

SEDIBENG CYCLING

(Southern Gauteng)

CONSTITUTION

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IDENTITY – PURPOSES

Article 1 NAME

- 1.1. The name shall be the **"Sedibeng Cycling"** (hereinafter referred to as the "SC"), the constitution whereof shall be the rules herein set out, subjects to any amendments that may from time to time be made.
- 1.2. SC is and shall continue to be a distinct and separate legal entity and body corporate, with the power to acquire, to hold and to alienate property of every description whatsoever, and with capacity.
- 1.3. To acquire rights and incur obligations and having perpetual succession.
- 1.4. The SC shall continue to exist as a separate entity and any changes to its management or office bearers or members will not automatically change that continued existence.

Article 2 PURPOSE

The purposes of SC are:

- 2.1. To direct, develop, regulate, control and discipline cycling under all forms in the jurisdiction of the Sedibeng by drafting and enforcing rules and regulations, providing that it does not conflict with any of the rules and regulations of CYCLING SOUTH AFRICA and the UCI;
- 2.2. To promote and encourage cycling at all levels in the Sedibeng;
- 2.3. To observe compliance to the ride requirements in the organizing of events for all cycling sport disciplines
- 2.4. To manage, national calendar events allocated to province;
- 2.5. To encourage friendship between all members of the cycling world;
- 2.6. To promote sportsmanship and fair play;
- 2.7. To protect the interest of cyclists;
- 2.8. To represent the sport of cycling and defend its interests before CYCLING SOUTH AFRICA Committee and all national and local authorities;
- 2.9. To cooperate with CYCLING SOUTH AFRICA and the UCI, in particular as regards the participation of cyclists in provincial and national events.
- 2.10. To exercise jurisdiction over all affiliated Cycling Clubs, Cycling Associations, Cycling Bodies and Cycling Organizations in the Sedibeng region;
- 2.11. To control provincial cycling championships meetings;
- 2.12. To maintain official records of performances;
- 2.13. To appoint officials at events.
- 2.14. Establish and maintain clearly documented protocols governing the relationship between Members and officials and CYCLING SOUTH AFRICA.

Article 3 COMPLIANCE

SC will carry out its activities in compliance with the principles of:

- 3.1. Equality between all the members and all the athletes, license-holders, and officials, without racial, political, religious, or other discrimination;
- 3.2. Non-interference in the internal affairs of affiliated federations;
- 3.3. The non-profit-making purpose: the financial resources shall be used only to pursue the purposes set forth in this Constitution. SC members have no rights thereto.

MEMBERS

Article 4 MEMBERSHIP

- 4.1. Membership of SC does not and shall not give to any affiliated Club, Association or Body any right, title, interest, claim or demand in or to any of the moneys, property, revenue or assets of SC, but

- only confers upon such affiliated Clubs, Associations or Bodies the right and privilege of using and enjoying the amenities of SC, subjects to such charges and reasonable restrictions as the Executive Committee may from time to time impose, and subject to rules and regulations in force for the time being.
- 4.2. The liability of affiliated Clubs, Associations or Bodies is limited to the amount of unpaid subscriptions or other moneys owing by them to SC.
 - 4.3. Membership shall be open to any bona fide Cycling Club, Cycling Association or Cycling Body, regardless of race or creed, having as one of its objectives the fostering of cycling, willing to comply with the Rules and Regulations of SC as existing from time to time, subjects to the approval of the Ex. Co. Further, the willingness must be indicated in the constitution of the Club, Association or Body applying for affiliation.
 - 4.4. The Committee may terminate membership for good cause. The member concerned may appeal against such termination to the Chair Person within fourteen days.
 - 4.5. On deciding to terminate its affairs, a member/Club shall immediately notify the Secretary of SC in writing and when finalised shall forward to the Secretary all Club Records. *The Constitution and Rules of a Club shall contain provision for distribution of Assets in terms similar to those contained in this Constitution and SC regulations relating to the distribution of surplus Assets upon the winding-up of entity.*
 - 4.6. The AGM minutes of each of the affiliates as well as the approved financial statements shall be submitted to SC before the provincial AGM or when requested within fourteen days.
 - 4.7. Honorary life members as defined in Article 30 of the Rules of Procedure.

AREA OF JURISDICTION

Article 5 AREA

- 5.1. Areas of Jurisdiction shall be as defined by the Sedibeng Sports Council.

- See attachment: **Annexure A**

Article 6 AFFILIATION

- 6.1. SC shall be affiliated to CYCLING SOUTH AFRICA.

Article 7 HEADQUARTERS

- 7.1. The headquarters of SC shall be the address of the Chairperson

COLOURS

Article 8 - SC COLOURS

- 8.1. The colours of SC shall be the colours as be approved by the Sedibeng Sports Council.
- 8.2. The badge of SC shall be the badge as be approved by the Sedibeng Sports Council with the legend "Sedibeng Cycling" to be worn on a navy blue blazer.

