

TA01

RINGBALL SOUTH AFRICA



TERTIARY ASSOCIATION CONSTITUTION

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Preamble to this Constitution

WHEREAS the RingballSA Tertiary Association is an association established to adhere to the objectives as set out in this Constitution;

WHEREAS development of Ringball at Tertiary Institutions is essential to increase the number of clubs recognised by Tertiary Institutions and registered with RingballSA through affiliation with districts or provincial federations; and

WHEREAS the future position of clubs at Tertiary Institutions will determine any amendments to be made to this Constitution;

BE IT THEREFORE RESOLVED by the founding Annual General Meeting of the RingballSA Tertiary Association held on insert date that the agreement governing the aims and functioning of the RingballSA Tertiary Association will be contained in its Constitution as follows:

1. NAME

The name of the association is Ringball South Africa Tertiary' Association, hereinafter referred to as **RSATA**.

2. AREA OF JURISDICTION

2.1 The area of jurisdiction of RSATA shall be as defined by the demarcated geographic boundaries as specified by the demarcation board within the borders of the South Africa.

2.2 RSATA shall have jurisdiction over their members, affiliated clubs, districts, provinces and associations.

3. DEFINITIONS

3.1 Whenever referred to in the singular in the constitution, it also indicates the plural and vice versa.

3.2 Where a reference has been made to the masculine gender, it also refers to the feminine where applicable.

3.3 The following shall mean:

AGM Annual General Meeting of the membership held in accordance with the provisions of this Constitution.

Days When any particular number of days is prescribed for the doing of any act, the same shall be reckoned exclusively of the first and inclusively of the last day, unless the last day happens to fall on a Saturday, Sunday or on a public holiday, in which case the days shall be reckoned exclusively of the first day and exclusively also of every such Saturday, Sunday or public holiday.

EXCO Means the Executive Committee of RSATA as constituted from time to time in terms of this constitution.

GM Any General Meeting of the membership held in accordance with the provisions of this Constitution.

SGM The RingballSA Special General Meeting, as requested.

RingballSA The Ringball South Africa National body.

WADA The World Anti-Doping Agency.

4. RIGHT TO EXISTENCE

RSATA shall continue to exist even when its membership changes and there are different office bearers.

5. OBJECTIVES

The objectives of RSATA are:

5.1 To affiliate with Ringball South Africa (RingballSA).

5.2 To promote and develop ringball as a sport among all races in South Africa at Tertiary Institutions.

- 5.3 To guard and advance, as a matter of priority, the interests of ringball players at Tertiary Institutions.
- 5.4 To organise, arrange and control ringball tournaments at tertiary level in South Africa on an annual basis by involving players registered as students or employees of any tertiary institution in South Africa.
- 5.5 To obtain and apply funds for the advancement of Ringball at Tertiary Institutions.
- 5.6 To ensure that a prohibition of the use of steroids, illegal substances, stimulants or medication as defined by the medical council of the International Olympic Committee is adhered to as per listed address: www.wada-ama.org
- 5.7 To ensure that no discrimination on the grounds of colour, gender, religion or political affiliation takes place in ringball at tertiary level.
- 5.8 To maintain uniformity of the RSATA playing and competition rules in line with RingballSA's.

6. RELATED DOCUMENTS

The constitution must be read in conjunction with the following related documents:

- 6.1 RingballSA Constitution; Regulations; EXCO duties; Code of Conduct; Guideline document; Disiplinary Procedure & Guide; SASCOC Code of Conduct and WADA prohibited list.

7. LEGAL STATUS

- 7.1 RSATA in conjunction with RingballSA will have a legal personality and shall function under the law of the South African judicial system.
- 7.2 RSATA will further to the above:
 - 7.2.1 exist in its own right, separately from its members;
 - 7.2.2 be able to own property and other possessions; and
 - 7.2.3 be able to sue and be sued in its own name.

8. MEMBERSHIP

- 8.1 Membership of the RSATA is limited to:
 - 8.1.1 Registered part-time or full-time contact students at any Tertiary Institution in South Africa.
 - 8.1.2 Part-time or full-time employees at any Tertiary Institution in South Africa.
 - 8.1.3 Independent officials (including coaches, team managers and referees) by application and approval of the RSATA-~~EXCO~~management committee.
- 8.2 Membership of RSATA can be obtained by registering annually:
 - 8.2.1 At a RingballSA affiliated Tertiary Institution's **club** in your district.
 - 8.2.2 In the event that a district or provincial federation has no Tertiary Institution club, at an affiliated **tertiary association** in your district or federation, subject to the approval of the RSATA EXCO.
- 5.3 Districts' and provincial tertiary associations that apply for membership should have an approved constitution and a management committee that was elected accordingly.

9. FINANCES

- 9.1 RSATA manages and coordinates their own financial matters in conjunction with the RingballSA treasurer.
- 9.2 A budget of income and expenditure must be submitted to RingballSA for approval, before the planning weekend, annually.
- 9.3 The financial year of the RSATA will run from 1 April of one year to 31 March of the following year.

