

CONSTITUTION

OF

**THE SOUTH AFRICAN DEEP SEA
ANGLING ASSOCIATION**

INDEX

<u>ARTICLE</u>	<u>SUBJECT</u>	<u>PAGE</u>
1	DEFINITIONS	3
2	NAME AND NATURE	4
3	PREAMBLE	4
4	AIMS AND OBJECTIVES	4
5	REGIONAL MEMBER BODIES	6
6	MEMBERSHIP	7
7	HONORARY LIFE PRESIDENT AND HONORARY LIFE VICE PRESIDENT	8
8	OFFICE BEARERS AND THEIR RESPONSIBILITIES	8
9	NATIONAL COUNCIL	14
10	DUTIES AND POWERS OF THE COUNCIL	14
11	RESIGNATION, SUSPENSION AND DISQUALIFICATION	15
12	MEETINGS OF THE NATIONAL COUNCIL	16
13	MISCONDUCT AND DISCIPLINARY PROCEEDINGS	19
14	COMMITTEES	20
15	FINANCE	24
16	SUBSCRIPTIONS AND LEVIES	25
17	RECORDS AND DOCUMENTATION	25
18	NOTICES	26
19	FOREIGN TOURS	26
20	REPRESENTATIONS AND NEGOTIATIONS	26
21	LEGAL PROCEEDINGS	26
22	INDEMNITY	27
23	GENERAL POWERS	27
24	ARBITRATION	28
25	DISSOLUTION	28
26	INTERPRETATION	29

CONSTITUTION

Of

THE SOUTH AFRICAN DEEP SEA ANGLING ASSOCIATION

1. DEFINITIONS

In this Constitution, save where the context otherwise indicates-

- | | | |
|-------|-------------------------------|--|
| 1.1 | "Affiliate Member" | means, subject to the provisions of articles 6.1.2 and 6.2, every member of an Affiliated Club who: |
| 1.1.1 | | is in good standing with the Affiliated Club of which he is a member, and; |
| 1.1.2 | | has paid to the Association the annual capitation fee due by him in respect of the current year; |
| 1.2 | "Association" | means the SOUTH AFRICAN DEEP SEA ANGLING ASSOCIATION constituted in terms of this constitution; |
| 1.3 | "Affiliated Club" | means a club which is a registered member of a Regional Member Body; |
| 1.4 | "by-laws" | means rules of the Association approved and implemented by the National Council and in force from time to time, which shall: |
| 1.4.1 | | be applicable to, and binding upon all Regional Member Bodies and Affiliate Members, and; |
| 1.4.2 | | be recorded by way of resolutions of the National Council, and, if the National Council in its discretion deems it appropriate or expedient, by way of a published set of such by-laws; |
| 1.5 | "National Council" | means the National Council as defined and referred to in Article 9 hereof; |
| 1.6 | "craft" | means a sea-going craft which complies with all applicable and relevant legislation; |
| 1.7 | "Regional Member Body" | means, for the purposes of this Constitution, a regional division of the Association which has been accepted and recognised as such by the Association, distinguished by its geographic boundaries, the identity and individual boundaries of which shall be determined from time to time by resolution of the National Council; |
| 1.8 | "Regional Delegate" | means the person duly appointed as the representative of a Regional Member Body in terms of article 5.6; |
| 1.9 | "Trustees" | means the trustees appointed in terms of article 14.1.7. |

2. NAME AND NATURE

The Association shall:

- 2.1 be known as the SOUTH AFRICAN DEEP SEA ANGLING ASSOCIATION (“SADSAA”);
- 2.2 be a body corporate established by voluntary association and having perpetual succession;
- 2.3 conduct its business, and have its postal address at such place as may be determined by resolution of the National Council in general meeting from time to time.

3. **PREAMBLE**

- 3.1 The Association binds itself to ensure that its membership shall be available to all persons irrespective of race, colour, creed or gender.
- 3.2 The Association is founded on the following beliefs:
 - 3.2.1 that sport fish species, their related food fish and their respective habitats are economic, social, recreational and aesthetic assets which must be maintained, wisely used and perpetuated;
 - 3.2.2 that the act of sport fish angling is an important recreational and social activity which must be encouraged and promoted, and that the public must be educated to pursue it in a manner consistent with sound sporting and conservation practices in accordance with the angling rules and regulations of the international Game fish Association (“IGFA”) and/or such other internationally accepted rules and regulations as may be determined by the National Council;
 - 3.2.3 that the act of sport fish angling is a deliberate and intentional act of angling for sport fish in accordance with internationally accepted ethics, rules and regulations according to the most sporting methods and in the spirit of sport fish angling;
 - 3.2.4 that the spirit of the act of sport fish angling is that the skill of the angler is pitted against the instinct, strength and behaviour of the sport fish in such a way that the sport fish stands an even chance for its life.

4. **AIMS AND OBJECTIVES**

The Association has the following fundamental, enduring and long-term aims and objectives, namely:

- 4.1 to be recognised as the governing body of deep sea sport fishing;
- 4.2 to function as the autonomous governing body of the act of sport fish angling from craft at sea in the Republic of South Africa;
- 4.3 to promote, control and foster the act of sport fish angling in conformity with national and international practices including the practice of release of fish and the international rules and regulations laid down from time to time by IGFA and/or such other internationally accepted rules and regulations as may be determined by the Association;
- 4.4 to keep accurate records of sport fish caught in accordance with IGFA rules within the borders of the Republic of South Africa and to accumulate reliable piscatorial information which shall be available to members and/or any other interested bodies approved by the National Council;
- 4.5 to develop guidelines and angling rules for the holding of tournaments and the keeping of tournament records;
- 4.6 to organise national and international sport fish angling competitions at such venues as may be determined by the Association from time to time;

- 4.7 to approve and encourage inter-provincial, national and international competitions and to submit to the relevant officers of the Association, a record of catches of individual members in approved competitions;
- 4.8 to select qualified anglers to represent the Republic of South Africa or the Association in international, national and other sport fish angling competitions;
- 4.9 to design, adopt, register and award colours, badges or uniforms of the Association as may be required from time to time;
- 4.10 to support and promote sport fish angling as a recreational pastime at all levels and to ensure that the aspirations of all anglers are recognised;
- 4.11 to promote competence in the handling of craft including the promulgation of rules governing the operation of craft and all safety requirements and regulations, and to enforce compliance therewith by all members;
- 4.12 to liaise and co-operate with all levels of government, private enterprise and other concerned and/or interested bodies for the protection and/or conservation of marine fish, their habitats and food fish and/or sport fishing grounds;
- 4.13 to maintain the Association as a non-political and non-racial body abiding by the laws of the land and to preserve its status and that of its members;
- 4.14 to affiliate with other national or international bodies that may be deemed relevant or beneficial to the interest and/ or objectives of the Association;
- 4.15 to organise and participate in seminars, meeting, conferences and symposia approved by the Association and the Trustees;
- 4.16 to undertake and/or support, where relevant or necessary, scientific and economic research and studies to determine the economic and scientific impact of the act of sport fish angling on the economy, environment and reserves of fish;
- 4.17 to encourage compliance by the members with all requirements relating to the rendering of catch returns which may be stipulated from time to time;
- 4.18 to maintain a comprehensive register of all members of the Association, as well as all Affiliated Clubs and their members;
- 4.19 to maintain a comprehensive register of members participating in the development programmes of Regional Member Bodies of the Association;
- 4.20 to raise funds in order to achieve the objectives of the Association.
- 4.21 to establish a tournament fund for the funding of competitions and/or competitors;
- 4.22 to establish an independent trust to develop and support the implementation of development programs for sport angling in the Republic of South Africa;
- 4.23 to refrain from carrying on any business that has for its objectives any acquisition or gain by members of the Association.