ADMINISTRATIVE BODY

Article 9 EXECUTIVE COMMITTEE

- 9.1. The management of the affairs of SC shall be vested in the Executive. The Executive shall comprise of Thirteen (13) members, Ten (10) of whom shall be elected and three (3) who shall be appointed by the Executive. The appointments shall be the Secretary, the Liaison officer and the Development Officer. Members of the Executive shall serve a term of office of two (2) years.

9.2 The Executive shall be composed of:

- 9.2.1 Chairperson
- 9.2.2 Vice-Chairperson (Recreational cycling [Novice – Intermediate – Advanced])
- 9.2.3 Vice-Chairperson (Road Racing cycling [Enthusiast – Hard Core – Pro Racer])
- 9.2.4 Vice-Chairperson (Track Racing cycling [Enthusiast – Hard Core – Pro Racer])
- 9.2.5 Vice-Chairperson (Mountain Biking/ Cyclo cross) [Enthusiast – Hard Core – Pro Racer])
- 9.2.6 Vice-Chairperson (BMX)
- 9.2.7 Riders Representative
- 9.2.8 Treasurer
- 9.2.9 Additional Members
- 9.2.10 NCCB Representative
- 9.2.11 Secretary
- 9.2.12 Liaison Officer
- 9.2.13 Development Officer
- 9.2.14 and such other office bearers the Executive may decide upon.

Article 10 ELECTION OF MEMBERS

- 10.1 Nominations for Executive members, listed in points 9.2.1 to 9.2.10, shall be submitted to the Secretary on the prescribed nomination document, six (6) weeks prior to the Annual General Meeting.
- 10.2 Should at least Ten (10) nominations not be submitted in this period of time, nominations shall be made during the AGM. Such nominations should be properly seconded.
- 10.3 Elected members shall hold office for the period of two (2) years.
- 10.4 The Executive members listed in points 9.2.1 to 9.2.10 shall be elected biannually at the Annual General Meeting and shall continue in office until its successors are elected.
- 10.5 No member of the retiring committee, or the Secretary, may vote on the election of the Executive, or of any member thereto unless such a member is a duly appointed delegate from an affiliated Club, Association or Body.
- 10.6 Life Members shall have one (1) vote each. No live member shall, in addition, be entitled to vote as a delegate.
- 10.7 Voting procedures:
The paid up affiliates who are in good standing with Sedibeng Cycling voting rights shall be calculated and limited as follows:
 - 10.7.1 2 (TWO) votes per 10 (TEN) fully licensed cyclists and 1 (ONE) vote for any lesser number of fully licensed cyclists, up to a maximum of 10 (TEN) votes;
 - 10.7.2 1 (ONE) vote per 80 (EIGHTY) recreational cyclists (Members) or part thereof up to a maximum of 15 (FIFTEEN) votes;

In all of the foregoing cases the cyclists must be fully paid-up individuals of the member concerned either directly or indirectly through a club affiliated to the member concerned.
- 10.8 Vice Chairpersons of the various disciplines shall be elected only by those members who, in terms of Article 10.7 above, correspond with the discipline concerned so that:
 - the Vice Chairperson Track shall be elected by Track members
 - the Vice Chairperson Road shall be elected by Road members
 - the Vice Chairperson Recreational shall be elected by Recreational members
 - the Vice Chairperson MTB shall be elected by MTB members
 - the Vice Chairperson BMX shall be elected by BMX members

- The NCCB Representative shall be elected by the holders of a current National Officials License.
- 10.9 The Chairperson, Treasurer and additional members shall be elected by one of the above categories per club member. (A member may not be counted as a Track, Road and MTB license in calculating the voting rights).
- 10.10 Life Members shall have one (1) vote each. No live member shall, in addition, be entitled to vote as a delegate.
- 10.11 Riders Representative shall be elected by SC Riders.

Article 11 APPOINTMENT OF A SECRETARY, LIAISON OFFICER AND DEVELOPMENT OFFICER

- 11.1 The Executive shall appoint a Secretary before the next meeting.
- 11.2 The Secretary shall be entitled to one vote as a member of the Executive.
- 11.3 The Executive shall appoint a liaison officer and a development officer before or at the next meeting.

Article 12 DUTIES OF EXECUTIVE COMMITTEE

- 12.1 The Executive shall draft Rules and Regulations governing any matters falling within the scope of SC.

Article 13 LEGAL MATTERS

- 13.1 All members, affiliates, Trustees, Commissioners, Office Bearers, Officials and individuals including all cyclists, waive their rights to the jurisdiction of any Courts of law and agree that resolution in terms of this constitution shall be final and binding.
- 13.2 No Office Bearer, Trustee or Commissioner or any other person acting in terms of this Constitution shall be liable to Sedibeng Cycling or to any member or affiliate or to any other party whatsoever for any act or omission occasioned by himself, by Sedibeng Cycling for any loss or damage suffered by any party provided that the Office Bearer, Trustee or Commissioner or other person concerned, had upon the basis of information known to him or her, or which reasonably should have been known to him or her, acted in good faith and without gross negligence and Sedibeng Cycling hereby indemnifies and holds all of the aforesaid persons harmless against any claims arising under these circumstances.

