

KLEIN KAROO HIKING CLUB CONSTITUTION

NOTE: This is the new Constitution of the Klein Karoo Hiking Club as amended and approved by the members of the Club at the Annual General Meeting held on 27 January 2023.

1. NAME

Klein Karoo Hiking Club (hereinafter called the Club).

2. EMBLEM

The following is the official emblem of the Club:



3. OBJECT

Healthy outdoor recreation and appreciation of nature through hiking and other outdoor activities (see also the description in the Code of Conduct).

4. HEADQUARTERS

The headquarters of the Club will be the personal address of the elected chairperson until a permanent headquarters may be established.

5. MEMBERSHIP

5.1 Ordinary members: Application for membership will be by written application form to be considered by the Executive.

5.2 Honorary life membership: At a general meeting and at the discretion of the Executive, members may appoint any member as an honorary member.

6. CONDITIONS OF SENIOR MEMBERSHIP

6.1 Membership is granted per prescribed application form or by introduction by an existing member or members.

6.2 Prospective members shall sign an indemnity against any claims and undertake to abide by the stipulations of this Constitution.

6.3 Membership shall be granted to senior members of 18 years or older.

6.4 Membership is subject to payment of the stipulated subscription.

7. CONDITIONS OF JUNIOR MEMBERSHIP

7.1 The same entrance conditions apply as for senior membership excepting the minimum age stipulation.

7.2 A junior member must be at least eight (8) years old.

7.3 Junior members have no voting rights.

- 7.4 The entry fee and annual subscription (or pro-rata thereof) of a junior member will be half of that of a senior member.
- 7.5 When a junior member reaches the age of eighteen years, he/she will be accepted as a senior member immediately.

8. TERMINATION OF MEMBERSHIP

- 8.1 In default of payment of annual subscriptions before 30 June, the Executive may terminate a member's membership after 14 days' notice.
- 8.2 Any member's membership may be terminated by a resolution of the majority of the Executive in the event of such a member having, in the opinion of the Executive,
- 8.2.1 been guilty of serious misconduct, defaming or undermining the good name and/or spirit of the Club or becoming an embarrassment to the Club; and/or
- 8.2.2 been guilty of a serious breach of this Constitution.
- 8.3 Any member whose membership is in jeopardy is entitled to personally defend his case before the Executive.
- 8.4 Entrance fees or subscriptions are not refundable.
- 8.5 Any complaint of misbehaviour must be put to the Executive in writing.

9. FEES

- 9.1 From time to time, entrance fees, annual subscriptions and guest fees will be decided at a general meeting. Annual subscriptions will coincide with the fiscal year of the Club.
- 9.2 Members who join during the period 1 April to 30 September pay the full entry fee and a full year's membership fee. Members who join during the period 1 July to 31 September pay the full entry fee and half of the annual membership fee. Members who join during the period 1 October to 31 December pay only the full entry fee.

10. NON-MEMBERS

- 10.1 Members may invite non-members to general meetings, including the Annual General Meeting.
- 10.2 A tour leader may refuse a non-member the right to participate in an outing.
- 10.3 All non-members shall pay guest fees and sign an indemnity form when they participate in activities of the Club.
- 10.4 After the first outing of an acceptable non-member, the tour leader involved shall advise the Executive of the prospective member's acceptability.

11. COMPOSITION OF THE EXECUTIVE

- 11.1 The Executive will consist of:
- Chairperson
 - Vice-chairperson
 - Secretary
 - Treasurer
 - Two additional members
- 11.2 The senior members of the Club elect the Executive annually at the Annual General Meeting for a period of office continuing until the next Annual General Meeting. The election will proceed as follows:
- 11.2.1 Nominations for executive members can be submitted until the beginning of the Annual General Meeting.
- 11.2.2 Election of the executive members occurs in the following order: first the chairperson, the vice chairperson, treasurer, secretary and the two additional members.
- 11.2.3 Executive members are elected by a majority vote of members present at the AGM.

- 11.3 A two-third majority of members present at a special general meeting may resolve to request the resignation of one or more of the members of the Executive. The vacancy/ vacancies thus caused will then be filled in a manner decided by such a general meeting.
- 11.4 Any vacancies that may occur during the period of office of the Executive will be filled by way of election at the next general meeting.
- 11.5 Any member of the Executive being absent from three consecutive meetings without the approval of the Executive forfeits his/her office on the Executive.

