

***SOUTH AFRICAN VETERANS AND MASTERS
BADMINTON ASSOCIATION***

CONSTITUTION

1 THE NAME:

The name of the Association shall be THE SOUTH AFRICAN VETERANS AND MASTERS BADMITON ASSOCIATION (hereafter referred to as The Association)

2 AFFILIATION

The Association shall be affiliated to Badminton South Africa (hereafter BSA)

3 HEADQUARTERS:

The headquarters of The Association is deemed to be situated at the place decided by the Executive Committee referred to in Clause 7 hereof.

4 JURISTIC PERSONALITY

- (a) The Association is a voluntary entity not established for gain, is capable of perpetual succession and has corporate status. Its legal personality is distinct and separate from that of the members of which it is composed from time to time. It is capable in its own name of purchasing and/or holding, mortgaging, letting or otherwise alienating its property, whether movable or immovable.
- (b) The liability of any member of the Association for its debts is limited to the amount of any outstanding affiliation fee, duty or levy owing by the member to the Association
- (c) No person shall be personally responsible or liable for any *bona fide* act or omission done by or omitted to have been done by him/her on behalf of the Association or in the furtherance of the interests of the Association.

5 OBJECTS:

The Association has as its object to:-

- (a) uphold and maintain an acceptable standard of the sport of badminton;
- (b) strengthen the bonds of fellowship between its members and the individual players who fall under the auspices of the said members;
- (c) adhere to the principles laid down by the International Badminton Federation (hereafter IBF) and those stipulated by BSA;
- (d) maintain proper books and records relating to the affairs of The Association including details of all monies received and expended by it; and
- (e) administer its affairs through a committee that shall meet at least four times annually.

6 MEMBERSHIP:

Membership is open to any Provincial or Country District badminton association affiliated to BSA but does not extend to the individual players of the sport. Such players must be affiliated to their respective provinces or country districts and through last-mentioned, to BSA.

7 ADMINISTRATION:

The Association shall be managed by an executive committee comprising of FOUR (4) officials referred to in Clause 8 hereof and at least one but not more than four other elected representatives.

8 EXECUTIVE COMMITTEE:

The three officials referred to in Clause 7 above shall be the Chairman; Vice- Chairman and Secretary and Treasurer of the Association. These four officials and the remaining member(s) of the Committee shall be elected from the ranks of the members of the Association.

9 ELECTION OF OFFICE BEARERS

- (a) The three officials and other member(s) of the Committee shall be elected at the Annual General Meeting (hereafter, the AGM) of the Association
- (b) The President of BSA, or any person delegated by him, shall be an *ex officio* member of the Committee but he/she shall have no vote.
- (c) Any provincial or country district member of the Association may nominate representatives to the positions of Chairman, Vice-Chairman, Secretary and Treasurer or remaining committee member(s).
- (d) Nominations may be made in writing or verbally and may be made before the AGM or from the floor at the AGM. If a nominee is not present at the AGM he may be elected only if his written acceptance of the nomination is tabled at the meeting.

10 PERIOD OF OFFICE

Officials and other members of the Committee shall hold office for a period commencing from the date of his/her election at an AGM and terminating on the date of the holding of the second AGM. Thereafter a member shall be eligible for re-election.

11 CO-OPTION OF COMMITTEE MEMBERS

The Committee at its sole discretion, may co-opt any person and such person, for a period not exceeding two years, shall have a vote at any Committee Meeting and shall, for purposes of the constitution of a quorum, be deemed to have been elected as a full member of the Committee.

12 CESSATION OF MEMBERSHIP OF THE COMMITTEE

Membership of the Committee shall cease due to the member's :

- (a) death;
- (b) written resignation; or
- (c) expulsion as provided for further herein.

13 VACANCY ON THE COMMITTEE

A vacancy on the Committee is deemed to occur if a member;

- (a) dies; resigns or is expelled;
- (b) is suspended or granted leave of absence for a period exceeding six months; or
- (c) is absent without leave and without valid excuse for two consecutive meetings.

