CONSTITUTION

OF

CENTRAL GAUTENG AQUATICS

DATE	REVISION NUMBER	REVISION DESCRIPTION	DATE OF ACCEPTANCE
22 May 2016	1	General update to include definitions, referenced to Aquatics Gauteng and align with the latest SSA Constitution, dated April 2015.	N/A
28 June 2016	2	Updates to provide clarity and streamline the document: • Additions/amendments to Section 6 Executive Officers • Additions/amendments to Section 18 Bye-Laws • Removal of Section 13 Honoraria • Condensing of previous Sections 14, 15 16 and 17 Sanctions, Disqualification/Suspension, Disputes/Disciplinary Matters and Appeals • Reordering and numbering of sections	N/A
03 August 2016	3	Updates from Exec. meeting and consultation	N/A
3rd April 2017	4	Updates from further submissions, SSA and WG review	N/A
08 May 2017	5	Updated to reflect motions as agreed at the CGA SGM held on 4th May 2017. The approved transitional arrangements, particularly those regarding the nomination process for 2017 and water polo (for a period of five (5) years), are to be read in conjunction with this constitution and the bye-laws.	

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1 PREAMBLE

1.1 This Association shall be called Central Gauteng Aquatics (hereinafter "CGA"), whose headquarters are in Johannesburg, and shall preside over the district of the City of Johannesburg Metropolitan Municipality as the governing body of the aquatics disciplines of SWIMMING, DIVING, WATER POLO, SYNCHRONISED SWIMMING, OPEN WATER SWIMMING AND MASTERS.

1.2 CGA is a voluntary Association with full legal personality, with continuing existence, independent of changes in membership and office-bearers and is of indefinite duration.

1.3 CGA recognizes Swimming South Africa (SSA), the National Federation, which has sole jurisdiction and control of aquatics and its disciplines in South Africa.

1.4 CGA is affiliated to Aquatics Gauteng (AG), the provincial body for the administration of aquatics in the province of Gauteng.

1.5 CGA is registered with the South African Revenue Services (SARS) as a Public Benefit Organisation (PBO) and with the Department of Social Development as a Nonprofit Organisation (NPO).

1.6 CGA shall own property and other possessions separate from its members.

1.7 CGA shall be able to be sued in its own name.

1.8 CGA shall exist in its own right, separate from its members.

This document must be read in conjunction with the bye-laws, rules, policies and strategies of the organisation.

2 LANGUAGE

2.1 The official language of CGA shall be English.

2.2 Words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neutral gender shall include any gender, except in the specification of a competition being for male or female competitors; and correction of any manifestly evident typographic errors shall be made.

3 DEFINITIONS

The following definitions shall apply to this Constitution:

'**Affiliate Member**' – refer to the definition of 'CGA Affiliate'

'**Aquatics**' – the disciplines of diving, masters, open water swimming, swimming, synchronised swimming and water polo

'**Aquatics Gauteng (AG)**' – the provincial body which is an Affiliate Member of SSA, which covers the administration of aquatics in the province of Gauteng

'**Associate Member**' - other bodies which have sporting activities similar to those of CGA that are not capitated or affiliate members

'**Association**' - is Central Gauteng Aquatics (CGA)

'**Athlete**' – an individual, competitive member of a club, duly capitated through the completion of the capitation form and having paid the required fees, who participates in any of the discipline competitions set up by districts, provincial affiliates or SSA

'**Biennial Annual General Meeting**' – the general meeting held every two (2) years, commencing in 2018, at which election of the CGA Executive Officers takes place

'**Bye-law**' – a rule or law established by the Executive Committee for the regulation of its affairs which may not conflict with the constitutions or bye-laws of CGA, AG or SSA

'**Capitated Member**' - any individual member of a club who may be an athlete or official, who is fully capitated and up to date with the payment of the capitation fees to CGA, AG and SSA

'**Capitation Fee**' – the fee and/or levy for registration associated with the capitation form

'**Capitation Form**' – the SSA form that an individual member completes which acknowledges SSA as the only recognised body in South Africa that governs aquatics and binds the individual member to the SSA constitution and its provisions

'**CGA Affiliate**' - a duly constituted club which is within the boundaries of the district of the City of Johannesburg Metropolitan Municipality

'**CGA Secretariat**' – persons in the employ of CGA who are responsible for the general administration of CGA's affairs, including the collation and dissemination of information, documentation, rules, competition details and the like to the affiliate members, associate members and honorary life members

'**Child Protection Policy**' – the current Swimming South Africa (SSA) Child Protection Policy

'**Club**' – a group of capitated individual members within the district of the City of Johannesburg Metropolitan Municipality, appropriately constituted, to support the objectives set out by CGA, AG and SSA

'**Coach**' - a trained individual who is registered with SSA and qualified to coach one or more of the aquatics disciplines

'**Code of Conduct**' – the Code of Conduct issued by the governing body, Swimming South Africa (SSA), as amended from time to time and additions thereto, as it applies to CGA in terms of this constitution and is contained in the bye-laws

