



CONSTITUTION

OF

FARANANI ATHLETICS CLUB

Email address: admin@farananiac.co.za

Website: www.farananiac.co.za

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1. DEFINITIONS AND ACRONYMS

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|------------|----------------------------|--|
| 1.1 | AGN | Athletics Gauteng North. |
| 1.2 | AGM | An Annual General Meeting of the Members of the FAC, convened in accordance with the provisions of Clauses 9 and 11. |
| 1.3 | ASA | Athletics South Africa. |
| 1.4 | Constitution | The constitution of the FAC approved and signed in accordance with Clause 18 |
| 1.5 | Executive Committee | The executive committee of the FAC as constituted in accordance with the provision of section 10. |
| 1.6 | FAC | Faranani Athletics Club. |
| 1.6 | Good Standing | The status of a member of the FAC, in relation to the Disciplinary Code. |
| 1.7 | Licensed Athlete | Any athlete licensed by ASA in accordance with its rules and regulations, from time to time. |
| 1.8 | Member | Member of the FAC, as described in Section 8. |
| 1.9 | SGM | A Special General Meeting is a gathering specially convened. Meeting of the Members of the FAC, in accordance with the provisions of Clause 9.1. |

2. NAME AND ADDRESS

- 2.1 The Club shall be called the FARANANI ATHLETICS CLUB (F.A.C) (hereinafter referred to as the 'Club') and shall be governed in terms of this Constitution and regulations as laid down in this document.
- 2.2 Currently, the Club does not own or lease any offices or a registered physical address.

3. AFFILIATION TO SPORTS COUNCIL

- 3.1 The Club shall be affiliated with Athletics South Africa (ASA) through Athletics Gauteng North.
- 3.2 The Club shall pay the yearly subscription fee which is determined by the ASA at the start of each calendar year.

4. CORPORATE IDENTITY

- 4.1 The official colours of the club shall be Royal Blue and White.

- 4.2 The logo of the club shall be used on all official club communication platforms and branded material.



5. OBJECTIVES

- 5.1 The Club's main objective is to be a professional facilitator of athletics and related activities for the benefit of its members and the public.
- 5.2 The secondary aim of the Club is to promote, encourage, support, and develop athletics and related activities within the Gauteng, Limpopo, and other provinces within South Africa.

6. MISSION

- 6.1 The mission of the club is to build a competitive running club that promotes athletics and related activities.
- 6.2 The Club also strives to instil friendship, a spirit of sportsmanship and adequate physical fitness among its members.

7. FINANCIAL YEAR

- 7.1 The Financial Year of the Club shall be from 01 January to 31 December of each year.
- 7.2 The Club's accounting records and reports must be ready and handed to the Director of Non-profit Organisations within six months after the financial year end.
- 7.3 If the Club has funds that can be invested, the funds may only be invested with registered financial institutions. These institutions are listed in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984. Or the organisation can get securities that are listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985. The organisation can go to different banks to seek advice on the best way to look after its funds.

8. MEMBERSHIP

8.1 Registration

Registration is open to all anyone, both male and female, of all ages. Individuals desiring to be members of the Club must register with the Club at any point throughout the year, but preferably between January and February. On registration, the potential member must fill out and sign a compulsory registration form, together with a paid membership fee set for that particular year.

8.2 Membership Types

FAC has the following classes of Members:

- 8.2.1 A full member shall have the right to participate in all affairs of FAC, stipulated in this constitution.
- 8.2.2 Friends of Faranani AC or Social Members are members who shall have the right to participate in the social, training and running activities of FAC. A Social Member will not receive an Athletics South Africa permanent license from FAC. Social Members have no voting rights in any FAC meetings. Friends of Faranani or Social Members are affiliated with the club and are liable to pay the membership fee.

8.3 Registration Fee

The annual registration fee for the club shall be determined on a yearly basis by the Club's Executive Committee. An additional amount to register the athlete with Athletics South Africa (ASA) will be levied on the registration fee.

8.4 Running Gear

Upon registration, all members must purchase the official Club running vest. Runners are required to wear the official Club vest during any official race for the following reasons:

- 8.4.1 According to AGN regulations during races, especially league races, it is critical for athletes to "indicate that their club is within Gauteng North". Therefore, wearing the FAC branded apparel is the first form of identification.
- 8.4.2 Additionally, the club vest is critical for advertising the club.

8.5 Termination of membership

- 8.5.1 A member can decide to terminate their Club membership at any point, but preferably at the end of the year. A member wishing to terminate their membership should inform the Executive Committee in writing so that the necessary transfer can be completed.
- 8.5.2 The transfer of a member wishing to terminate their membership will only be completed if all the membership fees are paid up to date.

8.6 Misconduct

- 8.6.1 Any Member of the FAC, who has transgressed any of the Rules and Regulations of the FAC or who by his or her actions brings the FAC or the sport of athletics in general into disrepute maybe subjected to disciplinary process. Pending the outcome of the disciplinary committee an appropriate penalty may be handed to the member notwithstanding warning, suspension, or expulsion. The executive committee will appoint the disciplinary committee as per section 12.8.
- 8.6.2 Allegations of misconduct by a Member of the FAC must be submitted to the Club Secretary in writing for investigation and further action. Upon receipt of such an allegation, the Secretary must write a letting acknowledging the receipt to the complainant. The executive committee should write a letter within seven (7) days informing the complainant about the progress of the investigation.
- 8.6.3 A Member who has been suspended or expelled from the FAC may lodge an appeal with the Secretary of the FAC.
- 8.6.4 A Member who has been suspended from the FAC will not be in Good Standing.

8.7 Support and Volunteering at Races

- 8.7.1 FAC endeavours for all members to participate in and contribute positively towards club-related events and initiatives. To this end, it is mandatory for all FAC members to avail themselves as supporters or volunteers at a minimum of two races within a calendar year, based on a roster system that may have been developed.
- 8.7.2 Members must support or volunteer at race events that are within their geographic locale.
- 8.7.3 During road running events organised by Faranani AC, members are strongly urged to avail themselves as volunteers to ensure the success of the event.

9. VOTING

9.1 At the Annual General Meetings and Special General Meetings, voting for the new committee shall be as follows:

9.1.1 Full members as defined in 8.2.1, will be entitled to vote during FAC meetings.

9.1.2 Members eligible for voting are entitled to one (1) vote at all meetings.

9.2 All members eligible for voting, are entitled to their respective votes provided they have fulfilled the following conditions: All outstanding dues owing to the Club be paid before voting commences.

9.3 Conditions applicable to all classes of membership for voting at meetings:

9.3.1 No proxy voting. However, a written submission made to the Secretary no later than three (3) days before the AGM will be considered.

9.3.2 At least 30% of the Members must be represented at the general meeting to form a quorum. Should there be no quorum within the half-hour after the time which the general meeting has been called, the meeting shall be adjourned for seven (7) days. The Secretary will then send an immediate notice to all members.

9.3.3 If the AGM is cancelled because the quorum is not formed, whatever number appears on that day, the meeting will continue.

10. THE EXECUTIVE COMMITTEE

A body known as the Club Committee, which shall consist of the following members, shall govern the Club:

10.1 The Club Executive Committee shall consist of:

(i) Chairperson

(ii) Captain/Vice-Chairperson

(iii) Secretary

(iv) Treasurer

(v) Caretaker

(vi) Marketing and Communications

(vii) Additional members 2

(viii) Club President (non-Executive position)

The Executive Committee will hold office for three (3) years and will have full power to fill any vacancy which may arise until the next AGM or deal with any matters as set out in Paragraph 9.2. Wherever possible, no Office Bearer may hold more than one portfolio position on the Committee.

10.2 The Executive Committee shall inter alia have the power to:

10.2.1 Do such things consistent with the proper conduct of the affairs of the Club including all day-to-day operational decisions and ad-hoc emergency actions except such as are expressly required by this Constitution to be done with the sanction of Council.

10.2.2 Frame new or alter any existing byelaws provided such new or amended byelaws/regulations are not at variance with this Constitution.

10.2.3 Co-opt additional members to serve on the Committee in any capacity deemed necessary without voting rights or affecting the Committee's quorum requirements.

10.3 Special Committees will, on occasion, be constituted to handle certain issues and matters linked to the FAC's objectives and mission. These special committees shall have the power to convene special meetings in accordance with provision 11.5.

11. MEETINGS

11.1 The Club's Executive Committee will meet as and when necessary. Three members personally present will form a quorum. Any Committee member, after missing three (3) meetings in a calendar year without a valid reason, shall automatically forfeit their position on the Executive Committee with immediate effect.

11.2 FAC will convene an Annual General Meeting once every calendar year. A notice of the AGM must be sent out to all registered members in writing at least fourteen (14) days before the meeting.

11.3 A Special General Meeting will be called based on the need.

11.4 The actions of members present at all meetings shall be binding on the Club.

11.5 Voting during these meetings will adhere to the stipulations under clause 9.

11.6 The Executive Committee may co-opt or invite for such a period as it may deem fit any person or persons who can be of some assistance to the AGM. Such persons may take part in the discussions but shall have no voting rights.

11.7 Resolutions agreed upon during special meetings not involving all or any members of the Executive Committee, but sanctioned by it, are fully binding and enforceable, so long as they do not contravene any statute laid out in this constitution.

- 11.8 Minutes of all sanctioned meetings shall be taken and documented by the secretary. Minutes of previous meetings will be ratified before the start of the next meeting. Copies of all minutes will be stored safely between the secretary and the chairperson.

12. OFFICE BEARERS

The following office bearers constitute the Executive Committee of the Club as outlined in section 10.1.

12.1 The Chairperson

The Chairperson of the Club shall *ipso facto* be Chairperson of all meetings of the Club and shall only have a casting vote in the case of equality at all meetings. He/she shall also represent the Club as a delegate to the Sports Council meetings and those convened by the provincial federation. The Chairperson shall fulfil the role of a link between Athletics Gauteng North and the club.

12.2 Deputy Chairperson

The Deputy Chairperson is required to show leadership to the club, and to take the initiative in organising fun events, time trials, weekends away, etc., and encouraging participation. The Deputy Chairperson will take the lead in sourcing sponsorship for the club. The Deputy Chairperson will assume all the responsibilities of the Chairperson in the event that the Chairperson is unavailable. In that respect, he/she shall also represent the Club as a delegate to the Sports Council meetings and those convened by the provincial federation.

12.3 Secretary

The Secretary shall deal with all the Club's correspondence and any instructions given to him/her by the Chairperson. He/she shall take minutes of all meetings and circulate these to all members within 7 working days of the date of such meeting. He/she is responsible for maintaining the minutes in the Club file and performing general administrative tasks.

12.4 Treasurer

The Treasurer shall keep an account of all money received and expended by the Club. He/she shall report at every General Meeting on the status of registration of clubs and shall balance her accounts monthly and present them at Committee meetings and report thereon at any time when

called upon to do so by the Council. The treasurer approves purchases in conjunction with the Chairman.

12.5 Caretaker

The caretaker is responsible for safeguarding the Club's equipment / touchable assets, such as the gazebo, chairs, trailer etc. The caretaker must avail the equipment upon the request of the Executive Committee, during races and events.

12.6 Communication and Marketing Officer

The Communication and Marketing Officer will oversee the branding and promotional aspects of the public within the public domain. He/she must ensure that the Club and its various initiatives are clearly visible on social media and other media platforms such as radio, TVs, newspapers etc.

12.7 Additional Member

The role of the additional members will be to assist the Executive Committee with any other miscellaneous duties such as marketing activities, organising volunteers/marshals for races, fundraising, etc.

12.8 Club President

The Club President is a non-executive position on the Executive Committee. The Club President must be a longstanding and senior member of FAC who is capacitated to provide advice and counsel to the Executive Committee. The Club President is an ambassador for the club who performs important ambassadorial tasks assigned to him/her by the Executive Committee. The Club President should be someone who can use his/her relations to support the Club, potentially through securing sponsorship and partnerships, such as award ceremonies or annual banquets. The Club President should also be capable of mentoring club members, offering encouragement and fostering supportive environment for new and experienced runners alike. The Club President is voted in every three-year cycle when an Executive Committee is installed.

13. SUB-COMMITTEES

The Executive Committee shall appoint the following sub-committees:

13.1 Ad Hoc Sub-Committees

- 13.1.1 These are special committees that will be formed on a need basis, as required. The number of Members in these committees may differ from committee to committee, depending on the objectives of the sub-committee.
- 13.1.2 The procedure for the formation of ad hoc sub-committees will be determined from time to time and may differ from committee to committee, depending on the circumstances surrounding a specific sub-committee.
- 13.1.3 Ad hoc sub-committees may be dissolved as soon as they have achieved the objective for which they were formed, or as the Executive Committee may decide.
- 13.1.4 The powers of the sub-committee shall be determined by the Executive committee and the sub-committee may not take unilateral decisions.

13.2 Standing Sub-Committees

- 13.2.1 Standing Sub-Committees have a permanent existence (in principle and not in composition). The number of members per sub-committee will be determined by the Executive Committee.
- 13.2.2 The following standing sub-committees are constituted:
 - (i) Disciplinary Committee, which is independent from the Executive Committee;
 - (ii) Race Committee;
 - (iii) Training and Coaching Committee.
- 13.2.3 Standing Sub-Committees will be formed by the Executive Committee inviting participation from its members and Members of the FAC.

14. MANAGEMENT AND POWERS OF THE ORGANISATION

- 14.1 The Club shall be administered by the Executive Committee (see section 10) of not less than three (3) people and not more than eight (8) members elected at the Club's Annual General Meeting, Executive Committee Members must be at least 18 years old.
- 14.2 The Executive Committee may take on the power and authority that it believes it needs to be able to achieve the objectives that are stated in point number 4 of this constitution. Its activities must abide by the law.
- 14.3 The Executive Committee has the power and authority to raise funds or to invite and receive contributions.
- 14.4 The Executive Committee does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.

- 14.5 The Executive Committee has the right to make by-laws for proper management, including the procedure for application, approval, and termination of membership.
- 14.6 Executive Committee Members (also known as Office Bearers) do not become liable for any of the obligations and liabilities of the Club solely by virtue of their status as members or office bearers of the Club.
- 14.7 Office bearers are not personally liable for any loss suffered by any person because of an act or omission which occurs in good faith while the office bearer is performing functions for or on behalf of the organisation.
- 14.8 None of the board members who accept fiduciary responsibility for the organisation will be connected persons in relation to each other.
- 14.9 No single person directly or indirectly controls the decision-making powers relating to the organisation.

15. LEGAL STATUS

- 15.1 The Club shall be a legal entity distinct from its members and shall enjoy perpetual succession unaffected by changes in membership from time to time.
- 15.2 Any person ceasing to be a member of the Club shall have no interest in or claim to any assets of the Club.

16. INCOME AND PROPERTY

- 16.1 The Club will keep a record of everything it owns.
- 16.2 The Club may not give any of its money or property to its members or executives. The only time it can do this is when it pays for work that a member has done for the Club. The payment must be a reasonable amount for the work that has been done.
- 16.3 A member of the Club can only get money back from the Club for expenses that he or she has paid for or on behalf of the Club.
- 16.4 Members or office bearers of the Club do not have rights over things that belong to the Club.
- 16.5 Upon the discretion of the Executive Committee, financially distressed Club members may receive financial support from the Club to pay for expenses related to athletic activities.
- 16.6 Any money obtained by the Club shall be used only for the fulfilment of the Club's objectives and mission.
- 16.7 Any bank accounts opened for the group shall be in the name of the group.

- 16.8 Any cheque issued or funds withdrawn shall be signed by at least two of any three nominated signatories.
- 16.9 The Executive Committee will ensure that the Club stays financially sustainable.
- 16.10 An accounting officer shall be appointed at the annual general meeting. His or her duty is to audit and check on the finances of the Club in accordance with point 6.
- 16.11 The treasurer's job is to control the day-to-day finances of the organisation. The treasurer shall arrange for all funds to be put into a bank account in the name of the organisation. The treasurer must also keep proper records of all the finances.

17. AMENDMENTS AND ALTERATIONS TO THE CONSTITUTION

- 17.1 Proposals for amendments to this constitution or dissolution (see Clause 17) must be delivered to the Secretary in writing. The secretary in conjunction with all other executives shall then decide on the date of a forum meeting to discuss such proposals, giving at least two weeks (14 days) clear notice.
- 17.2 Any changes to this constitution must be agreed upon by at least two-thirds of those members present and voting at any general meeting.
- 17.3 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 17.4 Two-thirds of the members shall be present at a meeting ("the quorum") before a decision to change the constitution is taken. Any annual general meeting may vote upon such a notion.

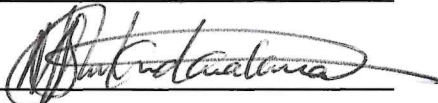
18. DISSOLUTION


- 18.1 The Club may be dissolved on a resolution by two-thirds majority of full members in good financial standing with the Club and present at a duly constituted Special General Meeting called for this purpose and who shall have been given twenty-one days' notice of such meeting.
- 18.2 On dissolution, the Club will ensure that all its debts are paid. After so doing, the net assets of the Club in the form of property, equipment and cash shall be taken over by another athletics club that has similar objectives. The beneficiary of these assets will be

predetermined by a special sitting of the Executive Committee at the time of dissolution. The remaining assets must be transferred to:

- i) A public benefit organisation, which has been approved in terms of section 30 of the Act.
- ii) Any institution, board or body which is exempt from the payment of income tax in terms of section 10(1)(a)(i) of the Act, which has as its sole or principal object the carrying on of any public benefit activity; or
- iii) Any department of state or administration in the national or provincial or local sphere of government of the Republic, contemplated in section 10(1)(a) or (b) of the Act.

19. SIGNATORIES TO CONSTITUTION

<u>CHAIRPERSON</u>	
NAME	<u>Jondani Tshikundamalems</u>
SIGNATURE	<u></u>
DATE	<u>27/01/2025</u>

<u>SECRETARY</u>	
NAME	<u>Tshinanne Mutshatshe</u>
SIGNATURE	<u></u>
DATE	<u>27/01/2025</u>