its discretion admit any such association or organisation as an Associate Member upon such terms and conditions including terms and conditions as to the payment of subscriptions as EXCO may consider fit.
- 17.3 Any decision by EXCO in respect of an application for Associate Membership shall be referred to the next General Meeting for ratification and shall not be binding until so ratified.
- 17.4 Notwithstanding anything else herein contained it shall be competent for EXCO, with the ratification of the General Meeting, to create quasi-independent and quasi-autonomous bodies or associations having their own constitutions and members for the purpose of better

achieving any of the objects of SA SHOOTING SPORTS CONFEDERATION The constitution, by-laws and regulations of such bodies or associations shall at all times be subject to the approval and ratification of SA SHOOTING SPORTS CONFEDERATION which shall at all times have the power to dissolve and/or withdraw recognition of any such body or association.

## **18 HONORARY LIFE MEMBERS**

- 18.1 EXCO and members shall, from time to time, nominate any person who has rendered notable and meritorious service to SA SHOOTING SPORTS CONFEDERATION and/or in the promotion of the sport of SHOOTING and whom it wishes to recognise and honour as an Honorary Life Member which nomination shall be presented to the General meeting for ratification at the next AGM and, if ratified by the General meeting, such person shall become an Honorary Life Member and shall enjoy the rights and privileges namely to attend the AGM without a vote, to receive advance notice and to make preferential bookings in respect of any event or championship held under the auspices of SA SHOOTING SPORTS CONFEDERATION
- 18.2 All past Presidents of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION may become an Honorary Life Member of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION if so nominated and such appointment is ratified at an AGM.

## **19 PATRONS**

- 19.1 EXCO may from time to time nominate any person whom EXCO considers to be fit and desirable to be a Patron of SA SHOOTING SPORTS CONFEDERATION which nomination shall be presented for ratification at the next AGM and such person shall become a Patron of SA SHOOTING SPORTS CONFEDERATION.
- 19.2 Patrons shall enjoy the same rights and privileges as are enjoyed by Honorary Life Members together with such further rights and privileges as are decided upon by EXCO from time to time.

## **20 LIMITATION OF LIABILITY OF MEMBERS INDEMNITY**

- 20.1 The liability of any Member, of any classification, is limited exclusively to the sum of any monies then due and payable by such Member to SA SHOOTING SPORTS CONFEDERATION, by way of subscription or otherwise howsoever.
- 20.2 The Patrons, the President, the Vice-President, all members of EXCO, the Treasurer, all officials, servants, agents and persons (natural, corporate or otherwise) acting on behalf of SA SHOOTING SPORTS CONFEDERATION, in terms of this Constitution and under delegated powers from the Annual General Meeting or from EXCO, shall be and they are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties for and on behalf of SA

SHOOTING SPORTS CONFEDERATION, from whatever cause arising, provided such person/s acted in good faith.

**21 ALTERATION OR VARIATION OF THIS CONSTITUTION**

This Constitution may be altered or varied, at any time, by the Members in a Annual General Meeting, upon a majority vote of not less than 75%(seventy-five per centum) of the total votes of the Members, whose representatives are present and entitled to vote at that time provided not less than 21 (twenty-one) working days written notification of such Meeting, together with a copy of a proposed resolution/s

**22 NOTIFICATION**

For the purposes of this Constitution, all notifications by SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION to any person or any Member, Honorary Life Member or Patron shall, unless delivered by hand, be effective from the date of dissemination by post, and/or by hand, and/or by fax, and/or by electronic mail to the last known postal address of such Member/s, by any official of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION; but all notifications to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION by any person (natural, corporate or otherwise) or any such Member shall only be effective from the date of receipt thereof by the Secretary General. In no respects shall any postal authority be, or be deemed to be, the agent of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION

**23 INTERPRETATION OF THIS CONSTITUTION**

Any disputes arising out of or in connection with the enforceability of this constitution or the application and interpretation of the provisions thereof or any dispute between SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION. and another national sports federation, or between a member of the EXCO and EXCO or between EXCO and a Member or individual shall be referred to SASCOC (The South African Sport Confederation and Olympic Committee) or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration. In the event of arbitration in terms of the a foregoing, such resolution shall be final and binding on the parties to the dispute.