'**Code of Ethics**' – the Code of Ethics issued by the governing body, Swimming South Africa (SSA) as amended from time to time and additions thereto, as it applies to CGA in terms of this constitution and is contained in the bye-laws

'**Competition**' – is any district, provincial, national or international competition or similar event for athletes/competitors

'**Competitor**' – is any individual who is duly capitated with an affiliate member, CGA and SSA, who enters and competes at a recognised competition in any of the aquatics disciplines set up by districts, provincial affiliates or SSA

'**Constitution**' - this Constitution, its provisions, the appendices hereto, bye-laws, rules, policies and due decisions and/or orders arising therefrom, as amended from time to time

'**Days**' - full calendar days, inclusive of public and other holidays

'**Disabled Athlete**' means an individual who has a physical, visual or intellectual disability as defined by the International Paralympic Committee.

'**Disciplinary Offence**' - a breach of a SSA, AG or CGA constitution, bye-law, policy or rule which relates to aquatics

'**District**' - a duly constituted body in accordance with the geo-political and municipal boundary as determined by the Municipal Demarcations Board, made up of affiliate members (clubs) within its boundaries, and under the jurisdiction of the provincial body

'**Doping Control**' – the testing process to detect and/or deter the use of prohibited methods and or substances by and athlete or competitor

'**Drug(s)**' – any substance(s), method and/or provision regulated in accordance with WADA, through SSA, SASCOC and/or FINA's Doping Control Rules

'**Emergency**' – a situation that poses an immediate threat to CGA or its operations, in the broadest sense.

'**Executive Committee**' – consists of the elected officers of CGA, the chairman of each of the technical and specialised committees and the representatives of the associate members who are responsible for making decisions on matters relating to the business of aquatics within CGA

'**Executive Officers**' – are the elected officers for CGA being the President, the Vice-President, Treasurer and four (4) Executive Members

'**Federation Internationale de Natation (FINA)**' - is the international governing body of swimming, diving, high diving, masters, water polo, synchronized swimming and open water swimming

'**Financial year**' – means the period 1st May until 30th April the following year

'**General Council**' – the Executive Committee plus two capitated individuals representing each of the affiliate members (clubs) and one additional representative for each of the associate members, in good standing

'**General Meeting**' – any meeting of the general council

'**Good Standing**' – good standing, as it relates to General Council above, shall mean that the individuals, club representatives and/or associate member representatives (i) may not be indebted to CGA, unless a valid financial dispute is pending (ii) must have met the CGA requirement for holding an AGM, where applicable (iii) have lodged financial statements with CGA, where applicable (iv) are operating under a valid constitution and (v) have not had their membership suspended following a disciplinary enquiry.

'**Guardian/Legal Guardian**' - a person who has the legal authority and the duty to care for the personal and property interests of a minor

'**Honorary Life Member**' – a member who has been previously granted life or honorary member status, or has been an individual member of CGA for a minimum period of ten (10) years and who has made a significant contribution to CGA and approved at a General Meeting.

'**Masters**' - a programme recognized by FINA for all aquatics disciplines, and as such becomes an entity within SSA, AG and CGA

'**Member(s)**' - the individual capitated members of clubs/Affiliate Member(s) of CGA and Honorary Life Members

'**Minor**' - any person under the age of 18 years

'Officers' - the elected officers of CGA, who are responsible for making decisions on matters relating to the business of the association

'**Officials**' – technical officials and individual members of clubs, other than athletes or competitors, who are responsible for club activities, and are fully capitated and up to date with the payment of their fees

'Nonprofit Organisation (NPO)'- a trust, company or other association of persons established for a public purpose and of which its income and property are not distributable to its members or office bearers except as reasonable compensation for services rendered, in terms of section 1 of the Non-profit Organisations Act 71 of 1997 and registered with the Department of Social Development

'**Parent** – a person who has the legal authority and the duty to care for the personal and property interests of a minor

'**Public Benefit Organisation (PBO)**' – generally an organisation that does not work for profit and does not pay tax in or outside of South Africa, as defined by the Income Tax Act of 1962

'**School**' – an institution of education/learning that falls under the jurisdiction of the Department of Basic Education

'Schools Aquatics' – the Johannesburg body, established in accordance with the guidelines, regulations and structures as set out by the Department of Basic Education and Sport and Recreation South Africa for competitions, from education institutions elected at their AGM. This body is a member of Gauteng Schools Aquatics.

'Season' – this shall have the same meaning as 'Financial Year'

'**Selection Committee**' – a group of members from a discipline, duly nominated by the technical committee of that discipline (and ratified by the CGA Executive Committee), who when required, recommend competitors and/or teams to represent the district at competitions

'**South African Institute for Drug-Free Sport (SAIDS)**' – the body responsible for the regulations and policies for anti-doping and doping control across all sports in South Africa in accordance with WADA regulations.

