



**THE CLAY TARGET SHOOTING ASSOCIATION  
OF SOUTH AFRICA**

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**CONSTITUTION**

**AS AMENDED 22ND JUNE 2013**

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## **ARTICLE 1 – DEFINITIONS**

- 1.1 Unless specifically otherwise provided for herein or a contrary intention appears from the context, the following words and phrases shall have the following meanings in this constitution and in any regulation:
- 1.1.1 Alternate – a person acting as a substitute for an office-bearer during the latter's absence.
  - 1.1.2 Annual general meeting – a general meeting of members of the CTSASA held every year.
  - 1.1.3 CTSASA clubs – club members.
  - 1.1.4 Chairperson of the Legal Committee – subject to article 18.7, the person elected in terms of Article 10.4.7.
  - 1.1.5 Disciplinary Regulations – regulations made in terms of Article 9.3.1.2.
  - 1.1.6 Due notice - a written notification dispatched by ordinary post to the last registered address, or faxed to the last registered fax number, or e-mailed to the last registered e-mail address of the person concerned.
  - 1.1.7 Executive Committee – the Executive Committee of the CTSASA provided for in Article 9.2.
  - 1.1.8 Executive Officer – the Executive Officer of the CTSASA appointed by the Executive Committee.
  - 1.1.9 Inform in writing – posting a document containing the relevant information.
  - 1.1.10 Last registered address or fax number – the postal or e-mail address or fax number of the person concerned according to the records of the CTSASA on the relevant date.
  - 1.1.11 Legal Committee – the Legal Committee of the CTSASA provided for in Article 9.3.1.
  - 1.1.12 Minutes – a written record, but not necessarily a verbatim account of decisions taken and of things said and done at a meeting, accepted as correct at the next meeting of the body in question.
  - 1.1.13 Officer - any individual appointed by the Executive Committee, or elected by the CTSASA in general meeting, in any position except that of auditor.
  - 1.1.14 Office-bearer - a member of the Executive Committee or any other permanent committee of the CTSASA.
  - 1.1.15 Ordinary resolution - a resolution carried by a simple majority of the votes cast by the members present and voting.
  - 1.1.16 Post or posting – send or sending by ordinary mail or e-mail or fax or faxing to the last registered address or fax number of the person concerned.
  - 1.1.17 President – the President of the CTSASA elected in terms of Article 10.4.6.
  - 1.1.18 Regulation – a rule laid down by resolution of the Executive Committee which must be observed by every member or specified members of the CTSASA.
  - 1.1.19 Special resolution - a resolution carried by a two-thirds majority of votes cast.
- 1.2 In the application of any provision of this constitution and any regulation, unless specifically otherwise provided or a contrary intention appears from the context -
- 1.2.1 any period expressed in days shall be reckoned excluding the first day and every Sunday or public holiday and including the last day, unless the last day happens to fall on a Sunday or public holiday, in which case the time shall be reckoned including the first business day thereafter;
  - 1.2.2 words used in the singular shall include the plural and vice-versa; and
  - 1.2.3 the masculine shall include the feminine and the neuter.

## **ARTICLE 2 - NAME**

The name of the association shall be THE CLAY TARGET SHOOTING ASSOCIATION OF SOUTH

AFRICA (in this Constitution referred to as the CTSASA).

### **ARTICLE 3 - LEGAL CAPACITY**

- 3.1 The CTSASA shall have legal personality and may sue or be sued in its own name.
- 3.2 The President or Vice-President may sign all documents and take all steps necessary to institute action or proceedings or defend any action or proceedings instituted against the CTSASA in any court of law or in any forum in the Republic of South Africa or elsewhere.

### **ARTICLE 4 - OBJECTS**

The objects of the CTSASA are

- To administer, develop, co-ordinate, promote, encourage and supervise all forms of clay target shooting on a non-professional basis as a pastime for the benefit of persons in South Africa in accordance with national or international rules
- To represent clay target shooters at national and international forums, and
- To encourage, provide instruction in and otherwise advance the safe handling, transportation and storage of firearms.

### **ARTICLE 5 – POWERS**

For the achievement of its objects the CTSASA shall have the following powers:

- 5.1 To establish, supervise and control the establishment of clay target shooting ranges conforming to international and national standards.
- 5.2 To arrange, supervise and hold competitions in clay target shooting at provincial, inter-provincial, national and international level including competitions between representatives of South Africa and representatives of foreign countries.
- 5.3 To make or adopt rules in regard to clay target shooting and matters associated therewith.
- 5.4 To disseminate information relating to clay target shooting.
- 5.5 To affiliate to, or otherwise associate, with any body with objects similar to those of the CTSASA.
- 5.6 To invest and re-invest funds and realise investments.
- 5.7 To carry on any business calculated to further the objects of the CTSASA.
- 5.8 To open, close and operate any banking account, building society or similar account.
- 5.9 To lend money for any object calculated to advance the objects of the CTSASA.
- 5.10 To borrow monies and to give security.
- 5.11 To acquire, rent, let or dispose of movable and immovable property.
- 5.12 To remunerate any office-bearer or officer for services rendered or to be rendered, or for expenses incurred in furthering the objects of the CTSASA.
- 5.13 To grant any normal benefit and to participate in any pension scheme, medical aid scheme or the like for the benefit of any employee or member of the CTSASA.
- 5.14 To perform any act or to sign any document necessary to carry out any of the objectives of the CTSASA.
- 5.15 To engage such advisors as may be necessary from time to time.
- 5.16 To employ and remunerate employees.
- 5.17 To enter into any agreement for the benefit of the CTSASA.
- 5.18 To recommend the award of national colours.
- 5.19 To select teams to represent South Africa in clay target shooting.
- 5.20 To discipline members.
- 5.21 To terminate or suspend membership.
- 5.22 To consider and grant or refuse applications for membership.
- 5.23 To indemnify its office-bearers, officers and employees against loss in liability.

