



Constitution

of the

South Western Districts Rugby Football Union

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Interpretation

- 1.1.1 Words denoting the singular also denote the plural and vice versa.
- 1.1.2 Words denoting the masculine gender also denote the feminine gender.
- 1.1.3 Any words defined in the Act and not defined in this Constitution shall carry the meaning ascribed to them in the Act.
- 1.1.4 The headings of clauses are for reference purposes only and will not be considered in completion of the Constitution.

The words and expressions listed below will have the specific meanings we assign to them, unless the context clearly shows they should mean something else.

“**amateur rugby**” means the game played, managed, controlled and administered in terms of the rules of Rugby Union as promulgated by World Rugby, and in terms of the constitution, by-laws, rules and regulations of World Rugby, the constitution and regulations of SARU, and this Constitution and rules, regulations and decisions taken or deemed to have been taken in terms of this Constitution, excluding professional rugby as defined herein.

“**professional rugby**” means the game played, managed, controlled and administered in terms of the rules of Rugby Union as promulgated by World Rugby, and in terms of the constitution, by-laws, rules and regulations of World Rugby, the constitution and regulations of SARU, this Constitution and the rules, regulations and decisions taken or deemed to have been taken in terms of this Constitution, for financial gain, excluding amateur rugby as defined herein, including commercial activities related thereto.

“**club**” means a body or organisation that is a member of, or affiliated with, the Union.

“**WR**” means World Rugby.

“**SARU**” means the South African Rugby Union.

“**The Union**” means the South Western Districts Rugby Football Union.

“**player**” means a rugby player under the jurisdiction of SWD.



1 Name

The name of the Union is the SOUTH WESTERN DISTRICTS RUGBY FOOTBALL UNION, hereinafter referred to as "The Union."

2 Objectives and Functions

- 2.1 To control and promote the game of rugby in accordance with the rules and laws approved by SARU.
- 2.2 To organise and have matches and competitions played, controlled and promoted, including any professional/commercial activities including the playing and coaching of rugby.

3 Jurisdiction

- 3.1 The Union has jurisdiction over clubs and rugby matters within the boundaries of: Albertinia, Beaufort West, Calitzdorp, De Rust, George, Great Brak River, Heidelberg, Herbertsdale, Knysna, Ladismith, Mossel Bay, Oudtshoorn, Plettenberg Bay, Prince Albert, Riversdale, Uniondale and Willowmore, subject to SARU boundary changes.
- 3.2 All clubs or combinations of clubs within the area as defined in subparagraph 3.1 established for the purpose of playing rugby must obtain the consent of the Union thereto and must be affiliated with and under its control of the Union, and such clubs will be required to submit their constitution and any subsequent amendments to the "Executive Committee/Executive Management" for approval.

4 Affiliation

- 4.1 The Union is affiliated with SARU.
- 4.2 The Union accepts and remains bound by the rules of rugby, the rulings of World Rugby, as in force, the interpretation by the SARU of such rules and rulings and any other rules and rulings of the SARU.
- 4.3 All affiliated clubs or subsidiaries or regions under the jurisdiction of the Union shall, by such affiliation, expressly or implicitly, assume that they are bound by both this Constitution and any regulations that may be enacted and/or approved by the Executive Management Committee of the Union from time to time.
- 4.4 The Union shall have the authority, in its sole discretion, to consider applications for the establishment of any club, league, or combination of clubs, and to determine whether such establishment shall be approved.



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- 4.5 To affiliate as a club, such club must meet the following requirements:
- 4.5.1 Have access to a playing field, with the size as laid down by the rules of World Rugby, with a level surface and covered with grass.
 - 4.5.2 Good dressing and shower facilities should be available to players near the field.
 - 4.5.3 The playing field must be well fenced, bordered 5 yards from the field to keep spectators off the field.
 - 4.5.4 A Super League club is defined as a club that has three (3) or more teams in the relevant competition and that may play in the Super League for the duration of the relevant season according to the Executive Management Committee's recommendation. If a club fails to comply with this requirement during the season after three consecutive games during the course of the relevant season, such club may, after investigation and consideration by the Executive Management Committee in the current season and/or the following season, lose their relevant status. The same rule applies to all clubs in their respective competitions, under the jurisdiction of the Union, e.g. First League clubs that must enter two (2) or more teams for their competition.
 - 4.5.5 New clubs will only be eligible for affiliation to the Union if they are not re-established clubs.
 - 4.5.6 The proposed management, coaching corps and players of the prospective new club shall have no association with any existing club within the jurisdiction of the Union for at least 5 years prior to commencement of the proposed club's application for affiliation to Union.
 - 4.5.7 New clubs' application for affiliation will only be considered provided that the club complies with the requirements set out in clause 4.5.6 and already has a constitution, minutes of meetings where Constitution was discussed and adopted as well as the necessary bank account.
 - 4.5.8 Re-founded/dissolved clubs' application for entry into the Union will not be considered.
 - 4.5.9 New clubs' applications must comply with the requirements prescribed by national legislation, and those of the Union – it remains the responsibility of the applicant to ensure that these are met.
 - 4.5.10 No member of the Union's Executive Management Committee may be approached to assist with a prospective club's application.
 - 4.5.11 Should the prospective club be guilty of breaching clause 4.5.10, that club's application will not be considered for that year in which the club intended to apply for affiliation.
 - 4.5.12 Prospective clubs must be able to provide updated proof by means of a letter from the Municipality indicating that they will be provided with suitable facilities. Should a Club not enjoy further use of their original home facility as indicated on their application for affiliation after any



