

# CONSTITUTION OF MPUMALANGA DEEP SEA ANGLING ASSOCIATION

Approved: 18 August 2007  
1st Amendment: 22 August 2009

## 1. 1.1 NAME

Mpumalanga Deep Sea Angling Association (MDSAA)

## 1.2 JURISDICTION

The following Magisterial Districts will form part of MDSAA:

Pilgrim's Rest, Lydenburg, Carolina, Piet Retief, Pongola, Wakkerstroom, Amersfoort, Volksrust, Standerton, Bethal, Highveld Ridge, Nelspruit, White River, Barberton, Waterval-Boven, Belfast, Hoedspruit, Middelburg, Witbank, Bronkhorstspuit, Delmas, Ermelo and Springs.

## 1.3 ABBREVIATIONS

<b>MDSAA</b>	Mpumalanga Deep Sea Angling Association
<b>EC</b>	Executive Committee
<b>AC</b>	Action Committee
<b>FC</b>	Financial Committee
<b>IGFA</b>	International Game Fish Association
<b>AGM</b>	Annual General Meeting
<b>SGM</b>	Special General Meeting
<b>SADSAA</b>	South African Deep Sea Angling Association
<b>The "Association"</b>	Mpumalanga Deep Sea Angling Association

## 2. OBJECTIVES

The objectives of the Association will be as follows :

- 2.1 To be affiliated to the South African Deep Sea Angling Association and with any other federation, conference and any other angling body as determined from time to time by the EC;
- 2.2 To maintain and abide by all the objectives, ideals, rules and regulations of SADSAA and to ascertain that all affiliated clubs act accordingly;
- 2.3 To extend the sport for pleasure and relaxation;

- 2.4 To form a jovial association with all clubs and their members who have a common interest in deep sea angling;
- 2.5 To comply with all the objectives of a competitive outdoor sport;
- 2.6 To assist the authorities in the efficient working and control of ski boats;
- 2.7 To obtain moveable property, funds and other assets to fulfill the objectives as by Rule 7.2;
- 2.8 To constitute, make rules, keep records and notes of any matters referring to deep sea angling;
- 2.9 To conserve sea life, fauna and flora in co-operation with the relevant government departments and agencies involved. This applies to all coastal waters with regards to purity and prevention of pollution;
- 2.10 To perform all actions which directly or indirectly will promote the objectives;
- 2.11 At any time formulate rules and regulations to improve and promote the Association;
- 2.12 To function as a body to practice the sport of amateur bottom-, game- and billfish angling at sea in the Republic of South Africa and International waters from a craft at sea which will comply with the acts of the country;
- 2.13 To strive to promote and regulate angling as sport fishing (whether it is bottom-, game- or billfish angling) in compliance with the national and international rules as laid down from time to time by SADSAA, IGFA and/or other internationally acceptable rules;
- 2.14 To arrange inter-club, inter-provincial, national and international competitions, to keep records of catches of all anglers at such places as may be determined by the Association;
- 2.15 To select competent anglers to represent MDSAA;
- 2.16 To promote competencies to handle a craft at sea, determine rules whereby a craft at sea should be handled, in compliance with SADSAA regulations and the act;
- 2.17 To maintain MDSAA as a non-political and non-racial body which obeys the laws of the country and amateur status of its members;
- 2.18 To design uniforms, badges and colours to be awarded to members from time to time;
- 2.19 To acquire income and property which will be in the interest of MDSAA and its members in order to meet the objectives of MDSAA;
- 2.20 To open bank or savings accounts, or to make investments as needed by MDSAA;
- 2.21 To raise funds for the purpose and aims of MDSAA and, if necessary, make loans against securities of fixed property and investments of MDSAA on the terms and conditions as may be determined by the EC;

- 2.22 To establish tournament funds for competitions;
- 2.23 To appoint the services of persons, companies and institutions for the purpose to exercise the aims of the Association;
- 2.24 To keep a proper register of member clubs and affiliated anglers;
- 2.25 To support scientific and economical research studies to determine the effect and influence of sport fishing on the environment and fish reserves.