Article 14 POWERS

- 14.1 The Executive shall manage the affairs and funds of SC in conformity with the constitution.
- 14.2 The Executive may expend the money necessary to accomplish the objectives of SC.
- 14.3 The Executive shall submit audited financial statements at the AGM for discussion.

MEETINGS

Article 15 ANNUAL GENERAL MEETING

- 15.1 The Annual General Meeting shall be held not later than 30 March of each year.
- 15.2 Written notice of the AGM shall be given at least 21 days prior to the meeting to all affiliated Clubs, Associations, Bodies and life members.
- 15.3 Affiliated Clubs, Associations and Bodies shall be entitled to appoint delegates in accordance with Article 10, to a maximum of six (6) delegates.
- 15.4 Affiliated Associations or Bodies with no licensed or registered cycling members shall not be entitled to vote.
- 15.5 Delegates' credentials shall be provided at the meeting.

- 15.6 Eight members, being bona fide delegates of not less than three (3) affiliated Clubs, Associations or Bodies shall be present to form a quorum.
- 15.7 Should no quorum be present, the meeting shall be adjourned for seven (7) days.
- 15.8 The adjourned meeting shall be held at the same time and place and those present shall form a quorum.
- 15.9 Voting shall be by ballot paper.
- 15.10 In case of equality of votes, the Chairperson shall have the casting vote in addition to his vote as a member.

Article 16 EXTRAORDINARY GENERAL MEETING

The Secretary shall be compelled to convene an Extraordinary General Meeting upon:

- 16.1 A resolution of the Executive Committee.
- 16.2 A requisition signed by on behalf of at least twenty percent (20%) of the affiliated Clubs, Associations and Bodies.
- 16.3 Such requisition shall state the purpose for which the meeting is required.
- 16.4 The Secretary shall give notice for such a meeting within seven (7) days of receipt of such requisition.
- 16.5 The meeting shall be held on a date not less than seven (7) days, or more than fourteen (14) days from the date of dispatch of the notice.
- 16.6 The notice shall be sent to all affiliated Clubs, Associations, Bodies, life members and Executive Members.
- 16.7 The notice shall contain the agenda specifying the business, which may be conducted at the meeting.
- 16.8 Each member of the Executive and club delegates shall be entitled to one vote only.

AFFILIATION

Article 17 ADMISSION

- 17.1 Membership shall be open to any bona fide Cycling Club, Association or Body having the objective to foster cycling and willing to comply with the rules and regulation of SC.
- 17.2 Admission shall be subject to the approval of the Executive.
- 17.3 The Club, Association or Body applying for admission shall submit a copy of its constitution and minutes of its previous AGM to SC.
- 17.4 The application for membership shall be submitted yearly before the end of January.

Article 18 CONTROL

- 18.1 Affiliated Clubs, Associations or Bodies, their members and all competitive cyclists shall at all times be subject to SC's constitution, its rules and its regulations.

Article 19 SUPERVISION OF CHAMPIONSHIP EVENTS

- 19.1 Championships shall be held annually and insofar possible all events set out in the rulebook of CYCLING SOUTH AFRICA and the UCI shall be held.
- 19.2 SC may allocate events to cycling meetings held by affiliated Clubs, Associations or Sport Promoting Bodies, holding meetings under permit of SC.
- 19.3 The standard of events shall be the same as those is set out in the rulebook of CYCLING SOUTH AFRICA and the UCI and shall be subject to revision from time to time by the Executive.

Article 20 SUBSCRIPTION FEES AND DUES

- 20.1 The Executive shall determine annual subscription fees from time to time.
- 20.2 Subscription fees shall become due on the first day of January each year.
- 20.3 The Executive shall suspend the affiliation of Clubs, Associations or Bodies who neglect to settle their subscription fees.
- 20.4 The Executive may reinstate membership after such defaulting Club, Association or Body has paid all arrears and any other amount owed to SC, on such conditions as may be deemed fit.

Article 21 COLOURS AND INSIGNIA

- 21.1 Affiliated Clubs, Associations and Bodies shall register with SC its colours and insignia which shall be subject to the approval of SC.
- 21.2 No Club, Association or Body shall adopt colours or insignia that resembles the colours of SC.

CONSTITUTION AND RULES**Article 22 ADOPTION AND AMENDMENT OF THE CONSTITUTION**

- 22.1 The constitution of SC shall only be amended at an AGM or an Extraordinary General Meeting, duly convened as provided for in Clause 5.1 and Clause 5.2.
- 22.2 The adoption of the proposed amendment shall be carried by at least two thirds of the votes present at such meeting.

Article 23 AMENDMENT OF RULES AND REGULATIONS

- 23.1 Alterations, additions and amendments to rules and regulations of SC shall be the sole discretion of the Executive provided that such alterations, additions or amendments are not in conflict with the rules of CYCLING SOUTH AFRICA and the UCI.

