

PENINSULA CANOE CLUB

CONSTITUTION

1 Promenade Road
Lakeside
7945

Amended 2013, 2020 and 2021

TITLE

1. The name of the Club shall be PENINSULA CANOE CLUB.
(Hereinafter referred to as the "Club")

OBJECTIVE

2. (a) The main objective of the Club shall be the encouragement of amateur canoe racing in all divisions of the sport.

(b) The subsidiary objective shall be to promote all types of canoeing activity amongst Club members.

POWERS

3. Although the Club shall have the right to order and arrange its own affairs so as to retain a separate identity and to promote the sporting and social objectives of its members, it is agreed to merge its interests with the Imperial Yacht Club and form the Zandvlei Sports Club. Unless, as otherwise stated in the Constitution and Rules of the Zandvlei Sports Club, it shall have the power to determine the common interests of its members who shall comprise all the members for the time being of the Peninsula Canoe Club and the Imperial Yacht Club and, in particular, to acquire, hold, alter or dispose of all immovable property. When in conflict, the lawful decision of the Zandvlei Sports Club shall take precedence over any decision of the Peninsula Canoe Club or the Imperial Yacht Club.

HEADQUARTERS

4. The Headquarters of the Club shall be at Lakeside, Cape Town.

LEGAL STATUS

5. The Club shall be a person in law, with all legal attributes of judicial personality.

PROPERTY

6. The Club shall have the power with consent of the Committee, to acquire, own, sell, mortgage, let, hire, loan or possess any movable property.

TRUSTEES

7. The movable property of the Club shall be vested in two Trustees, who shall be the Chairman and Treasurer.

CLUB FLAG, BADGE AND COLOURS

8. (a) The Club Flag shall be a Blue canoe superimposed upon the map of the Cape Peninsula on a Gold background.

(b) The Club Badge shall be a Blue canoe superimposed upon the map of the Cape Peninsula on a Gold background.

(c) The Club Colours shall be Gold and Navy Blue.

MEMBERSHIP

9. The membership of the Club shall be limited as to numbers and shall consist of:

- Ordinary Members
- Family Members

- Life Members
- Honorary Life Members
- Associate Members
- Absentee and Country Members
- Visiting and Temporary Members
- Student Members
- Junior Members

ELECTION OF MEMBERS

10. (a) The election of members, except Honorary Life Members, shall be vested solely in the Council of the Peninsula Canoe Club, in terms of Rule 11 of the Constitution of that Club. The Secretary shall notify every Candidate of his election and furnish him with a copy of the Rules and Bye-Laws forthwith.

(b) Any person desiring to join as a member shall be proposed by an Ordinary, Life, Honorary Life or Family member and seconded by another, neither the proposer nor seconder being members of the Committee and both of whom shall have been a member for a period of not less than six months. His name, profession or business and such information as the Committee may require, together with the names of his proposer and seconder shall be indicated on the Club's nomination form. Candidates shall be introduced to at least one member of the Council of the Zandvlei Sports Club and two members of the Committee before the date of scrutiny.

(c) The scrutinizing Committee shall be entitled to put such questions as it may think fit to the candidate, proposer and seconder, who shall reply, giving all material particulars within their knowledge.

(d) Either the Committee or the Council of the Zandvlei Sports Club shall have the right to defer decision on an application for membership and to record the application for future scrutiny and decision.

(e) Any person elected a member of the Club, ipso facto, agrees to be bound by the Constitution, Rules and Bye-Laws in force and any further Rules and Bye-Laws that may be promulgated from time to time.

ENTRANCE FEE AND SUBSCRIPTION

11. (a) Subject to ratification at a General Meeting of the Peninsula Canoe Club, the Entrance Fee and Subscriptions shall be as determined from time to time by a majority of the Members present and voting at a General Meeting.

(b)

SUBSCRIPTION DUE AND PAYABLE

12. All subscriptions shall fall due on 1 January each year and shall be paid before 31 January, or at such other date as the Committee may determine. Any member whose subscription remains unpaid thereafter shall cease to be a Member of the Club.

FAMILY MEMBERS

13. Family Membership shall be limited to an Ordinary Member, spouse and their children who are under 18 (eighteen) years or are students under the age of 24 (twenty-four) years. The child of a Family Member who applies for Ordinary Membership within six months of attaining 18 (eighteen) years or ceasing to be a student, shall not be liable to pay the Entrance Fee for such membership.

LIFE MEMBERS

14. (a) Any member who pays a sum equal to 10 (ten) times the annual subscription of that payable at that time by an Ordinary Member may, subject to the consent of the Committee, become a Life Member of the Club.
- (b) The Club, in an Annual General Meeting, may elect Honorary Life Members free from subscription in recognition of their services to the Club.