The Committee shall be the sole judge of whether or not an excuse is valid.

The Committee, within its discretion, may fill a vacancy but only from within the ranks of a provincial or country district member.

14 DEFINITIONS

A Veteran is any person who turns THIRTY FIVE years of age in any given year or prior to such year.

A Master is any person who turns FORTY FIVE years of age in any given year or prior to such year.

15 FINANCIAL YEAR

The financial year of the Association shall run as follows:

MASTERS from 1st April each year to 31st March the following year

VETERANS from 1st July each year to 30th June the following year

16 SUBSCRIPTIONS AND FEES

- (a) Each provincial and country district member shall pay an annual membership subscription in an amount decided upon at an A G M
- (b) A fee in an amount to be determined annually at an AGM, shall be payable by each Veteran or Master competing at any scheduled South African Veterans or Masters Tournament
- (c) An administration fee of twenty per cent of the entry fees at any scheduled National Veterans or Masters Tournament, shall accrue to the Association.
- (d) The Association may grant financial assistance to any of its members where such assistance is deemed necessary in order to further its objectives.
- (e) Should it become necessary, the Committee may approach BSA for financial assistance. In this respect it is recorded that the Association's preference is to be financially independent.

17 FINANCIAL AFFAIRS

- (a) The duty of the Secretary/Treasurer shall be to issue receipts for all moneys received and to deposit the same to the credit of the Association in a financial account approved by the Committee.
- (b) The Secretary/Treasurer shall report to the Committee at least twice annually concerning the financial state of the Association.
- (c) No funds of the Association may be withdrawn from its account save upon the signature of at least two of any of its authorized signatories.

18 ADMINISTRATIVE RECORDS

The Secretary/Treasurer shall keep a proper record of the proceedings at any AGM, Special General Meeting [hereafter, SGM] or Committee Meeting, and shall produce a written set of minutes of each such meeting

- (a) for **approval**, in the case of an AGM or SGM at the first Committee Meeting held thereafter;
- (b) for **confirmation**, in the case of an AGM or SGM, at the first general meeting held thereafter; and
- (c) for **confirmation**, in the case of a Committee Meeting at the next such meeting.

19 POWERS OF THE COMMITTEE

The Committee is empowered in the name of the Association to:

- (a) enter into contracts to purchase, mortgage, hire, lease or otherwise alienate property whether movable or immovable;
- (b) institute or defend any action at law;
- (c) lend, invest, put out to interest, deposit, advance or otherwise deal with all moneys not immediately required for the day-to-day expenses of the Association upon such security and on such terms as it deems fit, and to realise such investment or to vary or otherwise deal with the same as the circumstances may dictate;
- (d) borrow moneys against the security of the Association's assets;
- (e) utilise funds for the purpose of promoting or furthering the objects of the Association; and
- (f) if necessary, engage and/or dismiss any employee(s) on such terms as are considered fair and reasonable.

20 COMMITTEE MEETINGS

- (a) A Committee Meeting shall be convened upon the directive of the Chairman or, in his absence, upon notice given by the Secretary. At least three weeks' notice shall be required for the holding of any such meeting.
- (b) The majority decision of the members at a properly constituted meeting, shall be the decision of the Committee.
- (c) At least seventy five percent of members of the Committee are required to be present in order to constitute a quorum.
- (d) The Committee must meet at least twice per year.

21 ANNUAL GENERAL MEETING

- (a) The AGM of the Association shall be held during the same week that the South African Veterans Championships and Inter-provincial Tournament take place.
- (b) The notice convening the AGM shall be posted to all members at least eight weeks prior to the date thereof.
- (c) The Agenda for the AGM shall include the following:
 - * Confirmation of the Notice of the meeting
 - * Apologies and delegates' credentials
 - * Quorum
 - * Confirmation of the Minutes of the previous AGM
 - * Confirmation of the Minutes of an SGM, if any
 - * Matters arising from previous minutes
 - * Chairman's report
 - * Secretary and Treasurer's reports and consideration of the balance sheet
 - * Election of office bearers
 - * Members' reports
 - * Determination of venues and dates for next three Veterans and Masters Championships and Inter-provincial Tournaments
 - * Notices of Motion
 - * General.