Article 24 EMPLOYMENT OF CONSTITUTION AND RULES

- 24.1 This constitution and the rules of procedure shall be binding on all affiliated Clubs, Associations and Bodies at all times
- 24.2 In case of doubt as to the meaning or interpretation of any of the rules of this constitution, the Executive shall be the final arbiter and its decision shall be binding on all members.

RULES OF PROCEDURES**Article 25 DEFINITIONS**

- 25.1 "Age Category" The age grouping as is determined by CYCLING SOUTH AFRICA and the UCI.
- 25.2 "Body or Bodies" Sport promoting Body/Bodies in the jurisdiction area of SC.
- 25.3 "Executive" The Executive Committee of SC.
- 25.4 "Licensed Cyclist" Any cyclists who dispose of a valid cycling license issued by CYCLING SOUTH AFRICA.
- 25.5 "Member" Any Club, Association or Body affiliated to SC. It shall also apply to any member of the said Clubs, Associations or Bodies.
- 25.6 "Official" A person who is being registered with CYCLING SOUTH AFRICA and the UCI as an official and disposes of a valid officials card to execute one or more of the following duties:
 - Judging;
 - Time Keeping;

- Team Manager;
 - Starter;
 - Assistant Starter;
 - Commissaire.
- 25.7 "Officials Body" The official body governing cycling officials in the Southern Gauteng in conjunction with CYCLING SOUTH AFRICA Officials Body.
- 25.8 "SC" Sedibeng Cycling
- 25.9 "Defendant" Any club, official, cyclist, administrator, coach body, association or club member, requested by SC to attend disciplinary hearing.
- 25.10 "Disciplinary Committee" An assigned committee, appointed by the Executive Management of SC, in order to hear a specific issue and to make a decision, as stipulated in Art 30 of this Constitution

Article 26 APPLICATIONS

- 26.1 Applications for membership shall be made to the Secretary in writing.
- 26.2 A true copy of the constitution of the Club, Association or Body together with its colours, a list of officials, approved financial statements and the applicable affiliation fee, shall accompany the application.
- 26.3 Should the application not be accepted, the affiliation fee shall be returned.

Article 27 ACCEPTANCE

- 27.1 Such Club, Association or Body upon admission shall be placed on the membership list of SC.
- 27.2 Such Club, Association or Body shall together with its members and officials are subject to this constitution, SC rules and regulations.
- 27.3 The Secretary shall provide the Club, Association or Body with a copy of this constitution.
- 27.4 A Club applying for membership to SC need to have at least fifteen (15) club members and all members shall be licensed to be affiliated to SC. The discretion of the Executive shall be applied to decide whether the application warrants affiliation.

Article 28 REGISTRATION

- 28.1 Upon admission to membership, as provided for in this constitution, the Club, Association or Body shall submit to the Secretary, any alterations or amendments in its constitution. Such alterations or amendments shall not conflict with the constitution or rules of SC or Cycling South Africa.

Article 29 SUBSCRIPTIONS

- 29.1 The Executive shall annually determine the annual subscription fees for each affiliated Club, Association or Body.
- 29.2 Subscription fees shall become due on the first day of January each year for the period 1st of January until 31st of December of each year.
- 29.3 Should any Club, Association or Body neglect to settle its subscription fees within one (1) month of it becoming due the Executive shall have the right to suspend such a Club, Association or Body. The Executive shall deal with the members of such default Clubs, Associations or Bodies in a manner deemed fit.

Article 30 DISCIPLINE AND PENALTIES

- 30.1 DISCIPLINARY CODE

Objective of the disciplinary code:

- To ensure that disciplinary action is executed fairly for all clubs and their members, official, coach, body or association, under the jurisdiction of SC.
- To take disciplinary action when a club, or one of its members, official, coach, body or association make themselves guilty of improper or misconduct or behaviour contradictory to the Constitution of SC.
- To act correctively, rather than to punish.

30.1.1 MISCONDUCT OF CLUBS, CLUB MEMBERS, OFFICIAL, COACH, BODY OR ASSOCIATION

A Club or Club member, official, coach, body or association, is guilty of misconduct, if he, according to the SC Executive Management or Commission's Management:

- Commits and offence, contradictory to the Constitution.
- Makes himself / itself guilty of misconduct or improper behaviour.
- After proper notice, fails to pay any moneys due to Sedibeng Cycling.
- Behaves in a manner that offends any member of the SC Management in any way.
- Makes himself / itself guilty of behaviour which is inappropriate for SC or to the disadvantage of the interests and status of SC, whether within or outside the premises of SC.