HONORARY MEMBERS

15. The Committee shall have the power to elect any person an Honorary Member for such time as it shall think fit, and without entrance fee or subscription. Such Honorary Members shall not be entitled to vote at any meeting of the Club, or have the privilege of introducing guests.

ABSENTEE OR COUNTRY MEMBERS

16. (a) An Absentee Member shall be a Member who ordinarily resides outside the Republic of South Africa and a Country Member shall be one who ordinarily resides within the Republic, at least 35km away. The conditions for the election of Absentee or Country Members shall be the same as those for Ordinary Members, except that the provisions of Rule 10 (b) with regard to introduction of Members of the Committee may be waived at the discretion of the Committee.
- Member residing for a period of 11 (eleven) months in any one 35km away from the Club and giving notice in writing to the that effect, may become an Absentee or Country Member. Upon residence within 35km of the Club, he shall revert to an
- (b) An Ordinary year at least Secretary to resuming Ordinary Member.

VISITING AND TEMPORARY MEMBERS

17. The Committee shall have the power to elect any person a Visiting or Temporary Member for a period not exceeding one financial year as it shall think fit, and without entrance fee. Such person shall not ordinarily reside within the geographic area known as the Western Province, except in the case of non-member parents of Junior Members who have acquired a Parent's Access Tag to aid in the ferrying of their children. Parent Tag holders will be accorded the status of Visiting Member and subject to all the same regulations applicable to

members. Such Visiting or Temporary Members shall not be entitled to vote at any meeting of the Club.

STUDENT MEMBERS

18. (a) Student Members shall be elected in the manner herein provided for the election of Ordinary Members. A Student Member shall be a bona fide full-time student up to the age of 24 (twenty-four) years, who is enrolled at a University, Technikon or Training College.

(c) Upon attaining the age of 24 (twenty-four) years (or any extension thereof as allowed), every Student Member shall be bound to present himself for election as an Ordinary Member, without further Entrance Fee, before his next subscription falls due, failing which he shall cease to be a member of the Club.

(d) The child of a Family Member who applies for Student Membership within six months of attaining 18 (eighteen) years and who qualifies in terms of Rule 18 (a), shall not be liable to pay the Entrance fee for such membership.

JUNIOR MEMBERS

19. (a) Junior Members shall be elected in the manner herein provided for the election of Ordinary Members, save that on the Proposal Form shall be stated the date of birth and the age of the Candidate, which shall be under the age of 18 (eighteen) years. Junior Members shall have no voice in the affairs of the Club and they shall use the Club only on such conditions as may be decided from time to time by the Committee.

(b) Every Junior Member, upon attaining the age of 18 (eighteen) years, shall be bound to present himself for election as Ordinary or Student Members, without further Entrance Fee, before his next subscription falls due, failing which he shall, ipso facto, cease to be a member of the Club.

RESIGNATION OF MEMBERS

20. (a) Any Member wishing to resign from the Club may do so provided he gives notice in writing thereof to Hon. Secretary and shall have paid his subscription for the current year and upon payment of all liabilities due by him to the Club.

(b) Any Member ceasing to be such, whether by resignation or otherwise, shall not be entitled to have any part of his subscription for the current financial year refunded to him.

EXPULSION, SUSPENSION AND FORFEITURE OF RIGHTS

21.

The Committee is empowered, after due enquiry, to suspend or expel any member.

a) Expulsion – If any Member shall be found by the Committee, after due enquiry, to have been guilty of unbecoming or improper conduct it may, by resolution, expel such Member from the Club, and he shall thereupon forfeit all right, claim, or privilege upon the Club or its property.

b) Suspension – If any Member shall be found by the Committee, after due enquiry, to have been guilty of unbecoming, or improper conduct, it may, by resolution, suspend that

Member from the Club for any period, with the forfeiture of such privilege as the Council may determine.

- c) Should any Member incur any liability to the Club, and fail to discharge such debt on due notice, the Committee shall have the power to deal with such Member under this Rule.
- d) The Committee may also recommend that the Council of Zandvlei Sports Club institute an inquiry and deal with the Member in terms of Rule 14 of that Constitution.

APPEAL TO GENERAL MEETING

22. Any Member in good standing who may think himself personally aggrieved by any decision of the Club or Committee or Sub-Committee thereof, may appeal against the same in writing and the Committee shall summon a Special Meeting of the Club to consider such appeal, provided that it is received within ten days after notification of such decision to such Member and the decision of such Special Meeting shall be final.

GUESTS

- 23. (a) The introduction by Members of Guests, including those who may be eligible for membership, on Club premises is permitted. Persons eligible for membership, however, may not habitually make use of the Club premises and the Committee may forbid the introducing of any person as a Guest for any reason considered sufficient. A Member introducing a Guest shall forthwith enter his or her name and address in a Visitor's book provided for the purpose.
- (b) Every member introducing a Guest shall be responsible for the conduct of such Guest while in the Club.
- (c) Under no circumstances may any order involving the payment of refreshment be given by a Guest, nor may he pay for any refreshment supplied by the Club, save with the prior permission of the Committee.

