

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 31st 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.

2.3. Income and property

2.3.1 The organisation may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the organisation. The payment must be a reasonable amount for the work that has been done.

2.3.2 Members or office bearers of the organisation do not have rights over things that belong to the organization

3. JURISDICTION

3.1 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. online on the FatTracks website <https://fattracks.co.za/>

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 FatTracks, 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 31st 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.

7.5 The Secretary shall keep minutes, which shall consist of a proper record of all proceedings and discussions at such meetings, and such minutes shall be available at every meeting.

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.

10.1 FatTracks Members who are authorised to vote and are present at a FatTracks General Meeting shall constitute a quorum.

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

11. VOTING RIGHTS AT MEETINGS

11.1 Each member of the Committee shall have one vote.

11.1.1 Each FatTracks Club member shall have one vote.

11.1.2 The adoption of proposals, election of office bearers and all other business of a general nature, excluding constitutional amendments, shall be decided in accordance with a simple majority.

11.1.3 The chair shall have a casting vote in the event of there being no majority on any matter voted upon.

11.2 This Constitution may not be amended and/or added to in any way except at an annual or special general meeting.

11.2.1. 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.

11.2.2 The constitution can be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the members who are at the annual general meeting or special general meeting. Members must vote at this meeting to change the constitution.

11.2.3 Members who are authorised to vote and are present at a FatTracks General Meeting shall constitute a quorum.

11.2.4 Any annual general meeting may vote upon such a notion, if the details of the changes are set out in the notice referred to in 11.2.5.

11.2.5 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.

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

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

13.2 Procedure to wind up or dissolve

13.2.1 The organisation may close down if at least two-thirds of the members present and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down.

13.3 Assets remaining after winding up

13.3.1 When the organisation closes down it has to pay off all its debts. After doing this, if there is property or money left over it should not be paid or given to members of the organisation. It should be given in some way to another non-profit organisation that has similar objectives. The organisation's general meeting can decide what organisation this should be.

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.