30.1.2 PROCEDURE TO ENSURE THE ATTENDANCE OF A DEFENDANT AT A DISCIPLINARY HEARING

- The defendant has the right to within 14 days from being notified of the alleged offence; make written representations to the committee, which may be considered by them. If the committee is not satisfied with the representations, a disciplinary hearing may be held.
- The defendant must be notified by registered mail, at least 14 days before the meeting of the disciplinary committee that he has to appear before the committee. The notice must contain all detail of the place, time, offence, etc.
- All witnesses of both parties involved in the hearing, shall be notified of the hearing; it is the responsibility of the two parties to ensure that their witnesses are present at the hearing. Absenteeism of a witness at a hearing will not be accepted as a reason to postpone the hearing.
- If a defendant does not attend an official hearing, after being notified as above, the hearing shall be postponed in writing with seven (7) days and the defendant officially informed. If the defendant fails to attend the second hearing, the hearing may take place in the absence of the defendant.

30.1.3 ASSISTANCE TO DEFENDANT

- A junior shall be assisted by his parents and / or guardian.
- A defendant may be assisted by any other member of his club / body / association.
- A club shall be represented by the Club Chairman and may be assisted by any other member of the club.

30.1.4 PROCEDURE DURING THE DISCIPLINARY HEARING AND THE HEARING OF WITNESSES

- In all instances of a complaint against a member, club, official, coach, body or association, the disciplinary committee shall first consider such representations as have been submitted by the defendant prior to a formal hearing of the matter.
- The Chairperson of the disciplinary committee shall administer the oath or affirmation on all witnesses if requested by the defendant. If not, evidence shall be of informal nature subject to the rules of natural justice.

- In the event of the defendant denying guilt the complainant shall be afforded the opportunity to testify and/or call witnesses to negate the allegations against him.
- In all instances the disciplinary committee shall allow both parties to examine witnesses and the committee may also examine witnesses.
- The official SC Legal Advisor / Representative may represent SC during initial hearings and appeal hearings.

30.1.5 JUDGMENT

- Judgment may be delivered immediately after the conclusion of the hearing or within seven (7) days thereafter.
- In the event of judgment in the absence of the defendant, he shall be notified within 24 hours by registered mail of such judgment.
- In all instances where the defendant is an individual the club shall also be notified of the judgment.
- The judgment may not be disclosed to any person other than members of the disciplinary committee before the defendant has been notified in writing of the judgment.

30.1.6 APPEAL

- The defendant may appeal against any judgment of the disciplinary committee. In such an event the appeal shall be directed to the Chairperson: SC whereupon an appeal committee shall be appointed to hear the appeal. Reasons for the appeal must be clearly stipulated.
- An appeal may be lodged under one of the following conditions:
 - New evidence is available.
 - Incorrect procedures were followed.
 - The defendant feels that the finding / decision of the disciplinary hearing was too harsh, based on facts.
- An appeal shall be lodged in writing within three (3) days of receiving notification of the judgment and shall contain full grounds of appeal.
- The appeal committee may confirm or set aside the judgment of the disciplinary committee and such decision shall be conveyed to the defendant as described in clauses 5 and 6 of this code.
- The appeal hearing's finding / decision will be final.
- The Chairperson: SC will confirm / validate the suspension of a cyclist / official / affiliated club, body or association and will inform CSA and other provinces in CSA accordingly.

30.2 PROCEDURES

- 30.2.1 Procure or take any such actions as it deems fit against any person who competes or attempts to, or obtains a prize in a fraudulent or dishonest manner.
- 30.2.2 Remove or suspend any official or officials who transgress the rules of SC.
- 30.2.3 Deal respectively with any abuses at cycling meetings.
- 30.2.4 Should any member commit any wilful breach of the rules of regulations of SC, or be guilty of any improper, dishonest or other misconduct, or to fail to make payment of any moneys due to SC or any of its members, or be guilty of conduct in any way offensive, SC shall have the power:
 - To expel such members.
 - To suspend such members from all the rights, benefits and advantages of membership during such time or period as the Executive in its absolute discretion may deem fit.

- 30.2.5 All sentences or disqualification and suspension passed by CYCLING SOUTH AFRICA or any other recognized governing body of sport shall be binding upon SC and its affiliated Clubs Associations and Bodies.
- 30.2.6 SGC shall report the suspension or punishment of any person, official, Club, Association or Body by SC to CYCLING SOUTH AFRICA without any delay.
- 30.2.7 During suspension or appeal, the person suspended shall not be allowed to compete at or partake in or in any way be connected with the management of cycling meetings held under the rules of SC and shall be disqualified from being registered as a member or official of any affiliated Club, Association or Body.

Article 31 ENQUIRIES

- 31.1 SC may hold enquiries in regard to objections, protests, and the conduct of cyclists, Clubs or Sport Promoting Bodies and ay deal with such matters in accordance with the objectives of SC.

Article 32 LICENSES

- 32.1 No cyclist shall compete at any open sports meeting or in any open cycling event held under the Rules and Regulations of SC without having previously obtained a license from CYCLING SOUTH AFRICA. Such license shall be issued by CYCLING SOUTH AFRICA upon payment of the prescribed fees.
- 32.2 No cyclist shall in open or any of SC League Competitions compete for any Club other than the Club which has first claim his services, except in exceptional circumstances and upon obtaining permission from the first claim Club and the Executive.
- 32.3 Any cyclist leaving a Club during or at the end of a year shall obtain a letter of clearance confirming that no further obligations exist towards the Club before joining another Club.

