

AGAPÉ

Athletics Club

Constitution

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AGAPÉ RUNNING CLUB

CONSTITUTION

1. NAME

The name of the club is **AGAPÉ ATHLETICS CLUB** hereinafter referred to as The Club. AGAPÉ ATHLETICS CLUB will, where necessary be abbreviated to "**AGAPÉ**".

2. OBJECTIVES

The objectives of the Club are:-

- 2.1 To promote the sport of road running.
- 2.2 To encourage a spirit of Christian fellowship amongst members, to impart the joy of the Lord and to witness to others about the Love of God particularly Agapé love.
- 2.3 To provide members and visitors with regularly arranged running activities so that they can enjoy and improve their running.
- 2.4 To affiliate to the South African and appropriate Provincial Athletics Associations and to participate in the affairs of these associations.
- 2.5 To be a separate legal persona apart from its members.

3. CORPORATE STATUS

The Club shall be a legal persona with perpetual succession and capacity to acquire rights and incur obligations independently of its members. All assets, funds or property of the Club shall be held or registered in the name of the Club as a legal persona. All income and property of the Club shall be applied solely towards the promotion of its objectives and no portion thereof shall be paid or transferred directly or indirectly to any member or members, provided that nothing herein contained shall prohibit the payment of bona fide remuneration/reimbursement to any servant of the Club or to any member in consideration of any service actually rendered to the Club.

4. ADMINISTRATION

- 4.1 The Club shall be managed by a committee, the members of which shall be elected at the annual general meeting of the Club.
- 4.2 The committee shall comprise a president, a Vice-President, an honorary Secretary, an honorary Treasurer, an honorary Registrar and five (5) committee members.

The committee shall hold office from the conclusion of the annual general meeting at which it is elected until the conclusion of the annual general meeting at which its successors are elected. The committee may co-opt up to two (2) additional

members with full voting rights so that the total number of committee members will at no stage exceed twelve (12).

4.3 The Club President:

A member may only be elected to the office of Club President a maximum of three (3) consecutive years after which the member must stand down. This does not preclude the same member from continuing to serve on the committee or from being re-elected at some future annual general meeting to the office of Club President.

4.4 Sub-Committees and Ad-Hoc Committees:

The committee shall have the power to appoint sub-committees for any special purpose and to delegate to such sub-committees such powers as it may deem necessary.

4.5 Representation on Outside Bodies:

The committee shall have the power to appoint representatives to serve on such outside bodies as is necessary.

4.6 Resignations:

A committee member wishing to resign from the committee must notify the committee in writing.

4.7 Vacancies:

The committee shall have the power to co-opt members to the committee or appoint office bearers from the existing committee should any vacancies occur between one annual general meeting and the next.

4.8 Should the committee for any reason whatsoever resign en bloc, ten (10) members of the Club, in good standing, shall be empowered to convene a special general meeting for the purpose of electing a committee for the unexpired portion of the current term of office.

5. CLUB MANAGEMENT

Management of all aspects of the Club shall be vested in the committee who:-

- 5.1 will seek God's guidance in the setting of specific goals for the coming year and to communicate these goals to members within three (3) months of the annual general meeting.
- 5.2 will be responsible for ensuring that, to the best of their ability, the rules of the Club and those of the appropriate Provincial Marathon/Road Running Association are obeyed.
- 5.3 shall purchase, take on lease or in exchange, hire or otherwise acquire for any purposes of the Club, any moveable or immovable property and any other assets that it may from time to time deem necessary to achieve the objectives of the Club.

- 5.4 shall sell, lease or otherwise dispose of any or all of the Club property or assets as it may from time to time deem advisable.
- 5.5 shall borrow money and as security for repayment thereof, to mortgage pledge or otherwise encumber the property and assets of the Club and to settle terms of repayment.
- 5.6 shall invest the surplus funds of the Club in banks, building societies or otherwise as it deems fit.
- 5.7 shall determine and set the subscription fee annually in the month prior to the annual general meeting for submission and approval at the annual general meeting. The fee shall be binding on the incoming committee for the following year.
- 5.8 shall institute and/or defend legal proceedings in the name of the Club which have been authorised by the committee and signed by the Chairman.

