

## **ATC Multisport Constitution**

### **1. NAME**

The club will be called **ATC Multisport** and will encompass the following clubs (hereinafter referred to as the “incorporated clubs”):

- i. The Atlantic Triathlon Club**
- ii. ATC Running**
- iii. ATC Cycling**
- iv. ATC Swimming**

### **2. HEADQUARTERS**

The headquarters of the club shall be the address of the Secretary. Notwithstanding the Secretary’s address the club shall operate in the Atlantic Seaboard area of Cape Town.

### **3. CORE VALUES**

#### **3.1 SOLE PURPOSE**

To promote the growth of Triathlon and Duathlon as sporting disciplines in the community of South Africa while promoting the development of athletes from disadvantaged backgrounds and serving the interest of members.

#### **3.2 AIMS & OBJECTIVES**

The aims and the objectives of the club will include, but not be limited to:

- to offer coaching and competitive opportunities in Triathlon, Duathlon, the related individual disciplines of swim, bike & run, and such activities as the Management Committee may from time to time deem appropriate.
- to promote the club structure within the province and South Africa;
- attracting new and beginner athletes to the sport, as well as providing a Club facility for experienced athletes;

#### **3.3 VALUES**

- to ensure a duty of care to all members of the club;
- to provide all its services in a way that is fair to everyone;
- to ensure that all present and future members receive fair and equal treatment;
- to promote the development of athletes from disadvantaged backgrounds.

### **4. CLUB COLOURS**

The club colours shall be orange, black and white

## **5. MEMBERSHIP**

Membership should consist of officers and members of the club.

All members will be subject to the regulations of the constitution and by joining the club will be deemed to accept these regulations and codes of conduct that the club has adopted

A candidate for membership of the club must apply in writing on a form provided for the purpose. Such a candidate will be elected at the discretion of the Management Committee.

## **6. MEMBERSHIP SUBSCRIPTIONS**

Subscriptions shall be paid on an annual basis in the following categories:

- Senior Multisport Full Members
- Senior Multisport Country Members
- Student Multisport Full Members
- Junior Multisport Full Members
- ATC Running Members
- ATC Cycling Members
- ATC Swimming Members
- Atlantic Triathlon Club Members

The rates for subscription shall be fixed by the Club in the General Meeting, and can have immediate effect.

No member whose subscription still remains unpaid more than three calendar months after the due date shall be eligible to take part in the any events, training sessions and affiliations promoted by the Club until such subscription has been paid.

The Management Committee reserves the right, in appropriate circumstances, to reduce the amount of any subscription.

6.1 Members are eligible to apply for affiliation to Regional / National Governing Bodies in accordance with their ATC membership type. Members agree to comply with the applicable regulating body's membership criteria and to abide by the rules and regulations of such a body. This includes but is not limited to criteria and rules stipulated in Addendum A: Affiliation Stipulations.

## **7. OFFICERS OF THE CLUB**

The officers of the club will be:

- Chair
- Vice Chair
- Secretary
- Treasurer
- Development Officer
- Communications Officer
- Other officers as deemed necessary

Officers will be elected annually at the Annual General Meeting.

All officers will retire after serving for 2 years, but will be eligible for re-election.

## **8. MANAGEMENT COMMITTEE**

The management of the club shall be vested in a Management Committee consisting of a Chair, Vice-Chair, Secretary, Treasurer, Communications Officer and Development Officer and other officers as deemed necessary.

The Management Committee shall consist of a minimum of 4 members and shall not exceed a maximum of 9 members.

Only these posts will have the right to vote at meetings of the Management Committee.

All members of the Management Committee shall be elected and their services shall be honorary. Notwithstanding the above, the Management Committee shall have the power to approve the remuneration of certain members of the Management Committee for services offered. The value of such remuneration will be at the discretion of the Management Committee, providing that such remuneration is financially sustainable for the Club.

The Management Committee shall have the power to appoint a new officer if the position becomes vacant during the year, such officer to retire at the end of the year but will be eligible for re-election.

The Management Committee shall have the power to co-opt additional members, such members to resign at the next following Annual General Meeting.

The quorum that is required for business to be agreed at Management Committee meetings will be three including at least one of the four main officers.

The Management Committee will be convened by the Secretary of the club and hold no less than 1 meeting per year.