Article 33 HONORARY LIFE MEMBERS

- 33.1 Nominations for Honorary Life Membership shall submitted in writing to the Executive at least six (6) weeks prior to the AGM of SC.
- 33.2 The Executive Committee shall submit the nominations for Honorary Life Members to the AGM of SC.
- 33.3 Honorary Life Members shall be elected by at least a two-thirds majority of votes.
- 33.4 Such an election is made in recognition of services rendered to the sport in general.
- 33.5 Honorary Life Members shall be entitled to attend all general and sports meetings of SC and shall be awarded with SC s medal, duly engraved.
- 33.6 The Number of Honorary Life Members shall be limited to twelve (12) at any one time.

Article 34 APPEALS

- 34.1 SC shall hear and adjudicate upon appeals from decisions of Clubs or Officials in accordance with CYCLING SOUTH AFRICA and UCI rules.
- 34.2 Any appeal in writing may be made to the Executive from any decision by any Sport Committee or of any Club, Association or Body or upon any matter upon which any person feels aggrieved.
- 34.3 Such appeal shall be submitted to the Executive within Fourteen (14) days of the decision or matter appeal against.
- 34.4 Any cost incurred for the appeal shall be for the appellant's account.

Article 35 DISSOLUTION

- 35.1 In the event of dissolving SC, there shall be no liability incurred by any member other than in respect of unpaid subscriptions and/of any other moneys are owed to SC.

- 35.2 Membership of SC shall not give to any member any right, title, interest, claim or demand in or to any moneys, property, revenue or assets of SC, but only confers upon such members the right and privilege of using and enjoying the amenities of SC, subject to such charges and reasonable restrictions as the Executive may from time to time impose and subject to the regulations in force from the time being.

Article 36 REGISTRATION OF COLOURS AND INSIGNIA

- 36.1 No Club, Association or Body shall adopt colours and insignia that resemble the colours of SC.
36.2 Every Club, Association or Body affiliated to SC shall register its colours and insignia with SC.
36.3 Colours and insignia shall at all times be subject to the approval of SC.

Article 37 AWARD OF COLOURS

- 37.1 Sedibeng Colours may be awarded at the full discretion of the Executive.
37.2 Good sportsmanship and good conduct on and off the field of sport shall be prerequisite of any award of colours.
37.3 Representation of the Sedibeng on at least six (6) occasions in a particular age category, or if a South Africa Championships have been won in a particular age category, shall be considered a minimum requirement for the award of colours.
37.4 Should a Club or a cyclist of a Club consider the cyclist to be entitled to colours, such a Club or cyclist should through the Club Secretary submit an application to the Executive, detailing all achievements, dates, places where the member has represented the Sedibeng.
37.5 The conditions of Article 34.3 & Article 34.4 will serve solely as a guideline for the Executive and as a minimum standard to be set due to the fact that the Executive must use its discretion as to whether a cyclist has attained the standard upon which the award of colours may be granted.
37.6 Colours awarded to cyclists shall bear the relevant age category on the blazer badge of the cyclist concern.
37.7 If a registered Official of SC has, in the opinion of the Executive, rendered outstanding service to cycling, the Executive at an AGM may recommend such an Official for colours.
37.8 Colours awarded to Officials shall bear the word "Official" on the blazer of the official concerned.
37.9 If any person to the opinion of the Executive, rendered outstanding service to cycling in the Sedibeng, such a person may be recommended for colours by the Executive at an AGM.
37.10 Colours awarded to persons mentioned in Article 34.9 shall bear the word "Honorary" on the blazer of the person concerned.
37.11 Only persons awarded with SC Colours in terms of the constitution shall be permitted to wear SC Badge.
37.12 The Executive Committee shall withdraw the right to wear the badge from any person, who in their opinion has brought the badge into dispute.

COMPETITION AND RECORDS

Article 38 ANNUAL CHAMPIONSHIPS

- 38.1 SC shall hold an annual Championship meeting and such other meetings as may deemed advisable, with the right to allocate SC Championship events to cycling meetings held by affiliated Clubs, Associations, Bodies or Sport Promoting Bodies holding meetings under permit of SC .
38.2 Championships shall be held annually and insofar possible, all events set out in the rulebook of CYCLING SOUTH AFRICA and the UCI as championships shall be held.
38.3 The standard of the events shall be the same as those set out in the rulebook of CYCLING SOUTH AFRICA and shall be subject to revision by the Executive.