CLUB EXECUTIVE OFFICERS

24. The Executive Officers of the Club shall be:-

Chairman
Vice Chairman
Secretary
Treasurer
Club Captain

A Men's/Ladies' Captain representing the opposite sex to the Club Captain

No person shall hold any Executive position for more than three consecutive years.

MANAGEMENT AND CONTROL OF THE CLUB

- 25. (a) The management of the affairs of the Club, subject to those Rules and any Bye-Laws in force from time to time, shall be vested in a General Committee consisting of the Executive Officers of the Club (ex officio) and five elected members. They shall meet three times a year or more if necessary, five to form a quorum. The qualification for election to the General Committee or any of the offices detailed in Rule 24 with the exception of the Treasurer, shall be

a minimum of one year's membership of the Club. In the event of re-election to membership, the date of re-election shall be considered the date of election to the Club for the purpose of this Rule.

- (b) The General Committee shall have power to make, amend, suspend and rescind Bye-Laws for the regulation of the affairs of the Club, so long as such Bye-Laws are not in conflict with any Rules of the Club.
- (c) The General Committee may appoint Sub-Committees, consisting of a convenient number of members, for any special purposes.
- (d) The General Committee shall have the right to co-opt eligible members onto the General Committee to assist in the running of the Club.

INTERIM VACANCIES

26. The General Committee may fill any vacancy that may occur in its body by resignation or otherwise, of any elected or appointed Member during the year of office.

VACANCIES IN OFFICES

27. Should any of the offices referred to in Rule 24 become vacant during any year after the Annual General Meeting of the Club, the General Committee shall have the power, if necessary, to fill such office temporarily, but shall, in any event, take steps without delay, to call a Special General Meeting for the purpose of electing an officer to fill the vacancy.

CONDUCT OF COMMITTEE MEMBERS

28. (a) Any Member of the General Committee who has failed to attend three consecutive meetings, not having received leave of absence, shall, unless he shall upon request furnish a reasonable excuse, ipso facto, vacate his seat.
- (b) Whenever a Committee Member is guilty of a serious neglect of his duties as a Committee Member, the General Committee, by majority decision, may terminate his membership of the General Committee, and the vacancy thus occurring, shall be filled in accordance with the provisions of Clause 26 or 27.
- (c) A Committee Member thus removed shall have the right of appeal to a General Meeting specially convened for the purpose of hearing such appeal.

POWERS OF THE GENERAL COMMITTEE

29. The General Committee shall have full power and authority to do any act, matter or thing which could or might be done by the Club, excepting such matters as are in the Rules specially reserved to be dealt with at a General Meeting of Members. In particular:-
- (i) to open an operate Banking Accounts and Savings Accounts in the name of the Club.
 - (ii) to make, vary and repeal Bye-Laws for the regulation of the affairs of the Club, provided that such variations do not conflict with the Rules.

ACCOUNTS

30. (a) The Club at a General Meeting may, if required, appoint an Auditor to audit the Accounts and Balance Sheets of the Club and fix his remuneration. Such Auditor shall not be an officer of the Club, or Member of the General Committee.
- (b) The Banking Account of the Club shall be kept in such Bank or Banks as the Committee may from time to time decide. All cheques drawn on account of the Club, shall be signed by any one of the following persons:-

The Honorary Secretary, the Honorary Treasurer or the Chairman.

ANNUAL GENERAL MEETING

31. (a) the Annual General Meeting of the Club shall be held at the Clubhouse before the end of March of any calendar year.
- (b) A Special Notice and the Agenda of such a meeting shall be posted on the Club Notice Board at least 14 (fourteen) days before the date of such meeting and sent to the last known email address of each member, not less than 7 (seven) days before the date of such meeting.

(c) Not later than 28 (twenty-eight) days before the date of the Annual General Meeting, the notice calling for nominations shall be posted on the Club Notice Board and sent to the last known email address of each member entitled to vote at an Annual General Meeting.

(d) Nominations for the offices of Chairman, Vice Chairman, Secretary, Treasurer, Club Captain and Members of the General committee shall be lodged with the Honorary Secretary, duly proposed and seconded, and with the nominees consent, at least eight days before the date of the Annual General Meeting. Such nominations are to be posted on the Club Notice Board and emailed to each member entitled to vote not less than 7 (seven) days before the date of such meeting.. In case of need, the Committee shall be empowered to accept late nominations.

(e) Any motions to be proposed shall be lodged with the Honorary Secretary at least fourteen days before the date of the Annual General Meeting. Such motions and nominations are to be posted on the Club Notice Board and emailed to each member entitled to vote not less than 7 (seven) days before the date of such meeting..

CHAIRMAN

32. At all meetings of the Club, or of the General Committee, the Chairman, or failing him, a Chairman to be elected by those present, shall preside; such Chairman shall have, in addition to a deliberative, a casting vote in the event of equality of voting.

BUSINESS OF ANNUAL GENERAL MEETING

33. The business of the Annual General Meeting shall be as follows:-
- i Presentation of the Annual Report of the Chairman
 - ii Presentation of the Honorary Treasurer's Accounts for the year ended on the 31st December preceding.
 - iii Election (by ballot) of Executive Officers and General Committee.

SPECIAL GENERAL MEETING

34. The General Committee may, and upon requisition signed by not less than 10 (ten) Ordinary Members, call for a Special General Meeting of the Club, of which not less than 7 (seven) days' notice shall be given. Such notice shall state the business for which such meeting is called, and the discussion and motion or amendments shall be confirmed within the scope of such notice.

QUORUM

35. A quorum at any General Meeting of the Club shall consist of not less than 20 (twenty) Members competent to vote in terms of Rule 36. If no quorum be present within fifteen minutes after the time fixed for the meeting, the meeting shall be postponed to the same hour, day and place in the following week or another day after that as chosen by the Executive Officers .

At such adjourned meeting, the Members present whatever their number shall be deemed to be a quorum for the transaction of the business of the meeting.

VOTING AT GENERAL MEETING

36. All Members present at a General Meeting shall have the right to vote, except:-
Junior Members, Visiting and Temporary Members

Within one week of the close of a General Meeting, the Honorary Secretary shall send a list of all items to be voted on, plus any additional information which the Executive Committee deems pertinent, to the email address of each member entitled to vote .
Electronic voting via a secure web-based platform will then immediately open, be allowed for seven full days, and close at midnight on the last day.

A member entitled to vote shall be entitled to appoint one or more other members entitled to vote, as his proxy to attend and to speak and, on a poll, to vote in his place or to abstain from voting at such general meeting.

If the proxy form, duly signed, is lodged without specific directions as to which way the proxy is to vote, the proxy will be deemed to have been authorised to vote as he thinks fit.

MAJORITY

37. Except where otherwise in these Rules specially provided, a decision or resolution of a General Meeting of the club or of the General Committee shall be by majority of those present, entitled to and voting thereof.

AMENDMENT OF RULES

38. No motion involving an amendment of, or addition to, these Rules, or any of them shall be put from the chair at any meeting of the Club, unless notice thereof shall have been posted on the Notice Board in the Clubhouse not less than 14 (fourteen) days prior to the date of such meeting and special notice of the meeting and of the proposed amendments has been emailed to the last known

email address of each Member not less than 7 (seven) days before such meeting. No such motion shall be declared carried, unless a majority of not less than 2/3rds (two-thirds) of those present and voting shall be in favour of it.

CHAIRMAN'S RULING

39. If any question of dispute should arise at any General Meeting of the Club, or any Meeting of the General Committee as to the interpretation or meaning of these Rules, or any of them, the Chairman of such meeting shall rule thereupon, provided however, that any Members then present and objecting to, or aggrieved by such ruling, may demand to have such ruling submitted to such meeting, which shall finally decide such question or dispute by resolution.

GRATUITIES

40. No Member of the Club shall give gratuities to Club servants, but payment for specific work done by them, not conflicting with their ordinary duties to the general body of Members, is permitted.

PROHIBITION OF USE OF CLUB ADDRESS

41. No Member shall use the Club Address on any communication intended to appear in any newspaper, periodical or other publication, or for use on radio or television, except such communication as may be authorized by the General Committee.

DESTRUCTION OF CLUB PROPERTY

42. No Member of the Club shall destroy, mutilate, or, without the sanction of the Committee, remove from the Club premises, upon any pretext whatever, any property of the Club, under pain of being dealt with by the Committee under the provisions of Rule 21.

SUGGESTIONS AND COMPLAINTS

43. All suggestions by Members and complaints shall be made in writing to the Committee and shall be considered by the Committee at its next Ordinary Meeting.

RECIPROCITY OF AFFILIATION

44. The Committee shall have power to arrange terms of reciprocity or affiliation with other Clubs, should it consider it advisable to do so in the interests of the Club, provided such intentions have been endorsed by the General Council of the Zandvlei Sports Club. Reciprocity Members of such clubs shall sign the Visitor's Book on making use of the Club.

INTERPRETATION OF RULES

45. In the interpretation of these Rules, the ordinary rules of legal interpretation shall apply. In particular, reference to the "male" shall include the "female", and reference to "year", shall mean the financial year of the Club, which runs from the 1st January to the 31st December, unless the context otherwise indicates.