**24 DISSOLUTION OR WINDING UP OF THE SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION**

24.1 SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION may be dissolved or wound-up, at any time, by the Members in General Meeting, upon a majority vote of not less than 75% (seventy five per centum) of the total votes of Members, whose representatives are present and entitled to vote, who are present in person at such general meeting, provided that not less than 6 (six) working days written notification of such meeting and of any resolution aimed

at dissolving or winding-up SA SHOOTING SPORTS CONFEDERATION shall have been given to all Members.

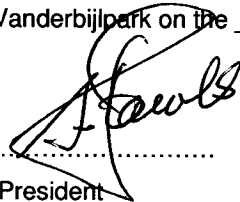
- 24.2 Upon dissolution or winding up of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, all the property and assets of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, after payment of all monies owing to any third parties, shall be transferred free of compensation to any other Federation/s or Organisation/s having objects similar to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION, at the discretion of the Members.

## 25 APPEAL BOARD AND DISCIPLINARY BOARDS

The EXCO may cede the power to the MANCO to appoint the members of the Appeal and Disciplinary Boards and delegate such powers to these Boards to include, but not be limited by the following:

- 25.1 To assist SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION with legal advice.
- 25.2 Set up and continuously update a disciplinary code for both participants and management, adopted by the Annual General Meeting.
- 25.3 Chair disciplinary hearings when requested, and adjudicate, mediate and arbitrate upon legal and disciplinary matters.
- 25.4 The Appeal Board shall comprise of three members of which at least one must have a legal background.
- 25.5 Every member of the Appeal Board shall have one vote each at their meetings and hearings.

This Constitution was adopted by the Members present at the Special General Meeting held at Vanderbijlpark on the 16<sup>th</sup> day of May 2013

  
.....  
President

  
.....  
Secretary General



## **SCHEDULE ONE: NON-RACIALISM**

1. The principle of non-racialism is recognised and accepted. By this it is meant, broadly, that race should not be, and may not be, a basis of discriminating against or affording privilege to any person or group of persons. (Note: In this document all references to "race" must be taken to include a reference to ethnicity and nationality).
2. It follows from this that no club, province or other affiliated body may have any provision in its constitution which has the effect of barring membership on the grounds of race.
3. A provision in a constitution which though not worded in racial terms none the less is calculated to discriminate on grounds of race and which would have the effect of discriminating on grounds of race shall be regarded as an infringement of 2.
4. The principle of non-racialism also demands that all clubs, provinces and other affiliated bodies shall, when the situation legitimately requires it, make all their facilities available to persons other than their members on an equal basis irrespective of the race, ethnicity of nationality of such persons; eg. When hosting an event and such non-members are legitimately at the premises of the club or other body in connection therewith.
5. The fundamental rights of freedom of association and freedom of disassociation are recognised. It is also recognised that these rights are fundamental to the formation of and existence of the private club which is the basic building block of a national or provincial sports controlling body.
6. There is inherently a potential conflict between the rights referred to in 5., and the principle of non-racialism referred to in 1., and it is considered desirable to indicate how such potential conflicts are to be resolved.
7. The following are suggested guidelines as to how to reconcile these principles in practice:
  - 7.1 A constitution which admits any person to membership except persons of any particular racial or ethnic group shall be regarded as infringing the principles of non-racialism and shall not be regarded as a valid exercise of the rights of freedom of association/disassociation (Cf. Para 2 above).
  - 7.2 A constitution may limit its membership to persons who fulfil certain criteria notwithstanding that the result thereof is that its members in fact consist only of one or more racial groups, provided that those criteria are not racist in their terms or in their intended effect e.g. a club which restricts its membership to persons who attend a certain school shall not be regarded as infringing the principle of non-racialism even though de facto its members may, as a result, come from a certain racial group only. Other examples of the application of this principle are clubs whose membership is limited to persons of a particular vocation or of a particular religious movement.