Article 39 SELECTION OF MANAGERS AND COMPETITORS TO REPRESENT SC

- 39.1 The Executive shall appoint provincial team managers from time to time for all age categories who shall serve at the discretion of the Executive.
- 39.2 The Executive shall appoint a selection panel of three persons for each age category that shall recommended the selection of to represent the Southern Gauteng in South Africa and else where, subject to permission be granted by CYCLING SOUTH AFRICA and the UCI for events outside the Republic of South Africa.
- 39.3 One of the three members shall be the team manager. The selection panel shall serve office at the discretion of the Executive.
- 39.4 The Executive has the final decision with regard to the appointments of teams that will present Sedibeng.

Article 40 MAINTENANCE OF RECORDS

- 40.1 SC shall provide for the keeping of, and keep official lists of records of all cycling performances in the Sedibeng.

Article 41 APPOINTMENT OF OFFICIALS

- 41.1 No person shall officiate at any open or championship meeting unless such a person holds a license issued by CYCLING SOUTH AFRICA.
- 41.2 Any active cyclist may not, when a competitor in a particular event, act as an Official in that event.

Article 42 COMPETITION RULES

- 42.1 Rules in relation to competition shall be the rules laid down by CYCLING SOUTH AFRICA and the UCI. The Executive shall however; in connection with internal cycling events, has the power to lay down special rules in relation to the competitions that may promote SC.

EXECUTIVE COMMITTEE**Article 43 Purpose left open**

- 43.1 To cater for future.

Article 44 POWERS

SC shall have the power to:

- 44.1 Acquire by purchase, lease, exchange or in any other manner whatsoever immovable or movable property of any kind whatsoever situated or any right or interest in any immovable or movable property of construction, demolishing, reconstruction, altering or improving, decorating, furnishing or maintaining offices, houses, recreation grounds, pavilions, halls, buildings, works and conferences and by consolidating or connecting or sub-dividing properties by leasing and disposing of some.
- 44.2 Let out on hire SC grounds and/or buildings or any other erections thereon for any purpose whatsoever. To grant permission to unaffiliated bodies to conduct sport meetings on payment of a fee determined by the Executive.
- 44.3 Conduct, hold and promote all classes of pastimes, games, amusements, show matches, competitions, exhibitions, lectures, entertainments and the like and otherwise to use SC property and rights and to offer, give and contribute towards prizes, awards, distinctions, cups and other awards.

- 44.4 Hold enquiries in regard to objections, protests, and the conduct of cyclists, clubs or sport promoting bodies and to deal with such matters in accordance with the objectives of SC.
- 44.5 Does all such other manner of things as may be considered expedient in the management of the affairs of SC and for executing the objectives and rules thereof and those of CYCLING SOUTH AFRICA and the UCI.
- 44.6 Lend, invest or otherwise deal with the moneys of SC not immediately required upon such securities and in such manner as may from time to time be determined and to purchase or otherwise acquire and hold for the purpose of investments any lands, bonds, or securities issued by local, municipal, public, provincial or government body and to release or dispose of some.
- 44.7 Sell, let or hire, exchange or otherwise dispose of or mortgage, or otherwise deal with or turn to account and upon such terms as may be expedient, all or any part of the property, rights, privileges, undertakings or business of SC, and to accept payment therefore in such manner as may be thought expedient and proper.
- 44.8 Enter into any arrangement with any government or authorities supreme, municipal, local or otherwise that may obtain from any such government or authority, any rights, privileges and concessions which SC may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- 44.9 Grant permissions to clubs, affiliated bodies or sport promoting bodies to hold cycling meetings under permit from SC and against payment of such permit fees as from time to time determined by the Executive.

Article 45 QUORUM

- 45.1 The Quorum at any Executive meeting shall consist of not less than five (5) elected members.

Article 46 BANKING AND FINANCES

The Executive Committee shall:

- 46.1 Open and maintain banking accounts in the name of SC and to draw, accept and endorse cheques and other negotiable instruments in connection with business of SC.
- 46.2 Borrow or raise, to secure payment of money in such a manner as SC shall deem fit, and in particular by the issue of debentures or debenture stock, perpetual or otherwise charged upon all or any of SC's property, both present or future and to purchase, redeem, and pay off such securities.
- 46.3 Nominate such persons of the Executive to operate on its banking accounts and to sign all powers of attorney or other legal document or documents of any description requiring to be completed by SC.
- 46.4 The Treasurer shall receive all SC's moneys and shall make such payments as shall be authorized by the Executive.
- 46.5 The Treasurer shall keep a complete and comprehensible record of all financial transactions of SC. These records shall be open to inspection at every meeting of the Executive together with files of supporting documents.
- 46.6 The SC's income and property is not distributable to any of its members or office-bearers, except as reasonable compensation for service rendered, and approved by the Executive Committee
- 46.7 No member or office bearer shall have any rights to the property or any assets of the SC solely by virtue of them being members or office-bearers.
- 46.8 At every AGM a financial statement duly audited by the auditor shall be submitted.
- 46.9 A receipt shall be issued for all moneys received. All moneys shall be banked in the name of SC and all disbursements authorized by the Executive must be paid by cheque.
- 46.10 If considered expeditious for the conducting of business of SC, the Secretary
- 46.11 The imp rest account shall be to the discretion of the Executive such an amount of petty cash to be withdrawn by cheque.
- 46.12 All moneys accrued by SC shall be placed in the various funds for which they are nominated by the Executive. The various funds may be adjusted from time to time to suit the current activities.