### **3. LAWFULL POSITION OF THE ASSOCIATION**

- 3.1 The Association will be liable for its own debts, but any assistance which the Association may give to any body or person, will not make the Association liable for the debt of such a person or body;
- 3.2 To act as legal person, that is to issue summons and to be summoned in the name of the Association;
- 3.3 All properties of the Association, movable or immovable, will vest in and be registered in the name of the Association;
- 3.4 A copy of the constitution and by-laws of the Association, signed by the Chairman/Secretary, may be accepted as the correct version for any purpose;
- 3.5 MDSAA, together with the Committee Members of MDSAA, will not be held liable for, and is indemnified against any accident or loss which may be suffered during a competition or any matter with regards to the activities of MDSAA.

### **4. MEMBERSHIP**

- 4.1 Existing clubs within the area of MDSAA consisting of 10 (ten) or more affiliated members, qualify for membership. For a new club to qualify to be affiliated to MDSAA it must have at least 20 (twenty) members and pay a once-off joining fee of R1 000 (one thousand rand);
- 4.2 If a member club fails to pay its affiliation fees during any given financial year, it will then have to re-apply for membership as a new member as per the conditions set out in clause 4.1;
- 4.3 A person will be a junior member until the day of his/her 18<sup>th</sup> birthday.

### **5. LEVIES**

The Action Committee will have the right to impose any levies. Such levies will be enforceable on condition that at least 51% of members present at the SGM held for this purpose, vote in favour thereof.

## 6. COMPILATION OF MDSAA AND BODY CORPORATE

6.1 An AGM will comprise of:

The Chairman and Secretary from every member club or their delegates whose affiliation fees are fully paid up to MDSAA as per clause 15;

6.2 Voting rights will be as follows:

- (a) Clubs with less than 40 affiliated members: 1 (one) vote  
Clubs with 41 – 100 affiliated members: 2 (two) votes  
Clubs with more than 101 affiliated members: 3 (three) votes
- (b) The Chairman, Vice Chairman, Secretary, Treasurer, Tournaments Officer, Records Officer, Safety Officer, Developments Officer and Public Relations Officer will each have 1 (one) vote. To cast a vote, a member must be present and should a person hold more than one position on the committee, then his vote will be limited to 1 (one) vote only;

6.3 The **Executive Committee** of the Association will be compiled by the following Office Bearers:

- \* Chairman
- \* Vice Chairman
- \* Secretary
- \* Treasurer
- \* Tournaments Officer
- \* Records Officer
- \* Safety Officer
- \* Public Relations Officer
- \* Developments Officer
- \* Honorary President

The EC can appoint or co-opt any assistants to the above mentioned positions;

6.4 The present EC is in control of the Association until a new EC has been elected by the member clubs at an AGM;

6.5 Clubs must be informed at least 2 (two) months before the AGM of existing committee members that are not available for re-election. New nominations (i.e. those persons not currently serving on the EC) must be proposed in writing by a member club and seconded in writing by another member club. The person being nominated must accept his nomination in writing. A standard nomination form will be made available by the Secretary. Nominations for members of the EC must be submitted in writing to the Secretary 1 (one) month before the AGM. Nominations are then closed and the Secretary will, in writing, circulate the nominated names to all the clubs. Any amendments in existing portfolios must also follow the process of nomination, seconding and formal acceptance. The portfolio of Honorary President will, however, not follow the process of nomination, seconding and formal acceptance. The AGM will decide on a suitable person and contact him with regard to his willingness to accept the position.

- 6.6 The **Action Committee** of the Association will consist of The Chairman, Vice Chairman, Secretary and Treasurer;
- 6.7 The **Financial Committee** of the Association will consist of The Chairman, Vice Chairman, Secretary and Treasurer;
- 6.8 The **Selection Committee** of the Association will consist of the Chairman, who will act as convener, plus 4 (four) members elected on a yearly basis at the AGM. One alternative member must also be elected. Elected members will be limited to 2 persons per club, the alternative member excluded. Nominations for this Committee must be in writing and submitted by the member clubs 1 (one) month before the AGM;

To qualify as selector, a person needs to have SADSAA colours.