'**South African Revenue Service (SARS)**' - the revenue service (tax-collecting agency) of the South African government

'**South African Sports Confederation and Olympic Committee (SASCOC)**' – the South African association to promote and develop high performance sport , to act as the controlling body for sport and for the preparation and delivery of Team South Africa at all multi-sport international games including but not limited to the Olympic Games, Paralympic Games, Commonwealth Games, World Games and All Africa Games.

'**Specialised Committee**' – a group of capitated individual members within the district of the City of Johannesburg Metropolitan Municipality, appropriately constituted to represent non-competitor members and support the achievement of objectives set by CGA, AG and SSA

'**SSA Affiliate**' – a duly constituted body made up of Districts within its boundaries as outlined in SSA's constitution

'**Teacher**' – a trained individual who is registered with SSA and qualified to teach one or more of the aquatics disciplines

'**Technical Committee (TC)**'– a group of individual members from an aquatic discipline, who are elected by the affiliate and/or associate members of that discipline

'**World Anti-Doping Agency (WADA)**' - is responsible for the monitoring of anti-doping and doping control activities worldwide to ensure proper implementation of and compliance with the World Anti-Doping Code (Code), in all sports and all countries

4 OBJECTIVES

The objectives of CGA are:

4.1 To support the objectives of SSA and AG, as outlined in the relevant latest revision of their respective Constitutions, within the jurisdiction of CGA, with particular focus on:

4.1.1 All sectors of our community, incorporating those who have lacked access to aquatics facilities, teachers and/or coaching in the past.

4.1.2 Developing a working relationship with schools' aquatics and tertiary institutions in the City of Johannesburg Metropolitan Municipality.

4.1.3 The identification and development of athletes with high performance potential.

4.1.4 Increasing the membership and participation, particularly that of disabled athletes, in all the aquatics disciplines.

4.2 To ensure good governance at all levels within the CGA structure.

4.3 To promote and encourage the development of relations between the aquatic disciplines within CGA.

4.4 To ensure that all members in the district, CGA affiliate, associate and individual members, subscribe and adhere to the constitution, bye-laws, rules & regulations of competitions, policies and strategies of the organisation, as determined by CGA, from time to time.

4.5 To ensure drug-free aquatics, at all levels of participation, including in and out of competition drug testing.

5 MEMBERSHIP

The membership of CGA shall comprise of the following:

5.1 Members

5.1.1 Individual Members shall automatically become members of CGA on capitating with a club in the district of their residency.

5.1.2 Membership is achieved by completing the prescribed Capitation Form and remitting it to their club with the prescribed Capitation Fee(s).

5.1.3 This completed Capitation Form is submitted by the club to CGA, which in turn forward this document to AG, with the prescribed SSA Capitation Fee.

5.1.4 Each Individual Member, and in the case of minors and their parents/guardians/legal guardians, by proceeding according to clauses 5.1.1 and 5.1.3, acknowledge that SSA is the only recognized body in South Africa which governs the aquatic disciplines and that they are bound by the provisions of the Constitutions of SSA, AG and CGA.

5.1.5 Parents/guardians/legal guardians are required to sign the Capitation Form for minors.

5.1.6 In capitating with a club, the individual member will be bound by the SSA, AG and CGA Codes of Conduct and Ethics.

5.1.7 CGA, AG and SSA shall have the power to sanction an individual member for violation of their respective constitutions, and/or their bye-laws and/or their rules.

5.1.8 If an individual member transfers from one club to another club;

5.1.8.1 within CGA, then CGA must inform AG, who in turn must inform SSA, and the transferring club must approve the transfer;

5.1.8.2 in another District within AG, then the transfer is only completed once the transferring Club approves, and AG and SSA are informed accordingly;

5.1.8.3 in a different SSA Affiliate, then the transfer is only completed once the transferring club approves the transfer, and the accepting SSA Affiliate informs SSA;

5.1.9 The closing date for the capitation of all members, be they competitors, officials, etc., will be 30th November of each year, unless circumstances in mitigation can be proved.

5.1.10 In the case of National and International competitions prior to 30th November of each year, all individual members must be capitated within seven (7) days after nomination/selection for that competition.

5.1.11 Any member who is under an SSA, AG or CGA aquatics suspension may not participate in any SSA, AG or CGA aquatics activities.

5.1.12 No member may sit on any Committee or act as an official at or take part in any competition, whilst under sentence of disqualification or suspension for any offence committed by him/her.

5.2 Clubs

5.2.1 Clubs need to be established, active bodies, catering for the disciplines they have decided to pursue.

5.2.2 All Clubs, new and old, need to compile a constitution, with their rules aligned to CGA's, AG's and SSA's Constitutions and must inform CGA of any changes within 30 days of any change(s) being adopted.

5.2.3 The Club constitution must state that SSA is the sole governing body of aquatics in South Africa and that their capitated members are bound by the constitutions of SSA, AG and CGA.