46.13 The financial year of SC shall be from the 1st of January to the 31st of December of that same year.

Article 47 VACANCIES

47.1 The Executive shall, where any vacancies might occur due to resignation or otherwise, co-opt members to fill the vacant positions.

Article 48 VOTING

48.1 The voting shall be by ballot paper and the majority of votes shall in all cases decide.

48.2 In case of equality of votes, the Chairperson of the meeting shall have a casting vote in addition to his vote as a member.

48.3 The Secretary may only destroy the ballot papers if the meeting grants permission thereto.

Article 49 POWERS OF THE CHAIRPERSON

49.1 The Chairperson shall have authority on all questions of order and shall have a deliberative as well as a casting vote.

Article 50 SUB-COMMITTEES

50.1 The Executive may appoint further sub-committees for any purpose deemed necessary. The Executive shall receive and deal with reports from such sub-committees.

50.2 The Executive may co-opt further members for a period of the same time as may be set by the Executive. These members shall not be entitled to a vote at any SC meeting except as hereinbefore or after provided.

Article 51 AUDITOR AND LEGAL PROCEEDINGS

51.1 The Executive shall appoint an Auditor annually.

51.2 The Chairperson and the Secretary in their capacity as such, for the time being, shall be Trustees of and all intents and purposes, legal holders of all moneys, cups and other property of SC and shall deal with the same as the Executive may from time to time decide.

51.3 The Executive may institute and defend legal proceedings

Article 52 DELEGATES

52.1 Members of the Executive shall be delegated to represent SC at any Congress or General Meeting.

Article 53 MINUTES

53.2 The Secretary shall keep true and correct record of all meetings of the Executive as well as, of all the business dealt with and all matters discussed and voted on.

ANNUAL GENERAL MEETINGS

Article 54 TIME AND VENUE

54.1 The AGM of SC shall be held between the **1st of January and the 30th of March** each year and not later than 13 months after the last meeting. The venue shall be in the Sedibeng region.

Article 54 NOTICE

- 55.1 Affiliated Club, Associations Bodies and other persons entitled to receive notice, shall be notified at least six (6) weeks prior to the date of the meeting.

Article 56 AGENDA

The following business shall be transacted at the Annual General Meeting:

- 56.1 To receive the delegates credentials.
- 56.2 To read and confirm the minutes of the last AGM and to deal with the matters arising from the minutes.
- 56.3 To receive the Executive Committees' reports.
- 56.4 To receive the Audited Statements of accounts.
- 56.5 To elect Chairperson, Vice- Chairpersons and Life Members.
- 56.6 To appoint or elect the Executive Committee.
- 56.7 To deal with any business of which due notice has been given hereinbefore provided.
- 56.8 Any other business of a general nature.

Article 57 MINUTES

- 57.1 The Secretary shall keep a true and correct record of the AGM. All business dealt with and all matters discussed shall be recorded and circulated to all affiliated Clubs, Associations and Bodies.
- 57.2 The minutes of the AGM must be submitted to the first meeting of the Executive after the AGM for approval as to being a correct record of the meeting and shall be circulated to all affiliated Clubs, Associations or Bodies.
- 57.3 The minutes shall only be confirmed at the next AGM.

Article 58 REPORT OF THE EXECUTIVE COMMITTEE AND ACCOUNTS

- 58.1 The Executive shall prepare an annual report and statements of accounts of the years' activities for submission to the AGM.

Article 59 REPRESENTATION

- 59.1 Affiliated Clubs, Associations or Bodies shall be entitled to one delegate for each unit of twenty-five (25) licensed members or part thereof to a maximum of three (3) delegates.
- 59.2 Each delegate being entitled to vote shall be a bona fide member of such affiliated Clubs, Associations or Bodies and delegates shall present their credentials.

Article 60 QUORUM AND ADJOURNMENTS

- 60.1 Eight members being bona fide delegates of not less than three affiliated clubs, Associations or Bodies shall be present to form a quorum.
- 60.2 Should no quorum be present, the meeting shall adjourn for seven (7) days at the same time and venue that shall be announced at the meeting.
- 60.3 Those delegates present at the adjourned meeting shall form a quorum.

ANNEXURES

Annexure to this Constitution may be added from time to time providing that such annexure be passed at either the AGM or EGM as be provided for in Article 12, Article 13 and Article 19.

ABBREVIATIONS

"AGM" - Annual General Meeting.

"EGM" - Extraordinary General Meeting.

"SC" - Sedibeng Cycling.

"CYCLING SOUTH AFRICA" - Cycling South Africa.

"UCI" - Union Cycliste Internationale.

DATE OF APPROVAL: _____

CHAIRPERSON: _____

SECRETARY: _____

ANNEXURE A: