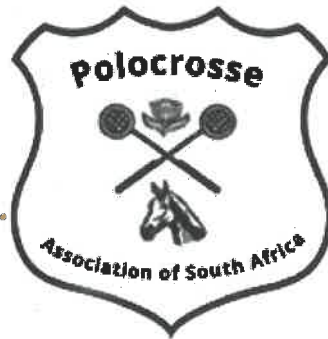


# **CONSTITUTION**

## **OF THE**

### **POLOCROSSE ASSOCIATION OF SOUTH AFRICA**

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## 1. CONSTITUTION, NAME AND CORPORATE PERSONALITY

- 1.1. This is the Constitution of the body known as the "POLOCROSSE ASSOCIATION OF SOUTH AFRICA" (*herein after referred to as PASA*), which Association is the national body duly recognised by the South African Equestrian Federation.
- 1.2. PASA is a voluntary Association having a corporate identity separate from that of its Members and is entitled to own property, whether movable or immovable or otherwise, and is entitled to sue and to be sued in its own name and, notwithstanding any change in the composition of its Members from time to time, shall have perpetual succession.
- 1.3. The provisions of this Constitution are founded upon and shall be implemented and administered in the recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitution of the Republic of South Africa (1996), the rule of law and good corporate governance.

## 2. DEFINITIONS AND ABBREVIATIONS USED

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 2.1 "Act of Parliament" refers to the National Sport and Recreation Act, (Act No 110 of 1998) and the National Sport and Recreation Amendment Act (Act No 18 of 2007), also referred to as "The Act".
- 2.2 "A.G.M." means the Annual General Meeting of Members held in accordance with the provisions of this Constitution.
- 2.3 "Appeal Board" means a body of appeal appointed by the Council in terms of this Constitution.
- 2.4 "Associate Members" means all those associations or organisations having the same or similar objects to PASA and having their National Office within the area of jurisdiction of PASA , which bodies have made application and have been accepted as Associate Members of PASA in terms of the provisions of this Constitution.
- 2.5 "Annual Financial Statements" means the annual audited balance sheet, income and expenditure account, Treasurer's report and Auditor's report.
- 2.6 "Affiliations" The Polocrosse Association of South Africa shall be affiliated to the International Polocrosse Council, hereinafter referred to as 'IPC' and SOUTH AFRICA EQUESTRIAN FEDERATION hereinafter referred to as SAEF.



2.7 "Chief Executive Officer" ("CEO") means the person appointed by the National Executive Committee of the Sport, to be employed in terms of an employment contract, when and if necessary. It is specifically recorded that such person may be a member of the National Executive, but shall not be entitled to any voting rights in terms of this Constitution.

2.8 "Club" means any Equestrian club, which caters for the discipline of Polocrosse in a district, as contained in this Constitution. Any club must consist of a minimum of 5 (five) playing members.

2.9 "Compliance" means that the member Province, club and individual has fulfilled the necessary provisions of this Constitution in regard to specific requirements as contained herein, and as such is regarded as being in good standing with PASA.

2.10 "Constitution" means this Constitution.

2.11 "PASA Council" means the executive committee as constituted in terms of this constitution

2.12 "PASA" means the body recognised by the SAEF as the organisation responsible for Polocrosse in the Republic of South Africa, and as referred to in this Constitution.

2.13 "Day" means a calendar day. "Working day" means a calendar day excluding Saturdays, Sundays and Public Holidays.

2.14 "Event" means a Polocrosse event held under the auspices of PASA.

2.15 "Event Organizer" means a person duly authorised to manage an event on behalf of PASA either directly or indirectly through its members.

2.16 "Honorary Life Members" means all those persons bestowed with this honour by the General Council of PASA, and shall include any persons to whom this honour was bestowed prior to the acceptance of this Constitution.

2.17 "Levies" means the monies levied and due by the membership to PASA and as approved and agreed to by membership at each Annual General Meeting of PASA.

2.18 "Member" shall mean an Ordinary Member or an Associate Member.

2.19 "Month" means a calendar month.

2.20 "National Sport Federation" means the national governing body of the Sport in membership of SASCO, and recognised by the Department of Sport and Recreation in the Republic of South Africa.



- 2.21 "National Office" means the head office of PASA as defined in this Constitution.
- 2.22 "Ordinary General Meeting" means a meeting convened in terms of this Constitution.
- 2.2 "Ordinary Members" means those members duly accepted as members in terms of the geopolitical demarcations as set out in this Constitution.
- 2.24 "Organisers" shall mean those persons who have been duly authorised by PASA either directly or through their provincial membership to stage a Polocrosse event inclusive of the hosting, managing, organising, planning, and supervision of such an event.
- 2.25 "Patrons" shall mean a person duly appointed as such in terms of this Constitution.
- 2.26 "Person" means a natural or legal person.
- 2.27 "President" means the President of PASA, duly elected in terms of this Constitution.
- 2.28 "Province" means one of the nine (9) geopolitical areas as defined in Section 103 of the Constitution of the Republic of South Africa 1996 (as amended).
- 2.29 "PASA district" shall mean a regional PASA body established in its designated Province or Part of a Province for the purpose of organising and coordinating activities in a particular region within its respective Province.
- 2.30 "Provincial PASA member" means a duly constituted body consisting of at least one club within a Province-for the special and specific purpose of liaison and communication with the sporting codes of that Province, and the Department of Sport and Recreation in that Province.
- 2.31 "Athlete" shall mean the individual, together with his horse which shall be regarded as one competitor.
- 2.32 "Rules & Regulations" means the rules and regulations of PASA.
- 2.33 "S.A.E.F" means the South African Equestrian Federation.
- 2.34 "S.A.I.D.S." means the South African Institute for Drug-Free Sport.
- 2.35 "S.A.S.C.O.C." means the South African Sport Confederation and Olympic Committee duly recognized and approved by the Department of Sport and Recreation as the governing body of Sport in the Republic of South Africa.
- 2.36 "Special General Meeting" means a meeting convened in terms of this Constitution.



2.37 "S.R.S.A.", means the Department of Sport & Recreation in South Africa.

2.38 "Treasurer" means the person either elected or employed in terms of the provisions of this Constitution.

2.39 "Vice-President" means the Vice-President of PASA as defined in this Constitution.

2.40 "W.A.D.A" means the World Anti-Doping Agency.

2.41 "Year" means a calendar year.

2.42 Any words importing one gender include the other.

2.43 "Secretary" means the person employed in terms of the requirements by the PASA Executive by the PASA President.



### **3. INTERPRETATIONS**

3.1 The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used in the interpretation hereof.

3.2 Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.

### **4. HEADQUARTERS**

The National Office Headquarters shall be at the residential address of the duly elected Secretary of PASA in the Republic of South Africa, and shall remain at that place until the Council shall decide that the National Office shall be moved to another place, provided that the National Office shall always be at a place within the Republic of South Africa.

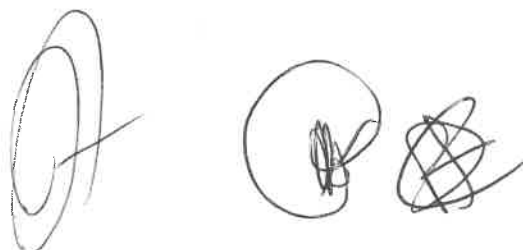
### **5. AREA OF JURISDICTION OF PASA**

The geographical area of jurisdiction of PASA shall be the Republic of South Africa.

### **6. OBJECTIVES OF PASA**

The objectives of PASA are:

6.1 To be and to operate and function as the autonomous controlling and administrative body of the sport of Polocrosse within the area of its jurisdiction.



6.2 to direct, develop, promote and administer the Sport of Polocrosse within the area of its jurisdiction in accordance with sound business and financial principles;

6.3 to ensure that the encouragement, promotion, development and administration of the Sport of Polocrosse, whether same be at National Provincial, Regional or Local level, is carried out in accordance with the principles of non-racism, by which it is meant that race ethnicity and nationality shall not be a basis for discriminating against or of affording privileges to any one person or group of persons, such principles are more fully set out in Schedule 1 of the Rules and Regulations of PASA.

6.4 To promote sportsmanship and fair play at all levels of the sport, free of any interference.

6.5 to apply annually to be a member of SAEF and to abide by their Constitution, Rules and Regulations, as well as to affiliate to the International Polocrosse Council or another International Federation or Association (should the need so arise, and as directed by SAEF) and/or any other national or international sports body as the General Council upon the recommendation of the national executive may decide to cooperate with (through SAEF if required), in particular as regards the participation of Polocrosse Athletes in all Multi-Code Games and Events.

6.6 To advance the objects of PASA and to associate itself with all such other lawfully constituted Associations and Organisations as shall be decided by the PASA Council, whether within or without the area of jurisdiction of PASA and irrespective of whether or not such other Associations or Organisations be connected with the sport of PASA.

6.7 To uphold and enforce the rules of PASA and to encourage and promote the highest standard of sporting behaviour in connection with the performing of Polocrosse.

6.8 To uphold and enforce any code of conduct pertaining to the sport of Polocrosse approved by the IPC.

6.9 To encourage the development, training and appointment of coaches at all levels within the Equestrian community.

6.10 To select representative Athletes at all levels for participation in any tournaments whether same be local or international.

6.11 To award local and international colours in terms of the criteria laid down by SAEF & SASCO 's requirements of colours.

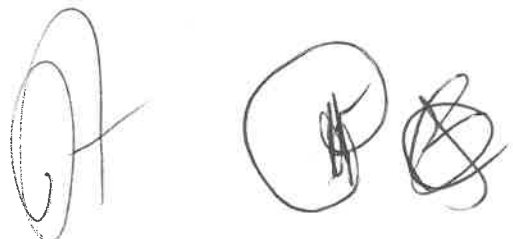
6.12 To recognise and accept the jurisdiction, rules and regulations of the South African Institute for Drug-free Sport ("SAIDS") as well as the code of the World Anti-Doping Agency ("WADA") and the Equine Anti-Doping and Controlled Medication Regulations as may be amended from time to time.