6. FINANCE

- 6.1 The financial year of the Club shall be from 1 August to 31 July in the following year.
- 6.2 The honorary Treasurer of the Club shall deal with all financial matters.
- 6.3 Books of account shall be kept and the Club's financial position shall be presented at each committee meeting. An audited annual financial statement for the affairs of the Club shall be presented at each annual general meeting.
- 6.4 Financial statements shall be audited by an auditor appointed by the committee on a frequency decided by the committee.
- 6.5 Cheques drawn by the Club, cash withdrawals and investments made on it's behalf shall be signed by any two (2) of the authorised signatories, who shall be any two (2) of:

The President

The Honorary Treasurer

Any two (2) other nominated committee members.

7. BYE-LAWS

The committee shall have the power to make and amend bye-laws provided such bye-laws are consistent with the objectives and comply with this constitution.

8. MEMBERSHIP

- 8.1 Membership shall be open to all who agree to support the aims and objectives of the Club.

8.2 Application for membership of the Club shall be made on the prescribed application for membership, and approved by the Registrar. The new member shall be welcomed in writing.

8.3 The Registrar will keep the Committee informed of the names of all new members.

9. HONORARY LIFE MEMBERSHIP

In exceptional circumstances Honorary Life Membership may be extended to a member. The following procedure shall apply:

9.1 The name of such member to be honoured shall be submitted to the committee in writing by any member or members in good standing.

9.2 The committee shall consider the proposal and, if found acceptable, shall record it.

9.3 It shall be regarded as a Notice of Motion and shall be put to the vote at the following Annual General Meeting.

NB: The nominee, if present, will leave the meeting while this item is under discussion and until the vote is taken.

9.4 **Privileges:** Such Honorary Life Member shall be accorded the following privileges:

- i) not be liable for annual club membership fees
- ii) such membership shall be the highest honour the Club may bestow on a member and a certificate to that effect shall be presented to the nominee.

Every Honorary Life Member of the Club shall, subject to any restriction imposed by the constitution, be entitled to hold office and use any amenities or facilities provided to a full member.

10. SUBSCRIPTIONS

10.1 Each member shall be required to pay an annual subscription fee.

10.2 Subscriptions shall become due and payable on 1 January each year.

11. LIABILITY

The liability of any member is limited to the amount of any annual subscription plus any other amount due and owing by such member to the Club.

12. MEETINGS

12.1 Annual General Meeting

The annual general meeting of the Club shall be held during the month of September each year. The date time and venue of the meeting shall be fixed by the committee. The honorary Secretary shall give twenty-one (21) days notice of the meeting, in writing, to members.

Any member in good standing of the Club shall be entitled to attend the annual general meeting and shall have the right to take part in the discussions and voting.

Representatives of the press may be admitted to the annual general meeting at the discretion of the committee.

12.2 Special General Meeting

Special general meetings may be called at any time by the Club committee or by the President. The business to be dealt with at such a meeting shall be stated on the notice convening the meeting. At least twenty-one (21) days notice of such meeting shall be given by the honorary Secretary, in writing to members.

The Club committee shall also call a special general meeting on receipt of a written request from seven (7) members in good standing. The desired business shall be stated in such a request and the meeting shall be called within twenty-one (21) days of receipt of such a request.

12.3 Committee Meetings

The committee shall meet at least nine (9) times per year or as often as business demands.

Any member of the committee who is absent from two (2) meetings, without apology, may at the discretion of the committee be relieved of their position as a member of the committee.

12.4 Quorum

12.4.1 One-fifth (1/5) of the Club's membership or thirty (30) members, whichever is the less, shall form a quorum at a general meeting. If at any general meeting there is not a quorum present within twenty (20) minutes of the time specified for such meeting, the meeting shall stand adjourned to the same day in the next week at the same place and time (unless it be a public holiday in which case it shall be held on the week-day following the public holiday) when those present at such an adjourned meeting shall form a quorum and may transact the business for which such meeting was called.

12.4.2 The quorum required for committee meetings shall be six (6) committee members.

12.5 Chairman

The President shall occupy the chair at every committee meeting at which the President is present. In the absence of the President the Vice-President shall preside. If both the President and Vice-President are absent, the meeting shall appoint a chairman.

12.6 Voting

Members present at all meetings, which they are entitled to attend shall be entitled to one (1) vote. In the case of an equality of votes, the chairman of the meeting shall have a casting vote.