5.2.4 The Club must comply with the respective Codes of Conduct and Ethics and can include additional clauses provided that these are not in conflict with the provisions in SSA's Codes.

5.2.5 All Clubs are directed to align their financial periods with that of CGA, the financial year ending 30th April of each year.

5.2.6 Clubs shall provide CGA with a copy of their annual report, including but not limited to AGM minutes of meeting, chairman's report, financial report and contact details by not later than 30th June of each year.

5.2.7 Failure to comply with the demands outlined in the above clauses shall render the Club automatically suspended.

5.2.8 CGA may call on any Club to forward such documents, books and statements as may be deemed necessary.

5.2.9 The minimum number of administrators for a Club is five, namely the Chairman, Secretary, Treasurer and two Committee Members.

5.2.10 The minimum numbers of competitors that are required in a Club are five (5) for each aquatic discipline other than water polo, and nine for water polo.

5.2.11 All clubs must ensure that all teachers and coaches working for them are capitated and registered with CGA and SSA.

5.2.12 Clubs must submit the completed Capitation Forms of Members to CGA, who in turn forward this document to SSA, with the prescribed SSA Capitation Fee.

5.2.13 New Clubs, once accepted by CGA, will have no voting rights in their first calendar year of operation.

5.2.14 At the end of the one year introductory period, CGA will review the performance of the Club,

and if found to be in order, will grant full membership and voting rights to the Club.

5.2.15 The annual fees for Clubs shall be determined by the CGA Executive Committee.

5.2.16 Should any of the requirements listed in the above clauses not be in place, the Club may face restrictions or sanctions.

5.2.17 Each Club is entitled to two delegates, each of whom must be a capitated member, at CGA General Council Meetings, each of whom shall be entitled to one (1) vote.

5.3 Associate Members

5.3.1 CGA, in a General Meeting, may admit non-capitated bodies whose sporting activities may be similar to that of CGA, as Associate Members.

5.3.2 Applications for Associate Membership of CGA shall be made in writing to the CGA Executive Committee, together with a copy of their constitution, codes of conduct and ethics, and any other information that may pertain or that CGA may require in support of the application.

5.3.3 Each Associate Member shall acknowledge in its constitution, bye-laws and rules, that SSA is the only recognized body in South Africa which governs the aquatic disciplines, and that it is bound by the provisions of the Constitutions of SSA.

5.3.4 An individual member of an Associate Member may participate in competitions, provided that they meet the capitation criteria set by SSA.

5.3.5 CGA, AG and/or SSA shall have the power to suspend and/or expel an Associate Member for violation of their respective constitutions and/or bye-laws and/or rules.

5.3.6 During the period of suspension and/or expulsion from membership, the Associate Member, and/or its individual members, will not be able to participate in any competitions.

5.4 Honorary Life Members

5.4.1 At a General Meeting, individual members and/or Associate members may propose the title Honorary Life Member to a person or persons who have been an individual member of CGA for a minimum period of ten (10) years and who have made a significant contribution to CGA. The granting of Honorary Life Member status shall be approved at a General Meeting by two-thirds of the eligible voters.

5.4.2 The General Meeting will have the power to withdraw the Honorary Life Membership conferred on any person or persons at any time.

5.4.3 Honorary Life Members may attend General Meetings of CGA and enter into discussions, but shall have no vote at such meetings unless provided for elsewhere within this Constitution.

5.4.4 Honorary Life Members are not subject to any fees.

6 EXECUTIVE OFFICERS

6.1 The elected Executive Officers of CGA shall be individual capitated members and comprise a President, a Vice-President, Treasurer and four (4) additional members, all of who shall have full voting rights at all meetings.

6.2 The Executive Officers' tenure will be a period of two (2) years from the date of their election or until the date of the next Biennial Annual General Meeting, whichever is the shorter.

6.3 During such tenure, no Executive Officer may hold a position of office or be on any committee of any CGA affiliate member or associate member. In addition, no Executive Officer may hold a position on any CGA Technical or Specialised Committee.

6.4 At least two of the Executive Officers shall be of black (non-white) origin, subject to clause 6.5 below,

6.5 Only if there are insufficient nominations and acceptances from black (non-white) persons, at an election process for Executive Officers, to ensure compliance with clause 6.4 above, may that clause not be applied.

6.6 The Executive Officers of CGA shall be elected at the Biennial Annual General Meeting of CGA. They shall hold office for two years, and take office at the first meeting of the Executive Committee after that election.

6.7 Should an Executive Officer be found guilty of a disciplinary offence, the Executive Officer can be removed from their position upon a two-thirds majority vote at any General Meeting.

6.8 Should a vacancy for an Executive Officer arise, be it for any reason, the vacancy can only be filled by way of a nomination process and election at the first meeting of the General Council (General Meeting, AGM or SGM) not less than 30 days after the vacancy arose.