5. **REGIONAL MEMBER BODIES**

- 5.1 The National Council shall, from time to time, determine the geographic boundaries of prospective Regional Member Bodies, and the minimum number of Affiliated Clubs which are required to be members of a prospective Regional Member Body in order to qualify for recognition as a Regional Member Body;

- 5.2 No Regional Member Body shall be recognised by the Association as such unless:
- 5.2.1 it is a properly constituted deep sea angling body which complies with the requirements and stipulations of the Association as to the geographic boundaries of the Regional Member Bodies recognised by the Association from time to time;
- 5.2.2 it has lodged with the National Council a written copy of its constitution, and the same has been approved by the National Council, provided that any constitution so submitted to it shall be approved if the constitution concerned includes:
- 5.2.2.1 no provision which conflicts with any of the provisions of the constitution of the Association;
- 5.2.2.2 a provision to the effect that in the event of there being any such conflict, or a conflict with any existing or future by-law, the constitution of the Association and/or the by-law concerned (as the case may be) shall prevail;
- 5.2.2.3 a requirement that all Affiliated Clubs, in order to qualify for membership of the prospective Regional Member Body, shall comply with all of the provisions of the constitution of the prospective Regional Member Body, and of the Association, and all by-laws promulgated by it;
- 5.2.2.4 procedures for the democratic election of Office Bearers of the prospective Regional Member Body;
- 5.3 Any prospective Regional Member Body applying for recognition by the Association shall do so in writing to the Secretary in such form as may be determined by the Association from time to time, and shall submit, together with such application, the following:
- 5.3.1 a copy of its constitution;
- 5.3.2 the names of all Affiliated Clubs which are members of the prospective Regional Member Body concerned, together with the names and addresses of the Chairman, Secretary, and Treasurer of each such Affiliated Club;
- 5.3.3 a schedule reflecting the names, addresses and identity number of every member of each Affiliated Club which is a member of the prospective Regional Member Body;
- 5.3.4 in respect of all individual craft owned by members of the Affiliated Clubs concerned, a schedule reflecting the name, type of craft, its description and registration number, the name of the registered owner and the name of the club at which the craft is registered;
- 5.3.5 a declaration signed by the chairman, secretary and treasurer of the prospective Regional Member Body, as well as the chairman of each of the Affiliated Clubs which are members of the prospective Regional Member Body, that they, and the prospective Regional Member Body or Affiliated Club represented by them, subscribe unequivocally to, and undertake to abide by, the constitution of the Association.
- 5.4 The National Council shall, after receipt of an application by the prospective Regional member Body, consider the same and notify the applicant in writing as soon as reasonably practicable thereafter, of its decision.
- 5.5 If the application is rejected, an applicant shall have the right to appeal against such rejection to the National Council at its next general meeting, in accordance with such procedures as may be stipulated in the by-laws from time to time. The applicant shall be entitled to attend and address the meeting of the National Council at which the application is to be reconsidered, and to make written submissions in support of its application. At such meeting the previous decision of the National Council shall be deemed to be rescinded and a vote shall be taken in respect of the application.

- 5.6 Each Regional Member Body shall:
- 5.6.1 appoint, and nominate as its authorised representative at all National Council Meetings a person (“Regional Delegate”) who is a member of an Affiliated Club of the Regional Member Body concerned, provided that no Regional Delegate shall be entitled to represent more than one Regional Member Body;
- 5.6.2 furnish to the Secretary, in writing with the name, address, telephone number and email address of its Regional Delegate;
- 5.6.3 advise the Secretary, in writing, of all changes in the identity of its office bearers and/or Regional Delegates within 30 (thirty) days of such changes occurring.
- 5.6.4 annually, by not later than 30 (thirty) days prior to the Annual General Meeting of the Association, or at such other times as it may be requested by the Secretary, furnish updated schedules of the information referred to in 5.3.2, 5.3.3 and 5.3.4;

6. **MEMBERSHIP**

- 6.1 Membership of the Association shall comprise:
- 6.1.1 each of the Regional Member Bodies who, subject to 12.1.11, shall have the right to vote at all meeting of the National Council;
- 6.1.2 Affiliate Members, being every member of an Affiliated Club who:
- 6.1.2.1 is in good standing with the Affiliated Club of which he is a member, and;
- 6.1.2.2 has paid to the Association the annual capitation fee for the current year, as determined by the National Council from time to time;
- 6.1.2.3 shall be deemed to be allocated to that Regional Member Body of which his Affiliated Club is a member;
- 6.1.2.4 shall be entitled to all of the privileges and benefits associated with membership of the Association, save that an Associate Member shall be entitled to attend and to address all meetings of the National Council, but shall not be entitled to vote on any matter before the National Council.
- 6.2 The membership of any Affiliate Member:
- 6.2.1 may be suspended by the National Council for such period as the Affiliate Member concerned is in arrears with the payment of any capitation fee or any other amount due to the Association, or is in breach of any by-law or any of the provisions of this Constitution;
- 6.2.2 shall be deemed to have been cancelled if:
- 6.2.2.1 the Affiliate Member concerned ceases to be a member of a Regional Member Body for any reason;
- 6.2.2.2 such membership is cancelled by the Committee consequent upon disciplinary procedures referred to in article 13;
- 6.3 Any member of the Association shall be entitled to resign as a member upon 30 days' written notice to the National Council, subject to the proviso that a member so resigning shall not be entitled to a refund of any capitation, affiliation or other fees or levies paid by the member to the Association up to the date of such resignation.
- 6.4 The Secretary shall keep and maintain a register containing the names of the Regional Member Bodies and Affiliate Members of the Association, and all other information referred to in articles

5.3.2, 5.3.3 and 5.3.4, which information shall, upon request, be made available to all Regional Member Bodies and members at all reasonable times.

7. HONORARY LIFE PRESIDENT AND HONORARY LIFE VICE PRESIDENT

7.1 The Association may, as a token of appreciation for long and outstanding services rendered in the advancement of the objects of the Association, by unanimous resolution of the National Council passed at an Annual General Meeting, elect as an Honorary Life President or Honorary Life Vice President any person who is or was a President or Vice President of the Association.

7.2 An Honorary Life President or Honorary Life Vice President shall be regarded as a member in his own right and be entitled to all the benefits of ordinary membership without paying any fees, subscriptions or levies, and shall be entitled to attend and address meetings of the Association, but shall have no voting powers.

8. OFFICE BEARERS OF THE ASSOCIATION AND THEIR RESPONSIBILITIES

8.1 Office Bearers

8.1.1 The Office Bearers of the Association shall be:

8.1.1.1 the PRESIDENT;

8.1.1.2 the VICE PRESIDENT;

8.1.1.3 the SECRETARY

8.1.1.4 the TREASURER;

8.1.1.5 the INTERNATIONAL TOURNAMENTS OFFICER;

8.1.1.6 the LOCAL TOURNAMENT OFFICER;

8.1.1.7 the ENVIRONMENTAL OFFICER;

8.1.1.8 the RECORDS OFFICER;

8.1.1.9 the PUBLIC RELATIONS OFFICER;

8.1.1.10 the SAFETY OFFICER;

8.1.1.11 the DEVELOPMENT OFFICER

8.1.2 The President shall hold office for an initial period of one year and thereafter be eligible indefinitely for re-election for successive one-year terms of office;

8.1.3 The Vice-President shall hold office for an initial period of one year and thereafter be eligible indefinitely for re-election for successive one-year terms of office;

8.1.4 The Office Bearers referred to in 8.1.1.3 to 8.1.1.11 shall hold office for an initial period of one year and thereafter be eligible indefinitely for re-election for successive one-year terms of office;

8.1.5 The position of the Secretary may be a paid position or that of an honorary position. Should the Secretary be that of a paid position the contract shall be renewable on annual basis, and if an honorary position, the Secretary shall hold office for an initial term of two years, and thereafter be eligible for re-election.

- 8.1.6 The Office Bearers shall:
- 8.1.6.1 be members of the Association;
- 8.1.6.2 be elected at the Annual General Meeting;
- 8.1.6.3 assume office at, and with effect from, the Annual General Meeting;
- 8.1.6.4 *ipso facto* be members of the National Council.
- 8.2 **Responsibilities**
- 8.2.1 The President shall:
- 8.2.1.1 preside as chairman at all National Council and Action Committee meetings but shall have no vote, save that he shall have a casting vote unless otherwise specified;
- 8.2.1.2 present a written report to the Annual General Meeting;
- 8.2.1.3 not be a office bearer of any Regional Member Body or Office Bearer of the Association (with the exception of Trustee, which office he shall be entitled to hold);
- 8.2.1.4 conduct, institute or defend legal proceedings on behalf of the Association and be empowered to take evidence on commission of an urgent nature, subject to ratification of the National Council;
- 8.2.1.5 be empowered to make all announcements, press releases and other communications with the press, media and other bodies, organisations and the world at large on behalf of the Association, subject to his right to delegate in writing the parties referred to in this article;
- 8.2.1.6 be chairman (ex Officio) of the Board of Trustees of the SADSAA tournament fund referred to in article 4.21;
- 8.2.1.7 administer the applications of the national colours from the appropriate sports governing body.
- 8.2.2 the Vice President shall:
- 8.2.2.1 in the absence of the President preside as the chairman of all National Council meetings, and Action Committee meetings;
- 8.2.2.2 when attending such meetings in his capacity as Vice President, have no vote, save that he shall have a casting vote unless otherwise specified.
- 8.2.3 the Secretary shall:
- 8.2.3.1 keep minutes of the proceedings of all National Council meetings and if necessary, Action Committee meetings, and send copies thereof to all Regional Member Bodies within thirty (30) days of such meetings;
- 8.2.3.2 keep and maintain all Secretarial and administrative records as may be necessary and as determined by the National Council from time to time;
- 8.2.3.3 have no vote at any meetings, but shall have the right to speak to on all matters and motions tabled;

- 8.2.4 the Treasurer shall:
- 8.2.4.1 be responsible for the collection of and due and proper administration of all monies and funds of the Association;
 - 8.2.4.2 give effect to, and be guardian of, all approved budgets;
 - 8.2.4.3 be responsible for the maintenance and updating of books of accounts and other documents of the Association, including those relating to all investments of the Association of whatever nature;
 - 8.2.4.4 prepare financial statements which shall be audited in accordance with sound accounting practice, copies whereof shall be circulated by the Secretary to all Regional Member Bodies no less than thirty (30) days prior to the date of the Annual General Meeting for ratification at such meeting;
 - 8.2.4.5 submit interim financial reports at all National Council Meetings or called upon for by the Action Committee;
 - 8.2.4.6 deposit all monies belonging to and received by the Association to the credit of such banking account in the name of the Association as may be nominated by the National Council from time to time;
 - 8.2.4.7 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled;
 - 8.2.4.8 be responsible for ensuring that all payments made by the Association are made by cheque drawn on the Association's banking account, signed by the Treasurer and either one of the President or Vice President;
 - 8.2.4.9 ensure that all the assets (including trophies) of the Association are properly insured in accordance with the directives of the National Council;
 - 8.2.4.10 keep proper books of accounts reflecting all transactions of the Association;
 - 8.2.4.11 hold all property funds and other assets in the name of the Association and keep an asset register;
 - 8.2.4.12 serve notice by registered post on any Regional Associate that is thirty (30) calendar days in arrears with its subscriptions and levies;
 - 8.2.4.13 check and finalise all budgets submitted and draw to the attention of the respective Committees and Officer Bearers should those budgets be exceeded;
- 8.2.5 the international Tournaments Officer shall:
- 8.2.5.1 be responsible for all international tournaments and like activities;
 - 8.2.5.2 secure and negotiate for participation of SADSAA and national teams against international teams;
 - 8.2.5.3 call for participant nominations after invitations have been secured;
 - 8.2.5.4 take full responsibility for all international tournaments to be hosted by the Association;
 - 8.2.5.5 invite teams from foreign countries to participate against South African teams in tournaments;
 - 8.2.5.6 arrange tournaments, and work with and through the member body or committees hosting the tournament;

- 8.2.5.7 advise the captain of national teams the rules and regulations and contact details of the tournament hosts and his/her responsibility relating thereto;
- 8.2.5.8 advise the hosts of the participation of the duly elected team, their status and names;
- 8.2.5.9 if deemed necessary from time to time, form a tournaments committee;
- 8.2.5.10 endeavour to obtain the appropriate media coverage of international and local events;
- 8.2.5.11 liaise with the Environmental Officer as to the recreational limitations;
- 8.2.5.12 compile scoring systems and competition rules and regulations and specify game fish surface and Bottomfish eligible for every competition and scoring system and the line classes that shall apply and present to National Council for ratification;
- 8.2.5.13 be responsible for all international and special tournaments which will be under the jurisdiction of the Tournament Officer and/or committees constituted for such purpose;
- 8.2.5.14 submit all budgets to National Council for ratification;
- 8.2.5.15 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.
- 8.2.6 the Local Tournaments Officer shall:
- 8.2.6.1 be responsible for all inter-provincial, national, juniors and special tournaments which will be under the jurisdiction of the Local Tournament Officer and/or committees constituted for such purpose;
- 8.2.6.2 compile annually, a tournament calendar for approval by the National Council at the Spring meeting of the Association;
- 8.2.6.3 approve, prior to circulation, all local rules and regulations pertaining to inter-provincial and national tournaments;
- 8.2.6.4 ensure all tournaments comply with SADSAA rules and by-laws;
- 8.2.6.5 have overriding jurisdiction at all inter-provincial and national tournaments hosted by the Association to interpret and maintain and monitor tournament rules and to settle any dispute which may arise, of whatsoever nature;
- 8.2.6.6 arrange all necessary licenses and all necessary exemptions to any bag limit regulations covering all recognised tournaments;
- 8.2.6.7 if deemed necessary from time to time, form a tournament's committee;
- 8.2.6.8 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.
- 8.2.7 the Environmental Officer shall:
- 8.2.7.1 act on behalf of the Association on all environmental affairs including negotiations with all government departments;
- 8.2.7.2 represent the Association at all committee meetings regarding environmental affairs and resource management;
- 8.2.7.3 convene and hold an annual meeting with the resource and environmental officers of the Regional Member Bodies;

- 8.2.7.4 act on behalf of the Association on any environmental matters deemed necessary from time to time;
- 8.2.7.5 represent the Association on any bodies set up to manage resources and the environment;
- 8.2.7.6 draft recommendations for the betterment of the resources;
- 8.2.7.7 liaise with, and make recommendations to, bodies pertaining to the management of the resources;
- 8.2.7.8 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.

8.2.8 the Records Officer shall:

- 8.2.8.1 be responsible for all trophies and the maintenance of a trophies register;
- 8.2.8.2 maintain a library of ratified record catches;
- 8.2.8.3 issue certificates for meritorious and record catches;
- 8.2.8.4 collate and submit catch statistics to the Environmental Officer and to any appropriate authority;
- 8.2.8.5 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.

8.2.9 the Public Relations Officer shall:

- 8.2.9.1 work under the direction of the National Council of the Association;
- 8.2.9.2 be responsible for media releases under the direct instructions of the President or the Action Committee;
- 8.2.9.3 liaise with all appropriate bodies and promote the interests of the Association;
- 8.2.9.4 liaise with, and ensure that the requirements, of the Association's sponsors are adhered to;
- 8.2.9.5 maintain and update with the assistance of all member bodies, the National Council's business plan;
- 8.2.9.6 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.

8.2.10 the Safety Officer Shall:

- 8.2.10.1 act on behalf of the Association on all safety matters;
- 8.2.10.2 administer and control all Safety Officers courses, examinations and appointments in accordance with the regulations required by the South African Maritime Safety Authority.
- 8.2.10.3 administer standards for Skipper's examinations;

- 8.2.10.4 issue and record Skipper's tickets;
 - 8.2.10.5 administer the standards of craft safety;
 - 8.2.10.6 notwithstanding anything to the contrary elsewhere contained herein, shall pass and accept all craft whose safety requirements comply with all applicable legislation;
 - 8.2.10.7 meet with the safety officers of the Regional Member Bodies at least once a year;
 - 8.2.10.8 set and revise when necessary the standard charges relating to the duties of the safety portfolio;
 - 8.2.10.9 appoint Safety Officers and examiners to the Regional Member Bodies as laid down by the authorities;
 - 8.2.10.10 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.
- 8.2.11 the Development Officer shall:
- 8.2.11.1 administer the Development Trust in accordance with the registered trust deed;
 - 8.2.11.2 submit development reports at each National Council meeting;
 - 8.2.11.3 submit a summary of all development programs hosted during the year to the National Council;
 - 8.2.11.4 collect and collate all details of the development programs organised and run by the member bodies and submit the same to the appropriate authorities;
 - 8.2.11.5 submit timorously to the Public relations officer the National Council's development plans to be incorporated in the National Council's business plans;
 - 8.2.11.6 have no vote at any meetings, but shall have the right to speak on all matters and motions tabled.

9. NATIONAL COUNCIL

9.1 **Composition and functions**

- 9.1.1 The general management of the affairs Association shall be controlled and administered by a National Council, which shall comprise:
 - 9.1.1.1 the Office Bearers referred to in Article 8.2;
 - 9.1.1.2 the Regional Delegates;
- 9.1.2 When a vacancy occurs in the National Council, a successor shall be appointed by resolution of a general meeting of the Association which complies with article 10.4, to fill the vacancy.
- 9.1.3 Should a member of the National Council be absent from 3 (three) consecutive National Council meetings without leave of absence, his position shall become vacant.
- 9.1.4 The National Council shall have the power and authority to delegate any of its functions, powers or authority to the Action Committee;

10. **DUTIES AND POWERS OF THE COUNCIL**

The National Council shall, in addition to any other powers and/or authority granted to it under this constitution, have the power and authority to perform the following duties and responsibilities:

- 10.1 to safeguard, uphold and protect the beliefs and Constitution of the Association and to carry out the objectives of the Association and to ensure compliance with any rules or by-laws promulgated hereunder;
- 10.2 to manage and control the affairs of the Association and to deal with all matters as it deems fit and expedient;
- 10.3 to delegate in writing to the Action Committee below mentioned, such of its powers and obligations as it deems necessary and/or expedient from time to time;
- 10.4 to convene meetings;
- 10.5 to accept or reject all budgets submitted to it for approval as tabled, and to approve or direct income and expenditure as it deems fit and to fix honorariums of officials;
- 10.6 to deal with the affiliations to membership of the Association;
- 10.7 to engage for any purpose whatsoever the services of such persons, companies, and concerns upon such terms and conditions as may be deemed expedient;
- 10.8 to accept amend and ratify the tournament calendar submitted by the respective tournament officers, which after ratification shall be binding for the ensuing year upon both the Association and all member bodies;
- 10.9 to accept, amend, ratify and approve recommendations from the Environmental Officer pertaining to his portfolio;
- 10.10 to ratify and confirm actions and decisions as well as recommendations taken by the Action Committee or any other Committee of the Association;
- 10.11 to lease or hire or purchase movable or immovable property in the name of the Association where it shall appear to be in the best interest of the Association and upon such terms as it may deem expedient;
- 10.12 to use its best endeavours to resolve in whatever fashion it considers expedient, any disagreement or dispute between the National Council, the Trustees or the Office Bearers relating to any matter, provided that such resolution may take place only at a Special Meeting convened for such purpose;
- 10.13 to receive and consider and deal within any manner deemed expedient, a proposed change in the Rules referred to in article 4.3;
- 10.14 to formulate and approve by-laws, and any amendments thereto;
- 10.15 to determine all membership and capitation fees, and such other levies and subscriptions as it may consider appropriate to be paid by Regional Member Bodies, Affiliated Clubs and Affiliated Members
- 10.16 to amend the Constitution of the Association in accordance Article 12.5.

11. **RESIGNATION, SUSPENSION AND DISQUALIFICATION OF COUNCILLORS**

A member of the National Council shall cease to hold office as such: -

- 11.1 upon receipt by the National Council of his resignation in writing;

- 11.2 upon the sequestration or surrender of his estate as insolvent;
- 11.3 upon his absenting himself without leave from three consecutive meetings of the National Council;
- 11.4 if the Councillor in question is an Affiliated Member:
 - 11.4.1 upon his membership as such terminating for any reason, or;
 - 11.4.2 for such period as his membership as such is suspended for any reason

12. MEETINGS OF THE NATIONAL COUNCIL

12.1 **General Provisions**

The following general provisions shall apply to all meetings of the National Council unless expressly stipulated to the contrary in clauses 12.2, 12.3, 12.4 and 12.5:

- 12.1.1 Meetings shall be held on such dates as the National Council may decide.
- 12.1.2 Not less than 60 (sixty) days before any meeting is held, the Secretary shall forward to each Office Bearer, Regional Member Body, and Committee member, a notice giving the date and time of the meeting and the business to be transacted thereat.
- 12.1.3 The secretary shall, not less than 30 (thirty) days before any meeting, post a copy of the agenda to Office Bearer, Regional Member Body, and Committee member by ordinary mail.
- 12.1.4 Any Office Bearer, Regional Member Body, or Committee forwarding to the Secretary a notice in writing of its intention to bring any subject or motion stated in such communication before any meeting for discussion or decision, shall be entitled to have such notice circulated to all Office Bearers, Regional Member Bodies, and Committee members, and to bring the subject or motion before the meeting, subject to the proviso that such notice reaches the Secretary not less than 14 (fourteen) calendar days before the meeting.
- 12.1.5 At all meetings of the National Council one half of the Regional Delegates eligible to vote shall form a quorum. In the event of a quorum not being present at any such meeting, the same shall stand adjourned, for one hour on the same day at the same venue. If, at such an adjourned meeting, a quorum is still not present, those Regional Delegates present and eligible to vote shall be deemed to constitute a quorum.
- 12.1.6 No business other than that specified in the notice convening the meeting, or a notice in terms of Article 12.1.4, shall be discussed at any general meeting of the Association.
- 12.1.7 At all meetings of the National Council, the President shall preside as chairperson. In his absence the Vice President shall preside, and in the absence of both of them, a chairperson elected by the meeting shall preside, and shall confine the proceedings to the objects of the meeting.
- 12.1.8 The accidental omission to give notice of a meeting to any of the members, or the non-receipt of such notice, shall not invalidate any resolution passed at any such meeting.
- 12.1.9 All Office Bearers, Committee Members and Affiliate Members of the Association in good standing shall have the right to attend meetings of the National Council, and to address the meeting.
- 12.1.10 Subject to 12.1.11, only the Regional Delegates shall have the right to vote at any meeting of the Association.

- 12.1.11 No Regional Delegate whose Regional Member Body which he represents:
- 12.1.11.1 failed to pay timorously to the Association all moneys due by it to the Association (notwithstanding that such moneys were paid after the due date therefore, and prior to the meeting in question), or;
- 12.1.11.2 failed to deliver timorously to the Association any reports, returns, nominations or other documentation required of it in terms hereof, or in terms of any by-law (notwithstanding that such documents were delivered after the due date therefore, and prior to the meeting in question),
- shall have the right to vote at any general meeting of the Association.
- 12.1.12 Each Regional Delegate whose Regional Member Body is in good standing with the Association, present in person or by proxy at a general meeting of the Association shall have the right to vote, and shall have a number of votes corresponding with the number of Affiliate Members which his Regional Member Body represents, provided that such members are in good standing with the Association.
- 12.1.13 Any Regional Delegate eligible to vote shall, at any meeting, by written notice delivered to the Secretary at or prior to the meeting concerned, be entitled to appoint a proxy provided that such proxy shall be an Affiliate member in good standing with the Association.
- 12.1.14 Resolutions, to be passed, shall require a simple majority of the votes cast by the Regional Delegates present and voting.
- 12.1.15 The chairperson at any meeting shall not have the right to vote, save in the event of a deadlock or tie in voting in which event the chairperson shall have one casting vote.
- 12.1.16 All voting shall take place by show of hands, subject to the proviso that at the request of any one Regional Delegate entitled and eligible to vote at the meeting in question, voting shall take place by secret ballot.
- 12.1.17 Associate Members shall, with the consent of the Regional Member Body to which he belongs, shall be entitled to attend and to address all meetings of the National Council, but shall not be entitled to vote on any matter tabled.
- 12.1.18 At all meetings, the minutes of the previous meeting shall:
- 12.1.18.1 be deemed to have been read.
- 12.1.18.2 be confirmed (subject to such amendments thereto as the meeting may agree upon) by the meeting.
- 12.2 **Special Meetings**
- 12.2.1 The Action Committee, or not less than 3 (three) Regional Delegates, may by written notice delivered to the Secretary, requisition a special meeting (“Special Meeting”) of the Association upon 21 (twenty one) calendar days written notice to each Office Bearer, Regional Member Body, and Committee member, setting forth the object of the meeting.
- 12.2.1 The provisions of article 12.1.4 shall not apply.
- 12.2.3 Resolutions, to be passed, shall require a two-thirds majority of votes cast by those Regional Delegates present and voting.
- 12.3 **Annual General Meeting**

- 12.3.1 The Annual General Meeting of the National Council shall be held on a date not later than 30 June of each year.
- 12.3.2 At the Annual General Meeting of the Association:
- 12.3.2.1 the President shall present his annual report for adoption;
- 12.3.2.2 all other Officer Bearers and Committees shall table written reports of their activities for the preceding year.
- 12.3.2.3 the Treasurer shall present, and propose for acceptance and ratification:
- 12.3.2.3.1 the financial report and balance sheet of the Association for the past year;
- 12.3.2.3.2 proposed capitation and affiliation fees and any other levies payable by Regional Member Bodies and/or Affiliated Members for the forthcoming year;
- 12.3.2.4 the Association's auditors for the forthcoming year, who shall be a registered and practising chartered accountants who shall remain in office until the next Annual General meeting;
- 12.3.2.5 the Office Bearers referred to in article 8 shall be elected in accordance with the procedures stipulated therein.
- 12.4 **Election of Office Bearers**
- 12.4.1 The Secretary shall, not less than 90 (ninety) days prior to the Annual general meeting, circulate nomination forms to the chairmen of the Regional Member Bodies, requesting nominations for Office Bearers of the Association for the ensuing year.
- 12.4.2 The person nominating any nominee shall, prior to his nomination, approach nominee to establish his willingness to accept office, and the completed nomination form shall be returned to the Secretary of the Association not less than 60 (sixty) days prior to the Annual General meeting. The Secretary shall contact all nominees in writing to verify their acceptance of their nominations, and thereafter circulate the confirmed list of nominees to the Regional Member Bodies.
- 12.4.3 The following office bearers shall be elected at the Annual General Meeting:
- 12.4.3.1 the Office Bearers referred to in article 8.1;
- 12.4.3.2 the Trustees
- 12.4.3.3 three additional members to the Action Committee
- 12.4.3.4 two additional members to the Finance Committee;
- 12.4.3.5 two Additional members to the Tournaments Committee;
- 12.4.3.6 the members of the Selection Committee;
- 12.4.3.7 a Deputy Safety officer;
- 12.4.3.8 the Development Trustees referred to in article 14.1.6;
- 12.4.4 In addition, there may be elected, an Honorary Life President and/or an Honorary Vice Life President of the Association.

- 12.4.5 Each Regional Delegate shall have one vote, and the election of the persons referred to in 12.4.3 and 12.4.4 shall be by way of a simple majority of votes cast by those Regional Delegates present and voting.
- 12.4.6 In the event of deadlock:
- 12.4.6.1 the chairman of the meeting shall not have a casting vote;
- 12.4.6.2 a re-vote shall take place by secret ballot;
- 12.4.6.3 any further deadlock shall be decided by the flip of a coin.

12.5 **Amendments to the Constitution**

No resolution amending the Constitution of the Association shall be binding unless passed at a meeting of the National Council, called upon not less than 60 (sixty) days notice to all Office Bearers, Regional Member Bodies and Committee Members at which:

- 12.5.1 each Regional Delegate shall have one vote, and;
- 12.5.2 the resolution in question has been approved by a two-thirds majority of votes cast by those Regional Delegates present and voting;
- 12.5.3 in the event of a deadlock the chairman of the meeting shall have a casting vote.

13. **MISCONDUCT AND DISCIPLINARY PROCEEDINGS**

- 13.1 Every Regional Member Body, Affiliated Club and Affiliated Member should make itself conversant with, and shall *ipso facto* be bound by this provisions of this Constitution and any by-laws in force from time to time.
- 13.2 The membership of any Regional Member Body, Affiliated Club or Affiliated Member who or which:
- 13.2.1 departs from any of the provisions of this Constitution, or any resolution adopted by the National Council, or any by-law, and remains so in breach 21 days after the despatch of written notice calling upon the member to remedy the same;
- 13.2.1.1 is convicted of a criminal offence in terms of any Act, Ordinance or Regulation governing marine angling;
- 13.2.1.2 fails to pay timorously, any capitation fees or any other amounts due to the Association, or is in breach of any by-law or any of the provisions of this Constitution;
- 13.2.1.3 is, or has been guilty of any conduct which in the opinion of the National Council renders the Regional Member Body, Affiliated Club or Affiliated Member unworthy of membership of the Association:

may by resolution of the National Council be cancelled, or suspended on such terms and conditions and for such period as the National Council may determine, or may, in addition, be fined a sum of money, the maximum amount of which shall be determined by the National Council from time to time, or may have any of the privileges he or it is entitled to by virtue of his or its membership removed or suspended for such period as may be determined by the National Council.

- 13.3 Notice of such suspension, fine or expulsion shall be forwarded by the National Council within 7 (seven) working days to the member by registered letter, and such member desiring to appeal to the National Council against its decision shall within 14 (fourteen) working days of such notice, request, in writing, the Secretary to call a Special Meeting of the National Council, and the Secretary shall convene such meeting to be held within 30 (thirty) working days of receipt of such request.

- 13.4 Any Regional Member Body, Affiliated Club or Affiliated Member (as the case may be) shall be entitled to attend and address the Special Meeting of the National Council at which the appeal is to be reconsidered, and to make written submissions in support of the same, but shall not be entitled to legal representation. At such meeting the previous decision of the National Council shall be deemed to be rescinded and a further vote shall be taken in respect of the application.
- 13.5 Should a penalised Regional Member Body, Affiliated Club or Affiliated Member fail to appeal as provided, he or it shall have no-further right of appeal, and should he or it fail to appeal; or should his or its suspension, fine or expulsion be confirmed, the Secretary shall forthwith notify such decision to every member of the Association and notice of such decision may also be sent to other interested persons or bodies, or published, at the discretion of the National Council.
- 13.6 In the event of the suspension or expulsion of any member he/she shall have no claim against the Association or any of its members in respect thereof.

14. COMMITTEES

- 14.1 The standing Committees of the Association shall be:
- 14.1.1 **the Action Committee**
- 14.1.1.1 The Action Committee will comprise:
- 14.1.1.1.1 the President
- 14.1.1.1.2 the Vice President
- 14.1.1.1.3 the Secretary
- 14.1.1.1.4 the Treasurer
- 14.1.1.1.5 3 (three) persons who shall be elected at the Annual General Meeting.
- 14.1.1.2 The Action Committee shall act for and on behalf of the Association in terms of such mandates as may be given to it by the National Council from time to time.
- 14.1.1.3 Until further mandates are given by the National Council, the Action Committee shall be regulated by the following provisions, shall regulate the powers, functions and duties of the Action Committee:
- 14.1.1.3.1 to deal with all matters of a routine nature during the periods between Annual General Meetings of the Association and which matters are not specifically required to be dealt with by the Association in Annual General meetings in terms of this Constitution, unless delegated for execution;
- 14.1.1.3.2 in particular, to be responsible for the purchase of stationery, office equipment and other movable property such as insignia, badges, other colours, certificates and the like as may be reasonably required for the purposes of carrying on the affairs of the Association;
- 14.1.1.3.3 to give rulings within its powers on matters referred to the Association by its Members Bodies.
- 14.1.1.3.4 to deal with, ratify or reject all matters pertaining to duly elected Committees of the Association;

- 14.1.1.3.5 to deal with all minor cases of misconduct and any dispute about what constitutes a case of misconduct to be dealt with by the Action Committee as opposed to the National Council at National Council meetings shall be resolved by the President in his sole and unfettered discretion;
- 14.1.1.3.6 to ensure that all persons selected or appointed to represent South Africa or the Association both locally or abroad abide by the approved dress code in the case of SADSAA as per the dress code laid down by National Council and national dress as laid down by the appropriate authority;
- 14.1.1.3.7 to employ part-time secretarial, technical, public relations and clerical assistance and to call upon outside expertise if so required;
- 14.1.1.3.8 to liaise, consult and if necessary manage the other Committees of the Association;
- 14.1.1.3.9 to oversee and correlate all press statements relating to the Associations and its functions;
- 14.1.1.3.10 in the event of the portfolio of any Office bearer or other portfolio becoming vacant, to appoint a successor who shall hold office until the next Annual General meeting;

14.1.2 **the Selection Committee**

- 14.1.2.1 Only experienced anglers who have represented South Africa in national colours and who are in good standing with the Association shall qualify for appointment to the Selection Committee which shall comprise eight (8) persons elected at the Annual General meeting and shall not include more than two (2) members per member body. A quorum for any meeting will be half of the elected selectors plus one.
- 14.1.2.2 All Selectors will be elected for a period of 3 (three) years where after 4 (four) selectors will automatically stand down but will be eligible for re-election for a further period of 3 (three) years.
- 14.1.2.3 The Selection Committee will elect a convenor to chair the election meetings.
- 14.1.2.4 If deemed necessary the Convenor of the Selection Committee will approach the National Council to replace selectors who's positions have been vacated during their term of office.
- 14.1.2.5 Any Selector serving on the Committee who has nominated himself or if any of his relatives have nominated must excuse themselves from all deliberations of the meeting at which that team is selected.
- 14.1.2.6 The duties and responsibilities of the Selection Committee shall be:
- 14.1.2.6.1 the compilation of a nomination form acceptable to the National Council;
- 14.1.2.6.2 the selection of Development, SADSAA and national teams shall be strictly on merit, taking into account the fishing record and ability of the nominated angler and also his character and conduct to ensure that members of teams will be worthy representatives of South Africa and the Association;

14.1.2.7 The members of the Selection Committee shall not divulge any names of nominees selected or any names nominated for selection or any content deliberation at the Selection Committee meetings.

14.1.2.8 Team(s) will be announced by the President of the Association. In the case of national teams announced by the President of the Association will only become official once ratified by the appropriate governing sporting body.

14.1.3 **the Finance Committee**

14.1.3.1 The Finance Committee will comprise:

14.1.3.1.1 the Treasurer;

14.1.3.1.2 2 (two) members elected at the Annual General Meeting;

14.1.3.2 shall be responsible for an annual budget and other financial advice that is to be presented at the Annual General Meeting and shall also assist the Treasurer in fulfilling those other obligations imposed upon him;

14.1.3.3 shall be responsible for the administration of any tournament fund subject at all times to the direction and control of the National Council.

14.1.4 **the Safety Committee**

14.1.4.1 The Safety Committee will comprise:

14.1.4.1.1 the Safety Officers appointed by each of the respective Regional Member Bodies.

14.1.4.1.2 the National Safety Officer;

14.1.4.1.3 the Deputy National Safety Officer,

(both of whom shall be elected at the Annual General Meeting)

14.1.4.2 The National Safety Officer and the National Deputy Safety Officer shall each automatically stand down in alternate years, but be eligible for re-election.

14.1.4.3 The Duties and responsibilities of the Safety Committee shall be:

14.1.4.3.1 to administer the standards of safety as set down by the Authorities.

14.1.4.3.2 the certification of the seaworthiness of all craft under its control as laid down by the Authorities that go to sea or any of the waters connected to the sea;

14.1.4.3.3 to meet at least once a year during their term of office;

14.1.4.3.4 to issue safety colours to member safety officer's in accordance with applicable rules and/or regulations;

14.1.4.3.5 the registration of all craft;

14.1.4.3.6 the issue of all skipper's tickets;

14.1.4.3.7 the conducting of all practical tests;

14.1.4.3.8 the conducting of all surveyors course and in-house examinations;

- 14.1.4.3.9 the conducting of all examiners courses;
- 14.1.4.3.10 standardisation of all national examinations;
- 14.1.4.3.11 surveys on all vessels owned or utilised by Affiliated Members, and/or registered with Affiliated Clubs;
- 14.1.4.3.12 the issue of all commercial tickets;
- 14.1.4.3.13 the annual reassessment of charges for all items referred to in this clause 14.1.3

14.1.4.4 In the event of any dispute on safety matters, a committee comprising the national Safety Officer, national Deputy Safety Officer, the duly appointed Safety Officer of a Regional Member Body and any two elected members of the Action Committee shall determine the dispute.

14.1.5 **Environmental Management Committee**

The Environmental Management Committee will comprise:

- 14.1.5.1 an Environmental Management Officer who shall be elected at the Annual General Meeting;
- 14.1.5.2 an additional number of members equivalent to the number of registered Regional Member Bodies of the Association, each of which members shall be nominated by the Regional Member Body which he represents, and whose nomination shall be ratified at the Annual General Meeting.

14.1.6 **the Development Trust Committee**

The Development Trust Committee shall:

- 14.1.6.1 comprise of a Development trust officer and 3 (three) Trustees, all of whom shall be duly elected at the Annual General Meeting of the Association and who shall serve for a period of two (2) years;
- 14.1.6.2 control and administer all funds relating to development.

14.1.7 **Trustees**

14.1.7.1 At the Annual General Meeting there shall be appointed a minimum of three (3) Trustees with an active interest in the Association, each of whom:

14.1.7.1.1 shall represent a different Regional Member Body;

14.1.7.1.2 shall hold office for a period of two (2) years, but shall be eligible for re appointment if proposed.

provided that no Office Bearer, member of the Selection Committee, or Selectors or Regional Delegate may simultaneously hold office as a Trustee.

14.1.7.2 The duties of the Trustees shall be to safeguard the fixed assets and investments of the Association.

14.1.7.3 The Trustees shall:

14.1.7.3.1 be entitled to, and be furnished with copies of the Agenda and Minutes of all meetings of the National Council and Annual General Meetings, and copies of all financial statements as and when issued;

- 14.1.7.3.2 be given any information which they may call for on related matters;
- 14.1.7.3.3 have the right to attend (at their own expense) and speak at any National Council or Annual General Meeting.
- 14.1.7.4 In the event of the Trustees and National Council being unable to reach agreement on any matters referred to in this clause 14.1.7 the disputed items may be brought for final decision before a Special Meeting called for that purpose.
- 14.1.7.5 The Trustees shall only be dismissed from office during term of appointment by a resolution passed by two thirds of those present and entitled to vote at a Special or Annual General Meeting.
- 14.1.7.6 The Trustees shall
- 14.1.7.6.1 have access to all books and records of the Association;
- 14.1.7.6.2 have the power to report in writing to the National Council at Annual General Meetings;
- 14.2 Each Committee shall deliberate on matters pertaining to its discipline but all decisions shall be considered by all members of the Committee concerned.
- 14.3 No member of a Committee may make any statements to the media on matters concerning the Association or its functions related matters referred to in clause 13.1.
- 14.4 No person other than a member of the Committee or the President or the Vice President may attend a Committee Meeting except as a result of an invitation by the Committee.
- 14.5 Each Committee chairman shall submit to the Treasurer of the Association at least two months prior to the Annual General Meeting a budget of his/her Portfolio for the ensuing year.

15. **FINANCE**

- 15.1 At an Annual General meeting there shall be appointed an Auditor who shall be registered and practising Chartered Account who shall remain in office until the next Annual General meeting.
- 15.2 The financial year of the Association shall commence on the first day of January in every year and terminate on the last day of December in the same year.
- 15.3 The funds of the Association shall be used in furtherance of the objects of the Association. Profits or gains made by the Association shall not be distributed and shall be accumulated as part of the funds of the Association. Any surplus funds of the Association shall be invested as determined by the National Council.
- 15.4 Auditors shall be appointed at the Annual General Meeting in each year whose duty it shall be to audit the books of the Association at least once a year between the last day of December and the date of the Annual General Meeting. Such audited financial reports of the Association shall be tabled and approved at the Annual General Meeting and be open for inspection thereafter by any member of the Association.
- 15.5 The Auditors:
- 15.5.1 shall have access to all books and records of the monies, funds, property and assets of the Association;
- 15.5.2 shall be obliged to submit their report in writing to the National Council at the Annual General meeting.

- 15.6 No Office Bearer or Committee member of the Association, nor an Office Bearer or Committee Member of any Regional Member Body may be appointed as auditor of the Association.

16. **SUBSCRIPTIONS AND LEVIES**

- 16.1 Each Regional Member Body shall be liable to pay to the Association an Annual Affiliation Fee as determined at the Annual General Meeting from time to time, which fees shall fall due for payment by each Regional Member Body by not later than 31st January of each year.
- 16.2 Each member of a Regional Member Body, or Affiliated Club, shall, in order to be (or remain) registered as an Affiliated Member, shall be required to pay annual Capitation Fee as determined at the Annual General Meeting from time to time, which fee shall:
- 16.2.1 be paid to the Regional Member Body of which such person is a member, and;
- 16.2.2 be remitted to the Association by each Regional Member Body concerned, by not later than 31 March of each year.
- 16.3 It shall be the responsibility of each Regional Member Body to collect all capitation due by its members.
- 16.4 No person shall be recognised by the Association as an Affiliate Member unless his Capitation fee has been remitted to the Association by the date referred to in 16.2.2.

17. **RECORDS AND DOCUMENTATION**

- 17.1 Each Office Bearer and Committee shall retain details of its source documentation and records of its activities.
- 17.2 The Chairman of each Committee will give a written report of the activities of the Committee between meetings, at each National Council meeting and will present at the Annual General Meeting a written overview of such reports for the preceding year.
- 17.3 All documentation under the control of an Office Bearer of Committee must be handed to the incoming Officer Bearer and/or Committee within (30) thirty days of election of the retiring Officer Bearer or Committee.
- 17.4 All documentation is the sole property of the Association and may not be given to parties outside of the Association without prior consent of the Action Committee.

18. **NOTICES**

Any notice addressed by the Association shall: –

- 18.1 if delivered by hand, be deemed to have been duly received by the addressee on the date of delivery;
- 18.2 if posted by prepaid surface mail be deemed to have been received by the addressee on the 5th (fifth) day following the date of such posting unless the contrary be proved;
- 18.3 if transmitted by telefacsimile or e-mail, be deemed to have been received by the addressee on the day following the date of dispatch, unless the contrary is proved.

19. **FOREIGN TOURS**

- 19.1 No tours within the area of jurisdiction of the Association by any angler/s from outside the area of jurisdiction of the Association shall be arranged or organised by any Regional Member Body or Affiliate Member without the prior written consent of the National Council.
- 19.2 No Regional Member Body or Affiliate Member may participate in any tournament or competition outside the area of jurisdiction of the Association under the pretext of representing the Association, save with the prior written approval of the Tournament Committee in consultation with National Council.
- 19.3 All foreign tours within the area of the Association's jurisdiction shall be carried out only with the prior official permission from the governing body of the sport.
- 19.4 Any Member Body or individual Angler who contravenes the provisions of this clause 19 shall be deemed guilty of misconduct and liable to disciplinary action.

20. **REPRESENTATIONS AND NEGOTIATIONS**

No representations or negotiations with any public authority or body or any persons or body of person, shall be made or carried on in the name or on behalf of the Association without authority of the Action Committee or by resolution of the National Council at the Annual General Meeting.

21. **LEGAL PROCEEDINGS**

- 21.1 The Association is liable only for its own debts and any assistance granted to any person or body whether corporate or unincorporated, shall not render it liable for the debts of such person or body.
- 21.2 The liability of the members of the Association shall not be unlimited and the members shall not be liable for the debts of the Association, of whatsoever nature and howsoever incurred, save only to the extent of any unpaid membership subscriptions and any other debts incurred directly with the Association.
- 21.3 The Association may only sue or be sued in the name of its President in any Court of law in the Republic of South Africa having competent jurisdiction in respect of the place of business of the Association as it may be fixed from time to time and all legal processes, notices and the like shall be regarded as properly served on the Association if served personally upon the President, or his duly authorised agent in writing, it being recorded that neither of these persons shall be regarded in any manner as being personally liable for the debts of the Association.
- 21.4 The Association shall sue and be sued in the name of the Chief Executive Officer for the time being of the Association, and all summonses, notices of action, and the like, against the Association, shall be validly and effectively served if served at the office of the Chief Executive Officer.

22. **INDEMNITY**

The Office Bearers, members of the National Council, Committee members and employees of the Association are indemnified by the Association against all costs, losses and expenses arising from anything done by them in the *bona fide* administration of the Association or in connection with any other matter or thing concerning the affairs of the Association save wilful or dishonest wrong doing on the part of the person who is sought to be made liable.

23. **GENERAL POWERS**

The Association shall have the following powers in addition to other powers specifically conferred upon it in terms of this Constitution:

- 23.1 to purchase, hire, exchange, accept donations of, receive grants and honoraria, or otherwise acquire, sell, let, exchange, mortgage, pledge, donate, or otherwise dispose of movable and immovable property of all kinds or any rights or interests therein or any other asset of any kind;
- 23.2 to borrow and, if deemed desirable, to secure the repayment of money in such manner as it may deem fit, to guarantee or secure the acts of and payments due by others, and to lend money against such security, if any, as it may deem fit;
- 23.3 to acquire, encumber, apply or dispose of and generally to deal with any funds in any manner as it may deem fit, but always in accordance with the aims and objectives of the Association as set out herein;
- 23.4 to enter into all such contracts and do all such other acts and things as may be necessary or expedient from time to time to achieve the aims and objectives of the Association as set out herein;
- 23.5 to institute, conduct, defend, settle or abandon any legal proceedings by or against the Association in any manner as it may deem fit, but always so as to achieve the aims and objectives of the Association as set out herein;
- 23.6 to open, operate and close savings and other accounts with any financial institution, to buy or sell or otherwise deal with shares or stock or debentures or bonds or any other interest in any company or other body corporate or government agency, and generally to invest the funds and other assets of the Association in such manner as it may deem fit, but always in accordance with the aims and objectives of the Association as set out herein;
- 23.7 generally to do all such things as may be necessary or expedient in order to carry out or further any of the aims or objectives of the Association;
- 23.8 to utilise the revenue and property of the Association, from whatever source derived to further the interests and objectives of the Association and for such other purposes as the Association may deem necessary or desirable;
- 23.9 to purchase, improve, take on lease or in exchange hire or otherwise acquire any movable and immovable property and rights or privileges whatsoever which may be deemed necessary, suitable or convenient for the implementation of the objectives of the Association and to sell, let or hire, or otherwise dispose of the whole or any part of the assets of the Association for such consideration and upon such terms and conditions as to the Association may from time to time deem fit;
- 23.10 to open and operate banking and saving accounts and any other investment accounts as may be deemed necessary or required by the Association;
- 23.11 to engage the services of such persons, companies or concerns upon such terms and conditions as may be deemed expedient to give effect to the objectives of the Association;
- 23.12 to borrow monies upon security of the fixed assets and investments of the Association upon such terms and conditions as may be necessary or advisable in the circumstances.

24. **ARBITRATION**

- 24.1 Any dispute (other than a dispute in respect of which urgent relief may be obtained from a court of competent jurisdiction), which may arise with regard to:
- 24.1.1 the application, interpretation, implementation or enforcement of this Constitution, or;
- 24.1.2 whether any part thereof is void or voidable, or;
- 24.1.3 any dispute between the members of the Association *inter se*, or between any member of the Association and the National Council, or between any members of the Association and the National Sports Council,

shall be referred to the Arbitration Foundation of South Africa ("AFSA") for resolution through mediation and expedited arbitration in terms of the prevailing Rules and Procedures for the Resolution of Disputes in Sport. The Parties record that in the event of arbitration there shall be no right of appeal as provided for in article 22 of the aforesaid rules, and that such resolution shall be final and binding upon the parties.

- 24.2 Notwithstanding anything to the contrary contained in this Constitution or stipulated by the Arbitration Foundation, the Arbitration will be held in Johannesburg, with a view to achieving an expeditious result. Furthermore, the arbitration will be conducted in camera, the parties and the participants in the arbitration being obliged to maintain the utmost confidentiality with regard to all matters relating thereto or arising therefrom, save as otherwise expressly and preemptorily required by law.

25. **DISSOLUTION**

In the event of the Association being wound up or dissolved then all assets of the Association of whatsoever nature and where situated shall not be distributed amongst the Regional Member Bodies but shall be held in trust by the Trustees for and on behalf of a body to be formed with similar objectives as underlie this Association as decided at and directed by a Special General Meeting of the Association called specifically for the purpose of establishing such a new body. Should the Trustees unanimously resolve to do so, such assets may, in the alternative, be distributed amongst the Regional Member Bodies in such proportions as the Trustees may unanimously decide.

26. **INTERPRETATION**

In this Constitution:

- 26.1 paragraph headings are for reference purposes only and shall not affect its interpretation;
- 26.2 references to natural persons shall include bodies corporate and other legal personae and vice versa;
- 26.3 references to the singular shall include the plural and vice versa;
- 26.4 references to male shall include female and vice versa;
- 26.5 where a number of days is prescribed, it shall consist only of business days (i.e. days other than Saturdays, Sundays and public holidays) and shall be reckoned exclusively of the first and inclusively of the last day;
- 26.6 if figures are referred to in numerals and words, the words shall prevail in the event of any conflict between the two;
- 26.7 this constitution shall be interpreted in keeping with the language used in the draft document tabled for approval at the special meeting on the 7th July 2002.

ooOoo

AMENDMENTS:

1. Amended 7th January 2003.
2. Amended 21st May 2003.
3. Amended 21st June 2008 – Clause 8.1.2 and 8.1.3