13. BUSINESS TO BE TRANSACTED AT THE ANNUAL GENERAL MEETING

13.1 Open meeting in prayer.

13.2 Read notice convening meeting.

13.3 Record any apologies.

13.4 Read and confirm the minutes of the last annual general meeting and to deal with any business arising there from.

13.5 Deal with any correspondence pertinent to the business of the annual general meeting.

13.6 Receive the Treasurer's annual report and financial statement and to adopt same.

13.7 Read the President's annual report.

13.8 Elect the office bearers and committee members for the ensuing year.

13.9 Discuss such matters as may have been referred to the annual general meeting.

13.10 Consider motions of which due notice has been given.

13.11 Discuss matters of general interest affecting club members.

13.12 Close in prayer.

14. DISCIPLINE

14.1 The committee shall have the power to act on receipt of a written report from any member, club, sub-committee, or Referee officiating on behalf of the relevant Provincial Marathon/Road Running Association and accusing a member or members of:-

- 14.1.1 wilfully committing a breach of the constitution, rules and/or bye-laws of the Club or relevant Provincial Marathon/Road Running Association.
 - 14.1.2 being guilty of improper, dishonest or unsportsmanlike-like conduct.
 - 14.1.3 being guilty of conduct in any way offensive to members.
 - 14.1.4 being guilty of conduct unbecoming or prejudicial to the interests of the Club.
- 14.2 The committee shall have the power:
- 14.2.1 In cases of internal disputes between members the Committee must direct the aggrieved party (ties) to follow the biblical guidelines as laid down in Matthew 18:15 "If your brother sins against you, go and show him his faults, just between the two of you..."
 - 14.2.2 Should the procedure followed in 14.2.1 not resolve the dispute, the Committee shall then call upon such member or members to appear before it, and there explain their conduct. Should such member or members fail to appear when called upon, to suspend or otherwise deal with such member or members?
 - 14.2.3 To deprive such member or members of all or any rights, benefits and/or advantages of their membership during such time or period as the committee in it's absolute discretion may deem fit and advisable.
 - 14.2.4 The committee may, after due investigation of the facts and examination of the witnesses and documentary evidence, suspend or terminate the membership of any member of the club.
 - 14.2.5 Whenever disciplinary action is taken, full particulars shall be sent to the relevant Provincial Marathon/Road Running Association at the discretion of the committee.

15. DISPUTES AND APPEALS

In the event of a dispute arising between a member of the club and the committee, the member shall have the right to appeal against the decision of the committee as follows:

- 15.1 The member must lodge his/her appeal, in writing, with the Secretary within seven (7) days of being notified of the committee's decision against which the member wishes to appeal.
- 15.2 Internal disputes

In the case of internal disputes which relate to club members and matters only, an appeal will be heard by an appeals board. The appeals board shall comprise of the Club President or the Vice-President in his absence, who shall act as chairman of the appeals board, and two (2) non-committee members. One (1) non-committee member shall be nominated by the committee, the other by the appellant.

15.3 External disputes

In the case of external disputes which relate to AGAPÉ members and external members and clubs, the appeal will be submitted to the relevant Provincial Marathon/Road Running Association by the Club Secretary.

The fact that a decision of the committee, as herein contemplated is under appeal, shall not have the effect of suspending the operation of such decision pending the hearing of such appeal.

16. INTERPRETATION OF CONSTITUTION

In the case of doubt as to the proper interpretation of any clause of this constitution or the rules and regulations relating thereto, the interpretation of the committee shall be final and binding on all members.

17. ALTERATIONS TO THE CONSTITUTION

No alterations or additions to the constitution shall be made except at a special or annual general meeting. Six (6) weeks' notice must be given to the Secretary in writing, setting forth in full each proposed alteration or addition.

No alteration or addition to the constitution shall be affected unless carried by at least two-thirds (2/3) of the votes represented at the meeting.

18. DISSOLUTION

If, upon winding up or dissolution of the Club there remains, after the satisfaction of all debts, any property whatsoever, the same shall not be paid or distributed to any person, but shall be given or transferred to a Christian or charitable organisation as decided by the committee OR by the relevant Provincial Marathon/Road Running Association if the committee are not able to reach consensus on the beneficiary.

CONSTITUTION AS ADOPTED AT THE

ANNUAL GENERAL MEETING HELD ON

1995.08.01

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CHRISTO BREYTENBACH
President