6.9 Should any Executive Officers absent himself/herself from two consecutive meetings of the Executive Committee, after having received due notice of such meeting and without leave of absence, his office shall, ipso facto, be deemed to be vacant.

7 POWERS OF EXECUTIVE OFFICERS

7.1 The Executive Officers shall attend to the day-to-day business of CGA.

7.2 All decisions taken by the Executive Officers must be reported to the Executive Committee at their next meeting.

7.3 The President shall be responsible for the leadership and strategy development in respect of the objectives of CGA.

7.4 The President shall submit at each Annual General Meeting a written President's report of the past year's activities. The report shall include the activities undertaken in relation to the achievement of CGA's objectives.

7.5 The Treasurer is responsible for the management of the finances and keeping the accounts of CGA subject to the direction of and accountability to the Executive Committee.

7.6 The Treasurer shall submit at each Annual General Meeting the audited or independently reviewed Financial Statements of the past year's activities.

7.7 The Executive Members will be assigned portfolios at the first Executive Committee meeting which must be held within 30 days of their election.

8 EXECUTIVE COMMITTEE

8.1 The Executive Committee shall comprise the Executive Officers plus the chairman, or delegated representative, of each of the Technical Committees and Specialised Committees, and one (1) representative from each of the associate members, all of whom shall have full voting rights at all meetings.

8.2 A quorum of the Executive Committee shall be a minimum of four (4) of the Executive Officers plus at least 50% of the other eligible representatives present.

8.3 In the absence of the President, the Vice President will chair the Executive Meeting. In the absence of the Vice President, an ad-hoc Chairperson shall be chosen from, and elected by, the Executive Officers present.

8.4 The Chairman of the Executive Meeting, shall, in addition to his deliberative vote, have a casting vote in the event of an equality of votes on any resolution.

8.5 A full record of the proceedings in the form of Minutes of Meetings shall be kept for all meetings by a member of the CGA secretariat, or another person nominated by the Chairman.

8.6 The procedure at all Executive Committee Meetings shall be as follows:

8.6.1 Welcome
8.6.2 Confirmation of Attendance
8.6.3 Apologies
8.6.4 Declaration of Interests
8.6.5 Minutes of the Previous Meeting
8.6.6 Matters Arising
8.6.7 President's Introduction
8.6.8 Financial Report from the Treasurer
8.6.9 Portfolio report from other Executive Members
8.6.10 Report from chairs of Technical Committees
8.6.11 Report from chairs of Specialised Committees
8.6.12 Report from representatives of Associate Members
8.6.13 Other matters
8.6.14 Date of next Meeting

8.7 The Minutes of Meeting shall be circulated to all Executive Committee members within ten (10) days of the meeting.

8.8 The Executive Committee will meet at least eight times in a calendar year.

9 POWERS OF THE EXECUTIVE COMMITTEE

The powers of the Executive Committee shall be to:

9.1 Oversee the business of aquatics within CGA to ensure its activities are directed towards the achievement of the CGA objectives, are efficient, economically viable and in the best interests of the Association.

9.2 Appoint two (2) delegates to serve on the Executive Committee of AG

9.3 Deal with disciplinary matters referred to it and relating to CGA activities.

9.4 Conduct, institute or defend legal proceedings on behalf of CGA.

9.5 Appoint delegates to represent CGA at provincial or national congresses or meetings.

9.6 Appoint ad-hoc committees, with persons of knowledge in special areas, to advise the Executive Committee on urgent matters or to investigate specific matters or problems and to report thereon.

9.7 Co-opt any person onto the Executive Committee to fulfil a specific function, the co-option of which must be approved by a two-thirds majority of the persons present and eligible to vote at a quorate Executive Committee meeting. A co-opted member does not have a vote at the Executive Committee. The requirement for co-opted members must be reviewed as needed and at least annually.

9.8 Approve the appointment of all officials and members of teams representing CGA.

9.9 Lease or hire movable and immovable property in the name of CGA, where it shall appear to be in the best interest of CGA and upon such terms as it may deem expedient to be utilised solely for the purpose of conducting the business of CGA.

9.10 Purchase in the name of CGA such property, movable or immovable, as may be considered requisite and necessary to be utilised by CGA, noting that no member or office bearer, will be or is entitled as a member to any of the property, assets or income of CGA, or to any portion thereof.

9.11 Should any funds become available, the Executive Committee will consider investment of such funds, provided that it is consistent with a policy of prudent investment for the protection of assets.

9.12 Indemnify the members of the Executive Committee, in their personal capacities and/or in their capacities as members of CGA, and shall hereafter be, indemnified against, and free from personal liability for, the actions and/or debts and/or liabilities, of any nature, of CGA provided any actions are not unlawful.

9.13 Indemnify all technical officials and safety officers at CGA events and CGA technical officials representing CGA at other events, in their personal capacities and/or in their capacities as members as CGA, and shall hereafter be, indemnified against, and free from personal liability for, the actions and/or debts and/or liabilities, of any nature, of CGA provided any actions are not unlawful.