22. SPECIAL GENERAL MEETINGS

- (a) A SGM may be convened at the behest of either:
 - BSA;
 - The Executive Committee of the Association; or
 - At least forty per cent of the members of the Association
 - Only the matter(s) which has necessitated the calling of the SGM shall be discussed at such a meeting and no other matters shall be on the Agenda. .
- (b) Upon receipt by the Secretary of a valid notice calling for an SGM, he/she shall within four weeks thereof send out a notice convening the required meeting.
Such notice shall, with clarity, set out the purpose of the meeting and shall be posted by him/her to all members at least twenty-one days prior to the date of the meeting.
- (c) The Committee shall be responsible to decide on a venue for holding an SGM.

23 NOTICES OF MOTION

All notices of motion must be in the hands of the Secretary/Treasurer at least six weeks prior to the date of an AGM. He/she shall transmit copies of such notices to members at least twenty-one days prior to the date of the AGM.

24 QUORUM AT GENERAL MEETINGS

Representatives of at least 50% plus one of members of the Association are required to be present at an AGM or SGM in order to constitute a quorum. Should there be insufficient members present at any such meeting, the Chairman shall wait for at least thirty minutes beyond the scheduled time. If thereafter there is still no quorum, he shall adjourn the meeting for a period of not less than one hour. Upon the scheduled date and time of the adjourned meeting, the representatives then present shall constitute a quorum.

25 VOTING AT MEETINGS

- (a) Each member has one vote at an AGM or SGM.
- (b) A member may, in writing, nominate a delegate representing another affiliated member, to represent it at an AGM or SGM. Such nominated member, if holding a written proxy, shall have one vote on behalf of his/her principal.
- (c) A proxy must be in the hands of the Chairman at least sixty minutes prior to the meeting.
- (d) Unless any member specifically requests a secret ballot, all voting shall take place by show of hands.
- (e) In the event of an equality of votes, the Chairman, in addition to his ordinary vote, shall have a casting vote.
- (f) The majority decision of the members at a properly constituted meeting, shall be the decision of the AGM or SGM.

26 DELIVERY OF NOTICES

A notice convening an AGM, SGM or Committee Meeting, may sent to members by post. Any such notice shall be deemed to have been received by the addressee within five days of the posting thereof. The non-receipt by a member of any such notice, shall not constitute a ground for the invalidation of the meeting in question. Provided, however, that if more than forty per cent of the members did not receive any posted notice, a fresh meeting shall be convened.

27 EXPULSION OF A MEMBER'S REPRESENTATIVE

A complaint against the offensive conduct of the representative of any member at an AGM, SGM or Committee Meeting, shall be considered by the Committee. Upon the majority vote of the Committee, which must be ratified at an AGM/SGM, such person may be prohibited from any further form of representation of the member concerned. Provided, however, that no such prohibition or expulsion shall take place without the member and the person concerned having been granted an opportunity, whether in writing or by personal appearance, to place the representative's defence, if any, before the Committee.

The decision of the AGMISGM shall be final and no appeal lies against its finding. Any expulsion or prohibition order shall be conveyed to the member and the individual concerned in writing.

28 TAXATION AVOIDANCE

- (a) The Association shall not engage in or carry on any business activity including any normal trading operation of a commercial nature.
- (b) The acquisition by the Association of any donated or bequeathed property which is rent producing, shall not be considered a business activity merely on account of the continuation thereof, but the Association itself shall not initiate or take active steps to acquire property for the express purpose of deriving a rental income therefrom.
- (c) The Association shall not acquire shares in any private or public company operating for gain.