Selectors may nominate themselves for teams, but will have no hearing or vote at the meeting when the team is selected.

If the Chairman nominates, the selectors will choose an acting Chairman from the floor. The Selection Committee Secretary also has a hearing at the meeting for administrative purposes, as well as the Records Officer for verification of catches. These two persons have no vote at the Selection Committee, unless they are elected members of the Selection Committee.

## **7. POWER OF THE ACTION COMMITTEE**

The powers as laid down in clauses 7.1 to 7.8 will be :

- 7.1 In any urgent matter the full Executive Committee delegates the Action Committee to act on its behalf;
- 7.2 To enter into a rental agreement with any person or body on such terms and conditions as may be deemed necessary by the Executive Committee for the leasing of land which can be used as a deep sea base for the Association;
- 7.3 To obtain by means of purchase, donation, "gift", exchange, lease or otherwise any movable or immovable property for the abovementioned reasons, granting of a bond or otherwise, movable or immovable property (which was leased by the Association or otherwise obtained) to dispose thereof or to deal with it;
- 7.4 To invest monies or assets of the Association which are not needed for immediate use, to dispose thereof upon such terms, conditions and of such securities as may be determined from time to time;
- 7.5 To appoint or co-opt any eligible member until the next AGM to fill any vacancy which may arise in the Action Committee or any other Committee and to address the need;
- 7.6 To expel any member who, according to the Committee, is guilty of bad conduct which is detrimental to the good name and interest of the Association, for such period of time as the Committee may deem fit;

7.7 To settle any legal action and/or written dispute which has been lodged with the Association;

7.8 To compile by-laws with regards to activities and functioning of crafts at sea.

## **8. FINANCIAL COMMITTEE OF THE MDSAA**

8.1 The FC will consist of the members of the Action Committee;

8.2 The signatures of any two of the four members of the FC will be required on cheques tendered for payment or any business document which has to be signed;

8.3 Notwithstanding the contents of rules 6 & 7, the Treasurer will not make any single payment or incur expenses which amount to more than R100 000 (one hundred thousand rand) without the approval from the FC via e-mail. Payments may be done by method of electronic transfer. Copies of all bank statements must be submitted on a monthly basis by the Treasurer to the FC.

## **9. ANNUAL GENERAL MEETING**

The AGM will be held annually before 30 September for the purpose :

- to receive the reports and
- annual balance sheets and accounts of the outgoing Committee;
- to discuss general matters of the Association;
- to confirm the appointment of the auditors; and
- to elect the Committee for the next year by voting.

All reports (excluding the reports of the Chairman and Treasurer) are to be submitted to the Secretary in writing two weeks before the date of the meeting.

## **10. NOTICE OF AGM**

Notice of the AGM and agenda must be given at least 21 (twenty one) days before the date of the AGM by registered post or sent electronically to all Secretaries of enlisted clubs.

## **11. NOTICE OF EXECUTIVE COMMITTEE**

Notice of Special Meetings will be posted or sent electronically at least 21 (twenty one) days before the date of such meetings to every Angling Club and every member of the MDSAA Committee, with the understanding that the AC may convene a meeting for urgent matters on short notice. Notices will be sent by registered post or electronically to all registered club Secretaries.

## **12. SPECIAL GENERAL MEETINGS**

- 12.1 The AC may at any time convene a SGM and will be compelled to do so on receipt of a written request signed by two member clubs stating the purpose of such a meeting;
- 12.2 The notice of such a meeting sent to the members, must state the purpose of such a meeting and. Only the AC may raise any matter in its view that needs urgent discussion by the members and no other matters than those stated in the applications will be heard;
- 12.3 Notices of SGM's will be sent by registered post or electronically at least 21 (twenty one) days before the date of such meetings to every Angling Club (subject to their affiliation being fully paid up) and every member of the MDSAA Committee, with the understanding that the AC may convene a meeting for urgent matters on short notice.

## **13. QUORUM**

The members present will be regarded as a quorum.

## **14. FINANCIAL YEAR**

The Association's financial year will not be bound by any date, but will be determined according to the date of the AGM.