reason, their further participation and membership to the Union will be reconsidered and such membership may be revoked.

4.5.13 In their application for entry into the Union, prospective Clubs must have a minimum of two full match squads, forty-six (46) players. No players may be transferred from existing Clubs within SWDRFU for a period of two (2) years after joining, likewise, no existing Club may transfer players from a newly affiliated Club for a period of two (2) years after joining.

4.6 Promotion, Relegation and Affiliation of Clubs

4.6.1 Affiliation of any club shall be approved by the Annual Meeting, provided that a two-thirds majority of those present vote in favour of such affiliation. The promotion and relegation of any club is discussed and approved by the Executive Committee on the recommendation of the Competition Committee within the context of the competition format for a relevant season

4.6.2 Any application for affiliation for the new season must be submitted to the Union General Manager/ Manager Amateur Rugby before the 30th day of September. The Union General Manager/Manager Amateur Rugby will send a copy of the application to the specific Regional Secretary and refer the application to the Regional Management and Competition Committee for examination, consideration and a recommendation to the Executive Management who will then refer it to the regulation (not in constitution) and the Annual General Meeting of the Union for consideration. Any club wishing to apply to play friendlies during the course of the season in question must be referred to the Executive Committee for decision-making.

5 Headquarters

The headquarters of the Union shall be at George, where all General Assemblies of the Union and of the Union's Committees shall be held with the proviso that such meetings may be held at any other place within the jurisdiction of the Union with the consent of the Executive Management after considering costs related thereto.

6 Section Division

The competition structure consists of: Super League, First League, Karoo Region, and Coastal Region divisions.



7 Office Bearers

7.1 Election Basis

7.1.1 Office bearers in any capacity as a member of a representative committee of the Union must be an affiliated member of a club of the Union, but do not represent the club on such committee. Such office bearer as a member of the committee acts in the interest of the Union and not the club with which he is affiliated. Should a conflict of interest arise, such office holder shall excuse himself.

7.1.2 Only persons in good name who have been involved in club structures immediately prior to and continuously for a minimum of five (5) years and who comply with 7.1.5 may be nominated and elected to the position of President, Senior Vice-President or Junior Vice-President. Such involvement must be verified by club/s.

7.1.3 Any elected member of the Executive Board may be removed from their office-bearing position by way of a motion of no confidence as soon as the majority of the voting members agree to it.

7.1.4 If any member is removed from his position in terms of 7.1.3, or resigns or becomes incapacitated to hold such position, the vacant position may and must be filled as soon as practicable at an Annual General Meeting or Special General Meeting as prescribed in the constitution, which replacement shall be appointed only until the expiry of the retired person's term.

7.1.5 To be eligible for the Executive Management (Ex-Co) of the Union, candidates must have served on the management of a club for more than one (1) year immediately prior to the Annual General Meeting where the election takes place. If the candidate is elected to the Executive Board, he/she must vacate his/her position at the club with immediate effect.

Each Executive Management Member must present his proof of affiliation as a member of his club to the Union General Manager / Manager Amateur Rugby seven (7) days annually before the AGM.

The serving members of the Ex-Co are also eligible for election to the Ex-Co in the AGM where the election takes place.

7.2 President and Vice Presidents

7.2.1 A President as elected at the Annual General Meeting for a term of four (4) years. The President shall not serve for more than two (2) consecutive terms.



- 7.2.2 Two Vice-Presidents (one as Senior Vice-President and one as Junior Vice-President), elected for a term of four (4) years. At least the position of Junior Vice President must be held by a female person.
- 7.2.3 Unless notice of the new nominations is given in writing by an affiliated club 21 days prior to the date of the Annual Meeting, the previous President and the Vice Presidents are automatically re-elected.
- 7.2.4 The President, or in his absence the Senior or the Junior Vice-President (in this order), acts as chairperson at all meetings, except meetings of Selection Committees, Referees and Schools committees. In the absence of both the President and the two Vice-Presidents, the meeting elects a chairperson from among the members present.

