

# Bundu

# Bashers

# MTB

# Club

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# **Bundu Bashers MTB**

## **CLUB CONSTITUTION**

### **1. NAME**

The name of the Club shall be:

**"Bundu Bashers MTB"**

### **2. INTERPRETATION**

Unless stated to the contrary,

2.1 The singular includes the plural and vice versa; and

2.2 The masculine gender includes the feminine and vice versa.

### **3. DEFINITIONS**

Unless stated to the contrary,

3.1 "Bundu Bashers Trackers" means the Bundu Bashers MTB

3.2 "C-KZN." means the Cycling-KwaZulu-Natal.

3.3 "Member" means a registered and paid up member of Bundu Bashers MTB.

3.4 "CSA." means Cycling South Africa.

### **4. JURISTIC PERSON**

4.1 The Bundu Bashers MTB is a juristic person with full legal capacity.

### **5. TERRITORY**

5.1 The Bundu Bashers MTB operates in KwaZulu-Natal It is subject to the C-KZN constitution, and is open to any person who wishes to take up membership.

## **6. AIMS**

- 6.1 The Bundu Bashers MTB aims to promote, foster and administer the sport of Mountain Biking within its territory.
- 6.2 To uphold the principle of non-discrimination in respect of race, gender, religion and political beliefs.
- 6.3 Will cater for all forms of cycling as required by its members.
- 6.4 To maintain affiliation with C-KZN.
- 6.4 To obtain recognition by, and liase with, other sporting bodies.
- 6.5 To compile and promote a calendar of events annually.
- 6.6 To raise funds.
- 6.7 Abide to rules of C-KZN.

## **7. MANAGEMENT**

Bundu Bashers MTB is managed and controlled by:

- 7.1 General Meetings of Members; and
- 7.2 The Executive Committee

## **8. GENERAL MEETINGS**

- 8.1 The highest authority of the Bundu Bashers MTB is vested in General Meetings, whether these be the Annual General Meetings or Special General Meetings.
- 8.2 General Meetings (including adjourned General Meetings) are held at a time, place and date determined by the Executive Committee.
- 8.3 An adjourned General Meeting shall not be held later than 30 days after the date that the original meeting was adjourned.

## **9. ANNUAL GENERAL MEETINGS**

9.1 An Annual General Meeting should be held no later than six months after the end of the financial year.

9.2 The Executive Committee with shall convene annual General Meetings with no less than 30 days written notice *to all paid up members*.

9.3 The notice must state the date, time and venue of the meeting.

9.4 Any business of the Annual General Meeting shall include:

9.4.1 Approval of the minutes of the previous meeting,

9.4.2 Consideration of the Chairperson's report of the preceding financial year.

9.4.3 Consideration of the Treasurer's report for the preceding financial year.

9.4.4 Election of the members of the Executive Committee of the Bundu Bashers Mountain Bike Club.

9.4.5 Opportunity for Members to raise issues, concerns and suggestions, subject to prior notice as described in #9.5 below.

9.5 Notice of matters to be raised at the Annual General Meeting must be submitted in writing and must reach the Chairperson or the Secretary no later than 7 days prior to the meeting. These matters shall be listed on the agenda for the AGM.

## **10. SPECIAL GENERAL MEETINGS**

10.1 A Special General meeting may, at any time, be convened by the Executive Committee.

10.2 No less than 14 days written notice must be given of a Special General Meeting. If a Special General Meeting is called at the request of members, the Chairperson or the Secretary of the Bundu Bashers MTB must serve a notice within 14 days after receipt.

## **11. PROCEDURES AT MEETINGS**

### **11.1 Quorum**

11.1.1 No business shall be transacted unless a quorum is present when the meeting commences.

11.1.2 A quorum comprises one-tenth of the paid-up members.

11.1.3 If, after thirty minutes beyond the announced starting time, a quorum is not present, the meeting shall lapse and postponed.

### **11.2 Procedure**

11.2.1 Except where otherwise indicated in the constitution, the Chairperson shall determine the procedure for that meeting.

11.2.2 The Chairperson of Bundu Bashers MTB shall preside over the meetings. If the Chairperson is absent, the secretary shall preside.

### **11.3 Voting**

11.3.1 Every paid up members shall be entitled to vote on resolutions unless there is a conflict of interest, in which case the member/s shall recuse him/themselves.

11.3.2 Election of office bearers shall be by show of hands or secret ballot.

11.3.3 All resolutions must be seconded and put to the vote by a show of hands or, if demanded by a paid up member, by secret ballot.

11.3.4 All matters, except constitution amendments, are decided by simple majority vote. The Chairperson shall have the casting vote.

11.3.5 All members' 16 years or older are entitled to vote.

#### **11.4 Proxies**

Any paid up member shall have the right to appoint another member as his proxy to speak and vote on his behalf at any meeting. Proxy forms must be submitted to the Chairperson or Secretary at least 48 hours before the commencement of the meeting.

