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## **WESTVILLE OLD BOYS SOCCER CLUB**



## **CONSTITUTION**

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**WESTVILLE OLD BOYS SOCCER CLUB**

**1. INTRODUCTION**

- 1.1 The name of the Public Benefit Organisation shall be: WESTVILLE OLD BOYS SOCCER CLUB ("WOBSC").
- 1.2 WOBSC is and shall continue to be a separate legal body distinct from its members with the capacity to acquire rights and obligations and having perpetual succession.
- 1.3 WOBSC shall be conducted on an entirely non-sectarian and non-racial basis.
- 1.4 The address of WOBSC is Jimmy Bellows Sports Ground, Link Road, Westville and these sports grounds are leased by WOBSC from the eThekweni Municipality.

**2. AIMS AND OBJECTIVES**

The aims of WOBSC are:

- 2.1 to promote social interaction and a community spirit through the medium of soccer;
- 2.2 to promote sport generally;
- 2.3 to promote of the health, security and happiness of it's junior and senior members;
- 2.4 to conduct sports training programmes;
- 2.5 to actively establish and maintain a core of volunteers to pursue the aims of WOBSC to the fullest extend;

- 2.6 to promote a relationship with the educational institutions in the area that is mutually beneficial;
- 2.7 to collaborate and liaise with the other sports organisations with similar aims as those of WOBSC;
- 2.8 to pursue the foregoing objectives vigorously to the extent that they are affordable and sustainable.

### **3. POWERS AND RESTRICTIONS**

For the attainment and promotion of its aims and objectives WOBSC shall have power:

- 3.1 to institute, defend, compound or abandon any legal proceedings in the name of WOBSC;
- 3.2 to borrow money on bank overdraft or otherwise;
- 3.3 to collect, canvass for and to accept membership fees, donations, bequests, endowments and benefits of any nature for WOBSC from any person or body or estate and from any source whatsoever;
- 3.4 to invest the funds and assets of WOBSC in securities approved by the Committee whose power shall include the realisation of investments and reinvestments;
- 3.5 to acquire movable property by purchase, lease, donation, bequest or any other mode of acquisition;
- 3.6 to sell, donate, exchange, partition or dispose of by any other mode, movable property;
- 3.7 to generally do all such things as may be conducive to the attainment of all or any of the aims and objectives of WOBSC;
- 3.8 no funds will be distributed to any person other than in the course of furthering the aims and objectives of WOBSC;

3.9 the formation of rules and regulations for the implementation of the Constitution;

**4. USE OF PROPERTY OR INCOME**

4.1 Any property or income of WOBSC shall be utilised solely in the furtherance of its aims and objectives;

4.2 No part of the income or funds of WOBSC may be paid or otherwise made available for the personal benefit of any member, member of the Committee, official or donor of WOBSC.

**5. MEMBERSHIP**

The people who shall be eligible for membership are as follows:

5.1 Ordinary member – any person who is interested in the sporting and recreational activities and who applies and whose application for membership is accepted by the Committee and who pays the prescribed annual membership fee;

5.2 Life membership – this may be conferred by the Committee on any person who donates not less than the prescribed fee for life membership which amount shall be determined by the Committee from time to time but whose life membership must be confirmed by the members at the Annual General Meeting;

5.3 With the exception of life membership referred to in Clause 5.2, membership in the case of new members will be valid for a period commencing on the date of acceptance by the Committee of such person's application for membership, and ending on the last day of that financial year. All membership fees shall be subject to renewal on the first day of the financial year unless specifically condoned by the Committee;

5.4 Membership may terminate where membership fees remain unpaid 90 days after due date;

5.5 The Committee may, at its sole discretion, terminate any membership without having to provide any reason for its decision. The decision to terminate

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membership shall be approved by two thirds of the members of the Committee present at any meeting of the Committee where such matter is debated;

5.6 Membership fees shall be determined by the Committee from time to time;

5.7 The Committee shall keep a current register of members with their last known addresses. The onus is on the member to advise WOBSC of his / her address and any change thereof;

## **6. LIMITATION OF RIGHTS AND LIABILITIES OF MEMBERS**

6.1 Membership of WOBSC does not and shall not give any member, proprietary right, title or claim nor any interest in the property or assets of WOBSC;

6.2 Committee members shall have no rights in the property or other assets of WOBSC solely by virtue of their being members or office bearers;

6.3 Committee members shall not become liable for any of the obligations and liabilities of WOBSC solely by virtue of their status as members or office bearers of WOBSC;

6.4 Office Bearers shall not be personally liable for any loss suffered by any person as a result of an act or omission, which occurs in good faith while the office bearer is performing functions for or on behalf of WOBSC.