## **15. AFFILIATION FEES**

Affiliation fees payable by members will be determined from time to time at an AGM. Clubs must pay these fees to the MDSAA not later than 31 January annually with supplementary lists submitted on a regular basis. **Clubs will have no voting rights should their payment/s be received after 31 January.** Should a club have made a payment before 31 January, any supplementary payments will be taken into account when determining his number of votes. Refer Clause 4.2.

## **16. DELEGATES**

- 16.1 Clubs may appoint delegates if their representatives, namely the Chairman and Secretary, cannot attend any AGM, SGM, General, Special or Executive meeting;
- 16.2 Delegates of any member club will have the right to speak and vote on behalf of such a club on any matter with the understanding that voting will take place in accordance with clause 6.2.

## **17. AUDITORS**

Auditors are appointed at the AGM and will audit the Association's books and accounts, which audit report will be submitted to MDSAA during the AGM.

## **18. MEMBERS' ADDRESSES**

18.1 Clubs will notify the Secretary in writing of any change of address of clubs and their registered members;

18.2 The last known address of clubs or delegates will be regarded as correct.

## **19. INDEMNITY**

The members of Committees and auditors of the Association will not be held liable for any acts which have been done or neglected to be done in performing their duties, or expected duties, unless it was due to their own willful default or neglect and they will be indemnified by the Association for any liability which may arise against any other person as a result of any such claim, unless liability arose as aforesaid.

## **20. GENERAL**

The AC will have the authority to deal with all matters which are not covered by the constitution, subject to the confirmation thereof by the EC at the next AGM.

## **21. DUTIES OF THE EXECUTIVE COMMITTEE**

21.1 To represent the Association in any matter which may affect the Association;

21.2 To enforce the provisions of the constitution;

21.3 To co-operate with other societies, bodies, departments and associations to fulfill the aims of the Association as set out in this constitution;

21.4 To enforce the provisions of this constitution and any rules and by-laws, to institute actions the way they deem fit to achieve the aims, to the benefit and in the interest of the Association;

21.5 To convene AGM's and Special AGM's and arrange duties and venues for such meetings;

21.6 To send notices to all affiliated clubs 21 (twenty one) days prior to such meetings;

21.7 To have an Executive Committee meeting at least twice a year;

21.8 To notify every Committee member in writing (or by e-mail) of any Committee meeting;

21.9 To keep proper record of all matters concerning the activities of the Association;



- 21.10 To place on record all matters which deal with meetings of the Association and to minute all proceedings;
- 21.11 To submit an income statement and balance sheet of the Association's activities at the AGM or SGM;
- 21.12 To lay down rules and regulations for competitions and appoint officials who will be liable for the enforcement thereof, with the understanding that such rules and regulations will not be in contradiction with those of IGFA and SADSAA;
- 21.13 To take care of and exercise control of all competitions which are organized by the Association to be angled under IGFA's and the SADSAA's rules and regulations;
- 21.14 To ensure that all individuals of the Association receive fair treatment;
- 21.15 To open a bank account in which the Association's funds are to be deposited and to pay by cheque or electronic transfer any accounts or debts which may become payable as determined by the Executive Committee;
- 21.16 To appoint temporary sub-committees under the direct jurisdiction of the EC.
- 21.17 To appoint and/or co-opt assistants, if so required, for any of the official office bearers.

## **22. DUTIES OF EXECUTIVE COMMITTEE MEMBERS**

### **22.1 Chairman**

- (a) The Chairman of the EC shall chair and be responsible to maintain good order at all meetings which have been arranged by the EC;
- (b) Should a difference arise in an opinion of any matter at any meeting, the Chairman will call a voting and the majority of votes will be accepted as final;
- (c) In addition to the Chairman's ordinary vote, he will also have a final vote;
- (d) The Chairman will submit a written report to the AGM;
- (e) If necessary, the Chairman will, in collaboration with MDSAA, institute any legal proceeding, defend or maintain it;
- (f) The Chairman will have the authority to make any announcements, media reports or any other reports to the media or other institutions and may delegate his authority if he deems it necessary;
- (g) The Chairman may appoint a Tournament Co-ordinator from the existing committee members and such person will act as liason between the various functions/committee members of all fishing tournaments.