8. Under no circumstances will an infringement of 4. Above be tolerated or permitted on the grounds that it constitutes an exercise by the club or affiliated body concerned of its rights of freedom of association and/or disassociation.
9. The existence of the so called "ethnic" clubs are perceived to be problematical and require deeper analysis.
  - 9.1 Various such clubs exist at the moment e.g. the Greek Club, the Italian Club, the German Club and so on. The existence of such clubs is a well established and recognised phenomenon in the countries of the United Kingdom, Western Europe and the U.S.A. It is clear that such clubs are not the result of the policy of apartheid, but arise from the desire of peoples of different origins and cultures to group together to enjoy and foster their own cultural traditions.
  - 9.2 What is said below is a discussion in general terms and is not a reference to any one or more of such ethnic clubs which in fact exist. Such clubs appear to have been formed with the bona fide purpose of catering for the cultural needs or aspirations or interests of the particular ethnic group which it serves. There does not appear to be any ulterior racial motive.
  - 9.3 If the constitution of such a club were to restrict its membership to persons of a particular ethnic group (or race or nationality), it would by necessary implication, be excluding persons from all other ethnic groups/races/nationalities from membership.

Prima facia this would be an infringement of paragraph 2 above. The question which has to be decided is whether, in these circumstances, this constitutes a valid exercise of the rights of freedom of association and disassociation, notwithstanding that it amounts to an infringement of 2, above (Cf also 7.1 above). It is considered that this would not be acceptable and that any club having a constitution along those lines would not be eligible for membership of the proposed new unified national body or any provincial body.
  - 9.4 By contrast, however, a club which had as its main object the promotion, advancement, propagation etc. of the culture, traditions etc. of any particular race or nationality, but which did not seek to exclude or limit membership on those grounds would be regarded as legitimate and would be eligible for membership.
10. The principles and guidelines set out above with regard to non-racialism shall apply equally in respect of religion and discrimination on the grounds of a persons religious beliefs.

## **SCHEDULE TWO: AFFILIATES TO SA SHOOTING SPORTS CONFEDERATION**

Eligibility requirements for Provincial SHOOTING Federations, Ordinary Members and Associated Members in terms of clause 8.2 of the Constitution of SA SHOOTING SPORTS CONFEDERATION

1. The objects clause of the constitution of a Provincial SHOOTING Federation, Ordinary Members and Associate Members must include provisions that are identical to or substantially the same as sub-clauses 6.3, 6.6 and 6.7 hereof and shall provide that the Provincial Federation, Ordinary Members and Associate Members shall encourage, promote, develop and administer the sport of SHOOTING within the area of its jurisdiction in accordance with sound business principles.
2. There must be provisions in the constitution of each Provincial Federation, Ordinary Members and Associate Members, stipulating that:
  - 2.1 The Federation recognises and adopts the Schedule One;
  - 2.2 The Federation may not become a member or affiliate to any other body without the prior written consent of EXCO;
  - 2.3 The Provincial Federation, Ordinary members and Associate Members may not authorise, send or sanction any team to go on a tour outside the boundaries of the Republic of South Africa without having first obtained the written consent of EXCO. Through the National Body.
3. Any dispute as to whether the foregoing requirements have been complied with shall be referred to the Constitution sub-committee whose decision shall be final and binding.

**1. SCHEDULE THREE - APPLICATION OF THE PROVISIONS OF SECTION 30 (1) OF THE INCOME TAX ACT, 1962.**

The following provisions contained in section 30 (1) of the Act shall at all times apply and be adhered to while this constitution is in operation.