6.13 To promote the appointment, training and education of Umpires and Officials.

## 7. MEMBERSHIP

7.1 PASA consists of three categories of members, and six categories of Athletes, namely:

7.1.1 Ordinary Members, shall be those members as defined by their geopolitical areas and made up of their Provincial / regional / club structures set out in this Constitution, and as such they shall be obliged to promote, develop and participate in the sport of Polocrosse, as well to ensure the development of Polocrosse



Athletes through constructive coaching and capacity building. Each PASA Provincial Structure in South Africa that complies with the principles as set out in this constitution will be accepted as an Ordinary Member.

7.1.2 Associate Member(s) shall comprise those bodies who have made application and been accepted as Associate Members to the Sport of Polocrosse, and are recognised as a body specifically catering for their membership within a confined organisation and/or area, namely the Defence Force, Police Force, Schools and Tertiary Education and any other body duly accepted. An application may be made to the PASA Council in the form determined by the Council from time to time, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to the Constitutions of SASCOG, the SAEF and PASA, a complete membership list and such other information as may be required by the PASA Council. The Application shall be submitted for affiliation to the next PASA Council meeting for consideration and the PASA Council shall in turn submit all such applications, with a recommendation, to the next Annual General Meeting.

7.1.3 Athlete(s) shall mean each individual participant in the sport, who together with his horse shall make up one competitor. It is a requirement for such an Athlete to be a member of an Polocrosse Club after which the Athlete will be allowed to join PASA by way of filling out the required application form as may be produced by PASA and amended from time to time. PASA may levy a fee against such Athlete, (inclusive of SAEF fees) at its discretion and such Athlete, whether or not a fee was levied and / or paid but upon acceptance of such application, shall be subject to this Constitution and any Rules and Regulations of PASA. The aforesaid fees shall be collected directly by PASA by way of any mechanism that it may establish for such purpose. Athletes will have an elected Athlete Representative on the PASA Executive with a vote representing the Athletes.

- **Member** - A Polocrosse member registered to a Club, Province and PASA, whose membership fees are currently up to date and in good standing. This definition of Member includes members of other registered Polocrosse Associations on the proviso that a maximum of two foreign players may play in any selected team whether at provincial or local level and in any age group on the proviso that they are affiliated to another Polocrosse Association and are fully paid up members. This provision does not allow foreign players to play for any selected South African sides.

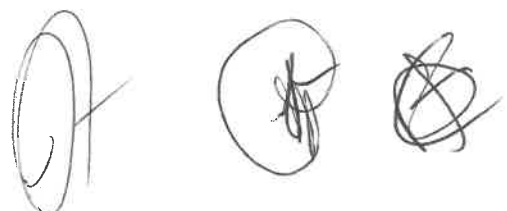
Affiliated members are made up of playing and non-playing members with the relevant selection criteria:

***Playing Members:***

- Masters – Any Male playing members 50 years and older. Any female playing member 45 years and older
- Veteran Member - Any male playing member 40 years and older. Any female playing member 35 years and older.
- Open Player - Any playing member.
- Man/men's player – Any male player
- Lady Player – Any female playing member.
- Junior Player : Any playing member not yet 21 years old on the first of January of the ensuing year such a player turns 21. No Junior player who has moved up to play in the Senior Division of an International team Representing Polocrosse in an International event where Protea colours are awarded may move down again to a Junior team to represent Polocrosse Internationally. PASA recognises the following age groups for international competition: u14, u16 u19, u21 in the junior age categories. The strongest players will be selected in each age group starting from the U14's. If an age group is not up for selection, that age group would be available for selection in the nearest age group up, ie if there is no U16 tour, these players would be available for the U19's

***Non Playing Members:***

- Social Member – A polocrosse member belonging to a club, but does not partake in tournaments.





- Technical Member - A non-playing member who assists in the technical and administrative aspects of polocrosse.

**Selection Criteria:** All ages are based on the player's age as on the 1st January each year.

The Selection Committee, as appointed, shall have the power to select any playing member for any side on the proviso that they meet the criteria as stipulated under the definitions of playing members and as classified by their age group and as prescribed criteria from SAEF and SASCO

7.1.4 PASA may, by a majority vote taken at an Annual General Meeting or a Special General Meeting convened inter alia for this purpose, grant associate membership status to any other association operating on a national level provided that no associate membership shall be granted to an association with the same aims and objectives as PASA

7.1.5 PASA may, by a two-thirds majority vote taken solely for this purpose, withdraw its recognition of any associate member contemplated in this Constitution, in which event; the relevant association will cease, forthwith, to be an associate member of PASA.

7.1.6 In matters of mutual interest, PASA and any members may, if the need arises, enter into a written agreement covering specific issues for the benefit of the Sport and its members.

7.2 The current Ordinary Members shall be:-

- 7.2.1 Western Cape
- 7.2.2 Gauteng -
- 7.2.3 Eastern Cape
- 7.2.4 Free State
- 7.2.5 Limpopo
- 7.2.6 Kwazulu Natal
- 7.2.7 Northern Cape
- 7.2.8 North West
- 7.2.9 Mpumalanga

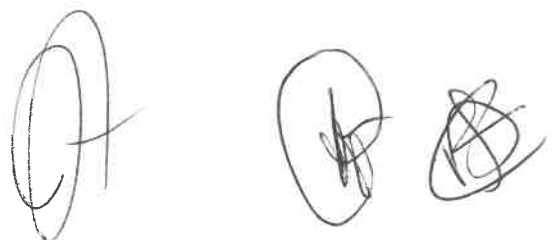
7.3 The jurisdictions of Ordinary Members shall be limited by the boundaries of the provinces, in compliance mutatis mutandis with SASCO, they presently represent but shall, within a period of two years from adoption of their Provincial Constitution, fall within the under mentioned geo-political Regions.

#### Members

There shall be nine (9) Provincial Members, categorized and made up of the following Regions:

(i) In the Province of Western Cape (Cape Town)

- West Coast (Malmesbury)
- Boland (Stellenbosch)
- Overberg (Swellendam)
- Eden (George)



- Central Karoo (Beaufort West)
- Cape Town Unicity (Cape Town)
- (ii) In the Province of Northern Cape (Kimberley)
  - Namakwa (Springbok)
  - Pixley-ka-Seme (De Aar)
  - Siyanda (Upington)
  - Kgalagadi (Kathu)
  - Frances Baard (Kimberley)
- (iii) In the Province of the Eastern Cape (Bisho)
  - Cacadu (Grahamstown)
  - Amathole (East London)
  - Chris Hani (Queenstown)
  - Ukhahlamba (Aliwal North)
  - O R Tambo (Umtata)
  - Alfred Nzo (Mount Ayliff)
  - Nelson Mandela (Port Elizabeth)
- (iv) In the Province of Free State (Bloemfontein)
  - Xhariep (Trompsberg)
  - Motheo (Bloemfontein)
  - Lejweleputswa (Welkom)
  - Thabo Mofutsanyana (Phuthaditjhaba)
  - Fezile Dabi (Kroonstadt)
- (v) In the Province of Kwazulu-Natal (Pietermaritzburg)
  - Ugu (Port Shepstone)
  - Umgungundlovu (Pietermaritzburg)
  - Uthukela (Ladysmith)
  - Umzinyathi (Dundee)
  - Amajuba (Newcastle)
  - Zululand (Ulundi)
  - Umkhanyakude (Mtubatuba)
  - UThungulu (Richards Bay)
  - iLembe (Kwa Dukuza)
  - Sisonke (Ixopo)
  - Ethekwini (Durban)
- (vi) In the Province of Mpumalanga (Nelspruit)
  - Gert Sibande (Standerton)
  - Nkangala (Witbank)
  - Ehlanzeni (Nelspruit)
- (vii) In the Province of Limpopo (Polokwane)
  - Mopani (Giyani)
  - Vhembe (Thohoyandou)
  - Capricorn (Polokwane)



- Waterberg (Bela-bela)
- Sekhukhune (Groblersdal)
- (viii) In the Province of North West (Mafikeng)
- Bojanala (Rustenberg)
- Central (Mafikeng)
- Dr Ruth Momphati (Vryburg)
- Southern (Klerksdorp)
- (ix) In the Province of Gauteng (Johannesburg)
- Sedibeng (Vereeniging)
- Johannesburg (Johannesburg)
- Ekurhuleni (Germiston)
- Tshwane
- West Rand

## 7.4 MEMBERSHIP additions

### 7.4.1 GENERAL

7.4.1.1 Membership of the Association - Membership of the Association shall be available to Provinces within the jurisdiction of PASA

7.4.1.2 Provinces shall be members, provided that:

- The Province has been approved and registered with PASA
- That no monies are outstanding.
- The Province shall be in good standing.
- Registered playing members of Clubs, shall be members of PASA via their respective Clubs and Provinces.

7.4.1.3 Provinces, member clubs, and all affiliated persons are bound by the Constitution, Rules and Regulations, Code of conduct and bylaws of PASA

7.4.1.4 No individual member shall be a playing member of two clubs, provinces or associations simultaneously. No individual member may hold office in a province unless that person is a member of that specific province where they hold office.

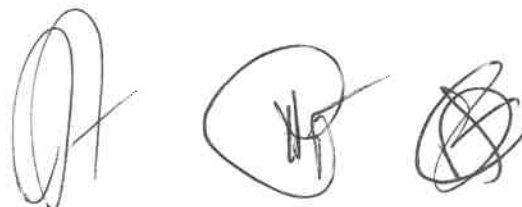
7.4.1.5 The Ordinary members of the Association shall be the present Provinces and the controlling bodies of such other Provinces as may from time to time be approved and accepted as members by the Executive in terms of clause 8 hereof.

7.4.1.6 Associate membership may be conferred by the Executive on clubs or groups of clubs not qualifying as a Province.

### 7.4.2 APPLICATION FOR MEMBERSHIP

7.4.2.1 Application for Provincial Membership - Application for membership by Provinces shall be made in writing to the Secretary and shall be accompanied by:

- A list of the applicant Province's officials and members.
- A list of the applicant Province's playing and non-playing members including the dates of birth and details of the clubs in its jurisdiction.
- A description of the applicant Province's proposed colours (and badge if so desired).
- A copy of applicant province's constitution.