## **22.2 Vice Chairman**

In the absence of the Chairman, the Vice Chairman will conduct all meetings, during which he will have an ordinary as well as a final vote.

## **22.3 Secretary**

- (a) The Secretary shall perform all clerical duties;
- (b) submit all correspondence which needs the attention of the Association to the EC;
- (c) answer all correspondence, keep proper records, keep books up to date and in good order and circulate any notices from the EC;
- (d) notify the Chairman, and in his absence the Vice Chairman, as soon as possible of any important matter which may arise that needs immediate attention and will take any further action entrusted to him/her by the Chairman or Vice Chairman;
- (e) submit all records and correspondence to the EC at the AGM or at any other time as approved by the EC;
- (f) keep minutes of all meetings, special meetings and AGM's and submit copies thereof to the management of MDSAA;
- (g) keep all secretarial and administrative records and reports as needed by MDSAA from time to time;
- (h) keep a proper register of all members and anglers in the required format as instructed by SADSAA.

## **22.4 Treasurer**

- (a) The Treasurer will be responsible for all monies and funds of MDSAA;
- (b) compile proper financial reports of income and expenditure;
- (c) will be responsible to keep proper books and updating thereof of MDSAA, including books relating to investments of MDSAA;
- (d) prepare financial statements in accordance with General Acceptable Accounting Practice (GAAP) and submit copies thereof to the management of MDSAA at the AGM;
- (e) receive all funds which become available to MDSAA and update the record book and an inventory of all funds or assets available to MDSAA;
- (f) when requested by the Executive Committee, submit a proper return;

- (g) endorse all treasury books in the presence of the Chairman and Vice Chairman;
- (h) accept all monies which become available at a proven commercial bank or institution approved by the EC as correct on instruction of MDSAA;
- (i) arrange for the annual audit of the financial statements of the Association;
- (j) ensure that all the assets of the Association are properly insured in accordance with the directives of the EC.

#### **22.5 Provincial Safety Officer**

- (a) The Provincial Safety Officer will also be the Chief Safety Officer of the Association and his complete duties are laid down by SADSAA and by-laws. The Provincial Safety Officer will submit all details as requested by SADSAA concerning boat safety and the skipper to the Chief Safety Officer of SADSAA;
- (b) keep his own Safety Officer's banking account and submit a proper financial income and expenditure statement at the AGM;
- (c) act on behalf of the Association on all safety related matters.

#### **22.6 Records Officer**

- (a) The Records Officer is responsible to keep records of all Provincial records and have the South African and African records available on request;
- (b) act as Weigh Master at all MDSAA competitions;
- (c) in co-operation with the tournament officials, have dominant jurisdiction at all competitions for interpretation of control, monitor angling rules and solve any dispute which may arise;
- (d) be responsible to compile and keep competition results;
- (e) be responsible for all trophies and keep a trophy register;
- (f) issue certificates for meritorious and record catches.

#### **22.7 Public Relations Officer**

- (a) He functions under direct order of the Chairman and Action Committee;
- (b) he will be responsible for fund raising;
- (c) he will liaise with the sponsors of the Association and ensure that their requirements are attended to.

## **22.8 Tournament Officer**

The duties and responsibilities of the Tournament Officer are :

- (a) Application of a point scoring system, drafting of competition rules and regulations, identification of specific game-, bill- and bottom-fish (where applicable) species in co-operation with the the Department of Sea Fisheries which is suitable for each competition, as well as the scoring system and line class which will apply for a specific category, subject to the EC specifications;
- (b) the inter-provincial and national angling activities will fall within the jurisdiction of MDSAA;
- (c) he will prepare an annual competition diary for submission to MDSAA for approval, which will be submitted to MDSAA at least 60 (sixty) days before the AGM. No other competition will be held at any club, except if such competition is included in the diary and has been approved during the AGM;
- (d) he will, in co-operation with the Records Officer, have dominant jurisdiction at all competitions for interpretation of control and monitor angling rules and solve any dispute which may arise;
- (e) he will be responsible to submit all catch reports in writing to the Oceanic Research Institute or any other body as legally required;
- (f) he will arrange the necessary licences and exemptions of any bag limit regulations;
- (g) he will arrange for the necessary approval from the relevant bodies to host fishing competitions.

