

# **CONSTITUTION OF THE WALKER BAY BOAT & SKI-BOAT CLUB**

*As amended 28-02-2012*

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## **WALKER BAY BOAT & SKI-BOAT CLUB**

### **1. NAME**

The name of the Club shall be the, WALKER BAY BOAT & SKI-BOAT CLUB.

### **2. HEADQUARTERS**

The Headquarters of the Club shall be at HERMANUS.

### **3. AIMS**

The aims for which the Club is established are:

- 3.1 To promote sport fishing amongst Club Members.
- 3.2 To assist the Government and Fisheries Department by conforming to their regulations and pay due regard, in particular, to the requirements of the Sea Fisheries Act.
- 3.3 To regulate the fishing and manner of capturing fish by its members
- 3.4 To promote safety at sea in accordance with current regulations.
- 3.5 To improve boating facilities where possible.
- 3.6 To organize controlled events and excursions.
- 3.7 To monitor boats stored in the Club's Boatyard.

### **4. MEMBERSHIP**

- 4.1 The Club shall consist of Members with boating and fishing interest.
- 4.2 The admittance of all members shall be decided by the Committee.
- 4.3 Application must be made on official Club forms.
- 4.4 All members shall be bound by the Constitution of the Club.

### **5. SUBSCRIPTIONS**

- 5.1 The entrance fee and annual subscription shall be as decided from time to time at the Annual General Meeting or Special General Meeting, specially called for that purpose.
- 5.2 The annual subscription shall be payable on the first day of January in each year and members joining after the 1<sup>st</sup> day of July shall pay one-half of the annual subscription. Any member who has not paid his subscription 90 days after due date, shall not be in good standing. The Committee may cause the name of such member to be erased from the Register of Members. At the discretion of the Committee, any member may be reinstated on payment of all arrear subscriptions.
- 5.3 A member wishing to resign from the Club shall tender his resignation, in writing, to the Secretary prior to the Annual General Meeting, failing which he shall be liable for a fully year's subscription in respect of the ensuing year, provided that the Committee may, within its discretion, waive such a payment.

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5.4 Any son, daughter, father or mother of an existing member may, at the discretion of the Committee, become a member without paying the prescribed entrance fee.

## **6. MANAGEMENT**

6.1 The Committee of the Club shall have a deliberate vote at all General meetings and Club Committee Meetings and shall consist of the following office bearers:

- o Chairman
- o Vice Chairman
- o Honorary Secretary
- o Honorary Treasurer
- o 8 Additional elected members

6.2 The office bearers shall be elected annually at the Annual General

6.3 Meeting or at special General Meeting called for that purpose except that, where an office becomes vacant the Club Committee shall, at its next meeting, appoint a successor or successors; provided further that, should the office of the Chairman fall vacant, it will be filled as laid out in paragraph 7.2. All members of the Committee shall retire at the end of the Club Year, but shall continue in office until the election of the new committee.

## **7. CONDUCT OF BUSINESS**

7.1 The Chairman shall:

- i. Preside at all General Meetings and Club Committee Meetings.
- ii. Have a casting as well as a deliberate vote at all General and Club Committee Meetings.

7.2 The Vice Chairman shall:

- i. The Vice Chairman shall assist the Chairman in all his duties.
- ii. In the absence of the Chairman, the meeting shall be chaired by the Vice Chairman.
- iii. The Vice Chairman will perform as acting Chairman were the Chairman's incapacitated. The Vice Chairman shall act as Chairman for the duration for the incapacitation or until the next Annual General Meeting when a new Chairman will be elected.

7.3 The Honorary Secretary shall:

- i. Note and present Minutes of monthly and executive meetings.
- ii. Post out notices of all meetings in terms of the Constitution.
- iii. Keep the club membership and mailing lists up to date.
- iv. See that all correspondence is acted upon expeditiously.
- v. Table correspondence.

7.4 The Honorary treasurer shall:

- i. Be responsible for the collection and due administration of all monies and funds of the Club.

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- ii. Present at each Committee Meeting a statement in full of the Club's financial position to date, supported by a bank statement, and/or deposit book or books and/or any documents in respect of any investments held by the Club.
- iii. Present a Trial Balance Sheet at the Annual General Meeting to be followed by an Audited Income and Expenditure Account and Balance Sheet as soon as possible thereafter.

## 7.5 The Competition and Records Officer shall:

- i. Keep accurate record of catches and see that all new Club records be displayed in the proper manner.
- ii. Obtain sponsorship and trophies for competitions when needed.

## 7.6 The Additional Members shall:

Assist in any capacity as designated by the Committee.

## 7.7 The Club Committee shall:

- i. Unless a General Meeting is in session, represent and act for and on behalf of the Club in all matters and for all Purpose and inter alia.
- ii. Hold in trust all assets and properties of the Club.
- iii. Fix dates and venues of all General and Club Committee meetings.
- iv. Hear and decide appeals by any individual member against any decision of the Club. Any member whose conduct shall be held by the Committee to be injurious to the character and interests of the Club, shall be liable to expulsion from the Club and he may be expelled by resolution of the Committee which shall be passed by not less than a two-thirds majority; provided that the member, whose conduct is in question may attend the Committee Meeting at which his conduct is considered and shall be given a hearing before any decision to expel him is implemented. A member expelled by the Committee shall have the right to appeal to a Special General Meeting provided that intention to appeal is given in writing to the Secretary by the expelled member within fourteen days after the committee has communicated its decision to his. After receipt of each decision to appeal, the Committee shall convene a Special General Meeting shall be final. Complaints MUST be made to the Secretary or Chairman in writing.
- v. Meet at least once in every calendar month. The Honorary Secretary shall post to each member of the Club Committee the notice convening and setting on the Agenda for the meeting at least seven days before such a meeting.
- vi. The Club Committee shall have the power to make such bye-laws not inconsistent with the Constitution as it deems fit for the regulation of the Club. Such bye-laws shall be binding on all members of the Club who shall be advised in writing by the Secretary concerning the details thereof.
- vii. Have power to appoint a Sub-Committee for any special object and delegate to Sub-Committee the functions and power of the Club Committee.
- viii. At all Club Committee meetings only 5 members having the power to vote shall constitute a quorum. No members of the Club Committee shall be represented by a proxy.
- ix. The Minutes of every Club Committee Meeting shall be read or, by resolution, taken as read and, if passed, be confirmed at the next such meeting.
- x. Vacancies on Committee: The office of any official absent without valid reason from two consecutive meetings of the Club Committee shall forfeit his seat. The Committee shall have the power by majority vote to fill any vacancy.
- xi. Upon instruction of the Chairman or upon the requisition signed by two Club Committee members, the Honorary Secretary shall convene a Special Committee

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Meeting within fourteen days of receipt of the instruction or requisition, unless a Committee meeting is pending.

- xii. The Club Committee may convene a special General Meeting of the club for which at least fourteen days notice shall be given to all members. Such notice shall set forth clearly the object or objects of such meeting.
- xiii. Except as provided concerning the expulsion of members, all questions arising at the meeting of the Club Committee shall be decided by a majority vote of the members present and, in the event of an equality of votes, the Chairman shall have a deliberate as well as a casting vote.
- xiv. The office bearers shall be indemnified against all liabilities incurred by them in the execution of their duties, save such as they shall incur through their own neglect or default.
- xv. Any notice to the usual address of a member shall be deemed to be properly served. Any change of address of a member should be advised by such member to the Secretary in writing. The post mark of South African Post Office shall be taken at all times as the date on which all communications, notices and such like are sent or have been sent either by or to the Club.
- xvi. No representation to or negotiations with any public authority or body or any persons or body of persons shall be made or carried on in the name of the Club without the authority of a General Meeting or of the Club Committee, and, accordingly, nothing of the kind shall be done by any member or any officer except under specific authority of a resolution of a General Meeting or of the Club Committee.

## 8. FINANCE

- 8.1 The Club financial year shall be deemed to start on the 1<sup>st</sup> day of October each year and end on the 30<sup>th</sup> day of September each year.
- 8.2 All monies received shall be handled by the Treasurer, who will be responsible for them until banked.
- 8.3 Disbursements shall be authorised at monthly Club Committee Meeting.
- 8.4 Clause 8.3 above shall not preclude the Club Committee from disbursing such sums as may be necessary, but must be confirmed at the next Club Committee Meeting.
- 8.5 A banking account shall be opened in the name of the Club and all withdrawals be signed by two of the following:
  - o Treasurer
  - o Chairman
  - o Secretary
- 8.6 The Auditor or Auditors shall:
  - i. Have access, at all times, to all books and records.
  - ii. Have the power to report to a General Meeting and to require that a Special General Meeting be convened to deal with any matter raised in any written report of the Auditor or Auditors.

## 9. MEETINGS

- 9.1 The Business of the Club shall be managed and conducted by Monthly and Annual General Meeting. A Club Committee shall be held once a month. In the event of a quorum not being available of a Club Committee Meeting, the Secretary shall arrange a meeting at the earliest convenient date.

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- 9.2 At any General Meeting of the Club, fifteen members shall form a quorum.
- 9.3 At every Annual General Meeting the minutes of the last Annual General Meeting and any subsequent Special General Meeting shall be read, or by resolution, taken as read and, if passed, be confirmed.
- 9.4 At the Annual General Meeting in each year, there shall be elected a full Club Committee as laid out the paragraph 6.1
- 9.5 All nominations for office bearers shall be in writing in the hands of the Honorary Secretary by 15:00 on the day of the Annual General Meeting and shall contain the acceptance by the nominee, duly signed and the signatures of proposer and seconder.
- 9.6 At Club Committee Meetings, the remunerations or honoraria, if any, shall be fixed.
- 9.7 Any member desiring any matter to be placed on the Agenda of the Annual General Meeting shall deliver such matter in writing to the Honorary Secretary of the Club at least thirty days before the date of such meeting. The Honorary Secretary shall forward to each member at least fourteen days before such meeting the notice convening such meeting. The Annual General meeting shall be held during either December or January of each year.
- 9.8 A Special General Meeting of the Club shall be convened at any time by requisition of at least ten members, which requisition shall set out clearly the object or objects for which the meeting is called an NO other business may be discussed. The Honorary Secretary shall advise all members concerning the meeting and the business for discussion.
- 9.9 Voting at Annual General Meetings and Special General Meetings will be limited to member in good standing and proxies will be accepted in writing only.
- 9.10 Appeals:
- i. Any member affected by a decision of the Club Committee shall have the right to appeal to the general Meeting providing always that upon requisition a Special General Meeting may be held to deal with any appeal.
  - ii. An appeal shall be made in writing addressed to the Honorary Secretary and delivered to him by prepaid registered post within fourteen days of the decision appealed against.
  - iii. The Club Committee shall consider any request for a Special General Meeting to deal with an appeal at its next meeting following immediately the receipt of such request; and shall, if necessary, convene a Special General Meeting to be held within twenty one days of the aforesaid Committees Meeting. Notice of at least fourteen days shall be given in writing to all members accompanied by the details of the appeal.

## **10. AMENDMENTS OF THE CONSTITUTION**

The Constitution may be amended or any part of the whole thereof may be rescinded by a resolution passed by two-thirds of those present at a Special General Meeting, or Annual General Meeting, provided that every proposed amendment or motion to rescind appears on the Agenda of such meeting.

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## **11. MEMBERS**

There shall be four (4) classes of members.

A member shall be a person in good standing whose spouse shall have the same rights and privileges but have no voting rights.

11.1 'Foundation members' are those members who have joined the Club within the three months after the Club's initial registration.

11.2 'Honorary Members' shall be persons without voting rights nominated for one year by the Committee and exempted from paying subscriptions.

11.3 'Ordinary members' is a member of good standing with full voting rights.

11.4 'Special Members for Life' are Members who by the sole discretion of The Committee qualifies as a result of outstanding service to the Club and are exempted from payment of annual subscription'.

## **12. CLUB LOGO/COLOURS**

To be decided at a Special General Meeting.