

CONSTITUTION
and
BYE-LAWS
OF
ZEEKOE VLEI YACHT CLUB (“the Club”)
(Incorporating ALFRED ROWING CLUB)
May 2016 (date will be corrected after SGM)

1. **TITLE (no change)**
2. **BODY CORPORATE (new clause for NPO status)**
3. **OBJECT (renumbered was 2 & has new format & sub clause b) (see NPO amendments)**

4. MEMBERSHIP (renumbered was 3)

Membership of the Club shall consist of persons duly elected to one or other of the following categories:

- a) **Honorary Life Members: (no change)**
- b) **Life Members: (no change)**
- c) **Family Members: (no change)**
- d) **Senior-Members: (no change)**
- e) **Intermediate Senior Members: (no change)**
- f) **Student Members: (no change)**
- g) **Associate Members: (no change)**
- h) **Concessionary members: (no change)**

ALL MEMBERS IN THE ABOVE CLASSES CATEGORIES WITH THE EXCEPTION OF JUNIOR FAMILY MEMBERS SHALL BE TERMED ‘VOTING MEMBERS’.

- i) **Probationary Members: (no change)**
- j) **Absentee Members: (no change)**
- k) **Junior Members: (no change)**
- l) **Honorary Members: (no change)**
- m) **Visiting Members: (no change)**
- n) **Reciprocity Member: (no change)**
- o) **Temporary Family Membership: (no change)**
- p) **School Membership:** This category of Membership to be applied to school groups **other than those covered by an existing agreement terminating in 2005**. It will be ratified by an agreement signed between the representative of the school and **the Commodore a Flag Officer** to enable the Junior Members of that school, their coaches and a representative of the school to have **block Membership rather than** individual Membership, which will be paid for on one invoice. **(3x changes)**
- q) **Day Members: (no change)**
- r) **Social Membership: (no change)**

5. NOMINATION AND ELECTION OF CANDIDATES TO MEMBERSHIP (RENUMBERED WAS 4)

The Application Form for Membership, duly completed, shall be sent to the **Manager/Secretary** of the Club a remittance covering the Entrance Fee (if any) and Subscription. (A previous Member of the Club who was in good standing at the time of his or her resignation may be accepted without payment of an Entrance Fee on re-joining). The Application Form for Membership shall then be posted on the Club Notice Board for a period of at least 14 days immediately preceding the date of the ballot. **(1x change)**

6. RESIGNATIONS (number change was 5)

Resignations must be submitted to the **Manager/Secretary** of the Club in writing. A Member who fails to notify the **Manager/Secretary** before the opening of the Season of his or her intention to resign shall be liable for the Subscription for the current year. **(2x changes)**

7. ENTRANCE FEE AND SUBSCRIPTIONS (number change was 6)

All persons on joining the Club, with the exception of members of other Clubs enjoying reciprocity terms by virtue of which Entrance Fees are mutually waived, and previous Members of the Club who were in good standing at the time of their resignation, shall be liable for an Entrance Fee on election. The **General** Committee may, at its discretion, waive the Entrance Fee for new Members for a specified duration. **(1x change)**

8. NON PAYMENT OF SUBSCRIPTION (number change was 7)

**** refer to necessary NPO changes to Constitution "Pearl's Amendments" document**

See Clause 10

Duties and Powers of the General Committee (new format)

The General Committee may take on the power and authority it believes it needs to be able to achieve the objectives of the Club including:

- I. appoint a **Manager/Secretary** and such staff as required for the efficient running of the Club, and determine their remuneration and duties; **(1x change)**

11. FLAG OFFICERS

The Flag Officers of the Club shall be:

- a) The Commodore
- b) The Vice-Commodore
- c) The Rear-Commodore Sailing
- d) The Rear-Commodore Rowing

Only those who have been Voting Members of the Club for at least two Seasons shall be eligible for the post of Rear-Commodore. The Commodore shall have served on the General Committee for at least two seasons, the Vice-Commodore for one, prior to election.

*(c) & (d) to be read in conjunction with Clause 10 **paragraph-2.** (1x change)*

12. JUNIORS' REPRESENTATIVE

The Juniors' Representative shall be a Voting Member, elected by the Junior Members of the Club at a meeting under the Chairmanship of a Flag Officer called by the

Manager/Secretary of the Club prior to the Annual General Meeting. **(1x change)**

14. GENERAL MEETINGS

(a) Annual General Meeting (no change)

The Business of the Annual General Meeting shall be as follows:

1. Confirmation of Minutes. **(no change)**
- 2.. Presentation of the Audited Financial Statements of the Club. **(no change)**
3. Presentation of the Annual Reports. **(no change)**
4. Adoption of any changes to the Constitution. These changes shall come into force immediately. **(no change)**
5. Election of President, Vice-Presidents, Patron-in-Chief, Patrons and Honorary Life Members (if any) **(no change)**
6. Election of Flag Officers, ~~Chairman~~ **Chairmen** of Sub-Committees, additional members of the General Committee and Junior Representative (if necessary) **(1x change)**
7. General business **(no change)**

(b) Nominations for the offices of President, Vice-Presidents, Flag Officers, Chairmen of Sub-Committees, additional members of the General Committee and ~~Juniors~~ **Juniors'** Representative (if such Representative has not been previously elected in terms of Clause 12 of this Constitution) shall be in writing. Every nominee shall be proposed by a Voting Member and seconded by another and shall signify his or her acceptance. Nominations shall be called for immediately prior to an election at a General Meeting and nominations shall be handed to the **Manager/Secretary** at or before that time. **(2x change)**

(c) Special General Meetings

The General Committee may, **and or** upon a requisition signed by no less than 12 Voting Members, call a Special General Meeting of the Club. Any such requisition shall state the business for which a meeting is desired. **(1x change)**

(d) **(no change)**

(e) **(no change)**

(f) **(no change)**

15. CHAIRMAN AT MEETINGS (no change)

16. INTERPRETATION (no change)

17. VOTING (number change)

Voting Members, as defined in Clause ~~3~~ **4**, only shall be entitled to vote at any General Meeting of the Club. Voting shall be by show of hands unless any Voting Members request that the vote shall be taken by means of a ballot. Except where otherwise in these rules specially provided, a decision or resolution of a General Meeting shall be by a majority. **(1x change)**

18. MOTIONS (no change)

19. ALTERATIONS TO CONSTITUTION (no change)

20. FINANCIAL YEAR (new clause for NPO status)

21. BANK ACCOUNT (renumbered was 20)

Moneys Monies received on behalf of the Club shall be placed to the credit of the Club at its Bank or in any Savings Account, in the name of the Club, as the General Committee may from time to time direct. All ~~cheques drawn~~ **electronic payments** against the Club's Banking Account aforesaid shall be **signed authorised** by any 2 of the following: a Flag Officer, the Treasurer or the **Manager/Secretary**. (4x changes)

22. AUDIT (renumbered was 21 no other change)

23. IMMOVABLE PROPERTY (renumbered was 22 no other change)

24. LEGAL PROCEEDINGS (renumbered was 23 no other change)

25. DAMAGE TO CLUB PROPERTY (renumbered was 24 no other change)

26. CLUB LIABILITY (renumbered was 25 no other change)

27. TROPHIES (renumbered was 26)

Their winners may retain floating trophies after presentation provided that a written guarantee to return the trophy or trophies on request is sent to the **Manager/Secretary** and the approval of the General Committee is obtained. (1x change)

A record of all trophies shall be kept by the **Manager/Secretary** in a book kept for that purpose and a receipt shall be obtained for all trophies taken and a receipt given on return. (1x change)

28. IMPROPER CONDUCT (renumbered was 27)

28.1

28.2

28.3

28.4 The power to summarily suspend a Member pending a hearing, subject to the said hearing as detailed in ~~27.1~~ **28.1** taking place within ten (10) days of the suspension, shall be vested in the Disciplinary Committee. The period of ten days shall be extended in the event that the hearing is postponed or delayed at the request of the member subject to the disciplinary hearing. (1x change numbering)

28.5

28.6 Any Member so penalised may appeal against the decision of the General Committee to the **Manager/Secretary** within seven (7) days of **his/her** notification of such decision, provided that **he/she** has acquired the signatures of 12 voting members in accordance with Clause 14 (c) to call a Special General Meeting. Upon receipt of such notice, the **Manager/Secretary** shall call a Special Meeting of the Club to consider such appeal and the decision of such meeting shall final. (numbering & 4x changes)

28.7

28.8 Members shall not be entitled to legal representation at any disciplinary hearing or at the appeal. The Chairman of the Disciplinary Committee may in **his/her** sole discretion allow legal representation or representation by another member. (numbering & 1x change)

28.9 The Disciplinary Committee may, but is not obliged to appoint a pro forma prosecutor and/or legal advisor **which who** need not be a member or members of the club. (numbering & 1x change)

28.10

29. CLUB FLAGS & CLUB LOGO (heading change & renumbered was 28)

The Club Flag shall be a Burgee horizontally divided with upper half gold and lower half black. In the hoist an anchor white vertically dropped. The Commodore's Flag shall be the same as the Club Flag but with the white anchor dropped at centre and shall be swallow-tailed; the Vice-Commodore's Flag shall be the same as the Commodore's Flag but shall bear one white disc against the hoist. The Rear Commodore's flag shall be the same as the Commodore's flag but shall bear two white discs, one above the other against the hoist.



(1x change added pic)

The rowing Members shall in addition to flying the Club Flag shall be entitled to fly or display the flag or insignia of the ALFRED ROWING CLUB which is "Argent across gules." An anchor azure superimposed bendwise. Motto scroll: Res Non Verba" (St. Georges Cross on white background with blue anchor superimposed in the centre dropped from left to right - Motto: Res Non Verba). They may compete under the name "ALFRED'S".



(1x change added pic)

**** See Craig's amendments to Constitution for Club Logo**

30. RACING (renumbered was 29)

All sailing races shall be conducted in accordance with the rules of the **International Sailing Federation (ISAF) World Sailing Federation**, South African Sailing (SAS) prescriptions thereto, the sailing instructions and the rules of the classes concerned.

All rowing races shall be conducted in accordance with the rules of Rowing South Africa (ROWSA) Only Club Members or their guests may participate in races. (1x change)

31. ROWING EQUIPMENT LEVIES (renumbered was 30)

32. FUNCTIONS ON CLUB PREMISES (renumbered was 31)

~~A Senior~~ An adult Member shall supervise entertainment for Junior and Student Members. (1x change)

33. VISITORS (renumbered was 32)

Members introducing guests shall insert their **guests'** names in the Visitors' Book immediately on arrival. (1x change)

No Member shall introduce anyone to the Club premises who has been posted as a defaulter in terms of Clause ~~7~~ **8**. (1x change)

No candidate for Membership who has been rejected in terms of Clause ~~4~~ **5** of this Constitution, or whose name has been posted and withdrawn, shall be introduced as a guest without the approval of the General Committee within a period of 12 months thereafter. No candidate who has been twice rejected shall be introduced as a guest thereafter. (1x change)

34. BOAT STORAGE (renumbered was 33)

The **Manager/Secretary** shall make allocations for open and covered boat parking as well as for trailer storage. These bays may not be sub-let by the tenants. Each boat and/or items shall be clearly marked and parked in the bay allocated to it. The Committee may remove items that have not been used for a considerable period and allocate them to another bay. **(1x change)**

35. CONTINUED EXISTENCE (new clause for NPO status)

36. DISSOLUTION OF CLUB (renumbered was 34 & changes for NPO)

~~The Club continue to exist, although the General Committee may be changed each year at a General Meeting~~ **(this paragraph is now new clause 35 CONTINUED EXISTENCE for NPO status)**

The Club shall deemed to be dissolved if the membership falls below 25. Any Assets remaining after all the Club's liabilities have been met must be transferred to another non-profit organisation having similar objectives. **(1x change)**

37. GENERAL (renumbered was 35)