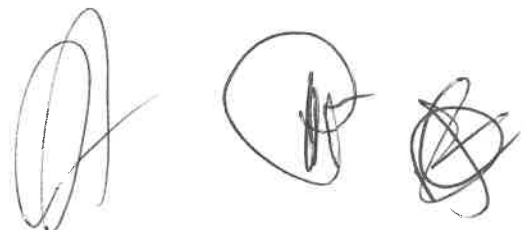
- 7.4.2.2 The Executive of PASA shall have the power to approve, reject, or require modification to the applicant Provinces constitution, colours or badge. Once the colours badge and constitution have been accepted, any changes may not be done without prior written approval of the Executive. The decision on applications for membership by the executive shall be final.
- 7.4.2.3 The Executive shall further have the power to approve or reject the Constitution of the applicant or to require amendments therein as a condition of the admission as a member or as a condition of continued membership.
- 7.4.2.4 The Executive shall without avoidable delay make its decision and communicate its decision in respect of applications for membership and shall at the same time advise an applicant whether its application has been approved as an Ordinary or as an Associate member.

## 8. POWERS OF PASA TO CARRY OUT ITS OBJECTIVES

- 8.1 PASA shall have all such powers and authorities as shall be necessary or desirable or conducive of achieving any and all of the objects of PASA. These powers and authorities shall be exercised by the PASA Council and/or by the President and/or by any duly constituted sub-committee in accordance with and subject to the provisions of this Constitution and the Act. Without in any way limiting the generality of the a foregoing, the powers and authorities of PASA shall include those set out in Clauses 8.2 to 8.18 below.
- 8.2 To acquire by purchase, exchange, hire, sub-lease, donation or otherwise movable and/or immovable property of any kind.
- 8.3 To sell, let, mortgage, dispose of, give in exchange, turn to account or otherwise deal with all or any part of the property or rights of PASA.
- 8.4 To enter into contracts of any and all kinds necessary to carry out, give effect to or secure the objects of PASA.
- 8.5 From time to time, in accordance with sound business and financial principles to invest the funds of PASA in such property or assets or other security as may be deemed advisable.
- 8.6 To employ, suspend or dismiss and remunerate employees, professional assistants and experts.
- 8.7 To arrange allowances, gratuities and bonuses to employees or ex-employees of PASA or the dependants of such persons, and to support or subscribe or make donations to any charities or other institutions, clubs, societies and funds.
- 8.8 To regulate relations between it's Members and PASA or its members or individual Polocrosse Athletes.
- 8.9 To invite the patronage of any person or persons as it may consider advisable.



- 8.10 To insure against losses, damage, risk and liability of all kinds.
- 8.11 To draw, make, accept, endorse, execute, negotiate and issue cheques, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments.
- 8.12 To institute, conduct, defend, compound or abandon any legal proceedings by and against PASA or its officers or otherwise concerning the affairs of PASA, or the action of its Members, and also compound and allow time for payment or satisfaction of any debts due or any claims or demands made by or against PASA.
- 8.13 To raise money whether by subscription or levies which are to be paid to PASA by the 1<sup>st</sup> day of March of each year from its Members inclusive of clubs, tertiary institutions, and or any other associations or organisations which are affiliated directly or indirectly to PASA on behalf of ordinary Polocrosse Athletes who are members of the bodies referred to above, as well as to obtain funding from any other source, and to recover by legal process monies due by any of the above.
- 8.14 To contribute or subscribe to bodies with aims similar to the aims of PASA and invest monies upon such security and in such manner as it may from time to time determine.
- 8.15 To borrow and guarantee or otherwise secure the repayment of money in such manner and in such terms as it may think fit.
- 8.16 To make and pass rules, by-laws or regulations and to add to, repeal or alter such rules, by-laws or regulations, with or without penalties for the carrying out, administration and implementation of this Constitution and the attainment of the objects of PASA.
- 8.17 To impose fines, to suspend for a period of time, to ban and/or implement any other disciplinary measures on its Members or former Members or on any Polocrosse Athlete or club or association or organisation connected or concerned with Polocrosse arising out of or connected with any contravention or breach of the provisions of this Constitution or any rule, by-law or regulation passed by the PASA Council, including those of SAIDS, SASCOC and World Anti-Doping Code and recover by legal action or otherwise such fines or compulsory contributions or damages from its Members or former Members. Without in any way limiting the generality of the foregoing, PASA shall have the power to suspend or ban any Polocrosse Athlete, Member, Official or Club from participating in any championship or event.



8.18 To take all such action as may be required or necessary to enforce fully and effectively all obligations of whatsoever nature and howsoever arising which may be owed to PASA by its Members, former Members or any other persons or body.

**9. MEMBERSHIP AND TERMINATION OF MEMBERSHIP**

9.1 Any Association which wishes to become an Associate Member of PASA shall apply in writing to the PASA Council to be admitted as an Associate Member and shall furnish a copy of its constitution and all such information as the PASA Council may require to decide upon its application.

9.2 No Association shall be admitted to membership of PASA unless the PASA Council is satisfied that the constitution of such Association substantially complies with the requirements contained in Schedule Two hereto.

9.3 The PASA Council's decision to admit or refuse any application for membership shall be referred to the next meeting of the Council for ratification.

9.4 Associate Members shall agree upon and define their geographic areas of jurisdiction provided that in the event of dispute and failure to reach agreement , such areas of jurisdiction shall be defined by the PASA Council, and shall comply mutatis mutandis with the SAEF constitution.

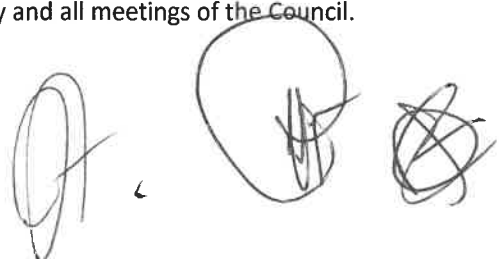
9.5 The right of each existing and future Member to have one or more representative teams participate in the various events and championships which are held or staged under the auspices of PASA shall be determined by the PASA Council, which may vary such rights from time to time.

9.6 Any Member other than an ordinary member which ceases to operate a viable structure as defined in this Constitution and may ipso facto be suspended from membership and the Council shall decide at its next ordinary meeting whether the membership of such member should be terminated.

9.7 Any member of any classification may, at any time, tender their resignation from PASA. Such member must give notice by not later than 30 September of a year. Any member so resigning shall continue to be liable for any monies due and owing by such member, to PASA at the date of their resignation.

**10. VOTING RIGHTS**

10.1 The voting rights set out in this clause shall apply in respect of any and all meetings of the Council.

Handwritten signatures and initials in blue ink, including a large circular signature, a smaller signature, and a scribbled signature.

President one vote plus casting vote

Vice president one vote

- 10.2 Ordinary Members shall each have 2 (two) vote. (one member attends but his/her vote counts 2 – points
- 10.3 Associate Members shall each have 1 (one) vote.
- 10.4 Honorary Life Members may only vote in connection with any motion to terminate the Membership of any Honorary Life Member, and shall each have 1 (one) vote.
- 10.5 Only Members whose representatives are personally present at the meeting concerned shall have the right to vote.
- 10.6 Each Ordinary Member-and or Associate Member will be entitled to nominate one representative to attend and to vote at any general meeting. Such nominations shall be in writing and must be received by the National Office not less than 72 (seventy-two) hours prior to the time for the commencement of that meeting.
- 10.7 Voting for all positions will commence at club level. Then the votes will be carried forward to regional or district level. Thereafter votes will be tallied and carried forward by the provincial delegate to national level. The PASA secretary will distribute all nomination forms, these forms need to be completed correctly with all the relevant signatures for the nomination to be upheld and received by the determined date and time.

## 11. ANNUAL GENERAL MEETING ("A.G.M.")

- 11.1 An A.G.M. shall be held once in every year provided that not more than fifteen months shall elapse between one A.G.M. and the next.
- 11.2 The PASA Council shall decide the date, time and place on which each A.G.M. shall be held, provided that unless there is good reason to the contrary, it shall be held at a venue to be determined by the PASA Council at such other place as the Council may determine and that the A.G.M. must be held within 4 (four) months from the end of the financial year.
- 11.3 The following persons shall be entitled to attend and speak at the A.G.M.:
- 11.3.1 All members of PASA Council
  - 11.3.2 The Patrons.
  - 11.3.3 All Honorary Life Members
  - 11.3.4 Any other person who may be invited by the PASA Council to do so.



- 11.4 The business to be transacted at an A.G.M. shall be:
- 11.4.1 To read the notice convening the Meeting
  - 11.4.2 To read and confirm the Minutes of the previous A.G.M., Special General and General meetings, and to consider any matters arising there from
  - 11.4.3 To receive and consider the Annual Report of the President, for the period since the date of the previous A.G.M.
  - 11.4.4 To adopt with or without modification, the audited Annual Financial Statements for the period since the date of the previous A.G.M., provided that if not so adopted the Annual Financial Statements shall stand for consideration and adoption, with or without modification, or rejection by the Council at an Ordinary General Meeting or by the PASA Council as per the decision of the A.G.M. .
  - 11.4.5 To appoint the auditors of PASA for the period until the next A.G.M.
  - 11.4.6 To consider and to adopt with or without modification, or to reject any recommendations of the PASA Council
  - 11.4.7 To consider all nominations by the PASA Council of persons to be Patrons or Honorary Life Members and to accept or to reject any such recommendation or nomination
  - 11.4.8 To elect the PASA Council in terms of clause 15 as read with clause 16
  - 11.4.9 To discuss and consider any matter of which 30 (thirty) days written notice has been given.
- 11.5 Notice of each A.G.M. shall be sent to all the Members, Members of the PASA Council, Patrons and Honorary Life Members not less than 45 (Forty-Five) calendar days prior to the date of the A.G.M.
- 11.6 Not less than 21 (twenty-one) calendar days prior to the date of any A.G.M., copies of the Agenda for that A.G.M. and the Annual Financial Statements for the financial year preceding the date of the A.G.M. shall be disseminated to all Members, Patrons and Honorary Life Members by post, and/or by hand, and /or by fax, and/or by electronic mail.