The Management Committee will be responsible for adopting new policy, codes of conduct and rules that affect the organisation of the club.

The Management Committee shall have the power to appoint sub-committees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business.

The Management Committee shall have the power to appoint separate Sub-Committees for any or all of the incorporated clubs. Officers can serve simultaneously on the ATC Multisport Management Committee and incorporated clubs' Sub-Committee(s).

The Management Committee will be responsible for disciplinary hearings of members who infringe the club rules/regulations/constitution or for undesirable behaviour or under the instruction from the Regional/National Governing Body. The Managements Committee will be responsible for taking any action of discipline, suspension or termination of the membership following such hearings.

## **9. FINANCE**

All club monies will be banked in an account held in the name of the club.

The Club Treasurer will be responsible for the finances of the club.

The financial year of the club shall run from 1 August to 30 July of the following year.

A statement of annual accounts will be presented by the Treasurer at the AGM.

Any expenses drawn against club funds must be authorised as follows:

Expenses incurred during the ordinary course of running ATC, must be approved by one of the four officers of the club, authorised in accordance with the Bank mandate.

Substantial, once-off, expenses must be approved by two of the four officers of the club, authorised in accordance with the Bank mandate. One of these officers will be the Chairman or Treasurer.

## **10 ANNUAL GENERAL MEETING (AGM)**

An Annual General Meeting (AGM) shall be held each year.

The Secretary shall give at least 21 days notice of the AGM. Such notice shall state time, venue and the Agenda of business to be transacted.

Notice shall be given by communication sent to each member of the club. Notice sent to a family member shall be deemed sufficient notice to the remaining members of that family at the same address.

The Secretary must receive any resolution for the consideration at the AGM 7 days prior to the AGM.

THE AGM will receive a report from officers of the Management Committee and a financial statement of accounts.

Election of Management Committee members is to take place at the AGM.

Nominations for officers of the Management Committee must be sent to the Secretary prior to the AGM.

All members, except Associate members and honorary members, have the right to vote at the AGM.

The Management Committee has the right to call Extraordinary General Meetings (EGMs) outside the AGM, and to have any matter placed on the Agenda for any such meetings.

## **11. EXTRAORDINARY GENERAL MEETING (EGM)**

The secretary shall proceed to convene an EGM within 28 days of the receipt by him/her of a requisition in writing, stating the business to be brought before such a meeting, signed by not less than 10 members of the club having voting rights or the Management Committee.

Procedures for the EGM will be the same as for the AGM. However, no business other than that stated on the Agenda shall be dealt with at any such meeting.

If the Management Committee so decide, voting at an EGM may be extended to allow for members to vote by postal ballot. In such case the necessary majority to change the Rules is two-thirds of the total combined votes cast by the members present at the meeting and members voting by post.

## **12. CHAIRMAN & VICE CHAIRMAN**

The Management and Committee shall have power to nominate for election at an AGM a Chairman and Vice Chairman of the club. Any Chairman or Vice-Chairman elected shall retire after serving a two year term, but shall be eligible to be nominated for re-election.

The Chairman shall, if present and willing, take Chair at every General Meeting of the club.

## **13. LIFE MEMBERSHIP**

Life membership without payment of any further subscription may be awarded to a member in recognition of particularly long or meritorious service to the club.

A candidate for Life Membership shall be nominated by at least two members of the club and his/her name shall be given to the Secretary in writing at least 28 days prior to an AGM for consideration by the Management Committee.

If approved by the management Committee, a candidate's name shall then be put forward for election at such Annual General Meeting.

## **14. DISCIPLINE AND APPEALS**

All complaints regarding the behaviour of the members should be submitted in writing to the Secretary.

The Secretary shall give the member at least seven days notice to attend a meeting of the Management Committee and shall inform him/her of the complaints made. No member shall be disciplined or expelled without first having the opportunity of appearing before the Management Committee and answering the complaints made nor unless at least two-thirds of the Management Committee then present vote in favour of termination of membership.

The Management Committee has the power to take appropriate disciplinary action including the termination of membership.

The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within seven days of the hearing.

There will be the right to appeal the Management Committee following the disciplinary action being announced. The Management Committee should consider the appeal within 28 days of the Secretary receiving the appeal. An arbitration panel consisting of two club members, not on the Management Committee and one person nominated by the applicable Regional / National Governing Body will then hear any appeal.