10. MEETINGS OF THE RSATA

10.1 Composition of GMs

10.1.1 All **GMs** of RSATA will consist of the following members, each with a vote and are constituted as follows:

- ✚ The chairperson;
- ✚ Two (2) representatives of each affiliated Tertiary Institution's club;
- ✚ In the event that there is no affiliated Tertiary Institution's club within a district or province, one (1) representative of each affiliated district and two (2) representatives of each affiliated provincial federation tertiary association.
- ✚ In the event that there is no affiliated Tertiary Institution's club, district's or provincial federation's tertiary association within a district or province, one (1) representative registered student of each Tertiary Institution as contemplated in 8.2 (above).

10.1.2 Representatives must present letters of credence from their Tertiary Institution's club, district or provincial federation's tertiary association, duly signed by the chairperson or secretary of the Tertiary Institution's club, district or provincial federation, to the secretary prior to the commencement of the meeting.

10.1.3 The **GM** is the highest authority.

10.2 Chairperson of the meeting

10.2.1 The chairperson of the EXCO and in his absence, the vice-chairperson, shall act as chairperson at all GMs and committee meetings.

10.2.2 In the event of no chairperson being present, or if the chairperson is not present after 15 minutes of the time indicated in the notification, the members present shall nominate a chairperson from amongst them.

10.3 General meeting

10.3.1 The **AGM** will be held before 31 July annually at a time and place as determined by the EXCO.

10.3.2 Notice must be given to the provincial federations, districts and affiliated Tertiary Institution's clubs in writing 14 days before the **AGM**, with the date, time and place as determined by the EXCO.

10.3.3 Discussion points for the **AGM** must reach the secretary in writing ten (10) days before the **AGM**.

10.3.4 The secretary must circulate the agenda and discussion to all members seven (7) days prior to the AGM.

10.4 **Special General meetings**

10.4.1 A **SGM** can be requested by the EXCO or at the written request of at least one-third of the members of the RSATA.

10.4.2 Notice is given in the same manner as in 10.3 (above) and with mention of the **objective** of the meeting.

10.4.3 Only the issue for which the meeting has been convened may be discussed.

10.5 **Quorum and voting at meeting**

10.5.1 A quorum at all GMs will consist of half plus one (50%+1) of the affiliated members with voting powers as described in 8.2 (above) and must be personally present for the full duration of the meeting.

10.5.2 Should a quorum not be present, the meeting is adjourned for 15 minutes after which the representatives present form a quorum.

10.5.3 Voting about person's takes place by means of closed ballot. Any other matters are voted about by means of a show of hands, except where required otherwise.

10.5.4 A normal majority is required when voting is done for the election of a person or persons.

10.5.5 All decisions reached by normal majority are binding unless otherwise specifically stated in the constitution.

10.5.6 In the event of an equal vote at any meeting, be it by the show of hands or ballot paper, the chairperson of the meeting shall have the casting vote.

11. **RSATA EXECUTIVE COMMITTEE (EXCO)**

11.1 **Composition**

11.1.1 The EXCO committee is elected at an **AGM** for a period of **two** (2) year of office and consists of the following five (5) members:

✚ Chairperson, who is excluded from the quota for any Tertiary Institution's club as set out in 11.1.2 (below)

✚ Vice-chairperson

✚ Secretary

✚ Two (2) additional members.

11.1.2 A maximum of two (2) members of the same Tertiary Institution's club may serve on the EXCO committee.

11.1.3 A nominated candidate must be nominated by one club and seconded by another club and shall have the sanction of his own club.

11.1.4 The chairperson has a normal as well as a casting vote.

11.1.5 No member of the EXCO shall be entitled to serve in a specific position for a period in excess of **six terms of two years** each continuously, after which he has to serve for at least **one term** in another portfolio before being entitled to be re-elected to that specific position.

11.2 RSATA EXCO Meetings

11.2.1 The EXCO meets as often as is necessary for the execution of its duties and objectives or at the request of three (3) of the EXCO members or at the request of the chairperson.

11.2.2 A quorum for EXCO meetings is formed by three (3) members present at the meeting.

11.2.3 Decisions at any meeting will be by majority vote. In the case of an equal vote, the chairperson will have a casting vote.

11.3 Powers, duties and functions of the EXCO

The activities of the RSATA are executed by the EXCO who has the following powers, duties and functions:

11.3.1 Must give effect to the objectives of the RSATA.

11.3.2 Must fulfil all duties of the RSATA as stipulated in the Constitution.

11.3.3 Must fulfil all duties assigned to it by the **AGM**.

11.3.4 Must ensure that the activities of RSATA are executed diligently in all respects.

11.3.5 Must maintain a membership list and assist with negotiations for the new registration of a club at any Tertiary Institution.

11.3.6 Must ensure that all correspondence, reports and documents are secured and kept in good order.

11.3.7 Must co-opt vacancies on the EXCO which may arise during the course of its term of office as a result of written resignation or absence without pardon from two (2) consecutive meetings, subject to the approval of the **AGM**.

11.3.8 Must convene a **SGM** in the event that less than a quorum of the EXCO originally selected remains.

11.3.9 Appoint committees as required and determines their duties.

11.3.10 Approve applications for the registration of independent officials to assist with the establishment and management of a Tertiary Institution's club.

11.3.11 Report to the AGM annually, as well as to RingballSA, about the activities of the RSATA.

11.3.12 Appoint two (2) representatives of the RSATA on an annual basis to represent the RSATA at any GM of Ringball SA.

12. CODE OF CONDUCT

- 12.1 Members of the RSATA will at all times conduct themselves according to the rules and regulations as specified by RingballSA, and the SASCOC Code of conduct.
- 12.2 Failure to uphold the Code of conduct as stated in **12.1** (*above*) will result in disciplinary action, and may result in the termination of membership of RSATA.

13. DISCIPLINARY ACTION

- 13.1 The EXCO has the power to take disciplinary action against any misconduct of individual members or bodies under its authority.
- 13.2 Disciplinary action shall be conducted as prescribed in RingballSA Disciplinary Procedure and Guide.
- 13.3 A suspended member in the province, district, club or association may **not** participate or be involved in any activity of Ringball within the province.
- 13.4 In the event of a province, district, club or association **not** being able to fulfil its responsibilities as a result of disciplinary actions, the EXCO shall ensure that the Ringball activities of the province, district, club or association continue.

14. APPEALS

Any affiliated member of **RSATA** has the right to appeal against the disciplinary decision passed, as prescribed in the **RingballSA Disciplinary Procedures & Guide**.

15. APPEAL BOARD

The Appeal Board will function as prescribed in the **RingballSA Disciplinary Procedures & Guide**.

16. ARBITRATION

- 16.1 Should any dispute arise which involves RSATA, its officials, any province affiliated with RSATA and any officials, players or members who are subjected to the rules of this Constitution, pertaining to any matter arising from the interpretation or implementation of the Constitution, or arising from the sports governed by this Constitution, then such dispute shall be referred to the Arbitration Forum of Southern Africa, to be dealt with in accordance with the Rules of that Forum.
- 16.2 The provision of Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.
- 16.3 In the event of arbitration as outlined above, such resolution will be considered as final and binding on both parties involved in the dispute.

17. DISPUTE RESOLUTION

- 17.1 Any dispute arising out of, or in connection with, the enforceability of the constitution, or the application and interpretation of the provisions thereof, or any

dispute between any members of RSATA or between a member and the EXCO or RSATA itself, shall be referred to the Arbitration Foundation of Southern Africa (AFSA) 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.

- 17.2 In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

18. GENERAL MATTERS

18.1 Amendments to the constitution

- 18.1.1 This constitution may only be amended at a GM or at a SGM called for that purpose.
- 18.1.2 Notice of any suggested change, recall or addition to the constitution must reach the secretary within 14 days prior to the GM or SGM.
- 18.1.3 The secretary must notify the members of the RSATA within seven (7) days prior to the GM or SGM of the suggested change, recall or addition to the constitution.
- 18.1.4 A change, recall or addition to this constitution will only be legal and binding if a two-third (2/3) majority of the entitled voters present to vote in favour thereof.

18.2 Regulations

- 18.2.1 The EXCO may issue, amend or recall regulations provided it is not in conflict with this constitution.
- 18.2.2 The issued or recalled regulations are legal and binding on all members until otherwise decided by the GM.

19. DISSOLUTION

- 19.1 RSATA may only close down/dissolved if at least two-thirds (2/3) of the members present and voting at an SGM, convened for the purpose of considering such matter, are in favour of closing down/dissolving RSATA.
- 19.2 In the event of RSATA deciding to cease operation or to dissolve, all assets such as trophies, money and books, must be handed over to RingballSA within 21 days. Members of RSATA shall individually or collectively be held responsible.
- 19.3 Such assets shall be kept in safe custody for a period of two years where after it becomes RingballSA property. In the case of RSATA reforming after two years, it shall be left to the discretion of the EXCO to return such assets.

20. INDEMNITY

- 20.1 RSATA in conjunction with RingballSA shall have a legal personality and shall function under the law of the South African judicial system.
- 20.2 Every EXCO member of RSATA shall be indemnified by RSATA against all costs, losses and expenses which he/she may incur or become liable for by virtue of any

reason or any act or omission in the discharge of his duties, **unless the loss** in question is caused by his/her own gross negligence, dishonesty or bad faith.

- 20.3 EXCO members of RSATA shall be indemnified by RSATA against pecuniary loss sustained by reason of legal proceedings, arising from whatsoever cause, instituted against RSATA or against such EXCO member in his representative capacity, provided that the indemnity conveyed herein shall not extend to private personal acts of such EXCO member outside the cause and scope of this duties.