- 1.1 The sole object of the Confederation is to carry on a public benefit activity which qualifies for purposes of Section 18 A of the Act as defined in Section 30 (1) of the Act, in a non-profit manner.
- 1.2 At least 85% of the Confederation's activities shall be carried out in the Republic of South Africa
- 1.3 At least 3 members who will accept fiduciary responsibilities and shall also not be connected persons to each other: and no single person directly or indirectly controls the decision making powers relating to the Association
- 1.4 No funds will be distributed to any person (other than in the course of undertaking any public benefit activity.)
- 1.5 The Confederation's funds will be used solely for the objects for which it was established, or shall be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, (act no.39 of 1984) or in securities listed on a stock exchange as defined in the Stock Exchanges Control.
- 1.6 The Confederation will not carry on any business undertaking or trading activities other than to the extent that:  
The gross income derived from such business undertaking or trading activity does not exceed the greater of R25000 or 15% of the gross receipts of the constitution:  
The undertaking or activity is –
  - A) integral and directly related to the sole object of the Association : and
  - b) carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost: and
  - c) which would not result in unfair competition in relation to taxable entities: the undertaking or activity, if not integral and directly related to the sole object of such Confederation, is of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation : or:  
the undertaking or activity is approved by the Minister by notice in the Gazette, having regard to
    - a) the scope and benevolent nature of the undertaking or activity
    - b) the direct connection and inter-relationship of the undertaking or activity with the sole purpose of the Confederation
    - c) the profitability of the undertaking or activity: and
    - d) the level of economic distortion that may be caused by the tax-exempt status of the Confederation carrying out the undertaking or activity.

any business undertaking or trading activities, or assets used in such undertaking or activity, acquired by the Association before 1 January 2001, will be retained or continued as the case may be, in the form so acquired for a period of five years.
- 1.7 On the dissolution of the Confederation, the remaining assets will be transferred to any similar public benefit organization, within the Republic of South Africa which has been approved in terms of Section 30 of the Act for the purposes of Section 18A of the Act:
- 1.8 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 term of Section 18A: provided that a donor (other than a donor which is an approved public benefit organization 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:

- 1.9 A copy of all amendments to the Constitution, trust deed, will be submitted to the Commissioner for the South African Revenue Service;
- 1.10 No remuneration will be paid to any employee, office bearer, member or person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered;
- 1.11 The Confederation will submit the required Income Tax Returns annually together with the relevant supporting documents;
- 1.12 The Confederation will, within such period as the Commissioner may determine, register in terms of section 13(5) of the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997), and comply with any other requirements imposed in terms of the Act;
- 1.13 The Confederation has not and will not use its resources directly or indirectly to support, advance or oppose any political party.

## **SCHEDULE FOUR - DISPUTES**

### **DISPUTES:**

Any disputes arising out of, or in connection with, the enforceability of this constitution, or the application and interpretation of the provisions hereof, or any dispute between any members of the Department of Sport and Recreation (SRSA) or the South African Confederation of Sport and Olympic Committee (SASCOC) or between a member and the National Executive Committee or members of SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION shall be referred to the Disputes Resolution General Meeting for resolution through mediation or expedited arbitration in terms of the Rules and Procedures for the Resolution of Disputes in Sport, prevailing at the time such dispute is so referred. In the event of arbitration in terms of the above, such resolution shall be final and binding on the parties to the dispute.

- 25.6 On such terms as the EXCO deems fit who shall be an Ex-Officio member of the Board with no voting rights at any Board or General Meetings and if appointed, will take over all responsibilities as defined for the Secretary General.
- 25.7 And paid to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION by 1st March each year by the clubs, tertiary institutions, public owners and/or any other associations or organisations which are affiliated directly or indirectly to SOUTH AFRICAN SHOOTING SPORTS CONFEDERATION on behalf of all regular Shooting who are members of such clubs, tertiary institutions, associations or organisations, by whatever other name such levies may be described.