

## FREE STATE BADMINTON ASSOCIATION CONSTITUTION

(2015)

### CONSTITUTION: BADMINTON FREE STATE

#### Article 1. Name and Legal Personality

- (a) The Association shall be called the Free State Badminton Association, in short Badminton Free State / Vrystaat Pluimbal, (hereinafter referred to as the Association).
- (b) The Association, a voluntary association not for gain with continued existence apart from, and notwithstanding changes in the composition of, its members or office-bearers, is a legal person represented by its duly authorized officers and/or representatives, and which owns assets, attains liabilities and duties and institute or defend legal proceedings in its own name independent of its members.
- (c) All immovable property or registerable rights in immovable property obtained by the Association shall be registered in the full name of the Association.
- (d) No person shall have any right to any assets or fortuitous profits on sales or in any other manner obtained by the Association.

#### Article 2. Jurisdiction

- (a) The Association shall consist of and have jurisdiction over all affiliated clubs within that area defined by Badminton South Africa (hereinafter referred to as BSA) as the Free State (FS), represented by an area known as the Free State Province.
- (b) The said jurisdiction shall be administered through five districts, the respective area of each being the geo-political areas as shown in Annexure A. The Association can exercise its jurisdiction in different sections, namely Officials-, Coaches-, Senior (Open)-, Junior (Schools)-, Veteran/Masters-, and Rural Area-sections.

## VRYSTAAT PLUIMBALVERENIGING GRONDWET

(2015)

### GRONDWET: VRYSTAAT PLUIMBAL

#### Artikel 1. Naam en Regspersoonlikheid

- (a) Die Vereniging word die Vrystaat Pluimbalvereniging, kortweg Vrystaat Pluimbal / Badminton Free State, (hierinverder die Vereniging) genoem.
- (b) Die Vereniging, 'n vrywillige vereniging sonder winsoogmerk met voortdurende bestaan apart van, en nieteenstaande veranderinge in die samestelling van, sy lede of ampsdraers, is 'n regs persoon wat deur middel van sy behoorlik gemagtigde ampsdraers en/of verteenwoordigers handel, en wat in eie naam onafhanklik van sy lede bates besit, laste en verpligtinge aangaan en regsgedinge aanhangig maak of teenstaan.
- (c) Alle onroerende eiendom of registreerbare regte in onroerende eiendom deur die Vereniging verkry, word in die volle naam van die Vereniging geregistreer.
- (d) Geen persoon het enige reg op enige bates of toevallige winste op verkope of op enige ander wyse deur die Vereniging verkry nie.

#### Artikel 2. Jurisdiksie

- (a) Die Vereniging bestaan uit en het jurisdiksie oor al die geaffilieerde klubs binne daardie gebied deur Pluimbal Suid-Afrika (hierinverder PSA genoem) as die Vrystaat (VS) gedefinieer, voorgestel deur 'n gebied bekend as die Vrystaat Provinsie.
- (b) Die genoemde jurisdiksie word administreer deur vyf distrikte, die onderskeie gebied van elkeen synde die geo-politieke gebiede soos in Bylaag A aangedui. Die Vereniging kan sy jurisdiksie in verskillende afdelings uitoefen, naamlik 'n Skeidsregters-, Afrigters-, Senior (Ope)-, Junior (Skole)-, Veterane/Meesters-, en Platteland-

