

# **CONSTITUTION**

## **PORT ELIZABETH FATTRACKS MOUNTAIN BIKE CLUB**

### **'FATTRACKS'**

#### **1. INTERPRETATION**

In this Constitution, unless the context otherwise indicates, and/or unless inconsistent with the context:

- 1.1 "Club" shall mean the Port Elizabeth Fattracks Mountain Bicycling Club.
- 1.2 "ECMB" shall mean the East Cape Mountain Biking.
- 1.3 "Annual Report" shall mean the report submitted by the Chairman to the Annual General Meeting of the Club and shall include a Financial Report as well as such other reports by any members of the Executive Committee which the Executive Committee considers should be presented to such Annual General Meeting.
- 1.4 "Cycling SA" shall mean Cycling South Africa.
- 1.5 "Year" or "Financial Year" shall mean the period of one year ending on the 31<sup>st</sup> December of each year.
- 1.6 "Office bearers" would mean the Chairman, Vice Chairman and Secretary/Treasurer.
- 1.7 Notwithstanding anything herein contained to the contrary, word importing the singular shall include the plural, and vice versa, and words importing the masculine gender shall include the feminine gender and words importing persons shall include bodies corporate.

#### **2. OBJECTIVES AND MEMBERSHIP**

##### **2.1 Name**

The Club shall be known as the Port Elizabeth Fattracks Mountain Bicycling Club

##### **2.2 Aims and Objectives**

Fattracks is constituted as a club in terms of Cycling SA definition of a club and therefore, as such, is a non-profit making association which has the following objectives:

- 2.2.1 to promote and/or organise mountain biking events in and around Port Elizabeth.
- 2.2.2 to liaise with Land Access control bodies and individuals in the interest of its members.
- 2.2.3 to promote and/or organise competitive mountain biking events which will be held in accordance with prevailing ECMB and Cycling SA competition rules.
- 2.2.4 to improve and guard the better interest of the environment and ecology and to liaise with any organisation with a similar interest in this regard.

### 3. **JURISDICTION**

This Constitution and/or any rules and/or regulations framed there under shall be binding on members of the Club.

### 4. **MEMBERSHIP**

- 4.1 Membership is open to everybody
- 4.2 People who wish to join the Club must apply in writing on the Club membership application form.
- 4.3 Fattracks reserves the right to eject or discipline a member who has brought the name and objectives of the Club into disrepute.

### 5. **COMMITTEE**

- 5.1 The Committee shall consist of the office bearers and other committee members.
- 5.2 The office bearers and other committee members will be elected by the members at the Annual General Meeting.

### 6. **POWERS AND DUTIES OF THE COMMITTEE**

- 6.1 To open and conduct in the name of the Club such bank accounts as may be necessary from time to time, and to deposit into and withdraw monies from such accounts.
- 6.2 To invest the funds of the Club in any recognised banking institution approved by the Committee.
- 6.3 To seek, arrange and conclude agreements of sponsorship in the name of the Club.

- 6.4 In the name of Fatracks, to enter into contracts wherever and whenever necessary in pursuance of the aims and objectives of ECMB and the Club.
- 6.5 Where the office of any member of the Committee becomes vacant through any cause other than the expiration of his term of office, to appoint an alternative officer to fill such vacancy.
- 6.6 To elect representatives to ECMB and Cycling SA
- 6.7 To assign specific functions and duties to all or any of the members of the Committee and to define what such functions, powers and duties are.
- 6.8 To raise funds and monies on behalf of the Club.
- 6.9 To appoint sub-committees and to define what their powers and duties are.
- 6.10 To draw up regulations and criteria for selection and awarding of colours.
- 6.11 To take disciplinary action as it, in its sole unfettered discretion, may see fit to take, including suspension of the membership for such period or periods, of any member:
  - 6.11.1 for the purpose of enforcing the provisions of this Constitution, and/or any of the rules and regulations framed hereunder.
  - 6.11.2 for having brought recreational mountain bike riding and/or mountain bike racing into disrepute.

## 7. **ANNUAL GENERAL MEETING**

- 7.1 The Annual General Meeting of the Club shall be held not later than 31<sup>st</sup> December of each year.
- 7.2 FOURTEEN (14) days written notice convening an annual general meeting shall be given. Such notice shall specify the date, time and place of such meeting and shall be signed by the Chairman.
- 7.3 The following items of business shall be considered at an annual general meeting:
  - 7.3.1 notice convening the meeting.
  - 7.3.2 confirmation of the minutes of the previous annual general meeting.
  - 7.3.3 annual reports.

7.3.4 election of office bearers and committee.

7.3.5 any other type of business requested by any member, in writing, to the Chairman received no later than SEVEN (7) days prior to the holding of the meeting.

7.4 Members of the outgoing Committee and representatives of affiliated clubs shall have the right to attend any annual or special general meeting of the Club.

## **8. SPECIAL GENERAL MEETING**

8.1 A special general meeting of the Club shall be convened when requested to do so by a majority of the Committee.

8.2 FOURTEEN (14) days written notice convening any special general meeting shall be given. Such notice shall state the reason for the meeting, specify the date, time and place of the meeting and shall be signed by the Chairman.

## **9. MEETINGS OF THE COMMITTEE**

The Committee shall meet at least once in the course of every three calendar months.

## **10. QUORUM FOR MEETINGS**

10.1 The quorum for annual general meetings and special general meetings shall be more than THIRTY (30) per cent of persons entitled to attend.

10.2 A quorum for Committee meetings shall be any number greater than half of the number of members of the Committee.

## **11. VOTING RIGHTS AT MEETINGS**

11.1 Each member of the Committee shall have one vote.

11.2 This Constitution may not be amended and/or added to in any way except at an annual or special general meeting. The notice given for such meeting shall specify the proposed amendments and/or additions to be made to this Constitution. A majority of two thirds or more of the voting rights present shall be required before any proposed alterations and/or additions to the Constitution can be carried into effect.

**12. LEGAL PROCEEDINGS**

The Club may sue or be sued in any capacity in legal proceedings in its own name. The Chairman may sign on behalf of the Club any power of attorney which may be required for this purpose.

**13. DISSOLUTION OF FATTRACKS**

No member shall be liable for the debts of the Club.

**14. MATTERS FOR WHICH THERE ARE NO PROVISIONS**

In the event of any matter which is within the powers of the Committee to do, which is not covered by this Constitution, and it is considered necessary by the Committee that provision for such matter be made herein, the Committee shall have the right to legislate upon such matter temporarily, pending the due alteration and/or amendment of this Constitution.