## **7. GENERAL MEETING**

7.1 A general meeting, to be known as the Annual General Meeting, shall be held each year within a period of 60 days either before or after the end of the financial year, as defined in clause 13, on a date and at a time and place fixed by the Committee. Such Annual General Meeting shall be convened by the Chairperson;

7.2 A general meeting, to be known as a Special General Meeting, may be called at any time by the Committee. The Committee shall call a Special General Meeting

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on a requisition signed by at least 20% of the total eligible voting members and stating the purpose of the meeting;

- 7.3 The quorum at general meetings shall be 20 voting members present in person or by proxy, and whose membership fees are up to date;
- 7.4 If within half an hour of the time appointed for any general meeting, a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved. In any other case it shall stand adjourned to the same day in the next week, at the same time and place, or if that day be a Public Holiday or weekend, to the next succeeding day. If at such adjourned meeting a quorum is not present for the meeting the members present shall be the quorum;
- 7.5 Save as provided in Clause 16 any motion before a general meeting shall be carried by a simple majority of votes. In the event of any equality of votes, the Chairperson of the meeting shall have a casting vote in addition to a deliberative vote. The meeting shall decide, by a show of hands, whether voting shall be by a show of hands or a secret ballot;
- 7.6 A Special General Meeting shall be conducted in the like manner provided for at the Annual General Meeting;
- 7.7 Only life members, and ordinary members shall be entitled to attend and vote at any general meeting, whether annual or special. These classes of members shall be classified as voting members and each person exercising a vote must complete and sign the attendance register at the meeting;
- 7.8 The instrument appointing a proxy shall be in writing under the hand of the appointer. No person shall act as a Proxy unless he or she is entitled, on his or her own behalf, to be present and vote at the meeting;
- 7.9 At all General Meetings the Chairperson shall preside. In the absence of the Chairperson the Vice Chairperson shall take the chair. In their absence the meeting shall elect as Chairperson any members of the Committee present at the meeting.

**8. VOTING**

Eligible voting members of WOBSC shall be entitled to exercise one single vote on any motion; and the vote shall be exercised personally or by duly authorised proxy.

**9. BUSINESS AT THE ANNUAL GENERAL MEETING**

9.1 The Committee shall submit for the consideration of the Annual General Meeting the Financial Statements and an Annual Report of the affairs and activities of WOBSC.

9.2 The Annual General Meeting shall:

9.2.1 elect the Committee of WOBSC in the manner prescribed in Clause 12;

9.2.2 consider any business of which notice has been given, such notice to reach WOBSC not later than 10 days before the relevant Annual General Meeting.

**10. THE COMPOSITION OF THE COMMITTEE OF THE WOBSC**

10.1 The Committee shall comprise not less than 5 members and not more than 10 members exclusive of members co-opted in terms of Clause 11.1.8;

10.2 Members of the Committee shall be elected at the Annual General Meeting of WOBSC and shall hold office for a period of 3 years subject to the requirements of Clause 10.3;

10.3 Nominations for the election of any members of the Committee, shall be handed to the Chairperson in writing at least fourteen days before the date of the Annual General Meeting of WOBSC and signed by the Proposer, Secunder and nominated candidate, all members of WOBSC in good standing;

10.4 The Office Bearers of WOBSC shall consist of the Chairperson, the Vice Chairperson, and the Treasurer, the Secretary, the Head of Coaching and the Media liaison Officer;

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**11. POWERS AND DUTIES OF THE COMMITTEE**