Affiliated to  
BADMINTON SOUTH AFRICA



Member of the  
FREE STATE SPORT CONFEDERATION



<p>(c) The headquarters of the Association shall be situated in Bloemfontein.</p> <p><b>Article 3. Objectives</b></p> <p>The main purpose of the Association is to, as a voluntary association not for gain, promote badminton in general and in the Free State in particular as a sport and public benefit activity.</p> <p>The objectives of the Association, which is prohibited from carrying on any business undertaking or commercial activity, are:</p> <p>(a) To promote/advance, generally assist, encourage and protect the interests of the game of Badminton.</p> <p>(b) To govern and make rules and bye-laws for the control of Badminton, as defined by BSA.</p> <p>(c) To formulate, control, add to or amend the conditions under which all competitions shall be conducted.</p> <p>(d) To regulate the conditions of the competitions for trophies offered to and accepted by the Association.</p> <p>(e) To administer, grant subsidies out of and invest the funds of the Association, for purposes calculated to promote the interests and attain the objects of the Association.</p> <p>(f) To borrow and/or raise money for the purposes of advancing the interests of the Association and to pledge as security for the repayment of such monies all or any of the property or assets of the Association.</p> <p>(g) To purchase, lease or acquire any movable or immovable property or any interest in such property and if necessary or desirable, to dispose thereof.</p> <p>No activity shall directly or indirectly advance the economic own interest of any <i>fiduciarius</i> or employee of the Association, otherwise than by means of reasonable remuneration.</p> <p><b>Article 4. Membership</b></p> <p>Membership to the Association shall be confined to the following:</p> <p>(a) Clubs in the Free State that are affiliated to the Association and are up to date with their fees,</p> <p>(b) The officers of the Association for the time being,</p>	<p>afdeling.</p> <p>(c) Die hoofkantoor van die Vereniging is in Bloemfontein geleë.</p> <p><b>Artikel 3. Doelstellings</b></p> <p>Die hoofdoel van die Vereniging is om as 'n vrywillige vereniging sonder winsoogmerk pluimbal in die algemeen en in die Vrystaat in besonder as 'n sport en openbare weldaads-aktiwiteit te bevorder.</p> <p>Die doelstellings van die Vereniging, wat verbied word om enige besigheidsonderneming of handelsaktiwiteit te dryf, is:</p> <p>(a) Om die belange van die spel Pluimbal te bevorder, uit te bou, in die algemeen te ondersteun, aan te moedig, en te beskerm.</p> <p>(b) Om reëls en regulasies vir die beheer van pluimbal, soos gedefinieer deur PSA, te kontroleer en te maak.</p> <p>(c) Om die voorwaardes waaronder al die kompetisies gespeel word, te formuleer, te kontroleer, by te voeg of te wysig.</p> <p>(d) Om die voorwaardes van die kompetisies vir trofeeë, aangebied vir en aanvaar deur die Vereniging, te reguleer.</p> <p>(e) Om die fondse van die Vereniging, vir doeleindes bereken om die belange en doelstellings van die Vereniging te bevorder en te bereik, te administreer, aan te wend vir subsidies, en te belê.</p> <p>(f) Om fondse te leen en/of in te samel om die belange van die Vereniging te bevorder, en as sekuriteit vir die terugbetaling van sulke fondse enige of alle eiendom of bates van die Vereniging te verbind.</p> <p>(g) Om enige roerende of onroerende eiendom of enige belang in sulke eiendom te koop, te huur of te verkry en, indien nodig of verkieslik, om daarvoor te beskik.</p> <p>Geen aktiwiteit sal regstreeks of onregstreeks die ekonomiese eiebelang van enige <i>fiduciarius</i> of werknemer van die Vereniging bevorder nie, anders as by wyse van redelike besoldiging.</p> <p><b>Artikel 4. Lidmaatskap</b></p> <p>Lidmaatskap van die Vereniging word tot die volgende beperk:</p> <p>(a) Klubs in die Vrystaat wat aan die Vereniging geaffilieer en op datum met hul fooie is.</p>
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<p>(c) Life membership.</p> <p>Life membership may be conferred on any person recommended by a club to the Association and elected at the Annual General Meeting by the unanimous vote of those present and entitled to vote.</p> <p><b>Article 5. Affiliation</b></p> <p>(a) The Association shall be affiliated to and adopt the rules and regulations of BSA. The Association may be affiliated to any umbrella organization in the Free State which promote sport in general.</p> <p>(b) Applications from clubs in the Free State for affiliation to the Association shall be in writing and be accompanied by a copy of the applicant's constitution, rules and bye-laws, which shall be subject to the approval of the relevant District committee. The granting of such applications shall be at the discretion of the relevant District committee and is subject to the approval of the Committee intended in Article 8.</p> <p><b>Article 6. Finance</b></p> <p>(a) Prior to 15 April, each year, affiliated clubs shall pay to the Association -</p> <ul style="list-style-type: none"> <li>(i) An affiliation fee,</li> <li>(ii) A capitation fee in respect of all players registered with such clubs, and</li> <li>(iii) Any special levy which may be imposed by BSA or the Association,</li> </ul> <p>the respective fees due to the Association to be decided on at the foregoing Annual General Meeting. At the same time affiliated clubs shall also pay to the Association an entry fee per team entered in the league and a registration fee per player registered in such team.</p> <p>The responsibility of all members for the liabilities of the Association shall be limited to the abovementioned fees and levies.</p> <p>(b) Any club whose fees are unpaid by 31 May, each year, shall cease to be a member of the Association but will still be responsible for the unpaid amount. Such club shall thereafter be barred from</p>	<p>(b) Die dienende ampsdraers van die Vereniging.</p> <p>(c) Lewenslange lede.</p> <p>Lewenslange lidmaatskap kan verleen word aan enige persoon wat deur 'n klub by die Vereniging aanbeveel word, en eenparig deur die teenwoordiges en stemgeregtigdes by 'n Jaarlikse Algemene Vergadering verkies word.</p> <p><b>Artikel 5. Affiliasie</b></p> <p>(a) Die Vereniging word geaffilieer by en onderskryf die reëls en regulasies van PSA. Die Vereniging kan ook affilieer by enige koepelliggaam in die Vrystaat wat in die algemeen sport bevorder.</p> <p>(b) Aansoeke van klubs in die Vrystaat om affiliasie by die Vereniging moet op skrif wees en vergesel wees van 'n kopie van die aansoeker se grondwet, reëls en regulasies, wat onderworpe is aan die betrokke Distrikskomitee se goedkeuring. Die aanvaarding van sodanige aansoeke lê in die diskresie van die betrokke Distrikskomitee, en is onderworpe aan die goedkeuring van die Komitee in Artikel 8 bedoel.</p> <p><b>Artikel 6. Finansies</b></p> <p>(a) Voor 15 April van elke jaar moet geaffilieerde klubs aan die Vereniging betaal:</p> <ul style="list-style-type: none"> <li>i) 'n Affiliasiefooi,</li> <li>ii) 'n Hoofdelike fooi ten opsigte van al die spelers wat by so 'n klub geregistreer is, en</li> <li>iii) Enige spesiale heffing wat deur PSA of die Vereniging opgelê mag word;</li> </ul> <p>die onderskeie fooie aan die Vereniging verskuldig, om op die voorafgaande Jaarlikse Algemene Vergadering oor besluit te word. Terselfdertyd moet geaffilieerde klubs ook 'n inskrywingsfooi per span in die liga ingeskryf, asook 'n registrasiefooi per speler wat in so 'n span geregistreer is, aan die Vereniging betaal. Alle lede se verantwoordelikheid vir die skulde van die Vereniging is beperk tot die bogemelde fooie en heffings.</p> <p>(b) Enige klub wie se fooie op 31 Mei van enige jaar nie betaal is nie, sal ophou om 'n lid van die Vereniging te wees maar sal steeds</p>
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membership until the abovementioned fees be paid. Applications for extension may be granted at the discretion of the Committee, subject to such applications being submitted in writing before the first of May.