9.14 Decide on and publish CGA bye-laws, rules, policies and procedures.

9.15 Decide on and approve CGA colours and awards.

9.16 Review and approve all budgets and financial items as they pertain to CGA activities.

9.17 Review and approve the hosting of district, provincial, regional, National and/or International events.

9.18 Impose sanctions as and when required.

9.19 Attend to all appeals.

9.20 Respond to any concerns arising from the deliberations of all Technical Committees and associate members.

9.21 The Executive Committee shall determine and will advise all members of the prescribed fees applicable in the next season prior to the start of that season.

9.22 The Executive Committee may appoint any person/group of people/company on a full-time, part-time or contract basis in order to run or assist in the running of the day-to-day operations of CGA. Any such

appointment must be based on an agreed contract of employment, job and/or project description and budget that will be set from time-to-time.

10 MEETINGS

10.1 General Meetings

10.1.1 General Meetings shall be held as provided for in this Constitution, whenever considered necessary by the Executive Committee, and/or upon a requisition signed by not less than ten (10) affiliate and/or associate members.

10.1.2 If called by the Executive Committee, at least thirty (30) days' notice of the date and Agenda of the meeting must be given to all constituent members of the General Council.

10.1.3 If requisitioned by affiliate and/or associate members, the General Meeting must be held within thirty (30) days of the receipt of the requisition and at least fourteen (14) days' notice of the date and Agenda of the meeting given to all constituent members of the General Council.

10.1.4 All persons present, in good standing and eligible to vote at a General Meeting shall be entitled to one vote.

10.1.5 Each Affiliate Member may nominate two (2) delegates to the General Meeting.

10.1.6 Each Associate Member may nominate one (1) delegate to the General Meeting, in addition to their one (1) representative on the Executive Committee.

10.1.7 Each Affiliate Member and Associate Member must give written notice of the appointed delegates to the CGA secretariat at least forty-eight (48) hours prior to the commencement of the Meeting, failing which delegate/s shall not be entitled to vote.

10.1.8 In the absence of the President, the Vice President will chair the General Meeting. In the absence of the Vice President, an ad hoc Chairman shall be chosen from, and elected by, the Executive Officers present.

10.1.9 The Chairman of the General Meeting, shall, in addition to his deliberative vote, have a casting vote in the event of an equality of votes on any resolution.

10.1.10 If within fifteen (15) minutes from the time appointed for any General Meeting a quorum is not present, the Meeting shall stand adjourned until further notice.

10.1.11 The Chairman, with the consent of the Meeting, may adjourn any Meeting from time to time. When such adjourned Meeting is reconvened, only such business remaining unfinished shall be transacted.

10.1.12 No resolution shall be rescinded at the same meeting unless a motion is carried by a two-thirds majority of the members present and eligible to vote.

10.1.13 A quorum at all General Meetings shall consist of not less than fifty percent (50%) plus one member of the Executive Committee and not less than fifty percent (50%) plus one of other members of the General Council.

10.1.14 Honorary Life Members and the media may attend General Meetings, except when the Meeting is resolved into committee by the Chairman or delegates.

10.1.15 A full record of the proceedings in the form of Minutes of Meetings shall be kept for all meetings by a member of the CGA secretariat, or another person nominated by the Chairman.

10.1.16 Copies of the Minutes of all General Meetings shall be forwarded to attendees; members of the Executive Committee and all Affiliate members and Associate members not later than ten (10) working days after the Meeting.

10.1.17 At General Meetings, the following items and procedure shall be included on the agenda:

10.1.17.1 Welcome.
10.1.17.2 Confirmation of the Notice of the Meeting.
10.1.17.3 Confirmation of the delegates present
10.1.17.4 Apologies
10.1.17.5 Declaration of a quorum.
10.1.17.6 Declaration of Interests
10.1.17.7 The Minutes of the previous General Meeting (and any Emergency General Meeting held since the last General Meeting) shall be read and confirmed as true reflection of the Meeting(s).
10.1.17.8 The Minutes, after confirmation, shall be moved and seconded by two delegates of the Meeting who are eligible to vote.
10.1.17.9 Matters arising from the Minutes.
10.1.17.10 Other business for which due notice has been given (Notices of Motion).

10.1.18 Notices of Motion for changes to the Constitution must be in the hands of the CGA secretariat at least twenty-one (21) days prior to the date of a General Meeting and circulated to its constituent members at least fourteen (14) days before the date of the meeting.

10.1.19 Any changes to the Constitution shall require the support of two-thirds of the total vote at the General Meeting, and will become effective immediately, unless otherwise determined.

10.1.20 The venue of any Meeting shall be determined by the Executive Committee.

10.2 Annual General Meetings

10.2.1 The Annual General Meeting of CGA shall be held during the month of July each year, on a date to be decided upon by the Executive Committee. The date of such a Meeting shall be advised by CGA to its members not less than forty five (45) days before the date of the Meeting.

10.2.2 The Annual General Meeting is the highest authority of CGA and shall have the power to decide on any matters arising in CGA.

10.2.3 At the Annual General Meetings, the following items and procedure shall be included on the Agenda:

10.2.3.1 Welcome.
10.2.3.2 Confirmation of the Notice of the Meeting.
10.2.3.3 Confirmation of the delegates present.
10.2.3.4 Apologies.
10.2.3.5 Declaration of a quorum.
10.2.3.6 Declaration of Interests.
10.2.3.7 The Minutes of the previous Annual General Meeting (and any General and / or Emergency General Meeting(s) held since the last Annual General Meeting and remaining unconfirmed) shall be read and approved as true reflection of the Meeting.
10.2.3.8 Such Minutes, after confirmation, shall be moved and seconded by two authorized delegates of the Meeting.
10.2.3.9 Matters arising from the Minutes.
10.2.3.10 President's Report, including:
10.2.3.10.1 Reports on National Events
10.2.3.10.2 Records achieved
10.2.3.10.3 Honoraria
10.2.3.11 Presentation and adoption of the President's Report.
10.2.3.12 Audited or Reviewed Financial Statements submitted by the Treasurer.
10.2.3.13 Appointment of Auditors for the ensuing year.
10.2.3.14 Reports from Technical Committees, Specialised Committees and Associate Members.
10.2.3.15 Election of Executive Officers (applicable only for Biennial Annual General Meetings)
10.2.3.16 Election of the Chairman of each of the Technical Committee (one for each of the aquatics disciplines)
10.2.3.17 Other business for which due notice has been given (Notices of Motion).
10.2.3.18 Bestowing of Awards.

10.3 Biennial Annual General Meetings

10.3.1 The Biennial Annual General Meeting shall be held every two years, commencing in 2018.

10.3.2 The procedure of the Biennial Annual General Meeting is identical to the Annual General Meeting with the election of the Executive Officers taking place as indicated in the agenda above.

10.3.3 All Affiliate Members, Specialised Committees, Associate Members and the current Executive Committee Members shall have the right to nominate Individual Members as Executive Officers.

10.3.4 Only representatives of affiliate members who are capitated members, in good standing and are actively involved in their respective discipline(s) may nominate and/or elect individual members for the position of chairman of that specific discipline's technical committee.

10.3.5 The written acceptance of the nomination by each nominee shall be submitted to the CGA secretariat by the nominating authority or person making the nomination.

10.3.6 Such nominations, and acceptances, shall have been received by the secretariat of CGA at least fourteen (14) days prior to the date of the Biennial Annual General Meeting.

10.3.7 Any person elected as an Executive Officer of CGA may not hold an administrator position within any CGA Affiliate Member or Associate Member, nor may they represent any Technical Committee or Specialised Committee at any Executive or other meeting.

10.3.8 The voting papers are to be retained by the CGA secretariat until the start of the next Biennial Annual General Meeting.

11 FINANCE

11.1 In respect of Clauses 1.2 to 1.6, the Executive of CGA shall keep proper books of account, under the control of the Treasurer, which books shall be audited or independently reviewed annually by the Auditors appointed by CGA.

11.2 The financial year of CGA terminates on the 30th April each year, after which the Treasurer shall frame a Balance Sheet and Income and Expenditure Account, and after audit, or independent review, a copy thereof shall be forwarded to the Executive Officers and each Affiliate member, Specialised Committee and Associate Member to reach them at least seven (7) days before the Annual General Meeting.

11.3 No profits or gains shall be distributed to any person and the funds of CGA shall be utilised solely for investment or for the objectives for which it has been established.

11.4 CGA may refund necessary expenses incurred by any members whilst engaged in the work of CGA or grant any sum to any individual in recognition of services rendered, subject to specific provisions within this Constitution and/or the Code of Ethics contained within the bye–laws.

11.5 CGA shall open and maintain an account with a registered commercial bank and the account shall be operated upon the signature by any two of the following:

11.5.1 President, Vice President(s) or Treasurer.

11.5.2 Upon instruction from the Executive Committee, the signatures of other Executive Officers may also be included.

11.6 CGA may deposit monies not immediately required for its use in a Savings Bank or similar, in accordance with Clause 9.11.

11.7 Funds available for investment may only be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984.

11.8 Only CGA, Affiliate Members and Associate Members are allowed to maintain banking accounts in their names. The proviso to this clause is that any entity which has an account must conform to the rules for registered NPOs or a company and have their finances reviewed and/or audited as required.

11.9 Any other organisation within the framework or structure of CGA made up of Individual Members is not allowed to open and maintain separate financial accounts and/or carry out transactions.

11.10 The Treasurer, with the President and Vice-President, will draw up a detailed annual budget, aligned to CGA's objectives and activities, for distribution to the Executive Committee prior to the start of a season, which shall be confirmed or amended by the Executive Committee at their first meeting after election at a Biennial Annual General Meeting.

12 BYE-LAWS, POLICIES AND RULES

12.1 As provided for in Clause 9.14, the Executive Committee shall have power to make all such bye-laws, policies, procedures and rules as may be necessary to carry out the objectives and intent of the Association for the betterment of aquatics.

12.2 Any proposed changes to the bye-laws, policies and/or rules shall only be binding on all members 14 days after the proposed changes have been circulated to members of the General Council by the CGA secretariat, subject to clause 12.3 below.

12.3 If, during the 14-day period, a General Meeting is requisitioned for any reason relating to the bye-laws, then the proposed changes will only be binding if the proposed changes are adopted at that General Meeting.

13 DISCIPLINARY AND RELATED MATTERS

13.1 Any member, non-member, club, affiliate member or associate member may raise a grievance, be involved in a dispute or can be disciplined and/or sanctioned in accordance with the provisions in the bye-laws, policies and procedures.

13.2 Any employee, whether employed on a full-time, part-time or contract basis, may raise a grievance, be involved in a dispute or can be disciplined and/or sanctioned in accordance with the provisions in the bye-laws, policies and procedures.

14 TECHNICAL COMMITTEES

14.1 In order to meet the objectives of CGA, Technical Committees for aquatics disciplines may be convened to cover the various facets of the sport.

14.2 The structure and functions of these Committees are contained in the Bye–Laws.

15 SPECIALISED COMMITTEES

15.1 In order to meet the objectives of CGA, Specialised Committees may be formed to cover the various facets of the sport.

15.2 The structure and functions of these Committees are contained in the Bye–Laws.

16 INTERPRETATION OF LAWS

16.1 The interpretation of this constitution or any other question not provided for herein shall be referred to CGA for decision by a two-thirds majority of the Executive Committee present and voting at an Executive Committee Meeting, which decision shall be binding, except on matters relating to AG, SSA, SASCOC and/or FINA laws, when such decisions shall be subject to appeal to AG, SSA, SASCOC or FINA.

17 ARBITRATION

17.1 Disputes between CGA and any of its members that are not resolved by CGA may be referred for arbitration to AG and thereafter to SSA and must follow due process on dispute resolution within sport up to the Court of Arbitration for Sport level, at the cost of such member lodging the dispute for arbitration.

17.2 Any members resorting to court/legal action to resolve a dispute, without following due process, will automatically cease to be a member.

18 DISSOLUTION AND DISPOSAL OF ASSETS AND LIABILITIES

18.1 CGA may be dissolved by a resolution passed at a General Meeting called for that purpose, provided that such resolution is passed by a majority of two thirds of the members present and entitled to vote at such a meeting.

18.2 The resolution reached in Clause 18.1 must be confirmed at a further General Meeting to be held not less than thirty (30) days thereafter by a majority vote of members entitled to be present and vote thereon.

18.3 Upon its dissolution, the assets of CGA remaining after the satisfaction of all liabilities shall be given or transferred to another association or institution having objectives similar to the objectives of CGA, to be determined by the General Council at the second Special General Meeting in 18.2 above, failing such, determination by the Court.

ANNEXURE I – TRANSITIONAL ARRANGEMENTS

The TRANSITIONAL ARRANGEMENTS, per the minutes of meeting from the SGM, held 4th May 2017, are included below:

a. For 2017 only, the CGA AGM will be held on 30th May 2017.

b. The nomination and election process for the above CGA AGM, as per SSA, is to be overseen by an independent person. The working group recommended that the independent person be a legally qualified person and recommends Mr Mandla Tshabalala - he is a sports lawyer and is totally independent. He will be working pro-bono for CGA. The CGA Executive has asked Mr Alan Fritz – President of SSA – to oversee the process. It was proposed that both Mr Fritz and Mr Tshabalala oversee the process
ACCEPTED – Mr Tshabalala and Mr Frits will oversee the nomination and election process for the CGA AGM to be held in May 2017.

c. For the May 2017 AGM, the nomination forms for the CGA AGM May 2017 will be distributed on 8th May 2017 with the deadline for submission to the CGA office being on 16 May 2017 by noon. No nominations will be accepted after this date and time. E-mail acceptance of the signed nomination is acceptable (i.e. a scanned copy of the signed nomination and/or electronic signature is acceptable).

d. The President elected at the May 2017 AGM is mandated to initiate a WG to review the structure and operating model of CGA to ensure that all aquatics disciplines have equitable stakes in CGA as a district and have rules, policies and procedures that are appropriate to them and the manner in which their respective discipline operates.

e. With immediate effect and for a period of up to five (5) years (which may only be reduced or extended by a General Meeting of CGA), section numbers 5.1.8.1 (until a clear understanding of how Water Polo clubs and teams function), 5.2.2 to 5.2.9 and 5.2.11 to 5.2.16 – numbering as in the proposed constitution as considered at this SGM – shall not apply to Water Polo clubs, who will be bound by their own constitutional arrangements during this period.