- 11.1 The Committee shall be charged with the responsibility of carrying out the aims and objectives of WOBSC in accordance with the Constitution and, without detracting in any way from the generality of this provision, may exercise the following powers:
- 11.1.1 to open bank accounts and deposit any funds with such bank;
  - 11.1.2 to ensure that proper books and records of the affairs of WOBSC are kept, and to cause accounts for the financial year to be prepared;
  - 11.1.3 to appoint such other Committees or Sub Committees, as it may consider necessary for the efficient carrying out of the aims and objectives of WOBSC, and to delegate to such Committees all or any of the powers of the Committee;
  - 11.1.4 to collect and disseminate information which, in the opinion of the Committee, is calculated to promote any aims and objectives of WOBSC and to assist or co-operate with any other organisation having aims and objectives similar to its own;
  - 11.1.5 to fill any vacancy on the Committee except that of the Chairperson, the Vice Chairperson and the Treasurer, from amongst its elected members;
  - 11.1.6 to co-opt additional members either in their personal capacities or as representatives of any sporting bodies or organisations, public authority or similar body. Such co-opted members may take part in any discussions at Committee Meetings, but will not have a substantive vote in these discussions, and shall retire at the next Annual General Meeting. The number of co-opted members should not exceed one third of the number of elected members to the Committee;
  - 11.1.7 to acquire property or an interest in movable property, by means of purchase, exchange, donation, legacy, lease, hire or otherwise;



- 11.2 Should the services of a fundraiser be made use of for the collection of contributions the expenses (remuneration and / or commission included) may not exceed 30% of the total proceeds of the collection.

## 12. MEETINGS OF THE COMMITTEE

- 12.1 The Committee shall meet at least once a months at a place and time to be notified by the Secretary of WOBSC;
- 12.2 The Chairperson, or in his absence, the Vice Chairperson, shall take the Chair at every meeting of the Committee. Failing attendance of both of them, the members of the Committee, present in person, shall elect one of their members as Chairperson of the meeting;
- 12.3 Members of the Committee representing the sports sections must attend in person or if unavailable, can send one nominee;
- 12.4 All decisions shall be decided by the vote of the majority of elected members present and at all meetings the Chairperson of the meeting shall have a casting as well as a deliberative vote;
- 12.5 Any member elected to the Committee who fails to attend three consecutive meetings of the Committee shall be deemed to have resigned there from unless such absence is condoned by the Committee;

12.6 The Committee shall cause minutes to be kept of the proceedings at all meetings of the Committee and shall include a statement of the date, place and list of members present. A copy of the minutes shall be forwarded to each Committee Member as soon as reasonably possible after the meeting.

## 13. FINANCIAL YEAR END

The financial year of WOBSC shall end on the 31<sup>st</sup> day of December in each year.

14. **SIGNING POWERS**

Payment shall be effected by internet banking by the Treasurer or Secretary and all negotiable instruments other than normal working documents required to be executed in relation to the affairs of WOBSC shall be signed by:

Any two of the following:

- The Chairperson
- Vice Chairperson
- Treasurer
- Secretary

15. **AMENDMENT OF CONSTITUTION**

This Constitution may be amended by resolution passed at any General Meeting of WOBSC of which not less than twenty one (21) days notice in writing shall be given to members by the Chairperson, and which notice shall contain the terms of the resolution. Such resolution shall be approved by not less than two thirds of the voting members present in person or represented by proxy at such meeting. A quorum for this purpose shall be not less than 20 eligible voting members present in person or represented by proxy;

16. **DISSOLUTION**

- 16.1 WOBSC may be dissolved by a resolution passed at a General Meeting of WOBSC of which not less than twenty one (21) days notice in writing, posted on the notice board at WOBSC, and advertised in the local newspaper, stating clearly that the question of dissolution of WOBSC and disposal of its assets will be considered at the meeting. Such resolution must be passed by two thirds of the voting members present in person at such meeting. A quorum for this purpose shall be not less than 20 of all eligible voting members present in person or represented by proxy provided that if no quorum is present within 15 minutes after the time fixed for the meeting, it shall be postponed to the same day and

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hour in the following week and at such adjourned meeting the members present shall be deemed to be a quorum for the transaction of the business of the meeting;

- 16.2 If upon dissolution of WOBSC and after satisfaction of all its debts and liabilities, there remains any assets whatsoever, such assets shall not be paid to or distributed among its members, but shall be given to such other organisations, but shall be transferred to any public benefit organisation, within the Republic of South Africa. The minutes of the General Meeting shall specify the name of the benefiting organisation/s.

We hereby certify that this Constitution was adopted by a Special General Meeting of the Members of WOBSC held at Westville on 17<sup>th</sup> October 2008

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CHAIRPERSON

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DATE

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VICE CHAIRPERSON

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DATE