7.3 Executive Committee

- 7.3.1 The management of the Union shall be administered by the Executive Committee, hereinafter referred to as the "Committee", which shall be constituted as follows:
- 7.3.1.1 The President.
 - 7.3.1.2 The 2 (two) Vice Presidents.
 - 7.3.1.3 3 (Three) members representing the Super League clubs.
 - 7.3.1.4 3 (Three) members representing the First League clubs.
 - 7.3.1.5 1 (One) member representing each region, namely:
 - 7.3.1.5.1 1 (One) member of the Karoo Region,
 - 7.3.1.5.2 1 (One) member of that Coastal Region,
 - 7.3.1.6 The Chairperson of the Referees Association.
 - 7.3.1.7 The Chairpersons of the SWD Primary Schools Rugby Association and SWD High Schools Rugby Association.
 - 7.3.1.8 1 (One) member from the business sector who is designated by the Executive Committee with full voting rights on the Executive Committee.
 - 7.3.1.9 Concerned members must be the Chairperson of the above regions or said Associations.
 - 7.3.1.10 1 (One) member representing Women's Rugby and Special Schools as elected by the Executive Committee with full voting rights.
 - 7.3.1.11 An honorary member (a person with more than 10 (ten) years of involvement with the Union) can be co-opted by the Executive Committee with full voting rights on the Executive Committee.



- 7.3.2 The members in 7.3.1.3 and 7.3.1.4 are elected for a term of 4 (four) years and the members in 7.3.1.5 and 7.3.1.7 as well as 7.3.1.10 are determined by their respective constitutions.
- 7.3.3 The members mentioned in 7.3.1.3 and 7.3.1.4 are elected immediately after each Annual Meeting by two "Special Committees", each consisting of:
- 7.3.3.1 1 (One) representative of each affiliated Super League club in the one, and
 - 7.3.3.2 1 (One) representative of each affiliated First League club in the other.
 - 7.3.3.3 1 (One) representative from each region.
 - 7.3.3.4 Each Super League club and each First League club nominates its own representative on said Special Committees.
- 7.3.4 A member of the Executive Committee may not serve on the Selection Committee, or vice versa.
- 7.3.5 A motion of no confidence against any member of the Executive Committee will be addressed in terms of Clause 15 of the Constitution.

7.4 Management Committee

The Executive Committee will assemble a day-to-day management team from their own ranks to handle urgent tasks composed as follows:

- 7.4.1 The President.
- 7.4.2 At least 1 (one) Vice-President.
- 7.4.3 1 (One) Executive Committee member nominated by the full Executive Committee.
- 7.4.4 The General Manager (GM) of the Union.
- 7.4.5 A quorum will be three (3) persons of the Management Committee
- 7.4.6 The Executive Committee may make urgent executive decisions but must report in full at the subsequent Executive Committee meeting.

7.5 Selection Committees

- 7.5.1 The establishment and functioning of Selection Committees is the sole responsibility of the Executive Committee.
- 7.5.2 Before the start of each season, the Executive Committee must decide on the structure and names of the respective selection committees.

8 Powers of the Executive Committee

The "Committee" has the following powers:



8.1 Appointment of officials

The appointment of officials for the performance of the Union's administrative and other functions and the determination of such officials' remuneration.

8.2 Entrance Fees

To charge access fees to any fields or premises over which the Union has control and to fix (or delegate) the access fees thereof and to make such regulations in relation to the access of the public, players and others, as they may deem appropriate.

8.3 Control of funds

To exercise, subject to any resolution of any Annual General Meeting, sole control over the funds of the Union and shall be authorized to transfer, sell or trade in or otherwise dispose of immovable property or movable assets, and shall be fully authorized to carry out all or any of the objects of the Union and to conduct all business on behalf of the Union.

8.4 Delegation

To transfer (or co-opt) for all special and urgent matters its powers to other sub-committees, with or without power of attorney to act, and which may consist of one or more members. Such sub-committee shall report to the Committee at subsequent meetings or within such period as may be determined by the Committee.

8.5 Rules and regulations

To make decisions, which will have the force of rules and regulations, provided such decisions do not conflict with existing rules, regulations and rulings and the laws governing sport. All resolutions and decisions of the Committee shall remain in effect until repealed or amended by that or any subsequent Committee or by an Annual General Meeting. The Committee also has the exclusive jurisdiction to amend or amend Rules and Regulations in order to promote the game of rugby. Such amendment may be made on the recommendation of the Union's Legal or Disciplinary Committee.

8.6 Unsportsmanlike behaviour

In the event of any alleged misconduct (which misconduct may adversely affect or discredit the name of the Union or the game of rugby) or breach of any rule or regulation of the Union, SARU or World Rugby, by a player/member, or office bearer of the Union, whether on the field or not, the General Manager shall investigate and submit the outcome of such investigation to the designated sub-committee (Disciplinary Committee) for consideration. If the subcommittee is of the opinion that the complaint is valid and that there is sufficient evidence available for a successful prosecution, the



General Manager will prepare a complaint statement as laid down in the disciplinary code or procedure and the disciplinary committee will appoint a disciplinary panel to hear the case.

If the Disciplinary Committee is of the opinion that the offence is of a serious nature that the continued participation of the club and/or person in the activities of the Union will be detrimental to the Union, the Disciplinary Committee or Executive Committee may place such club or player/member under immediate suspension and such club/person shall then be prohibited from participating in any activities of the Union. If any club/person is dissatisfied with such a decision in respect of suspension, he/she may immediately appeal against such decision in writing in the manner prescribed in the Disciplinary Code, provided that such appeal shall be heard within a period of 72 (seventy-two) hours after the suspended party has received written notice thereof. The relevant appeal application fee will still apply.

8.7 Suspension

8.7.1 To suspend or remove from membership any club, team or player who:

8.7.1.1 A match played with or against any club or team that has been suspended or dismissed from membership;

8.7.1.2 Playing with or against any team or club formed from the nucleus of any suspended team or club;

8.7.1.3 Playing with or against any team or club that is not affiliated with the Union at the discretion of the manager of the Union;

8.7.1.4 Playing with or against any club or team that includes professional players in violation of World Rugby's rules;

8.7.1.5 Includes players who have been suspended by this Union or the SARU for any reason;

8.7.1.6 was suspended for any reason decided by the Committee.

8.7.2 Suspension entails for clubs

8.7.2.1 The club may not participate in practices or matches within or outside the borders of the Union, as well as in any official activities of the Union.

8.7.2.2 if suspension falls over the period of the Annual General Meeting, the club loses voting rights

8.7.3 Suspension entails for players

8.7.3.1 The player or member concerned may not participate in practices or matches within or outside the borders of the Union, as well as in any official activities of the Union



8.7.4 Suspension for a season means suspension for a relevant year when the relevant season comes to an end.

8.8 **Competition control**

To exercise full control over the Union's various competitions and in particular as regards:

- 8.8.1 Applications for admission;
- 8.8.2 the dates on which matches take place;
- 8.8.3 the division of the competition into regions;
- 8.8.4 Consider and settle complaints and any other matter pertaining to the competitions.

8.9 **Veneration**

To recommend at the Annual General Meeting, persons who have rendered commendable service to the game of rugby to be elected as Honorary Presidents of the Union for life, provided that such election shall be unanimously approved by the delegates present and voting at the Annual General Meeting at which such recommendation is made.

8.10 **Other matters**

To confirm any other matter relating to the activities of the Union which has not been specifically provided for in this Constitution with its rules and regulations.

8.11 **Meetings of the Executive Committee**

- 8.11.1 Meetings of the Committee shall be convened by order of the President or by decision of the Committee;
- 8.11.2 Meetings of the Committee must be held at least once every 2 (two) months during the rugby season.
- 8.11.3 The position of a member of the Executive Management Committee will become vacant if:
 - 8.11.3.1 the member notifies the Committee in writing of his resignation;
 - 8.11.3.2 the member becomes physically or mentally medically incapacitated to be a member of the Committee;
 - 8.11.3.3 the mandate of a member representing an affiliated member has been withdrawn;
 - 8.11.3.4 the member has failed to attend three (3) consecutive meetings of the Committee without providing the Committee with valid and acceptable written reasons for his/her non-attendance; or
 - 8.11.3.5 the member was removed as a result of a motion of no confidence against him.



9 Meetings

9.1 Annual General Meeting (AGM)

9.1.1 The AGM is held no later than the last Saturday of November each year.

9.1.2 A written notice and agenda of the AGM must be sent to all affiliated clubs, regions and other eligible voters at least 14 (fourteen) days before the AGM.

9.1.3 A proper notice from the AGM must appear in the press at least 14 (fourteen) days before the AGM.

9.1.4 The agenda to be finalized at the AGM is as follows:

9.1.4.1 Opening and welcoming

9.1.4.2 Motions of mourning and congratulations

9.1.4.3 Constitution of the meeting

9.1.4.3.1 Credentials

9.1.4.3.2 Determination of Voting Power

9.1.4.4 Procedural arrangement for closing the agenda

9.1.4.5 Confirmation and signing of the minutes of any previous AGM

9.1.4.6 Consideration of the President's Annual Report;

9.1.4.7 Consideration of motions and any other matter, duly given 1 (one) calendar month prior to the AGM;

9.1.4.8 Affiliation of new clubs;

9.1.4.9 Audited Financial statements of the Union's previous financial year may be discussed and approved at a Special Meeting of the Union.

9.1.4.10 Election

9.1.4.10.1 President

9.1.4.10.2 Senior Vice President

9.1.4.10.3 Junior Vice President

9.1.4.10.4 Lifetime Honorary Presidents

9.1.4.10.5 Delegates to meetings of the SARU

9.1.4.10.6 Three (3) members representing Super League clubs

9.1.4.10.7 Three (3) members representing First League clubs

9.1.4.11 Amendments to the Constitution

9.1.4.12 General Affairs

9.1.4.13 Closing



9.1.5 Delegates and Representatives

9.1.5.1 Representation at the AGM is as follows

- 9.1.5.1.1 Super League clubs: 1 (one) eligible voter per club;
- 9.1.5.1.2 First League clubs: 1 (one) eligible voter per club;
- 9.1.5.1.3 Karoo region: 7 (seven) eligible voters;
- 9.1.5.1.4 Coastal Region: 7 (seven) eligible voters;
- 9.1.5.1.5 Executive Committee (as served in previous year): 1 (one) vote each;
- 9.1.5.1.6 SWD High Schools Union: 1 (one) eligible voter;
- 9.1.5.1.7 SWD Primary Schools Union: 1 (one) eligible voter.
- 9.1.5.1.8 The Businessman: 1 (one) eligible voter;
- 9.1.5.1.9 Women's Rugby: 1 (one) eligible to vote;
- 9.1.5.1.10 Special Schools: 1 (one) eligible voter;

9.1.5.2 Each Super League club, First League club and region must notify the Secretary of the Union in writing 14 (fourteen) days before the AGM of the names of its delegates to the AGM.

9.1.5.3 No person whose name has not been so communicated in writing by his club or region shall be permitted to participate in any discussions at such meetings unless the other delegates have unanimously consented to it.

9.1.5.4 A Super League club and a First League club may appoint a proxy in place of a delegate who finds it impossible to attend an AGM, provided that a written notice of effect is submitted in terms of the requirement of sub-paragraph 9.1.5.2 hereof.

9.2 Annual General Meeting: Regions

Each region holds its Annual Meeting prior to the Annual General Meeting of the SWDRFU as per its constitution.

9.3 Special General Meeting

9.3.1 A Special General Meeting must be convened upon receipt of a written request addressed to the General Manager / Manager Amateur Rugby of the Union (signed by not less than 10 (ten) Super League, and/or First League clubs and both of the 2 (two) Regions' majority board members. Such written request must clearly state the purpose for which the Special General Meeting is requested.

9.3.2 A Special General Meeting may also be convened by the President, or, in his absence, the Senior Vice President or by the majority of the "Executive Management Committee".



- 9.3.3 A written notice of any Special General Meeting must be sent to all affiliated clubs, regions, and other eligible voters at least 14 (fourteen) days in advance.
- 9.3.4 The written notice must state the matters that will be discussed at such meeting. No other business, except for which notice has been given, may be discussed at the Special General Meeting.
- 9.3.5 Representation at the Special General Meeting shall be on the basis applicable to the AGM (see clause 9.1.5).
- 9.3.6 Motion of no confidence against Executive Committee members may be discussed and voted on at Special General Meetings.
- 9.3.7 Election of office bearers (as elected at an Annual General Meeting) may also be conducted at a Special General Meeting subject to 9.3.1 – 9.3.5.

9.4 **Chairpersons Forum**

- 9.4.1 The Chairpersons Forum consists of all the Chairpersons or Presidents of clubs of the Union or their proxies.
- 9.4.2 The President of the Union, or in his absence the Senior Vice-President of the Union, or in his absence the Junior Vice-President of the Union, shall act as Chairperson of the Forum. If none of the above is available, the chairperson will be appointed by the meeting.
- 9.4.3 The Chairpersons Forum will meet at least 3 (three) times a year to discuss general rugby matters and make recommendations to the Executive Management Committee.

9.5 **Quorums**

The quorum for any:

- 9.5.1 AGM/SGM is one-third of the eligible voters;
- 9.5.2 Executive Management Committee meeting is half plus 1 (one) of the total voting members;
- 9.5.3 Selection committee meeting is 3 (three) members.
- 9.5.4 If, within thirty (30) minutes of the scheduled start time for an Annual General Meeting/ Special/ General Meeting and Executive Management Committee meeting, a quorum has not been reached, the meeting shall adjourn. In the event of an adjourned Annual General Meeting/ Special/ General Meeting/ Executive Management Committee meeting, the members present will be able to decide to hold the meeting on the same day. However, there must be a two-thirds majority of those present in favour of such a decision, the number of attendees will then be a quorum.



9.6 Voting at meetings

- 9.6.1 All matters dealt with at any General or Special Assembly of the Union shall be decided by vote and, unless otherwise provided, an absolute majority, i.e., 50% + 1 (fifty percent plus one) shall prevail. Each Super League club has one (1) vote, each First League club 1 (one) vote, each region 7 (seven) votes and each Executive Committee member, as on 31 December of the previous year, 1 (one) vote.
- 9.6.2 At any Committee or other meeting, each elected member has 1 (one) vote.
- 9.6.3 The chairperson of SWD Primary Schools Rugby Association and the chairperson of the SWD High Schools Rugby Association each have 1 (one) vote in the Committee.
- 9.6.4 The Businessman, Women, and Special Schools representatives each have one (1) vote on the Committee.
- 9.6.5 The Chairperson of all meetings has both a regular and a casting vote.
- 9.6.6 At a General or Special General Meeting, the Chairperson decides when voting will be by closed ballot or by the show of hands, unless otherwise decided by a two-thirds majority of those entitled to vote present.
- 9.6.7 All office bearers at a General or Special Annual General Meeting must be elected by secret ballot and an absolute majority.
- 9.6.8 No delegate/representative of Clubs and Association members, excluding members of the Executive Management Committee, shall be able to attend the above meetings without a credential from his/her Club/Institution. This letter must be signed by the Chairperson/Secretary of the Club/ Association. Any proxies must also be in writing, signed, submitted.

10 Finances

10.1 Financial year

The financial year of the Union runs from January 1 to December 31 of each year.

10.2 Subscriptions

- 10.2.1 Each affiliate Super League club, First League club and Region must pay the annual subscription determined at the AGM to the Union immediately after the AGM and no later than 31 January.
- 10.2.2 Any Super League club, First League club or region which fails to pay its subscription fees so shall not be permitted to take part in any competition of the Union or to attend any meeting.



10.3 **Bank account**

A bank account shall be opened in the name of the Union and payment shall be made by means of electronic fund transfers (EFTs), signed by such officers appointed for this purpose by the Committee from time to time.

10.4 **Signing documents**

All procurations, contracts and other similar documents are signed on behalf of the Union by the President and a Vice-President or a member of the Executive Committee and the General Manager.

10.5 **Auditing**

The books and accounts of the Union shall be audited by one or more auditors appointed by the Committee on an annual basis immediately after the AGM.

10.6 **Travel Claims**

10.6.1 All travel expenses in respect of players (other than contracted players) participating in provincial and national matches, members of the Executive Committee of the Union and the Referees Association, members of the Selection Committee and the Union's representatives in the SARU shall be determined by the Committee and reviewed as necessary.

10.6.2 All travel claims (excluding referees and contracted players) must be submitted in writing and as soon as possible to the Union Secretary.

10.6.3 All travel claims from referees must be submitted to the Union's Financial Manager via the Referees Association's Treasurer, for payment to the SWD Referees Association.

10.6.4 No claims submitted after 30 October by provincial coaches and/or clubs on behalf of their players relating to the season in question will be paid out.

11 **Colours, Awards, and Criteria**

11.1 Match and non-match attire of players and office bearers representing the Union

11.1.1 **Senior Eagles Team**

11.1.1.1 A coat of arms (hereinafter referred to as the Eagles coat of arms) with a rugby ball as a background and an eagle with spread wings in the foreground with the word "Eagles" below the coat of arms.



- 11.1.1.2 A sweater as determined by the Executive Management with the Eagles crest on the chest, white pants uniform stockings. (For special series, the colours may be adjusted for sponsorship purposes.)
- 11.1.1.3 A Union jacket/jersey with the Eagles crest on the left chest as determined by the Executive Management.
- 11.1.1.4 A Union tie on which the Union coat of arms appears.
- 11.1.1.5 A player contracted by the Union or representing the Eagles in an official competition of SARU acquires Eagles/Union colours.

11.1.2 Provincial 0/21 team

- 11.1.2.1 A coat of arms as under 11.1.1.1 above, but with the letters "SWD U/21" below the coat of arms.
- 11.1.2.2 A jersey as determined by the Executive Management with the Eagles crest on the chest, white pants and uniform stockings. (For special series, the colours may be adjusted for sponsorship purposes.)
- 11.1.2.3 A Union jacket/jersey with the Eagles crest on the left chest as determined by the Executive Management.
- 11.1.2.4 A Union tie on which the Eagles coat of arms appears.
- 11.1.2.5 A player who has represented the Union in 3 (three) matches earns Union colours. (For purposes of this, representation also means a substitute for a selected player for whatever reason.)

11.1.3 SWD 7s

- 11.1.3.1 A coat of arms with "SWD 7s" underneath the coat of arms.
- 11.1.3.2 A jersey as determined by the Executive Management with the Eagles crest on the chest, white pants and uniform stockings. (For special series, the colours may be adjusted for sponsorship purposes.)
- 11.1.3.3 A Union jacket/jersey with the Eagles crest on the left chest as determined by the Executive Management.
- 11.1.3.4 A Union tie on which the Eagles coat of arms appears.
- 11.1.3.5 A player who has represented the Union in 3 (three) matches earns Union colours. (For purposes of this, representation also means a substitute for a selected player for whatever reason.)

11.1.4 SWD Women's Team



- 11.1.4.1 A coat of arms with "SWD Eagirls" under the coat of arms
- 11.1.4.2 A jersey as determined by the Executive Management with the Eagles crest on the chest, white pants and uniform stockings. (For special series, the colours may be adjusted for sponsorship purposes.)
- 11.1.4.3 A Union jacket/jersey with the Eagles crest on the left chest as determined by the Executive Management.
- 11.1.4.4 A Union tie on which the Eagles coat of arms appears.
- 11.1.4.5 A player who has represented the Union in 3 (three) matches earns Union colours. (For purposes of this, representation also means a substitute for a selected player for whatever reason.)

A match means that a player must be on the field for at least 40 (forty) minutes continuously, either in the starting line-up or as a substitute.

11.2 **SWDRFU Office Bearers: Management "Colour" Blazer**

- 11.2.1 The Union colour jacket, but with the words "SWD Management" under the pocket crest.
- 11.2.2 Persons who have served 1 (one) year or more on the Committee or Selection Committee are entitled to obtain a SWD Management jacket and Union tie.
- 11.2.3 Former committee members, selection committee members, former players and SWD Supporter Groups and Veterans Groups as recognised by the Committee, must apply in writing to the Executive Management before 'Colours of Honour' can be awarded.
- 11.2.4 The awarding of 'Honorary colours' is the prerogative of the Executive Board, and can be awarded on meritorious terms.

11.3 **Colours of clubs**

- 11.3.1 All clubs (including clubs from the regions participating in the Union's competitions) must register their colours with the SWDRFU and such colours must be approved by the General Manager.
- 11.3.2 Any club desiring to change its colours must first obtain the approval of the General Manager to do so on condition that the colours do not conflict with a particular club's colours.
- 11.3.3 The match and non-match attire referred to above may be modified with authorization from the Executive Committee.



12 Disciplinary Procedures

- 12.1 A Disciplinary, Disciplinary Panel and an Appeals Committee as prescribed in the attached procedure manual, will be constituted and will function according to the instructions in the procedure manual.
- 12.2 The attached directives of the SWDRFU form part of this Constitution as constitutional appendix and repeal the previous Judicial Directives and Regulations of SWDRFU. In the event of any conflict or uncertainty regarding SARU and World Rugby regulations, the latter directives will be given priority.
- 12.3 For the following disciplinary matters, Regulation 17 of World Rugby, mutatis mutandis, as amended by the Judicial Directives and Regulations of SWDRFU, applies:
- 12.3.1 When a player receives a red card.
 - 12.3.2 When a player is cited for unauthorized play.
 - 12.3.3 When a player receives 3 (three) yellow cards in the same competition.
 - 12.3.4 When a player, person or club is guilty of misconduct or mismanagement.
- 12.4 For the following matters, Regulation 18 of World Rugby applies, mutatis mutandis, as amended by the Judicial Directives and Regulations of the SWDRFU:
- 12.4.1 violation of the SWDRFU Constitution;
 - 12.4.2 violation of the SWDRFU regulations;
 - 12.4.3 violation of decisions made by the Committee and/or the AGM.
- 12.5 Any complaints of alleged misconduct against the Chairpersons of the respective Associations/Regions or any other member whose member enjoys right of sitting on the Executive Management Committee shall be referred by the President and/or Executive Committee to the Disciplinary Committee of the Union for handling.

13 Injuries

- 13.1 The Union accepts no liability in respect of injuries or damages sustained by any player or officer or spectator in or during a Provincial or any matches played under the jurisdiction of the Union.
- 13.2 The Union's injury fund applies only to players from the affiliated clubs in matches recognised by the Union. (Players representing the Union in any official match.)



14 Amendment of the Constitution

- 14.1 This Constitution may not be amended or repealed unless authorized to do so by at least two-thirds of the voting members present at an Annual General Meeting or Special General Meeting.
- 14.2 No amendment and/or revocation may be made or made to the Constitution in terms of subparagraph 14.1 unless notice of such amendment and/or revocation is given to the Union's General Manager/Manager Amateur Rugby at least twenty-one days before the Annual General Meeting or Special General Meeting at which such amendment and/or revocation is to be discussed, duly submitted to all persons entitled to vote.
- 14.3 The SWDRFU's Constitution is subject to the Constitution of SARU and World Rugby and may not contain provisions that are inconsistent with the SARU and/or World Rugby constitution and/or Regulations. Any conflict that may arise with regard to the interpretation, silence or interpretation of the Union Constitution will be given priority to SARU and the World Rugby Constitution.
- 14.4 No provision in any Club, Association or Member's Constitution shall conflict with any provisions contained in the Union Constitution. In the event of an existing conflict, the conflicting provision in the member's Constitution will be taken as pro-non-scripto (not written) and the Union's Constitution shall take preference.

15 Motion of no confidence

- 15.1 A motion of no confidence in the Executive Management Committee or any individual member elected by the AGM or SGM may only be submitted and dealt with at a Special General Meeting (SGM).
- 15.2 Written notice (at least 21 days prior to the said meeting) must be given to the General Manager/Manager of Amateur Rugby with full motivation and reasons for doing so. A minimum of 30 percent (thirty percent of all eligible voters who qualify to vote must sign the initial motion of no confidence (the Chairperson and Secretary of each Club/Region). Two-thirds (2/3) of the voter turnout present at the meeting will be required to successfully pass such motion.
- 15.3 A SARU delegate must be present in dealing with a motion of no confidence. Relevant SARU delegate must also act as Chairperson of the specific SGM



16 Company

- 16.1 The Executive Management Committee has the authority to establish, register and manage corporate entities, including but not limited to private companies, for the purpose of acquiring, holding or distributing equity interests in commercial enterprises that are in line with the objectives of the Union.
- 16.2 The registration of any company under this clause must:
- 16.2.1 Be approved by a two-thirds majority of the Executive Management Committee;
 - 16.2.2 Aligned with the strategic goals and financial interests of the Union;
 - 16.2.3 Comply with all applicable national laws and regulations governing corporate entities and stock ownership
- 16.3 The Executive Management Committee may:
- 16.3.1 Sell equity to third-party entities by the registered company;
 - 16.3.2 Join joint ventures, partnerships, or other equity-based arrangements;
 - 16.3.3 Allocate dividends or proceeds from equity holdings to support rugby development and Union operations.
- 16.4 The purpose of the company will be to manage the professional leg of the Union and will include:
- 16.4.1 The establishment and protection of the Union name
 - 16.4.2 To handle all sales
 - 16.4.3 To obtain sponsors and official suppliers
 - 16.4.4 To negotiate media rights
 - 16.4.5 To market the professional leg of rugby
 - 16.4.6 Arranging tours, tournaments and competitions of professional rugby
 - 16.4.7 Appointment of the Senior Coach and Management Team
 - 16.4.8 Negotiating and concluding player contracts
 - 16.4.9 Consult and report to SWDRFU Executive Committee on a regular basis
 - 16.4.10 To conclude a cooperation agreement with SWDRFU
- 16.5 The Company will be managed under the Articles of Association of the Company and the shareholders agreement.
- 16.6 **Dissolution and reorganization**
- 16.6.1 The Executive Management Committee may dissolve or reorganise any company registered under this clause, subject to the same approval and reporting requirements as set out above.



17 Interpretation

- 17.1 If this Constitution is translated into or more other languages, the Afrikaans version will prevail in the event of any discrepancy between it and any other version thereof.
- 17.2 The interpretation of this Constitution as well as all rules, regulations and decisions taken hereunder is the responsibility of the Executive Management Committee which interpretation shall be final and binding unless set aside or varied by a duly authorised Arbitrator or a Court.

18 Dissolution

- 18.1 The Union may be dissolved for valid reason by a resolution adopted at a Special General Assembly convened for that purpose, provided such resolution is adopted by a majority of seventy-five percent (75%) of the members present and entitled to vote at such meeting, and such resolution at a Special General Meeting held not less than thirty (30) days later, is confirmed by a majority vote of members entitled to be present and vote.
- 18.2 Upon dissolution, the assets of the Union remaining after all its liabilities have been satisfied shall be given or transferred to a non-profit organization or institution with objects similar to the objects of the Union, to be determined by the members of the Union at the second Special General Assembly, and if not then determinable, then by the Supreme Court.

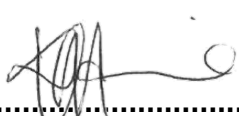
Unanimously accepted at GEORGE by the affiliated members of the SWD Rugby Football Union at an Annual General Meeting / Special General Meeting of the Union on this 17TH day of FEBRUARY 2026.

SIGNED IN CONFIRMATION THAT THIS CONSTITUTION WAS DULY ADOPTED:


.....

Mr Benjamin Brinkhuis
SWDRFU President

Date: 17 FEBRUARY 2026


.....

Mrs Veda Mania
General Manager

Date: 17 FEBRUARY 2026