- (c) All Association monies shall be lodged in such recognised banking institution/s (as defined in section 1 of the Financial Services Board Act, 1990 (Act No 97 of 1990) or in any noted financial instrument of a company (as intended in paragraph (a) in the definition of "noted company") as the Committee may determine, and all landed property of the Association shall be vested in not less than three trustees acting for and on behalf of the Association, such trustees to be elected at an Annual General Meeting, hereinafter referred to as the AGM. Trustees so elected, shall hold office until the next AGM and shall thereafter be appointed annually.

No member shall at any time have any right or claim to any fortuitous profits, assets or funds of the Association, which is prohibited from paying out any of its funds to any person (except in the course of the carrying on of any public benefit activity) and which is required to use its funds only for the purpose that it was constituted for.

No remuneration which is extra-ordinary, taking into consideration what is generally regarded as reasonable in the sector and with regard to the service rendered, shall be paid to any employee, officer, member or any other person, and the Association shall not economically benefit any person in any manner which is not in accordance with its objectives.

- (d) Cheques and/or payments shall be signed by the President or Vice-president and Treasurer or Secretary.
- (e) The financial year shall terminate on the 30th of September each year.
- (f) The Treasurer shall keep proper books and records of all financial matters and present those to each committee meeting. All books and records shall be conserved for at least seven years.

#### **Article 7. Officers**

The honorary officers of the Association shall consist of a President, a Vice-President, a Secretary, a Treasurer and a Match secretary (The posts of Secretary and Treasurer may be combined at the AGM).

The honorary officers are elected by the AGM for terms of two years,

verantwoordelik wees vir die onbetaalde bedrag. Sodanige klub sal daarna van lidmaatskap uitgesluit word totdat bogemelde foie betaal is. Aansoeke vir uitstel van betaling mag in die diskresie van die Komitee begunstig word indien sodanige aansoeke skriftelik voor 1 Mei voorgelê word.

- (c) Al die Vereniging se fondse word gedeponeer in sodanige erkende bankinstelling/s (soos omskryf in artikel 1 van die Wet op die Raad op Finansiële Dienste, 1990 (Wet No 97 van 1990) of in enige genoteerde finansiële instrument van 'n maatskappy soos beoog in paragraaf (a) in die definisie van "genoteerde maatskappy") soos die Komitee mag bepaal, en alle vaste eiendom van die Vereniging word toevertrou aan nie minder nie as drie trustees wat vir en namens die Vereniging handel. Sodanige trustees moet by 'n Jaarlikse Algemene Vergadering (hierinverder na verwys as die JAV) verkies word. Sodanige verkose trustees sal die amp tot die volgende JAV beklee en sal daarna jaarliks aangewys word. Geen lid het ter enige tyd enige reg of aanspraak op enige toevallige winste, eiendom of fondse van die Vereniging nie, wat verbied word om enige van sy fondse aan enige persoon uit te keer (behalwe in die loop van die beoefening van enige openbare weldaadsaktiwiteit) en wat vereis word om sy fondse alleenlik vir die oogmerk waarvoor dit ingestel is, aan te wend. Geen besoldiging wat oormatig is, inaggenome wat algemeen as redelik geag word in die sektor en met betrekking tot die diens gelewer, sal aan enige werknemer, amptenaar, lid of ander persoon betaal word nie, en die Vereniging sal nie enige persoon ekonomies bevoordeel nie op enige wyse wat nie in ooreenstemming met sy oogmerke is nie.
- (d) Tjeks en/of betalings moet deur die Voorsitter of Ondervoorsitter en die Tesourier of Sekretaris geteken/gemagtig word.
- (e) Die finansiële jaar eindig op 30 September van elke jaar.
- (f) Die Tesourier moet van alle finansiële aangeleenthede behoorlik boeke en rekords hou en dit by elke komiteevergadering voorlê. Alle boeke en rekords word vir minstens sewe jaar bewaar.

#### **Artikel 7. Ampsdraers**

Die ere-ampsdraers van die Vereniging bestaan uit 'n Voorsitter, 'n Ondervoorsitter, 'n Sekretaris, 'n Tesourier en 'n Wedstrydsekretaris (Die

<p>which terms will not run simultaneously for half of the number of officers.</p> <p><b>Article 8. Committee</b></p> <p>(a) Except where otherwise provided in this constitution, the entire management of the Association shall be vested in a committee consisting of -</p> <ul style="list-style-type: none"> <li>(i) The officers of the Association,</li> <li>(ii) Five elected members, other than the officers, or their secundi, as appointed by the several Districts (No one District may have more than one of its members elected in this category),</li> <li>(iii) One member appointed as Development Officer by the Committee, after consultation with the developing clubs, and</li> <li>(iv) The appointed sub-committee delegates, to whom is referred in Rule 3 of Annexure B to the Constitution.</li> </ul> <p>No person shall be eligible if he/she is not a <i>bona-fide</i> member of an affiliated club. In the election and appointment of committee members the transformation policy of Badminton SA must be properly adhered to.</p> <p>At least three persons, who shall not be related persons with regard to each other, shall accept the fiduciary responsibility of the Association and no single person shall directly or indirectly control the decisionmaking powers with regard to the Association.</p> <p>(b) The quorum of a Committee meeting shall be five members, of which three shall be Officers. The Committee shall meet at least once every three months.</p> <p>(c) Any committee member absenting him/herself from two meetings of the Committee, without first obtaining leave, shall <i>ipso facto</i> cease to be a member of the Committee. The Committee shall have the power to co-opt replacement or additional members.</p> <p>(d) The Committee shall have the power to appoint sub-committees, and to delegate any or all of its powers to such sub-committee(s), and any such committee or sub-committee shall act for and/or on behalf of the Association as necessary.</p> <p>(e) The Committee shall have the power to make, vary and repeal rules and/or bye-laws for the regulation of the affairs of the Association,</p>	<p>ampste van Sekretaris en Tesourier mag by 'n JAV gekombineer word). Die ere-ampsdraers word deur die JAV vir termyn van twee jaar verkies, welke termyn vir die helfte van die getal ampsdraers nie sal saamloop nie.</p> <p><b>Artikel 8. Komitee</b></p> <p>(a) Behalwe waar anders voorsien word in hierdie grondwet, is die algehele bestuur van die Vereniging gevestig in 'n Komitee bestaande uit:</p> <ul style="list-style-type: none"> <li>i) Die ampsdraers van die Vereniging, en</li> <li>ii) Vyf gekose lede, anders as die ampsdraers, of hul sekundi, soos deur die onderskeie Distrikte aangewys (Geen Distrik mag meer as een van sy lede in hierdie kategorie verkies hê nie), en</li> <li>iii) Een lid deur die komitee, na oorlegpleging met die ontwikkelende klubs, as Ontwikkelings-beampte aangewys;</li> <li>iv) Die aangewese sub-komitee afgevaardigdes, waarna verwys word in Reël 3 van Bylaag B tot die Grondwet.</li> </ul> <p>Geen persoon sal verkiesbaar wees indien hy/sy nie 'n <i>bona fide</i>-lid van 'n geaffilieerde klub is nie. By die verkiesing en aanwysing van komiteeledes moet Pluimbal SA se transformasie-drempels behoorlik nagekom word.</p> <p>Ten minste drie persone, wat nie verbonde persone met betrekking tot mekaar is nie, sal die fidusiêre verantwoordelikheid van die Vereniging aanvaar en geen enkele persoon sal regstreeks of onregstreeks die besluitnemingsbevoegdhede met betrekking tot die Vereniging beheer nie.</p> <p>(b) 'n Kworum vir 'n komiteevergadering bestaan uit vyf lede, waarvan drie ampsdraers sal wees. Die Komitee moet minstens een keer elke drie maande vergader.</p> <p>(c) Enige komiteelid wat sonder vooraf verskoning van twee Komiteevergaderings afwesig is, sal <i>ipso facto</i> ophou om 'n lid van die Komitee te wees. Die Komitee is bevoeg om vervangende of addisionele lede te koöpteer.</p> <p>(d) Die Komitee het die bevoegdheid om subkomitees aan te wys, en om enige of al sy bevoegdhede aan sodanige subkomitee(s) te deleger, en enige sodanige komitee of sub-komitee tree op vir</p>
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provided that such rules and/or bye-laws do not conflict with the constitution of the Association.

**Article 9. District Committees**

- (a) Every District shall annually elect a committee, consisting of at least three members, at a meeting of affiliated clubs in its area.
- (b) Such committee shall have all the powers delegated to it by the Committee intended in Article 8.
- (c) Every District committee shall make bye-laws, subject to the approval of the Committee intended in Article 8, for the regulation of affairs under its jurisdiction.

**Article 10. Selection Committees**

- (a) There shall be three selection committees: one for Juniors, one for Seniors, and one for Veterans and Masters. Each selection committee shall consist of three elected members, nominated at the AGM, no two members to be from the same club. In the event that a selection committee could not be constituted as a result of the abovementioned limitation, the limitation may be ignored and up to two persons from the same club may be elected.
- (b) The selectors shall be responsible only to the Committee.
- (c) A selector during term of office will not be eligible for selection to represent the Province. In the event of any of the selection committees could not be constituted in a practical situation as a result of the to strict consequences of abovementioned limitation, the limitation may be ignored.
- (d) Junior selectors shall not be parents with children still playing in a Junior section. In the event of the selection committee not being able to be constituted in a practical situation as a result of the to strict consequences of abovementioned limitation, the limitation may be ignored.

**Article 11. Meetings**

**(a) Annual General Meeting (AGM)**

The Annual General Meeting of the Association shall be held in November of each year. Notice convening the meeting shall be posted to the Secretaries of all affiliated clubs at least twenty-eight

en/of namens die Vereniging soos nodig.

- (e) Die Komitee het die bevoegdheid om reëls en regulasies te maak, te wysig en te herroep, om die sake van die Vereniging te reël, mits sodanige reëls en regulasies nie in stryd is met die grondwet van die Vereniging nie.

**Artikel 9. Distrikskomitees**

- (a) Elke Distrik kies jaarliks 'n komitee, bestaande uit ten minste drie lede, by 'n vergadering van geaffilieerde klubs in sy gebied.
- (b) Sodanige komitee sal al die bevoegdhede hê wat daaraan gedelegeer word deur die Komitee bedoel in Artikel 8.
- (c) Elke Distrikskomitee maak bywette, onderworpe aan die goedkeuring van die Komitee bedoel in Artikel 8, om die sake in sy jurisdiksie te reël.

**Artikel 10. Keurkomitees**

- (a) Daar sal drie keurkomitees wees: een vir Juniors, een vir Seniors, en een vir Veterane en Meesters. Elke keurkomitee bestaan uit drie gekose lede wat by die JAV genomineer word, waarvan geen twee lede van dieselfde klub mag wees nie. Indien 'n keurkomitee as gevolg van bogenoemde beperking nie saamgestel kan word nie, mag die beperking geïgnoreer word en mag tot twee persone van dieselfde klub gekies word.
- (b) Die keurders is slegs aan die Komitee verantwoordelik.
- (c) 'n Keurder sal nie gedurende sy ampstermyn beskikbaar wees om die provinsie te verteenwoordig nie. Indien enige van die keurkomitees as gevolg van bogenoemde beperking se te strenge gevolge in 'n praktiese situasie nie saamgestel kan word nie, mag die beperking geïgnoreer word.
- (d) Junior-keurders mag nie ouers wees met kinders wat nog in 'n Junior-afdeling speel nie. Indien die keurkomitee as gevolg van hierdie beperking se te strenge gevolge in 'n praktiese situasie nie saamgestel kan word nie, mag die beperking geïgnoreer word.

**Artikel 11. Vergaderings**

- (a) **Jaarlikse Algemene Vergadering (JAV):**

days prior to such meeting. In the event of an alteration in or the addition to the Articles of the constitution being considered, notice thereof shall be sent in writing to the Secretary of the Association at least fourteen days prior to the date of such meeting.

The business of the AGM shall be -

- (1) To receive the delegates' credentials.
- (2) To read the notice convening the meeting.
- (3) To read and confirm the minutes of the previous AGM.
- (4) To receive the President's report.
- (5) To present the properly audited accounts.
- (6) To consider motions of which due notice has been given.
- (7) To elect officers for the ensuing year.
- (8) To elect members of the committee as set out in Article 8(a)(ii) and (iii).
- (9) To elect selectors as set out in Article 10.
- (10) To elect an Honorary Auditor.
- (11) To decide on tariff of fees as set out in Article 6.
- (12) To transact any competent business.

**(b) Special General Meetings**

The Committee may, when it deems fit or upon a request made in writing by any affiliated club, convene a Special General Meeting. Any such request shall be lodged with the Association's Secretary. The meeting must then be held within one month of such lodgment. Notices of all Special General Meetings shall be given to the Secretaries of all affiliated clubs and members of the Committee at least fourteen days prior to such meeting. All Business to be transacted at such meetings must be clearly set forth in such notice.

**(c) Council Meetings**

Council shall consist of -

- (i) the Officers of the Association;
- (ii) one appointed representative from each club.

Council meetings shall be held at the request of any affiliated club, detailing their reasons for such a meeting. The Secretary shall post notices to all affiliated clubs and generally organize the meeting at a suitable date, which shall be not later than 30 days after such

Die Jaarlikse Algemene Vergadering van die Vereniging word gedurende November van elke jaar gehou. Kennisgewing ter belegging van die vergadering moet ten minste agt-en-twintig dae voor die vergadering aan die sekretarisse van al die geaffilieerde klubs gepos word. Indien 'n wysiging in of 'n byvoeging tot die artikels van die grondwet oorweeg word, moet kennisgewing daarvan ten minste veertien dae voor die datum van die vergadering skriftelik aan die Sekretaris gestuur word.

Die JAV se sake is:

- (1) Ontvangs van die afgevaardigdes se geloofsbriewe.
- (2) Lees van die kennisgewing ter belegging van die vergadering.
- (3) Lees en bekragtig van die notule van die vorige JAV.
- (4) Ontvangs van die Voorsitter se verslag.
- (5) Voorlegging van die behoorlik geouditeerde rekeninge.
- (6) Oorweging van mosies waarvan behoorlik kennis gegee is.
- (7) Verkiesing van ampsdraers vir die toepaslike termyne.
- (8) Verkiesing van komiteelede soos uiteengesit in Artikel 8(a)(ii) en (iii).
- (9) Verkiesing van keurders soos uiteengesit in Artikel 10.
- (10) Verkiesing van 'n Ere-ouditeur.
- (11) Besluite oor tarief van fooie soos uiteengesit in Artikel 6.
- (12) Afhandeling van enige tersaaklike aangeleenthede.

**(b) Spesiale Algemene Vergaderings:**

Die Komitee mag, wanneer hulle dit nodig ag, of op skriftelike versoek van enige geaffilieerde klub, 'n Spesiale Algemene Vergadering belê. Enige sodanige versoek moet by die Vereniging se Sekretaris ingelewer word. Die vergadering moet dan binne een maand na sodanige inlewering gehou word. Kennisgewing van alle Spesiale Algemene Vergaderings moet ten minste veertien dae voor sodanige vergadering aan die sekretarisse van alle geaffilieerde klubs en lede van die Komitee gegee word. Alle sake wat op die vergadering bespreek gaan word, moet duidelik in daardie kennisgewing uiteengesit word.

**(c) Raadsvergadering:**

Die Raad bestaan uit:

- (i) die Ampsdraers van die Vereniging;
- (ii) een aangewese verteenwoordiger van elke klub.

Raadsvergaderings word gehou op versoek van enige geaffilieerde

<p>application was received.</p> <p><b>(d) Quorum</b> The quorum for all general or council meetings shall be not less than 50% of the delegates of the affiliated clubs. Should the number of persons present 30 minutes after the advertised time of the meeting be insufficient to form a quorum, the meeting shall stand adjourned for seven days. Should at such adjourned meeting, the necessary quorum not be present, the members present shall act and transact business as though they formed a quorum.</p> <p>In the case of a Special General Meeting, the meeting shall be cancelled if no quorum is present 30 minutes after the advertised time of the meeting.</p> <p>(e) All questions arising at an AGM, a Council Meeting or a Special General Meeting, shall be decided by a majority of votes, except amendments to the constitution, when the majority must be not less than two-thirds of the members present and entitled to vote. Voting on all matters shall be by show of hands unless a ballot be ordered by the chairperson of the meeting. In the event of an equality of votes, the chairperson shall be entitled to cast a deciding vote. Each affiliated club shall have one vote per every unit of fifteen members or part thereof, affiliated the current year. A club entitled to three votes, for example, must be represented by three delegates at a general meeting or forfeit the balance of votes. Unless he/she is a delegate, no member of the committee shall be entitled to vote at a general meeting.</p> <p>(f) Notice of meeting given by mail shall be deemed proper notice.</p> <p>(g) Written nominations for Officers to be elected, and acceptance by nominees, must be forwarded to the Secretary at least 14 days before the relevant meeting. In the event of no valid nominations received, nominations may be made from the floor at the General Meeting.</p>	<p>klub, wat sy redes vir sodanige vergadering spesifiseer. Die Sekretaris pos kennisgewings aan alle geaffilieerde klubs en reël in die algemeen die vergadering op 'n geskikte datum, wat nie later nie is as 30 dae nadat die versoek ontvang is.</p> <p>(d) <b>Kworum:</b> Die kworum vir alle algemene en raadsvergaderings sal ten minste 50% van die afgevaardigdes van die geaffilieerde klubs wees. Indien die aantal persone teenwoordig 30 minute na die geadverteerde tyd van die vergadering nog onvoldoende vir 'n kworum is, word die vergadering vir sewe dae verdaag. Indien by sodanige verdaagde vergadering die nodige kworum nie teenwoordig is nie, sal die aanwesige lede handel en sake behartig asof hulle 'n kworum vorm. In die geval van 'n Spesiale Algemene Vergadering word die vergadering gekanselleer indien daar 30 minute na die geadverteerde tyd van die vergadering nog nie 'n kworum teenwoordig is nie.</p> <p>(e) Alle besprekingspunte wat op 'n JAV, 'n Raadsvergadering of 'n Spesiale Algemene Vergadering te berde kom, word met 'n meerderheid van stemme beslis, behalwe wysigings aan die grondwet, waar die meerderheid nie minder nie as twee-derdes van die lede teenwoordig en stemgeregtig moet wees. Stemming oor alle sake vind plaas met die opsteek van hande, behalwe wanneer die voorsitter van die vergadering 'n stembrief gelas. Die voorsitter is geregtig op 'n beslissende stem indien daar 'n staking van stemme voorkom. Elke geaffilieerde klub het een stem per elke eenheid van 15 lede of 'n gedeelte daarvan, wat gedurende die lopende jaar geaffilieer is. 'n Klub wat byvoorbeeld geregtig is op drie stemme, moet deur drie afgevaardigdes by 'n Algemene Vergadering verteenwoordig word of verbeur anders die balans van stemme. Behalwe as hy/sy 'n afgevaardigde is, is geen komiteelid geregtig om op 'n Algemene Vergadering te stem nie.</p> <p>(f) Kennisgewing van 'n vergadering deur die pos gegee, sal beskou word as voldoende kennis.</p> <p>(g) Skriftelike nominasies vir ampsdraers om verkies te word, en aanvaarding deur genomineerdes, moet ten minste 14 dae voor die relevante vergadering aan die Sekretaris gestuur word. In die geval waar geen geldige nominasies ontvang is nie, mag nominasies by</p>
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<p><b>Article 12. Competitions</b></p> <p>(a) The Committee shall organize and conduct all official competitions including the FS open, closed and Handicap Championships, as well as all SA Championships and Inter-Provincial Tournaments which are allocated to the Committee from time to time. The Committee may delegate some of the administrative functions relating to any tournament organised by the Committee to its sub committees.</p> <p>(b) The District Committees shall organize and conduct a league and championships each year in their respective areas.</p> <p>(c) Every athlete has the right to compete in a doping-free sports environment. The Association endorses and fully supports the World Anti-Doping Code as formulated and updated by the World Anti-Doping Agency (WADA) and supported by BSA, Badminton World Federation (BWF) and South African Sport Confederation and Olympic Committee (SASCOC).</p>	<p>die Algemene Vergadering van die vloer gedoen word.</p> <p><b>Artikel 12. Kompetisies</b></p> <p>(a) Die Komitee organiseer en bied alle amptelike kompetisies aan, insluitend die VS Ope, Geslote en Voorgee kampioenskappe, asook alle SA Kampioenskap en Inter-Provinsiale Toernooie wat van tyd tot tyd aan die Komitee toegewys mag word. Die Komitee mag sommige administratiewe funksies met betrekking tot enige toernooi wat die Komitee organiseer, aan sy sub-komitees delegeer.</p> <p>(b) Die Distrikskomitees organiseer en bied elke jaar 'n liga en kampioenskappe in hul onderskeie gebiede aan.</p> <p>(c) Elke atleet het die reg om in 'n verbode middel vrye sportomgewing mee te ding. Die Vereniging onderskryf en ondersteun ten volle die 'World Anti-Doping Code' soos deur die 'World Anti-Doping Agency (WADA)' geformuleer en opdateer en ondersteun deur PSA, 'Badminton World Federation (BWF)' en 'South African Sport Confederation and Olympic Committee (SASCOC)'.</p>
<p><b>Article 13. General</b></p> <p>(a) Affiliated clubs shall forward to the Secretary of the Association the names and addresses of their officials within 14 days of the AGM of such clubs. This is the duty of the retiring secretary(ies) of such club(s).</p> <p>(b) Affiliated clubs shall forward to the Secretary of the Association, on or before 15 April, each year, a return showing the full names and related information of all its members. A penalty of R20-00 shall, at the discretion of the Committee, be imposed if such return be not received by the 15th of April. Any persons affiliating to a club after this date must be registered within 15 days of such acceptance by the club. Such registration must be accompanied by the requisite fee and a clearance certificate from his/her previous club, if applicable.</p> <p>(c) <b>Discipline, dispute resolution and arbitration</b> Any member (including individual member of a member) which contravenes any of the terms of the Constitution (including bye-laws) or any applicable Code of Conduct, or which refuses or wrongfully</p>	<p><b>Artikel 13. Algemeen</b></p> <p>(a) Geaffilieerde klubs moet die name en adresse van hul ampsdraers binne 14 dae na die Jaarlikse Algemene Vergadering van sodanige klubs, aan die Sekretaris van die Vereniging stuur. Dis die plig van die uittredende sekretaris(se) van sodanige klub(s).</p> <p>(b) Geaffilieerde klubs moet voor of op 15 April van elke jaar 'n opgawe met die volle name en verwante inligting van al hul lede aan die Sekretaris van die Vereniging stuur. 'n Boete van R20-00 per speler word, in die diskresie van die Komitee, opgelê indien die opgawe nie teen 15 April ontvang is nie. Enige persone wat na hierdie datum by 'n klub affilieer, moet binne 15 dae na sodanige aanvaarding deur die klub geregistreer word. Sodanige registrasie moet vergesel wees van die vereiste fooi en 'n klaringertifikaat van sy/haar vorige klub, waar toepaslik.</p> <p>(c) <b>Dissipline, dispuutresolusie en arbitrasie</b> Enige lid ('n individuele lid van 'n lid ingesluit) wat enige van die</p>

and without valid excuse, fails to implement or obey any valid decision or lawful instruction of the Committee or any Sub-Committee may be charged with misconduct and dealt with in terms of the appropriate Bye-laws.

Any disagreement relating to the enforceability of the Constitution (including the bye-laws) or the interpretation or application of the provisions thereof, or any conflict of interest between any number of members of the Association or between a member of the Association and the Association itself, shall be deemed to be a dispute. Such dispute shall be dealt with in terms of the appropriate Bye-Laws.

All members as defined in the Constitution shall be obliged to submit any appeal against the decision of or penalty imposed by the disciplinary committee and appeal board, to the Arbitration Foundation of Southern Africa (AFSA) within seventy-two hours of such decision having been conveyed formally to them in writing.

#### **Article 14. Colours**

Free State Sports colours shall be awarded to a player who has represented the province in a A-team at an inter-provincial tournament. Free State Badminton colours shall be awarded to a player who has represented the province in a B-team at an inter-provincial tournament.

To the manager(ess) of a provincial team may be awarded manager's colours, and to any administrator who has served as officer in the Committee for at least two consecutive or three non-consecutive terms, or otherwise has served as committee member for at least three consecutive or five non-consecutive terms may be awarded Free State Administrators' colours in the discretion of the General Meeting.

#### **Article 15. Amendments to Constitution**

- (a) This is the only official constitution of the Free State Badminton Association, and all previous constitutions are hereby declared of no force and effect and are hereby repealed.
- (b) The constitution is only amended by means of a resolution of which

bepalings van die Konstitusie (bywette ingesluit) of enige toepaslike dissiplinêre kode oortree, of wat weier of onregmatig en sonder geldige verskoning nalaat om enige geldige besluit of regmatige instruksie van die Komitee of enige subkomitee te implimenteer of gehoorsaam, mag van wangedrag aangekla en ooreenkomstig die toepaslike bywette mee gehandel word.

Enige geskil rakende die afdwingbaarheid van die Konstitusie (bywette ingesluit) of die vertolking of toepassing van die bepalinge daarvan, of enige botsing van belange tussen enige aantal lede van die Vereniging en die Vereiging self, sal as 'n dispuut geag word. Sodanige dispuut sal ooreenkomstig die toepaslike bywette mee gehandel word.

Alle lede soos in die Konstitusie gedefinieer sal verplig wees om enige appèl teen die beslissing van of straf opgelê deur die dissiplinêre komitee en appèlraad na die *Arbitration Foundation of Southern Africa (AFSA)* in te dien binne twee-en-sewentig uur vandat so beslissing formeel skriftelik aan hulle oorgedra is.

#### **Artikel 14. Kleure**

Vrystaat Sportkleure word toegeken aan 'n speler wat die provinsie in 'n A-span by 'n inter-provinsiale toernooi verteenwoordig. Vrystaat Pluimbalkleure word toegeken aan 'n speler wat die provinsie in 'n B-span by 'n inter-provinsiale toernooi verteenwoordig.

Aan die bestuurder(es) van 'n provinsiale span word bestuurderskleure toegeken word, en aan enige administrateur wat as ampsdraer in die komitee gedien het vir ten minste twee agtereenvolgende of drie nie-agtereenvolgende termyne, of andersins as komiteelid gedien het vir ten minste drie agtereenvolgende of vyf nie-agtereenvolgende termyne, mag Vrystaat administrateurskleure toegeken word in die diskresie van die Algemene Vergadering.

#### **Artikel 15. Grondwetwysigings**

- (a) Hierdie is die enigste amptelike grondwet van die Vrystaat Pluimbalvereniging en alle vorige grondwette word hierdeur as ongeldig en kragteloos verklaar en herroep.

<p>proper prior notice was given and which was processed as intended in article 11(a) read with article 11 (d), (e) and (f), i.e. -</p> <p>I. 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.</p> <p>II. Two thirds of the delegates of the affiliated clubs shall be present at a meeting ('the quorum') before a decision to change the constitution is taken. Any annual general meeting may vote upon such a motion, if the details of the changes are set out in the notice referred to in the previous paragraph.</p> <p>III. The resolution has to be agreed upon and passed by not less than two thirds of the delegates of the affiliated clubs who are present at the relevant annual or special general meeting. Delegates must vote at this meeting to change the constitution.</p> <p>(c) A copy of any amendments to the constitution must be submitted to the Commissioner of the South African Revenue Service and the Director: Nonprofit Organisations.</p> <p><b>Article 16. Dissolution</b></p> <p>The Association is only dissolved by means of a resolution by a Special General Meeting which was convened specifically for this purpose and was processed as intended in article 11(b) read with article 11 (d), (e) and (f).</p> <p>Upon dissolution of the Association the remaining assets shall be paid over to any similar other public benefit organisation which enjoys approval in terms of section 30 of the Income Tax Act, 1962, as determined by the meeting.</p>	<p>(b) Die grondwet word slegs gewysig by wyse van 'n besluit waarvan vooraf behoorlik kennis gegee is en wat deurgevoer is soos bedoel in artikel 11(a) gelees met artikel 11 (d), (e) en (f) , i.e. –</p> <p>I. 'n Skriftelike kennisgewing moet ten minste veertien (14) dae voor die vergadering waarby wysigings in die grondwet voorgestel sal word, uitgestuur word. Die kennisgewing moet die voorgestelde wysigings tot die grondwet wat op die vergadering bespreek sal word aandui.</p> <p>II. Twee-derdes van die afgevaardigdes van die geaffilieerde klubs moet by die vergadering teenwoordig wees (die kworum') alvorens 'n besluit om die grondwet te wysig geneem word. Enige jaarlikse algemene vergadering mag oor sodanige voorstel stem, as die besonderhede van die veranderinge in die kennisgewing in die voorgaande paragraaf na verwys, uiteengesit is.</p> <p>III. Die besluit moet op ooreengekom en geneem word deur nie minder nie as twee-derdes van die afgevaardigdes van die geaffilieerde klubs by die betrokke jaarlikse of spesiale algemene vergadering teenwoordig. Afgevaardigdes moet op die vergadering stem om die grondwet te wysig.</p> <p>(c) 'n Afskrif van enige wysigings aan die grondwet moet aan die Kommissaris van die Suid-Afrikaanse Inkomstediens en die 'Director: Nonprofit Organisations' voorgelê word.</p> <p><b>Artikel 16. Ontbinding</b></p> <p>Die Vereniging word slegs ontbind by wyse van 'n besluit deur 'n Spesiale Algemene Vergadering wat spesifiek vir die doel belê en gevoer is soos bedoel in artikel 11(b) gelees met artikel 11 (d), (e) en (f).</p> <p>By ontbinding van die Vereniging sal die oorblywende bates oorbetaal word aan enige soortgelyke ander openbare weldaatsorganisasie wat goedkeuring ingevolge artikel 30 van die Inkomstebelastingwet, 1962, geniet, soos deur die vergadering bepaal.</p>
<p><b>19 November 1980. Issue 4</b> As amended on 1986:11:15; 1987:11:14; 1988:11:11; 1989:11:03 (and translated to Afrikaans on 1989:11:03); 1990:11:02; 1994:03:18; 1998:11:06; 2001:01:27; 2002:11:15; 2006:05:13 ; 2009:04:01,</p>	<p><b>19 November 1980. Uitgawe 4.</b> Soos gewysig op 1986:11:15; 1987:11:14; 1988:11:11; 1989:11:03 (en vertaal op 1989:11:03); 1990:11:02; 1994:03:18; 1998:11:06; 2001:01:27; 2002:11:15; 2006:05:13 ; 2009:04:01, 2009:11:18,</p>

<p>2009:11:18, 2011:10:26, 2013:10:26 and 2015:11:14.</p> <p><i>(The Afrikaans version being the official version)</i></p> <p><b>ANNEXURE A:</b> (map)</p> <p><b>ANNEXURE B:</b> (Rules, regulations and bye-laws)</p> <hr/> <p>Chairperson</p>	<p>2011:10:26, 2013:10:26 en 2015:11:14.</p> <p><b>BYLAAG A:</b> (kaart)</p> <p><b>BYLAAG B:</b> (Reëls, regulasies en bywette)</p> <hr/> <p>Date</p>
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