29 RULES AND REGULATIONS

The Association may at an AGM or SGM make rules and regulations governing the holding of tournaments and championships for veterans and masters. Such rules and regulations, provided they are not contrary to those of BSA and IBF, shall be binding on all members. Provided, further, that such rules and regulations shall be reduced to writing and copies supplied by the Secretary/Treasurer to all members. Any amendments to the rules and regulations shall also be reduced to writing and posted to members.

It shall be the duty of members of the Association to acquaint individual players under their auspices with the content of any applicable rules and regulations.

30. AMENDMENTS TO THE CONSTITUTION

- (a) No amendments to this Constitution shall be made except at an AGM or SGM called for that purpose
- (b) Notice of any proposed amendment(s) shall be given by a member so as to reach the Secretary/Treasurer not less than six weeks prior to the AGM or SGM in question.
- (c) No amendment to the Constitution shall become binding unless it is passed by at least two-thirds of the votes cast at the relevant meeting.

31. WINDING UP

The property and assets of the Association are irrevocably dedicated to the objects set out in clause 5 hereof. Should it become necessary to liquidate, dissolve or abandon the Association, none of its property or assets shall inure to the benefit of any member or individual but shall, after due satisfaction of its debts and liabilities, be transferred to BSA to be held in Trust until such time a similar Association is formed whereafter the assets be transferred to the new Association.

Kalie van Heerden 15/2/2023 M/Word

BYE - LAWS

FOREIGN PLAYERS:

- (A) A Player's Bank is available for those Provinces that don't have enough players of their own to constitute a team and also to give those players who don't make their own provincial teams an opportunity to participate in the tournament.
- (B) The names of the players in the Bank must be submitted in writing by the province (Main Body) to the Secretary of the Veterans and the Masters Associations. These names will be circulated to all Provinces ONE WEEK before closing date. The onus therefore rests on the Province to send in these names of Bank Players to the Secretary of Veterans/Masters Association on time!!
- (C) Provinces must apply to the relevant Association to use the Bank Players. It is the responsibility of the different Association to allocate players to the different Provinces and Country Districts according to the strength of the Banked Players.
- (D) A Province may use a maximum of **TWO** foreign players and will be deemed as a Province and **NOT** an invitation team.
- (E) Only players taking part in the Provincial Tournament are eligible for the Veterans Team.
- (F) If a Province has **more** than one team the Bank Players may only be used in the lowest team taking into account rule (G) below!
- (G) Banked Players will be allocated according to their strength i.e. A Section strength cannot be allocated to a D Section team if at all possible.
- (H) If a Province enters more than one team and the first; second; third etc teams consist of three men and three women and the last (lowest) team consist of four or five men/women and someone in the top teams gets injured, players can be drawn from the next team e.g. if the injured player is from the first side (team) then the injured player must be replaced by a player from the second side and so on for the rest of the teams with the lowest team filling from the bottom.
- (I) **It must be clearly understood that a team CANNOT play any further if they don't have six players (three men and three women) in a team!**
- (J) The expenses of the Chairman of the Veterans/Masters Associations e.g. Travelling and Accommodation will be shared 50% each by the relative Association and the Host Province!
- (K) Province not entering a team in the year will drop one section i.e. A Section team will start the next year in the B Section BUT if they have lost their section the last time they played and skipped the next year they will start two section lower i.e. the team came last in the A Section in 2000 skipped 2001 then in 2002 they will start in the C Section.
- (L) If a Province played in the B Section the previous year but lost a number of their players the next year they may make representation in writing with their Entry Form to the Veterans/Masters Committee for entering them in a lower section. The decision of the committee will be final.
- (M) As per an AGM decision at least 50% of a TEAM at the Tournament MUST attend the finals of the respective Veterans/Masters Individual Championships or a R1000 fine will be imposed on the Province/Country District.
- (N) As per a decision taken at an AGM if a province does not enter a team a year to a S A Tournament and their name comes up on the GRID for the following year to host a Veterans or Masters tournament it may be taken away from that province!