#### **11.5 Adjournments**

11.5.1 The Chairman has the right to adjourn a meeting if he is of the opinion that the circumstances dictate this.

11.5.2 If a meeting is adjourned, it shall later be re-convened by the Executive Committee with at least 7 days written notice.

11.5.3 The notice of the re-convened meeting must state:

11.5.4 The date and time of the adjourned meeting;

11.5.5 The business to be dealt with;

11.5.6 The reason for earlier adjournment.

11.5.7 No business shall be transacted at a re-convened meeting other than business not dealt with at the meeting, which was adjourned.

### **12. EXECUTIVE COMMITTEE**

12.1 The Executive Committee is, subject to control and direction gained at General Meetings, responsible for all matters **not** dealt with by General Meetings.

12.2 The Executive Committee consists of 4 members, i.e. Chairperson, Treasurer and Secretary, and Events Co-ordinator.

12.3 The Executive Committee may nominate additional members to serve as non-executive members as they deem necessary.

12.4 Members of the Executive Committee are elected annually by the Annual General Meeting to hold office until the next Annual General Meeting.

12.5 Should the office of a member of the Executive Committee become vacant, the Executive Committee shall appoint a substitute.

12.6 A Chairperson may not be co-opted into office.

12.7 The Executive Committee has the following powers:

12.7.1 To appoint sub-committees made up of members for any purpose;

12.7.2 To delegate powers and assign tasks to persons or sub-committees;

12.7.3 To do all things necessary for the management and control of the Bundu Bashers MTB.

### **13. PROCEDURE AT EXECUTIVE COMMITTEE MEETINGS**

13.1 No business shall be conducted unless a quorum is present.

13.2 Three or more members of the Executive Committee shall be a quorum.

13.3 The Chairperson (or, in the event of the Chairperson not being present, the Treasurer shall preside over the meetings.

13.4 All matters are decided upon by majority vote.

13.5 Each member has one vote.

13.6 In the event of an even number of votes, the Chairperson shall have the casting vote.

## **14. MEMBERS**

14.1 The Executive Committee shall determine, and by means of by-laws, prescribe:

14.1.1 Types of membership;

14.1.2 Terms and conditions of membership;

14.1.3 Procedure for application for membership;

14.1.4 Membership fees; and

14.1.5 All other matters necessary or incidental to membership.

14.2 The Executive Committee must approve applications for membership.

14.3 Membership can be cancelled or suspended by the Executive Committee if:

14.3.1 The application procedure has not been followed; or

14.3.2 If after a fair hearing, a member is found guilty of improper conduct.

14.4 If the Executive Committee cancels membership, the member has the right to appeal in writing and be given a fair hearing.

14.5 All members are bound by this constitution.

14.6 A member may resign in writing and request clearance from the Bundu Bashers Mountain Bike Club.

14.7 On termination or suspension of membership for any reason, the member shall:

14.7.1 Remain liable for all sums still due and unpaid by him/her;

14.7.2 Not be entitled to recover any sums of money by reasons of termination or suspension of membership prior to-the end of a financial year.

14.8 Every member shall notify the Bundu Bashers MTB of any change of address.

## **15. FINANCIAL YEAR**

15.1 The financial year of the Bundu Bashers MTB is from 1st January until 31st December each year.

## **16. SPONSORSHIP**

16.1 The obtaining of financial or material assistance for any Bundu Bashers Mountain Bike Club related purpose must first be approved at Executive Committee level.

## **17. PUBLIC RELEASES**

17.1 All meetings are held in committee and the contents shall not be released to media unless the Executive Committee issues such a directive.

## **18. REPRESENTATION AT C-KZN. LEVEL**

18.1 The Bundu Bashers MTB shall be represented at meetings of the C-KZN. by the Chairperson of the Bundu Bashers MTB or by a delegate appointed by the Executive Committee.

## **19. FINANCE**

19.1 The Treasurer is, subject to the control and direction of the Executive Committee, responsible to the Executive Committee for the administration and reporting of the Bundu Bashers MTB finances.

19.2 All payments must be made by cheque and must carry the signature of two members of the Executive Committee.

19.3 The closing of any bank account, transfers and withdrawals from such an account, shall be authorised and signed for by the Chairman and the Treasurer.

19.4 Annual financial statements for the year ended 31 December shall be prepared within 6 months of the year end. These statements need not be audited. The Annual General Meeting shall review and authorise the club's annual financial statements.

## **20. CONSTITUTIONAL AMENDMENTS**

20.1 A General Meeting may only amend this constitution, provided that the precise terms of the amendment are put out in the notice convening the meeting.

20.2 The amendment may only be carried if not less than two-thirds of the votes of the paid-up members (16 years and over) present at such a meeting is in favour.