## 15. RESIGNATION

A member intending to withdraw from the club shall give notice in writing to the Secretary and such notice shall be considered by the club within one calendar month of receipt.

Membership shall be held to have ceased on the actual date of tendering the notice, unless the member be financially indebted to the club, in which case acceptance may be withheld until the indebtedness has been met.

A member not having tendered his/her resignation within one month after a subscription becomes due shall be liable to such subscription. No part of any subscription shall be refundable in the event of resignation.

## 16. SPONSORSHIP

The Management Committee will endeavour to secure sponsorship for the club from various sources. This would cover product and financial sponsorship. To this end, the Committee will be entitled to assign naming rights, branding and other endorsements to a title and other sponsors.

ATC will endeavour to formally register with the relevant authority(s) as a **not for profit voluntary association for public benefit**. Stipulations required by the Tax Act for this purpose will be recorded in **Addendum B: Registration as Not for Profit Association**

## 17. CLUB RECIPROCITY

ATC will seek to form beneficial relationships with other sporting clubs, both locally and abroad. Such relationships would benefit members by allowing a certain amount of reciprocity.

## 18. DEVELOPMENT

The club will endeavour to promote, where practical, the development of athletes and members from disadvantaged backgrounds in line with the applicable Regional / National Governing Bodies' policies. This may include financial, coaching or other assistance. In addition, the Club will seek to organize events such as training sessions in areas with limited facilities.

## 19. DISSOLUTION

The club is a non-profit making organisation, and any profits realized can only be distributed on dissolution.

A resolution to dissolve the club can only be passed at an AGM or EGM through a two-thirds majority vote of the membership.

In the event of dissolution, as distinct from merger or amalgamation, any assets of the club that remain will be distributed to the Regional Governing Bodies to which the club is affiliated.

## **20. AMMENDMENTS TO CONSTITUTION RULES**

The constitution will only be changed through agreement vote at an AGM or EGM.

No alteration or addition may be made to the Rules except by a two-thirds majority vote of those members present at an AGM or EGM called for the purpose.

The Management Committee, whose decision is final, shall determine where necessary the interpretation of any rule and any matters not covered by the Rules.

Incorporated Clubs will be governed by the rules as set out in this constitution. The Management Committee shall have the power to create a sporting discipline specific Constitution for an Incorporated Club if deemed necessary to fulfil its business. Such a constitution shall include all the governing rules of this constitution but may exclude non-applicable Governing Bodies and may stipulate a smaller Management Committee.

## **21. AFFILIATION**

Where required, ATC will handle affiliation to Regional / National Governing Bodies on behalf of members. Such affiliation must be requested and paid for separately by members. ATC and its members acknowledge that such affiliation is necessary for members to participate in certain events and to qualify for the provincial and national teams.

ATC will endeavour to affiliate with the following Regional / National Governing Bodies governing if such affiliation is deemed beneficial to its members.

- i. The Atlantic Triathlon Club** - affiliated to the Western Province Triathlon Association (WPTA) and Triathlon South Africa (TSA)
- ii. ATC Running** - affiliated to Western Province Athletics (WPA) and Athletics South Africa (ASA).
- iii. ATC Cycling** - affiliated to Western Province Cycling Association (WPCA), Western Cape Mountain Bike Commission (WCMBC) and Cycling South Africa (CSA).
- iv. ATC Swimming** – affiliated to South African Masters Swimming (SAMS), Western Province Aquatics (WPAq) and Swimming South Africa (SSA).

## 22. DECLARATION

ATC Multisport hereby adopts and accepts this constitution as a current operating guide regulating the action of members.

Date: **2017-07-26**

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**Steve Attwell**  
Chairman

A rectangular box containing the ATC Multisport logo on the left and a handwritten signature in black ink on the right. The signature is stylized and appears to be "G. Wilkins".

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**Gert Wilkins**  
Vice Chairman



## **ADDENDUM A: AFFILIATION STIPULATIONS**

Only Members aged 19 years and older are eligible for affiliation to SAMs and will be permitted to participate in SAMS affiliated swim events.

## **ADDENDUM B: REGISTRATION AS NOT FOR PROFIT ASSOCIATION**