12. QUALIFICATIONS OF THE EXECUTIVE

- 12.1 The Executive will be the authorised representative of the Club and will, following this Constitution, make all necessary arrangements for the proper functioning of the Club, including co-operation with other clubs and organisations.
- 12.2 The Executive will draw up a programme of outings and club meetings for the calendar year and will be responsible for the execution thereof until the end of its term of office.
- 12.3 The Executive has the authority to make reservations and pay deposits for all outings, provided that sufficient funds are available.
- 12.4 The Executive will convene meetings and communicate notices of time, date, place and agenda to each member at least 7 days before the meeting.
- 12.5 The secretary will take minutes at general meetings.
- 12.6 Prior to any outing, the Executive will appoint an experienced member of the Club as tour leader.
- 12.7 With a view to recruitment, the Executive will acquaint itself with guests and the outings in which they participated.
- 12.8 The Executive will grant or terminate membership in terms of this Constitution.
- 12.9 The Executive will exercise control over the assets of the Club and will appoint an equipment officer who will keep an inventory. The Executive will check this inventory annually.
- 12.10 The Executive will open a cheque, savings or other account at a recognised financial institution. Any two designated members of the Executive, which must include either the treasurer or the chairperson of the Club, will have signing powers.
- 12.11 Proper records will be kept of income and expenditure, and receipts will be issued (also to guests and tour leaders) for all monies received by the Executive. Money received shall be deposited on the Club's account at the treasurer's discretion. Receipts must be obtained for money spent. Any member has the right to peruse the financial records at any general meeting.
- 12.12 The fiscal year of the Club will be from 1 January until 31 December, after which all financial statements will be audited.
- 12.13 The Executive will be entitled to make purchases and effect capital expenditure to a maximum of 80% of the annual income from subscriptions, after which approval by a general meeting must be obtained.
- 12.14 The Executive will provide guidelines for a tariff payable by passengers to a car owner for transport to and from an outing. The first outing of a non-member with the Club is free of charge.
- 12.15 The Executive will decide on the guest fees payable by non-members in respect of outings.
- 12.16 The Executive will be entitled to co-opt additional members to the Executive for specific *ad hoc* requirements. These members will attend only those Executive meetings to which they are invited.

13. EXECUTIVE MEETINGS

- 13.1 The chairperson will convene all Executive meetings by notice to all elected members at least 7 days in advance.
- 13.2 The Executive will meet at least once per quarter.
- 13.3 Four elected members of the Executive will form a quorum.
- 13.4 A simple majority will pass resolutions, except for extensions or termination of membership. Co-opted members have a vote only when it concerns the matter for which they have been co-opted.
- 13.5 Minutes are kept of Executive meetings.

14. GENERAL MEETINGS

- 14.1 The Executive will convene meetings in accordance with 12.4.
- 14.2 During its term of office, the Executive will convene at least one Annual General Meeting.
- 14.3 Following the written request of at least 10% of the members, the Executive will convene a general meeting within 15 days of receipt of such a request.
- 14.4 The chairperson of the Executive will be the chairperson of a general meeting and in his absence the vice-chairperson, or in the absence of both, the meeting will appoint a chairperson.
- 14.5 All registered members, excluding junior members, will have a vote.
- 14.6 Club members entitled to vote and present at a general meeting, including the AGM, will form a quorum.
- 14.7 Resolutions, excluding those affecting this Constitution, dismissal of Executive members or the dissolution of the Club will be by simple majority of the members present. The exceptions mentioned require a two-third-majority vote of the members present.
- 14.8 A general meeting may authorise expenditure in addition to any amounts approved at an Annual General Meeting.
- 14.9 In general, a general meeting will take decisions on matters affecting the Club, its policy and activities.

15. ANNUAL GENERAL MEETINGS

- 15.1 The Annual General Meeting will be convened during January or February of each year.
- 15.2 Amongst others, the following will appear on the agenda of the Annual General Meeting:
 - 15.2.1 Annual report and report on Club equipment.
 - 15.2.2 Financial report (audited according to 12.12). Both 15.2.1 and 15.2.2 must be in writing to form part of the minutes.
 - 15.2.3 The determining of entry and annual subscription fees.
 - 15.2.4 Approval of the amounts the new Executive may spend.
 - 15.2.5 Election of the new Executive (see 15.4).
- 15.3 The Annual General Meeting will decide the following amounts that may be spent by the Executive:
 - 15.3.1 The amounts of deposits for outings that are more than 50% of the existing total amount in the bank account(s) of the Club.
 - 15.3.2 An amount for current expenditure and petty purchases of equipment.
 - 15.3.3 Amounts for specific or capital purchases.