## 12. ORDINARY GENERAL MEETINGS ("O.G.M'S")

- 12.1 Subject to the terms of this Constitution the PASA Council shall be the highest authority of PASA and shall determine its policy, decide upon its budget and give directives to the Management Committee.
- 12.2 The Ordinary General Meeting of the Council shall be held on such date and at such place as the PASA Council shall determine provided that unless there are good reasons to the contrary.
- 12.3 The following persons shall be eligible to attend and speak at meetings of the Council:



12.3.1 All the persons referred to in clause 11.3 save those referred to in sub-clauses 11.

12.4 Notwithstanding anything to the contrary herein, no Honorary Life Member shall be entitled to attend or speak at the Ordinary General Meeting but may do so upon the invitation of the PASA Council.

12.5 Notice of any Ordinary General Meeting of the Council shall be sent to Ordinary and Associate Members not less than 21 (twenty-one) calendar days before the date of such meeting which notice shall be accompanied by a proposed agenda as recommended by the PASA Council.

12.6 The text of any motion which any Member wishes to be put to and considered by any Ordinary General Meeting shall be received not less than 30 (thirty) calendar days prior to the date of such meeting by the National Office who shall disseminate it by post and /or by hand, and/or by fax, and/or by electronic mail, together with the final agenda to all Ordinary Members and Associate Members, not less than 10 (ten) calendar days prior to such date.

12.7 The business to be transacted at the O.G.M. shall be:

12.7.1 to read the notice convening the meeting;

12.7.2 to read and confirm, with or without amendments, or to reject the minutes of the previous Ordinary General Meeting as the case may be, as well as the minutes of any S.G.M. held in the interim, and to consider any matters arising there from ;

12.7.3 to consider and to adopt, with or without modification, or to reject, any Resolution of which due notice has been given;

12.7.4 to consider and to adopt with or without modification or to reject the budget for the ensuing year which shall have been prepared by the Treasurer and considered and recommended by the PASA Council;

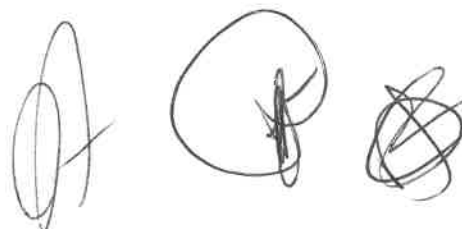
12.7.5 no resolution which has the effect of creating, amending or repealing a by-law, regulation or standing rule shall be binding unless the notice thereof has been given in terms of 12.6 hereof or such resolution has been ratified at the next Ordinary Council meeting.

**13. SPECIAL GENERAL MEETINGS ("S.G.M.'s")**

13.1 An S.G.M. of Members shall be convened:

13.1.1 By resolution of the PASA Council, or

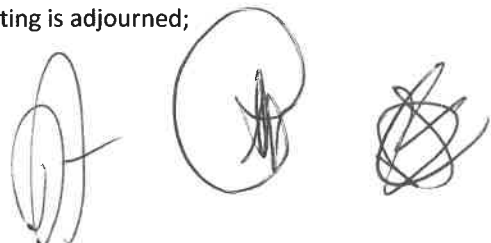
13.1.2 Upon the written requisition of not less than 5 (five) Members, delivered to the National Office provided that such written requisition shall state the exclusive purpose for which the S.G.M. is to be called and the text of the motion to be put to the meeting.



- 13.2 Within 14 (fourteen) calendar days after receipt of the resolution or requisition referred to in sub-clause 13.1, the Secretary shall send written notification to all Members, which notice shall specify the time, date and place of the S.G.M., which time, date and place shall have been determined by the PASA Council provided that the date shall not be less than 21 (twenty-one) calendar days of the date of posting dissemination of the notification, together with written notification of the purpose of and measures to be transacted at the S.G.M. and the text of motions to be put to and considered by the meeting.
- 13.3 No business other than that stated in the notification, referred to in sub-clause 13.2, shall be transacted at the S.G.M.
- 13.4 Only the persons referred to in 11.3 excluding those referred to in sub-clause 11.3.5 shall be entitled to attend and speak at S.G.M.'s.

**14. GENERAL PROVISIONS RELATING TO A.G.M.'s, ORDINARY GENERAL MEETINGS & S.G.M.'s.**

- 14.1 The following provisions shall apply to all A.G.M.'s, O.G.M.'s and S.G.M.'s:
- 14.1.1 A.G.M.'s, O.G.M.'s and S.G.M.'s shall, subject to the terms of this constitution, be held at such time and place as shall be decided by the PASA Council.
- 14.1.2 The chairperson of any A.G.M., O.G.M., or S.G.M. shall be the President or in his or her absence the Vice-President, or in his or her absence such other person as shall be elected for that purpose by the representatives of Members present at the Meeting and entitled to vote.
- 14.1.3 Each member of the PASA Council shall have 1 (one) vote and the Chairperson of any general meeting shall have 1 (one) vote, in that capacity, and a second or casting vote in the event of an equality of votes.
- 14.1.4 A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Ordinary Members in good standing.
- 14.1.5 If a quorum shall not be present at the place of the meeting within 30 (thirty) minutes after the time set for commencement of the meeting, or the Member is not present during the meeting, until the proceedings have been duly declared to have been concluded so by the President, the meeting if convened upon the requisition of Ordinary Members, shall be dissolved; in any other case, it shall stand adjourned to a date not earlier than 5 (five) calendar days and not later than 15 (fifteen) calendar days after the date of that meeting, and, at such adjourned meeting the representatives of Ordinary, Special and Associate Members present and entitled to vote, shall constitute a quorum and may transact the business of that meeting.
- 14.1.6 Where a meeting has been adjourned as aforesaid, the Secretary shall, upon a date not later than 3 (three) calendar days after the adjournment disseminate a written notice to each Member stating:
- 14.1.6.1 the date, time place to which the meeting is adjourned;



- 14.1.6.2 the matter before the meeting, when it was adjourned;
- 14.1.6.3 the grounds for the adjournment; which notice shall have been settled by the President.
- 14.1.7 Voting shall be on ballot paper unless a poll be demanded by representative of not less than 40% (forty per centum) of Members represented and entitled to vote, and in such event, the poll shall be conducted in such manner as the Chairperson of the meeting shall decide.

## 15. THE PASA COUNCIL

15.1 The PASA Council shall consist of the following persons:

- 15.1.1 The President,
- 15.1.2 The Vice-President,
- 15.1.3 The Secretary/Treasurer
- 15.1.4 9 (nine) members made up of the chairman of each of the provincial structures referred to under article 7.2.
- 15.1.5 Players Representative
- 15.1.6 Provided that at no stage shall there be less than 2 (two) women who shall occupy any of the positions referred to above.
- 15.1.7 Portfolios committee members.

These members will not have any voting rights on the PASA Council. The Provincial chairman may not hold one of the following portfolios. **Unless approved by executive and there is no conflict of Interest**

- 15.1.8.1 Development and Transformation officer
- 15.1.8.2 Director of Coaching
- 15.1.8.3 Chief Umpire
- 15.1.8.4 International Affairs
- 15.1.8.5 Junior President
- 15.1.8.6 Veterans Co ordinator
- 15.1.8.7 Horse Welfare Officer
- 15.1.8.8 National handicapper
- 15.1.8.9 Convenor of Selectors

15.1.9 The PASA Council shall appoint, where needed, the following sub- committees, or distribute the portfolio among the members of the Council.

15.1.9.1 National Selection Committee

15.1.9.2 National Umpire Committee

15.1.9.3 National Disciplinary Committee

15.1.10 Any individual who is a Provincial President of SAEF may not at the same time be a member of the PASA Council.

15.2 The PASA Council Meetings shall only be deemed to be validly constituted depending on fact that at all times there are no fewer than 2 (two) women as members thereof.

15.3 The PASA Council may co-opt other persons as members in order to discharge specific functions provided that no co-opted member shall have a vote and provided further that although the predominant criteria for co-option shall always be merit, the PASA Council shall, as far as possible, seek to preserve a balance of men and women members.

15.4 Members of the PASA Council shall vote on all resolutions by a show of hands.

15.5 Members of the PASA Council shall decide on all matters by a simple majority vote.

15.6 Each member of the PASA Council shall have 1 (one) vote, (excluding the members of portfolio committees as mentioned in 15.1.8), and the President of any meeting of the PASA Council shall have a second or casting vote, in the event of an equality of votes, save and except at an Elective Annual General Meeting where the PASA COUNCIL shall have no vote after item 11.4.7 of the AGM's Agenda.

15.7 The chairperson of any meeting of the PASA Council shall be the President, or in his or her absence the Vice-President, or in his or her absence such other Member of the PASA Council as shall have been appointed at that meeting by the Members of the PASA Council present and entitled to vote.

15.8 The positions of President, Vice - President, must be voted for every 4 years. No person may serve for more than 8 consecutive years as President, Vice President.

15.9 The PASA Council shall meet not less than 4 (four) times per annum provided that it shall not be necessary for the Council to meet in those months in which one of the two bi-annual general meetings are held.

15.10 A quorum of Members of the PASA Council shall consist of not less than 7 (seven) such Members with a minimum of 4 (four) provinces referred to in clause 7.2, and if there is not a quorum present at the appointed time and place for any meeting of the PASA Council or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the chairperson of that meeting to have



been concluded, such meeting shall stand adjourned until a date, time and place to be determined by those members of the Council who are present at that meeting provided that such date shall not be more than 10 calendar days after such meeting; and at such adjourned meeting those members of the Council present and entitled to vote shall constitute a quorum and may transact the business of that meeting.

15.11 The Secretary shall, by such means as is most expedient and by such means as appears most appropriate in the circumstances, inform those members of the PASA Council who were not present at the meeting of the date, time and place to which the meeting has been adjourned.

15.12 Except where otherwise stated herein and subject to the provisions of this constitution, the PASA Council shall be vested generally with all such powers and authorities as are necessary to promote and attain the objects of PASA and, without in any way limiting the generality of the foregoing, the Council shall have all such powers and authorities as are necessary to carry out the duties and functions referred to in 15.16.

15.13 The PASA Council shall control all expenditure of the funds of the Association and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of the Association.

15.14 No cheque or promissory note drawn on behalf of PASA shall be valid unless signed by any 2 (two) of the President, the Vice-President, the Treasurer/Secretary, or any other employee of PASA who has been authorised by the Council to have signing powers.

15.15 The PASA Council shall be entitled to make any and all by-laws or regulations necessary to promote the aims and objects of the Association and such by-laws and/or regulations shall be binding upon members. Such regulations shall be ratified at the next Ordinary General Meeting.

15.16 The PASA Council may delegate the exercise of any of its powers and functions to one of its Members or to a sub-committee of PASA.

15.17 In addition to the foregoing, the PASA Council shall:

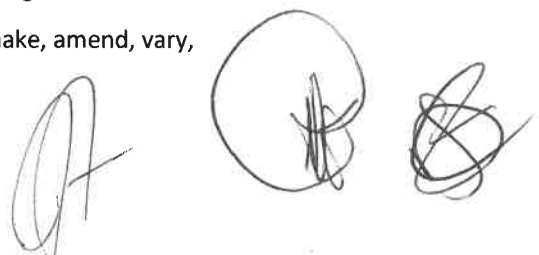
15.17.1 undertake and perform all such duties and functions as shall be decided by the Council;

15.17.2 consider and, if thought fit, approve the separate constitutions, by-laws, rules and regulations of each Member, and any amendments or alterations thereto;

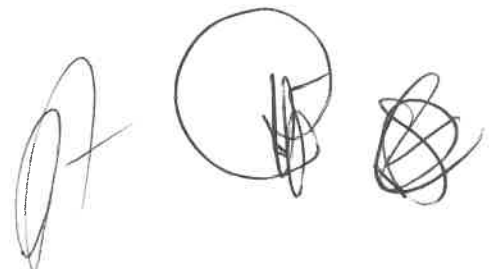
15.17.3 generally undertake and perform all such duties and obligations as are reasonably required to achieve the objects of PASA, and to implement the policies to be followed by PASA;

15.17.4 formulate recommendations and resolutions for the consideration of the Council and to prepare the agenda for Council meetings;

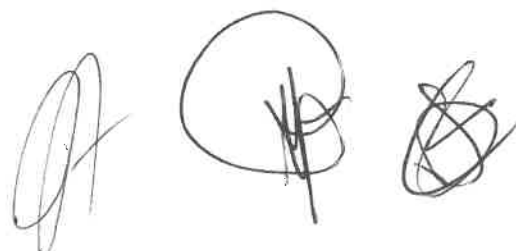
15.17.5 subject to the provisions of the Constitution, make, amend, vary,



- repeal and enforce rules, by-laws and regulations;
- 15.17.6 conduct disciplinary proceedings in respect of any infringement of this constitution or the by-laws, rules or regulations or any agreement between any participant and PASA or the rules of the sport and to impose sanctions whether by way of fines, or suspension or banning/exclusion from participating in any championships, event or event held or being conducted under the auspices of PASA or the activities of PASA, or by way of withdrawing monies for which any person would otherwise be eligible. For the purposes of this Constitution, all events and championships of whatsoever nature organised and/or run by Members of PASA shall be deemed to be under the auspices of PASA;
- 15.17.7 impose and collect levies, subscriptions, dues and imposts;
- 15.17.8 arrange, control, regulate and promote events, championships and any other forms of competition;
- 15.17.9 employ any person upon such terms and conditions as shall be decided and, when considered necessary or desirable, terminate the employment of any such person. In particular, the PASA Council may from time to time appoint a suitable person to act as the CEO of PASA and shall determine his or her powers, duties, remuneration and privileges. Such person shall be an ex officio member of the PASA Council with no voting rights at any PASA Council or general meetings.;
- 15.17.10 decide upon and resolve any dispute between any Members, and/or Club, and/or persons who are members of such clubs;
- 15.17.11 subject to 7.3 above, determine the area/s or jurisdiction of Members and vary or alter such areas from time to time when necessary;
- 15.17.12 co-opt any person to the PASA Council as may be required to achieve the objects of PASA or fulfil any purpose incidental thereto;
- 15.17.13 form sub-committees, consisting of one or more persons, for any purpose incidental to the objects and powers of PASA and, subject to the constitution, by-laws, rules and regulations, delegate such of its powers to such sub-committees as may be required;
- 15.17.14 appoint special advisers and consultants, for any purposes, and terminate such appointment/s;
- 15.17.15 accept or reject any application for membership subject to ratification by the Council.
- 15.17.16 open accounts with any recognised commercial banking or financial institution and invest any funds of PASA and pay any such funds to any person (natural, corporate or otherwise) who has a valid claim for payment against PASA;
- 15.17.17 decide upon the criteria for the award of National Colours and appoint National Selectors for the selecting of teams to whom Colours may be awarded;
- 15.17.18 ensure that full and proper books of accounts are kept in accordance with sound accounting principles;



- 15.17.19 ensure that the said books of account and all records of PASA's finances and assets are duly audited each year as soon as is practicable after the financial year end of PASA which shall be 28<sup>th</sup> of February of each year and that annual financial statements are prepared;
- 15.17.20 deal with any question or issue arising out of or relating to or incidental to non-racialism as described in the schedule one hereto;
- 15.17.21 deal with any question or issue arising out of or relating to or incidental to non-sexism or discrimination on any grounds as referred to in this Constitution.
- 15.17.22 address any question or issue or matter concerning or incidental to development including budgeting for and expenditure on development;
- 15.17.23 approve the employment and termination of employment of staff by PASA including all matters incidental thereto and the review from time to time of all existing contracts of employment of staff and all matters incidental thereto;
- 15.17.24 decide any question, issue or matter relating to emblems, colours, or anthems for PASA
- 15.17.25 make recommendations on any question or issue relating to the affiliation to or disaffiliation from any macro or other body;
- 15.17.26 decide any question or issue relating to the use of PASA facilities and/or other facilities incidental thereto and/or the standard thereof;
- 15.18 The PASA Council's jurisdiction shall not be limited to dealing with such matters as are referred to it but shall include the power and capacity to be pro-active and initiate such enquiries and/or take such steps as the Council seems fit.
- 15.19 It is recognised that it is desirable for all provincial bodies themselves to negotiate and achieve unified provincial bodies. Notwithstanding this, the Council shall have the right and power to be pro-active and to take such steps as it may to facilitate unity as may seem fit to ensure that any difficulties or problems in the way of unity in any province shall be overcome.
- 15.20 Any member of the PASA Council who, without having first obtained leave of absence from the Council, shall otherwise than in circumstances beyond his or her control, not attend 3 (three) consecutive meetings of the Council, of which meetings due notice has been given, shall be deemed to have resigned from the PASA Council.
- 15.21 No member of the PASA Council shall be entitled to any remuneration, but all members of the Council shall be entitled to be refunded any disbursement incurred by any such member in fulfilling any duties or functions as shall be approved by the Council.



- 15.22 The Secretary shall:
- 15.22.1 Represent as a member of the PASA Council Committee;
  - 15.22.2 Send to all Members, and to all members of the PASA Council:
    - 15.22.2.1 Written notification of all meetings of the PASA Council (excluding emergency meetings), and the proposed Agenda, not less than 21 (twenty one) calendar days prior to the date of the proposed meeting.
    - 15.22.2.2 Copies of the minutes and resolutions of all meetings of the Council, within 10 (ten) calendar days after the date of the relevant meeting.
- 15.23 Any Member, of any classification, shall be entitled to have a representative attend and speak, but not vote, at any meeting of the PASA Council; provided such Member shall have submitted written notification to the Secretary of such intention and the full details of any matter such member is desirous of raising at such Meeting, not less than 10 (ten) calendar days prior to the date of such meeting.

**16. ELECTION OF THE PRESIDENT, VICE-PRESIDENT, AND THE OTHER MEMBERS OF THE PASA COUNCIL**

**THE SECRETARY/TREASURER SHALL BE APPOINTED ON BEHALF OF PASA (ON CONTRACT)– As per the SAEF attached directive for a club/province/National Election**

The following guidelines and timelines have to be used for any elections of committees listed below: - Clubs, Districts, Provincial Associations, National Association,

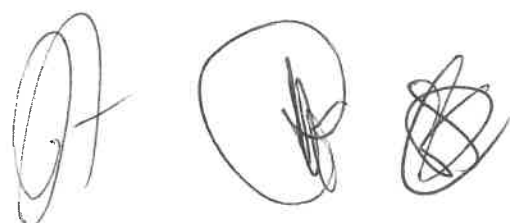
- 16.1 Every member in GOOD STANDING with a club where he/she is registered may nominate a candidate for any position in the club.
- 16.2 Any member (over the age of 18) of a club may be nominated for any position on the said committee. Should a member be nominated for more than 1 position, the understanding is that should he/she not be elected for the highest position nominated for, such a member continues down the line for election of a position/s nominated for. Should such a member be elected in the higher position all other nominated positions fall away.
- 16.3 All nomination forms must be signed by the nominator, seconder and nominee. Should a member be a minor, the legal guardian of such a member, who has to be registered as a member of the club, may nominate on behalf of such a fully registered paid up minor. However only one legal guardian may nominate.
- 16.4 Nomination process timelines are as follows:
  - 16.4.1 NO LESS than 60 (Sixty) days before the election date, the Secretary shall:
  - 16.4.2 Send notification to every club member and EXCO informing them of the date, time and venue of elections meeting.
  - 16.4.3 Advise them who the appointed electoral officer will be. (This must be a member of the SAEF Provincial Federation, District Federation or a member of the applicable Discipline Association)
  - 16.4.4 Call for the nominations for each of the positions to be filled during the elections. Correctly signed and completed nomination forms must be forwarded to the appointed electoral officer and the SAEF Secretary General no later than 30 (Thirty) days from receipt of nomination forms.