## **22.9 Development Officer**

- (a) Will submit development reports at each MDSAA meeting;
- (b) submit a summary of all development programs hosted during the year to the SADSAA Development Officer if so requested.

## **23. ACTION COMMITTEE**

The Action Committee will consist of the Chairman, Vice Chairman, Secretary and Treasurer and will act on behalf of the EC on all urgent matters. Such actions taken must be approved at the next AGM or EC meeting.

## **24. EXECUTIVE COMMITTEE**

This is set out under paragraph 6.3 & 21. This Committee should meet at least twice a year.

## 25. RULES AND BY-LAWS

- 25.1 Rules and regulations of SADSAA apply regarding the functioning of crafts at sea along the South African coast line;
- 25.2 MDSAA by-laws;
- 25.3 (a) When the EC deems it fit to extend the aims of the Association to improve its organization and function, the EC then may lay down rules and by-laws on condition that it does not differ from or clash with the constitution or with acts laid down by Government Legislation;
- (b) Rules and by-laws laid down by die EC must be circulated to all angling clubs;
- (c) Rules and by-laws laid down by die EC will be enforced until the next AGM during which it will be submitted for revision and confirmation.

## 26. COLOURS AND CLOTHING

- 26.1 **Seniors** : Navy blue blazer (not double breasted) with grey trousers or grey skirt and black shoes;
- Juniors**: Black blazer (not double breasted) with grey trousers or grey skirt and black shoes;
- 26.2 Association colours : Open white rose  
Full provincial colours : Open red rose  
Junior colours (u/16) : Closed white rose  
Full provincial junior colours (u/19) : Closed red rose  
Honorary colours : Open red rose with golden laurel wreaths  
Special honorary colours : Open golden rose with laurel wreaths
- 26.3 Association colours to be awarded for the first representation of MDSAA and full provincial colours for every representation thereafter. The EC can award full provincial colours to a non-angler for his contribution towards administration or safety if such a person has served on the EC for at least 5 years continuously. The wording "Admin" or "Safety" must, however, appear on the person's blazer badge;
- 26.4 The blazer badge will be donated by MDSAA to all anglers;
- 26.5 Wording to appear on all blazer badges : Mpumalanga Deep Sea Angling Association;
- 26.6 Only deep sea anglers who represent Mpumalanga in provincial competitions can claim these colours;
- 26.7 Honorary colours are awarded once an affiliated angler obtains senior SADSAA colours;

26.8 Special honorary colours are awarded to affiliated anglers when :

- \* an angler is selected for a second time as a member of a Protea deep sea angling team;
- \* after having served for a period of 5 continuous years on the EC and being selected for a Protea deep sea team; and
- \* after having served for a period of 10 continuous years on the EC and having received Provincial colours from MDSAA.

## **27. AMENDMENT OF THE CONSTITUTION**

- 27.1 Any club that wishes to make an amendment of the constitution must submit a written request in this regard 3 (three) months before the AGM. The proposed amendment must be circulated at least 2 (two) months before the AGM to clubs and nominees;
- 27.2 The approval by two-thirds of the members present at an AGM is required for an amendment of the constitution.

## **28. DISSOLVING**

All assets will be handed off to SADSAA for custody until such time of active participation in deep sea angling and MDSAA is restored in honour.

## **29. VACANCIES AND RESIGNATIONS**

In case of an official vacancy the Association will, at the next Executive Committee meeting, select a successor on condition that, if the office of the Chairman becomes vacant, it can only be filled during a SGM which will be convened for this purpose.

## **30. LACK OF INTEREST/REQUIREMENTS NOT MET**

If a member club does not meet the requirements of the Association or show a distinct lack of interest in the activities of the Association, the Association will then report such lack of interest and/or requirements directly to the members of the relevant club.

Final version: 22 Aug 2009 (Afrikaanse weergawe is op aanvraag beskikbaar)

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