16. OUTINGS AND TOUR LEADERS

- 16.1 A Club outing is an outing arranged by or with the approval of the Executive, subject to the condition that the participants meet the costs of the outing as stipulated by the Executive.
- 16.2 The Executive will appoint a tour leader for each outing (see 12.6), and he/she must acquaint him-/herself with the arrangements for the outing, the terrain, and the route.
- 16.3 All members are entitled to participate in all outings except when the Executive has limited the size of the group or in circumstances mentioned in 16.4.
- 16.4 Should a tour leader refuse a member to participate in an outing, he/she must inform the Management (for discussion at the next Management meeting). Such a member may present his/her case before the Management.
- 16.5 When the number of persons per outing is limited, members enjoy preference. After the deadline, non-members may be allowed to fill remaining places.
- 16.6 The tour leader will ensure that all non-members have signed an indemnity form.
- 16.7 The tour leader will ensure that quest fees and deposits, where necessary, are collected and paid over.
- 16.8 The tour leader will ensure that members take the necessary camping and other required equipment with, according to the activity. and that the necessary first-aid equipment is taken with.
- 16.9 The tour leader assists with coordinating transport arrangements, decides on the route to be followed and where to overnight.
- 16.10 The tour leader will every day appoint a member to walk in the rear and will take steps for safety during and the smooth running of the outing. Preferably, the hiker in the rear should carry the first-aid kit.
- 16.11 No member of the touring group may undermine the authority of the tour leader or insist on a vote. Such a member may lose his membership. Nobody may leave the group without the consent of the tour leader.
- 16.12 After each outing, the tour leader will submit to the Executive a brief written report that includes a brief description of the route as well as the names of members and guests who participated. He is responsible for returning any camping equipment belonging to the Club to the equipment officer.

17. CLUB EQUIPMENT

- 17.1 Club equipment may be used only on official Club outings (see 16.1) or in exceptional cases be hired by senior members approved by the Executive. Such members will be responsible for the equipment and must return it in a good condition. The equipment officer appointed by the Executive will keep equipment.

18. CORPORATE BODY

- 18.1 The Club is a corporate body, and therefore
 - 18.1.1 the Club enjoys perpetual succession, regardless of the change of its membership;
 - 18.1.2 the Club is the sole owner of all assets and funds, and no assets or funds are the property of any member of the Club;
 - 18.1.3 the Club has no profit motive;
 - 18.1.4 the Club is competent to litigate as plaintiff or defendant in any court or to act on behalf of any member of the Club regarding the objectives of the Club; and
 - 18.1.5 the liability of a member is limited to the recoverable membership fee that is payable.

19. INDEMNITY

- 19.1 All members and guests (non-members) take part in outings at their own risk and undertake to institute no claim that may arise from any Club outing against the Club or any of its members.
- 19.2 Apart from the above-mentioned, members and guests will submit a written indemnity, assisted by a parent or guardian in the case of a minor.
- 19.3 An outing covers all actions from the time of departure from a member or guest's home until his/her arrival back home.

20. INTERPRETATION OF THE CONSTITUTION

- 20.1 Should any doubt exist or arise over the correct interpretation of this Constitution or the rules and regulations of the Club, the interpretation of the majority of the Executive will be accepted as the final and binding interpretation.

21. AMENDMENT OF THE CONSTITUTION

- 21.1 No amendment to this Constitution shall be made except by a two-third majority of paid-up members present at general meetings (also a special general meeting convened for the purpose).
- 21.2 Written proposals by a member and seconded by a member for the amendment of this Constitution must reach the Executive at least 14 days before the Annual General Meeting at which they are to be discussed, and the Executive must post such proposals to each member's last known address at least 7 days before the relevant meeting.
- 21.3 An amendment to the Constitution is in force immediately after it has been passed at a general meeting.

22. DISSOLUTION OF THE CLUB

- 22.1 When the procedure laid down in 21.2 has been followed, a two-third majority of members entitled to vote and present at a general meeting may decide to dissolve the Club.
- 22.2 Upon dissolution of the club, all assets of the club will be monetized and transferred together with the funds in the bank account(s) of the club to the Southern Cape branch of the Mountain Club of South Africa. The Management will remain in charge until all the assets of the Club have been sold, all debts of the Club have been paid, and the remaining funds have been remitted to the Southern Cape branch of the Mountain Club of South Africa.

This Constitution was amended and approved at the annual general meeting of the club on 27 January 2023.

CHAIRPERSON

SECRETARY

DATE: 27 January 2023