- 16.4.5 NO LESS than 25 (Twenty-Five) days before elections the electoral officer shall return all received nomination forms, after verification, to the Club Secretary for distribution amongst members who the candidates for elections are.
- 16.4.6 All members of the club may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total club membership shall be present. Should a member be a minor, the legal guardian of such a member, who has to be registered as a social/non rider of the club, may nominate on behalf of such a fully registered paid up minor. However only one legal guardian may nominate.
- 16.4.7 It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive. ONLY MEMBERS MAY VOTE.
- 16.4.8 Majority votes recorded shall establish the elected person.

PROVINCIAL POLOCROSSE COMMITTEE ELECTIONS

- 16.5 Every member in GOOD STANDING with a club in the Province and in GOOD STANDING with the applicable discipline where he/she is registered may nominate a candidate (who is 18 years or older) for any position on the Provincial Polocrosse Committee. Each club will receive the nominations from its members and each club will then have to nominate the best suitable one with the most support. The club EXCO will have to decide on this. Only Clubs that are in good standing and meet the requirements may vote.
- 16.6 All nomination forms must be signed by the nominator, seconder (who will be either the club chair, vice chair or secretary) and nominee.
- 16.7 Such nominated person can be nominated for more than one position. Should a person be elected for the highest position nominated for, all other nomination for positions for such person, will fall away.
- 16.8 Should he/she not be elected for the highest position nominated for, then the election for such a member continues down the line of nominated positions.
- 16.9 All nomination forms must be signed off by either the Club Chair, Vice Chair or Secretary in the nomination and seconding signature position. The nominee must also sign the form accepting the nomination
- 16.10 Nomination process timelines are as follow:
- 16.11 NO LESS than 60 (Sixty) days before the election date the Secretary shall:
  - 16.11.1 Send notification to every discipline member (CLUBS who must distribute to all club members) and EXCO informing them of the date, time and venue of the elections meeting.
  - 16.11.2 Advise them who the appointed electoral officer will be. (This must be a member of the SAEF Provincial Federation EXCO or SAEF EXCO)
  - 16.11.3 Call for the nominations for each of the positions to be filled during the elections. Correctly signed and completed nomination forms must be forwarded to the appointed electoral officer no later than 30 (Thirty) days from receipt of nomination forms.
  - 16.11.4 NO LESS than 25 (Twenty-Five) days before elections the electoral officer shall return all received nominations forms after verification to the Secretary of the Provincial DA for distribution amongst members being the clubs who the candidates for elections are.
  - 16.11.5 Only Club Chairs (or their duly authorised delegate) of the Discipline Association may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total clubs shall be present.
  - 16.11.6 It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive.



16.11.7 Majority votes recorded shall establish the elected person.

#### NATIONAL POLOCROSSE COMMITTEE ELECTIONS.

16.12 Every member in GOOD STANDING with a club and Province and in GOOD STANDING with the applicable Discipline where he/she is registered may nominate a candidate who is in good standing with his /her club and Polocrosse (over the age of 18) for any position on the National Polocrosse Committee.

16.13 Such nominated person can be nominated for more than one position. Should a person nominated be elected for the highest position all other nominated positions fall away. Should he/she not be elected for the highest position nominated for election such a member continues down the line of nominated position.

16.14 All nomination forms must be signed off by either the Provincial President, Vice President or Secretary in the nomination and seconding signature position. The nominee must also sign the form accepting the nomination. Provincial Polocrosse collects nomination forms from their clubs, then the Provincial Polocrosse EXCO decides who is best suited – only one nomination is then processed.

16.15 Nomination process timelines are as follow:

16.15.1 NO LESS 60 (Sixty) days before the election date the Secretary shall:

16.15.2 Send notification to every member (PROVINCIAL ASSOCIATION who shall distribute to all clubs) and EXCO informing them of the date, time and venue of elections meeting.

16.15.3 Advise them who the appointed electoral officer will be. (This must be a member of the SAEF NATIONAL FEDERATION EXCO or SAEF EXCO)

16.15.4 Call for the nominations for each of the positions to be filled during the elections. Correctly signed and completed nomination forms must be forwarded to the appointed electoral officer and the SAEF Secretary General no later than 30 (Thirty) from receipt of nomination forms. t

16.15.5 NO LESS than 25 (Twenty-Five) days before elections the electoral officer shall return all received nominations forms after verification to the DA Secretary for distribution amongst members (this will be the Provincial DA committee of each Province) who the candidates for elections are to obtain mandates who to vote for.

16.15.6 Only Presidents (or their fully authorised delegate) of the Discipline Provincial Association may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total PROVINCES shall be present.

16.15.7 It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive.

16.15.8 Majority votes recorded shall establish the elected person.

#### 17. MANAGEMENT COMMITTEE

17.1 The PASA Council may appoint a Management Committee if so directed at the Annual General Meeting, comprising of:

1.3.1. The President, Vice President

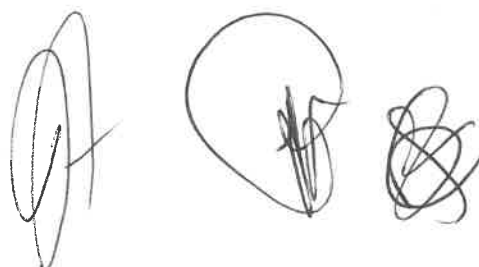
Chief Umpire, Junior President, Athletes Representative

1.3.2. The Secretary/Treasurer

Any two Provincial Presidents.



- 1.4. The Management Committee shall meet at least once every three (3) months.
- 1.5. The Management Committee with the support of the Discipline Commissions referred to above, will function as the decision-making body around policy matters and shall be empowered to take decisions and to immediately undertake any action required by given events as stipulated in Part 2 (Roles & Responsibilities of PASA Council Members, Commissions and Committee Members) of the Rules and Regulations of PASA.
- 1.6. The Management Committee shall appoint an independent Disciplinary Committee to deal with all disciplinary matters relating to the Membership and/or their individual members.
- 1.7. The President may call on any member of the PASA Council to attend a Management Committee Meeting.
- 1.8. The minutes of the Management Committee Meetings must be distributed to all members of the Council.
- 1.9. Each Ordinary Member shall elect a representative to serve on the under mentioned Committees. These committees are, but will not be limited to:
  - 1.9.1. Development and Transformation Committee
  - 1.9.2. International Affairs Committee
  - 1.9.3. Marketing, Public Relations Committee
  - 1.9.4. Events, Schedules, Venues and Competitions Committee
  - 1.9.5. Technical Committee
- 1.10. The roles and responsibilities of Committee Members will be defined in Part 2 of the Rules and Regulations of PASA.
- 1.11. The membership and representation of each sub-committee shall be decided and approved by the Council.
- 1.12. Each Subcommittee shall, subject to the provisions of this Constitution and to the by-laws, rules and regulations of PASA, perform such duties and functions as are delegated to it by the Council.
- 1.13. The powers and authority of each standing sub-committee shall be as set out in the by-laws, rules and regulations of PASA, provided that the PASA Council may by resolution add to or subtract there from .
- 1.14. It is specifically recorded that any Head of a Commission in any discipline shall not be entitled to occupy such position in the event of such person having a financial interest in a business venture connected to the Sport of Polocrosse.



**18. ASSOCIATE MEMBERS**

- 18.1 Any association or organisation which wishes to become an Associate Member of PASA shall apply in writing to the Council to be admitted as such and shall furnish a copy of its constitution and all such information as the PASA Council may require to decide upon its application.
- 18.2 The Council may in its discretion admit any such association or organisation as an Associate Member upon such terms and conditions including terms and conditions as to the payment of subscriptions as the Council may consider fit.
- 18.3 Any decision by the Council in respect of an application for Associate Membership shall be referred to the next Ordinary General Meeting of the Council for ratification and shall not be binding until so ratified.
- 18.4 Notwithstanding anything else herein contained it shall be competent for the Council, with the ratification of the Council, to create quasi-independent and quasi-autonomous bodies or associations having their own constitutions and members for the purpose of better achieving any of the objects of PASA. The constitution, by-laws and regulations of such bodies or associations shall at all times be subject to the approval and ratification of PASA which shall at all times have the power to dissolve and/or withdraw recognition of any such body or association.

**19. HONORARY LIFE MEMBERS**

- 19.1 The PASA Council shall, from time to time, nominate any person who has rendered notable and meritorious service to PASA and/or in the promotion of the sport of Polocrosse and whom it wishes to recognise and honour as an Honorary Life Member which nomination shall be presented to the Council for ratification at the next A.G.M. and, if ratified by the Council, such person shall become an Honorary Life Member and shall enjoy the rights and privileges namely to attend the A.G.M., to receive advance notice and to make preferential bookings in respect of any event or championship held under the auspices of PASA.
- 19.2 All past presidents of PASA may become an Honorary Life Member of PASA if so nominated and such appointment is ratified at an AGM.

**20. PATRONS**

- 20.1 The PASA Council may from time to time nominate any person whom the Council considers to be fit and desirable to be a Patron of PASA which nomination shall be presented for ratification at the next A.G.M. and, if ratified by the Council, such person shall become a Patron of PASA.



20.2 Patrons shall enjoy the same rights and privileges as are enjoyed by Honorary Life Members together with such further rights and privileges as are decided upon by the PASA Council from time to time.

**21. LIMITATION OF LIABILITY OF MEMBERS INDEMNITY**

21.1 The liability of any Member, of any classification, is limited exclusively to the sum of any monies then due and payable by such Member to PASA, by way of subscription or otherwise howsoever.

21.2 The Patrons, the President, the Vice-President, the Director, all members of the PASA Council, the Treasurer, all officials, servants, agents and persons (natural, corporate or otherwise) acting on behalf of PASA, in terms of this Constitution and under delegated powers from the Members in General Meeting or from the Council, shall be and they are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties for and on behalf of PASA, from whatever cause arising, provided such person/s acted in good faith.

**22. ALTERATION OR VARIATION OF THIS CONSTITUTION**

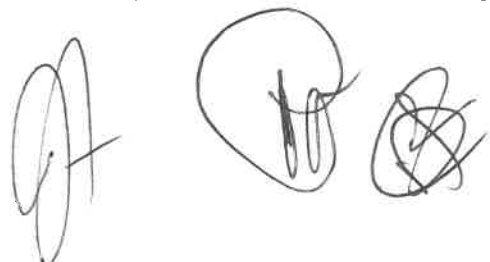
This Constitution may be altered or varied, at any time, by the Members in General Meeting, upon a majority vote of not less than 75%(seventy-five per centum) of the total votes of the Members, whose representatives are present and entitled to vote at that time provided not less than 21 (twenty-one) calendar days written notification of such Meeting, together with a copy of a proposed resolution/s

**23. NOTIFICATION**

For the purposes of this Constitution, all notifications by PASA to any person or any Member, Honorary Life Member or Patron shall, unless delivered by hand, be effective from the date of dissemination by post, and/or by hand, and/or by electronic mail to the last known postal address of such Member/s, by any official of PASA; but all notifications to PASA by any person (natural, corporate or otherwise) or any such Member shall only be effective from the date of receipt thereof by the CEO or the Secretary. In no respects shall any postal authority be, or be deemed to be, the agent of PASA.

**24. INTERPRETATION OF THIS CONSTITUTION**

Any disputes arising out of or in connection with the enforceability of this constitution or the application and interpretation of the provisions thereof or any dispute between PASA and another national sports federation, or between a member of the PASA Council and a Member or individual shall be referred to SAEF who may refer the matter to SASCOC (The South African Sport Confederation and Olympic Committee) or the designated statutory body determined by the appropriate government department, for resolution through



mediation or expedited arbitration. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

## **25. DISSOLUTION OR WINDING UP OF PASA**

25.1 PASA may be dissolved or wound-up, at any time, by the Members in General Meeting, upon a majority vote of not less than 75% (seventy five per centum) of the total votes of Members, whose representatives are present and entitled to vote, who are present in person at such general meeting, provided that not less than 6 (six) calendar days written notification of such meeting and of any resolution aimed at dissolving or winding-up of PASA shall have been given to all Members.

25.2 Upon dissolution or winding up of PASA, all the property and assets of PASA, after payment of all monies owing to any third parties, shall be transferred free of compensation to any other Association/s or Organisation/s having objects similar to PASA, at the discretion of the Members.

## **26. APPEAL BOARD AND DISCIPLINARY BOARDS**

The PASA Council shall appoint the members of the Appeal and Disciplinary Boards and delegate such powers to these Boards to include, but not be limited by the following:

26.1 To assist PASA with legal advice.

26.2 Set up and continuously update a disciplinary code for both participants and management, adopted by Council.

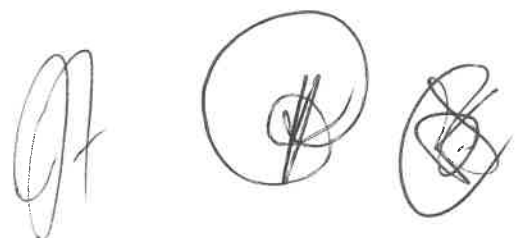
26.3 Chair disciplinary hearings when requested, and adjudicate, mediate and arbitrate upon legal and disciplinary matters.

26.4 The Appeal Board shall comprise of three members of which at least one must have a legal background.

26.5 Every member of the Appeal Board shall have one vote each at their meetings and hearings.

## **27 DISPUTE RESOLUTION**

27.1 Any dispute arising out of, or in connection with, the enforceability of this Constitution, or the application and interpretation of the provisions thereof, or any dispute between PASA and another national sports body, or any dispute between Members of PASA, or any dispute between members of Exco, or between Exco and a Member, or between Exco or an Exco member and an individual (but excluding disputes concerning an Ethics,



Grievances or Selection matter) shall be referred to the SAEF. Should the SAEF fail to solve the dispute, the dispute will be referred to SASCOC or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration in terms of the procedure for the resolution of disputes in sport.

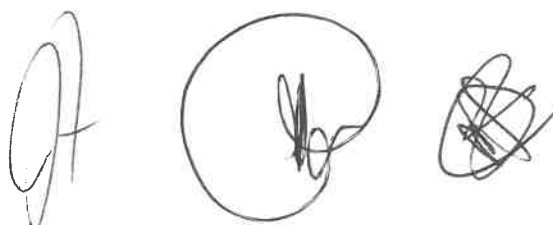
- 27.2 In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.
- 27.3 In recognition of the desire to resolve all disputes in Equestrian Sporting fraternity as amicably and effectively as possible, it is required of all Members of PASA to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as the above provisions of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided for.
- 27.4 Recourse to the High Courts or Magistrates Courts by a party to any Federations or Associations - related dispute shall be limited to instances of an alleged violation of the provisions of this Constitution or an alleged disregard for the principles of natural justice or for purposes of obtaining urgent interdictory relief. In all other instances any disputes fall to be decided according to the dispute resolution processes provided for in this Constitution.
- 27.5 Subject to the constitution of the Republic, and save in circumstances where there is a need for urgent relief of a sort which cannot be obtained through the dispute resolution procedures contemplated by this article (including the holding of an arbitration as envisaged in Article 36.1, on an urgent basis), no ordinary member, associate member or individual falling under the jurisdiction of PASA and the SAEF shall approach a Court of Law to decide on a dispute it has with a member, or individual affiliated to PASA and/or the SAEF or with the SAEF itself.

## **28. CONFLICT OF INTEREST**

28.1 A Conflict of Interest is defined as any persona, professional or financial relationship, including relationships of family members that could influence or be perceived to influence objectivity when representing or conducting business or other dealings for or on behalf of PASA or its members or other persons or bodies over which PASA enjoys jurisdiction, or that detracts from their ability to perform their duties with integrity, and in an independent and purposeful manner.

In the context of the provisions of this Constitution, a distinction is made between the situation of a "Potential Conflict of Interest" and the case of a "Conflict of Interest". Only Conflicts of Interest are prohibited.

28.2 A situation of a "Potential conflict of Interest" arises when the opinion or decision of a person, acting alone or within an organisation, in the framework of the relevant activities, may be reasonably be considered as liable to be influenced by relations that the aforementioned person has, has had or is on the



point of having with another person or organisation that would be affected by the person's opinion or decision.

- 28.3 A case of "Conflict of Interest" is constituted when any person who, having abstained from declaring a situation of potential conflict of interests, expresses an opinion or takes a decision in the circumstances. This conduct is prohibited.
- 28.4 In assessing the situations, direct or indirect interests must be taken into account. This also includes the interests of a third person (for instance a parent, spouse, relation or dependant).
- 28.5 It is accepted that all persons involved in Equestrian Sport may have a personal interest incidental to Equestrian Sport such as themselves being athletes/participants, officials, coaches, horse owners, or parents or guardians of minor athletes, or members of event organisers, or owners of or directly involved in stabling or equestrian centre establishments.
- 28.6 It is further accepted that the vast majority of persons who are prepared to serve on equestrian structures would hold such interests, which may give rise to Conflict of Interest.
- 28.7 As such an appropriate balance needs to be maintained to avoid any unfair or improper advantage, directly or indirectly, to such persons and third persons.
- 28.8 When performing an activity for PASA or being elected or appointed, persons bound by this Constitution shall disclose any personal interest that could be linked to their prospective activities.
- 28.9 A Conflict of Interest may be deemed so severe by the majority of the members of the Executive that such a person shall be deemed not eligible to be elected or appointed to serve on any structure of PASA.
- 28.10 Persons bound by this Constitution shall avoid any situation that could lead to Conflict of Interest.
- 28.11 Faced with a situation of potential conflict of interests, the person concerned must refrain from expressing an opinion, from making or participating in making a decision, or accepting any form of benefit whatsoever.
- 28.12 Should such a person fail to disclose such a personal interest; or in the case of a potential conflict of interest fail to recuse himself from any related proceedings and or accept any benefit as aforesaid; or should there be a dispute or objection concerning any Conflict of Interest, this shall immediately be disclosed or reported to the responsible individual at the Association for which the person performs his or her duties, for appropriate measures.

This Constitution was unanimously adopted by the Membership present at the AGM Meeting held at Mooi River in Kwa Zulu Natal (DISTRICT)

on the 28<sup>th</sup> day of July 2018

August 2018

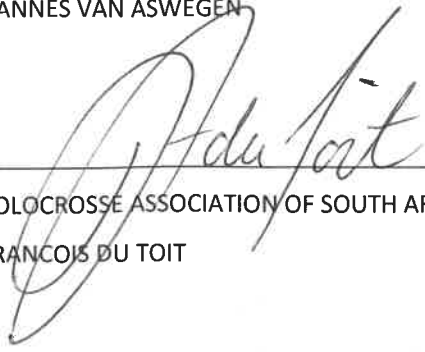
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POLOCROSSE ASSOCIATION OF SOUTH AFRICA – PRESIDENT





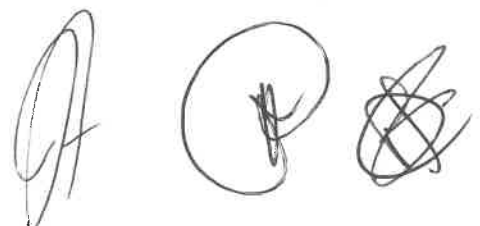
HANNES VAN ASWEGEN



POLOCROSSE ASSOCIATION OF SOUTH AFICA – VICE PRESIDENT  
FRANCOIS DU TOIT

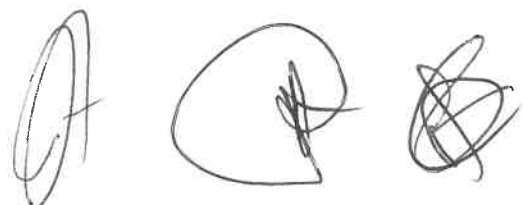


SECRETARY  
Joanne Cocker

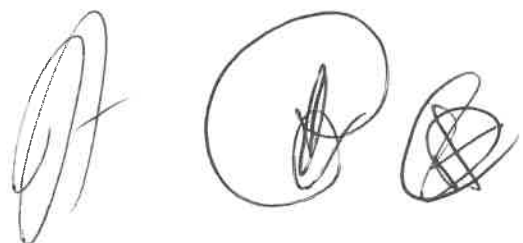


## SCHEDULE ONE - NON-RACIALISM

1. The principle of non-racialism is recognised and accepted. By this it is meant, broadly, that race should not be, and may not be, a basis of discriminating against or affording privilege to any person or group of persons. (Note: In this document all references to "race" must be taken to include a reference to ethnicity and nationality).
2. It follows from this that no club, province or other affiliated body may have any provision in its constitution which has the effect of barring membership on the grounds of race.
3. A provision in a constitution which though not worded in racial terms none the less is calculated to discriminate on grounds of race and which would have the effect of discriminating on grounds of race shall be regarded as an infringement of 2 (Two).
4. The principle of non-racialism also demands that all clubs, provinces and other affiliated bodies shall, when the situation legitimately requires it, make all their facilities available to persons other than their members on an equal basis irrespective of the race, ethnicity or nationality of such persons; eg. when hosting an event and such non-members are legitimately at the premises of the club or other body in connection therewith.
5. The fundamental rights of freedom of association and freedom of disassociation are recognised. It is also recognised that these rights are fundamental to the formation of and existence of the private club which is the basic building block of a national or provincial sports controlling body.
6. There is inherently a potential conflict between the rights referred to in 5.(Five), and the principle of non-racialism referred to in 1.(One), and it is considered desirable to indicate how such potential conflicts are to be resolved.
7. The following are suggested guidelines as to how to reconcile these principles in practice:
  - 7.1. A constitution which admits any person to membership except persons of any particular racial or ethnic group shall be regarded as infringing the principles of non-racialism and shall not be regarded as a valid exercise of the rights of freedom of association/disassociation (Cf. para 2 above).
  - 7.2. A constitution may limit its membership to persons who fulfil certain criteria notwithstanding that the result thereof is that its members in fact consist only of one (1) or more racial groups, provided that those criteria are not racist in their terms or in their intended effect e.g. a club which restricts its membership to persons who attend a certain school shall not be regarded as infringing the principle of non-racialism even though de facto its members may, as a result, come from a certain racial group only. Other examples of the application of this principle are clubs whose membership is limited to persons of a particular vocation or of a particular religious movement.
8. Under no circumstances will an infringement of 4.(Four), above be tolerated or permitted on the grounds that it constitutes an exercise by the club or affiliated body concerned of its rights of freedom of association and/or disassociation.
9. The existence of the so called "ethnic" clubs are perceived to be problematical and require deeper analysis.



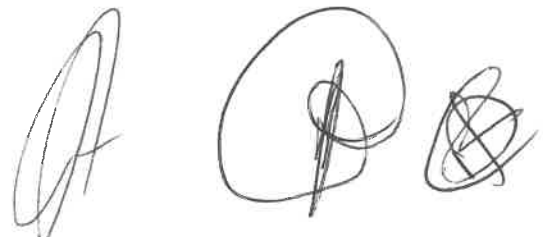
- 9.1 Various such clubs exist at the moment e.g. the Greek Club, the Italian Club, the German Club and so on. The existence of such clubs is a well established and recognised phenomenon in the countries of the United Kingdom, Western Europe and the U.S.A. It is clear that such clubs are not the result of the policy of apartheid, but arise from the desire of peoples of different origins and cultures to group together to enjoy and foster their own cultural traditions.
- 9.2 What is said below is a discussion in general terms and is not a reference to any 1. (one) or more of such ethnic clubs which in fact exist. Such clubs appear to have been formed with the bona purpose of catering for the cultural needs or aspirations or interests of the particular ethnic group which it serves. There does not appear to be any ulterior racial motive.
- 9.3 If the constitution of such a club were to restrict its membership to persons of a particular ethnic group (or race or nationality), it would by necessary implication, be excluding persons from all other ethnic groups/races/nationalities from membership.  
Prima facia this would be an infringement of paragraph 2(Two) above. The question which has to be decided is whether, in these circumstances, this constitutes a valid exercise of the rights of freedom of association and disassociation, notwithstanding that it amounts to an infringement of 2(Two), above (Cf also 7.1 above). It is considered that this would not be acceptable and that any club having a constitution along those lines would not be eligible for membership of the proposed new unified national body or any provincial body.
- 9.4 By contrast, however, a club which had as its main object the promotion, advancement, propagation etc. of the culture, traditions etc. of any particular race or nationality, but which did not seek to exclude or limit membership on those grounds would be regarded as legitimate and would be eligible for membership.
10. The principles and guidelines set out above with regard to non-racialism shall apply equally in respect of religion and discrimination on the grounds of a persons religious beliefs.



## SCHEDULE TWO - AFFILIATES TO PASA

Eligibility requirements for Ordinary members, ~~Special Members~~ and Associate Members in terms of clause 7 of the Constitution of PASA

1. The objects clause of the constitution of an Associate Members must include provisions that are identical to or substantially the same as sub-clauses 6.3, 6.4,6.5, 6.6 and 6.9 hereof and shall provide Associate Members shall encourage, promote, develop and administer the sport of Polocrosse within the area of its jurisdiction in accordance with sound business principles.
2. There must be provisions in the constitution of Associate Members, stipulating that:
  - 2.1 the Association recognises and adopts the Schedule One;
  - 2.2 the Association may not become a member or affiliate to any other body without the prior written consent of the PASA Council;
  - 2.3 the Associate Members may not authorise, send or sanction any team to go on a tour outside the boundaries of the Republic of South Africa without having first obtained the written consent of SAEF through the PASA Council. .
3. Any dispute as to whether the foregoing requirements have been complied with shall be referred to the Constitution sub-committee whose decision shall be final and binding.



**SCHEDULE THREE - APPLICATION OF THE PROVISIONS OF SECTION 30 (1) OF THE INCOME TAX ACT, 1962.**

The following provisions contained in section 30 (1) of the Act shall at all times apply and be adhered to while this constitution is in operation.

- 1.1 The sole object of the Association is to carry on a public benefit activity which qualifies for purposes of Section 18 A of the Act as defined in Section 30 (1) of the Act, in a non-profit manner.
- 1.2 At least 85% ( Eighty Fiver Percent) of the Association's activities shall be carried out in the Republic of South Africa
- 1.3 At least 3 ( Three) members who will accept fiduciary responsibilities and shall also not be connected persons to each other: and no single person directly or indirectly controls the decision making powers relating to the Association
- 1.4 No funds will be distributed to any person (other than in the course of undertaking any public benefit activity.)
- 1.5 The Association's funds will be used solely for the objects for which it was established, or shall be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, (act no.39 of 1984) or in securities listed on a stock exchange as defined in the Stock Exchanges Control.
- 1.6 The Association will not carry on any business undertaking or trading activities other than to the extent that: The gross income derived from such business undertaking or trading activity does not exceed the greater of R25000 or 15% of the gross receipts of the constitution:

The undertaking or activity is -

- a) integral and directly related to the sole object of the Association : and
  - b) carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost: and
  - c) which would not result in unfair competition in relation to taxable entities:
- the undertaking or activity, if not integral and directly related to the sole object of such Association, is of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation :
- or:

the undertaking or activity is approved by the Minister by notice in the Gazette, having regard to

- a) the scope and benevolent nature of the undertaking or activity
- b) the direct connection and inter-relationship of the undertaking or activity with the sole purpose of the Association
- c) the profitability of the undertaking or activity: and
- d) the level of economic distortion that may be caused by the tax-exempt status of the Association carrying out the undertaking or activity.

any business undertaking or trading activities, or assets used in such undertaking or activity, acquired by the Association before 1 January 2001, will be retained or continued as the case may be, in the form so acquired for a period of five years.

- 1.7 On the dissolution of the Association, the remaining assets will be transferred to any similar public benefit organization, within the Republic of South Africa which has been approved in terms of Section 30 of the Act for the purposes of Section 18A of the Act:
- 1.8 No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any



misrepresentation with regard to the tax deductibility thereof in term of Section 18A: provided that a donor (other than a donor which is an approved public benefit organization or an institution board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation:

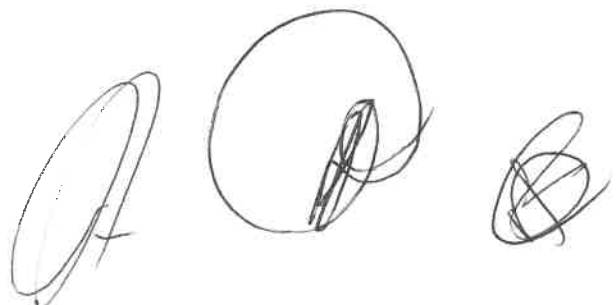
- 1.9 A copy of all amendments to the Constitution, trust deed, will be submitted to the Commissioner for the South African Revenue Service;
- 1.10 No remuneration will be paid to any employee, office bearer, member or person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered;
- 1.11 The Association will submit the required Income Tax Returns annually together with the relevant supporting documents;
- 1.12 The Association will, within such period as the Commissioner may determine, register in terms of section 13(5) of the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997), and comply with any other requirements imposed in terms of the Act;
- 1.13 The Association has not and will not use its resources directly or indirectly to support, advance or oppose any political party.

Handwritten signatures and initials in black ink, including a large stylized 'A', a circular signature, and a scribbled signature.

**SCHEDULE FOUR - DISPUTES**

**DISPUTES:**

Any disputes arising out of, or in connection with, the enforceability of this constitution, or the application and interpretation of the provisions hereof, or any dispute between any members of the Department of Sport and Recreation (SRSA) or the South African Confederation of Sport and Olympic Committee (SASCOC) or between a member and the National Executive Committee or members of PASA shall be referred to the SAEF to deal with, in terms of their constitution, failing which same shall be referred to SASCOC to deal with in terms of their Constitution, Disputes Resolution Council for resolution through mediation or expedited arbitration in terms of the Rules and Procedures for the Resolution of Disputes in Sport, prevailing at the time such dispute is so referred. In the event of arbitration in terms of the above, such resolution shall be final and binding on the parties to the dispute.

Three handwritten signatures or initials are present at the bottom of the page. The first is a large, stylized 'A' or similar character. The second is a large circle with a diagonal line through it. The third is a smaller, more complex scribble.