- 5.24 To take out insurance.
- 5.25 To perform any act authorised by this Constitution or reasonably incidental to any of the aforementioned powers.

## **ARTICLE 6 - JURISDICTION**

The CTSASA shall be entitled to carry on its business and to further its objects in the Republic of South Africa and in any foreign country.

## **ARTICLE 7 - MEMBERSHIP**

The CTSASA shall have the following classes of members:

- 7.1 Associate members consisting of any natural or legal persons or bodies, not being permanent, ordinary or dedicated members, whose privileges are in some degree restricted, whose membership fees may be correspondingly adjusted, and to whom the CTSASA facilities are made available by reason of their or its membership of an affiliated body or association.
- 7.2 Corporate members consisting of companies, corporations, bodies and associations admitted to membership by the Executive Committee subject to such conditions as the Executive Committee may impose.
- 7.3 Honorary members consisting of the Patron and the Honorary Vice Presidents of the CTSASA elected from time to time by the CTSASA in a General Meeting for outstanding dedication to, or achievements in, Clay Target Shooting.
- 7.4 Ordinary members consisting of individual natural persons who are members of the CTSASA clubs and who pay the membership fees laid down by the CTSASA.
- 7.5 Dedicated Members consisting of individual natural persons who are members of the CTSASA clubs and who pay the membership fees laid down by the CTSASA and who have successfully completed any training course which may be prescribed under the provisions of the Firearms Control Act 2000 and regulations made thereunder for the issue of a licence to possess a firearm for dedicated sports-shooting.
- 7.6 Permanent members consisting of properly constituted Provincial Associations representing such areas or such groups of shooters as the CTSASA may from time to time acknowledge.
- 7.7 Special members consisting of individual natural persons
- 7.7.1 who are members of the CTSASA clubs and pay reduced or subsidised membership fees as laid down by the CTSASA each year, or
- 7.7.2 who are not ordinarily resident in South Africa and are accepted by the Executive Committee from time to time on such terms as the Executive Committee may impose.
- 7.8 Club members consisting of properly constituted clubs which are affiliated to Permanent members, conform to the regulations laid down from time to time, and pay the prescribed membership fees.
- 7.9 Occasional members consisting of individual natural persons who are not members of CTSASA clubs, comply with the regulations made from time to time and pay the prescribed membership fees. The Executive can, from time to time, on good cause shown, exempt a natural person from some or all of the normal requirements of membership and may confer upon such person for a specific purpose and for a specific time period the status of occasional member.

## **ARTICLE 8 - MATTERS RELATING TO MEMBERSHIP**

### **8.1 APPLICATIONS FOR MEMBERSHIP**

- 8.1.1 Membership of the association may only be obtained on application.
- 8.1.2 Every application for membership shall be subject to the approval of the Executive

- Committee which may in its discretion grant or refuse the application.
- 8.1.3 Subject to article 8.6 and the right of the Executive Committee to refuse membership in specific cases, any person who is an ordinary member of any permanent member shall automatically be a member of the CTSASA upon paying the annual membership fees applicable from time to time.
- 8.1.4 Each permanent member shall compel each of its members to pay the said fees.

## **8.2 MEMBERSHIP FEES**

The Executive Committee shall lay down the membership fees payable during every calendar year by each class of member. The membership of any member whose fees are not received by the CTSASA by the 31st March in the relevant year shall terminate automatically on the day following that date. Payment to a CTSASA registered club or any other third party shall not constitute payment to the CTSASA

## **8.3 PARTICIPATION IN COMPETITIONS**

- 8.3.1 Only Honorary, Ordinary, Dedicated and Special members who have not been classed as unpaid members and have also paid their membership fees for the calendar year in which the competition takes place, may compete in any competition held under the auspices of the CTSASA. It shall be the responsibility of each permanent member to ensure payment of membership fees by such members.
- 8.3.2 Associate members may not participate in any competition held under the auspices of the CTSASA with the exception of members in good standing of an association similar in nature to the CTSASA upon the submission of proof of such membership and standing.
- 8.3.3 Occasional Members may only participate in CTSASA national and provincial events in the province in which they are domiciled.

## **8.4 PERMANENT MEMBERS**

Each permanent member shall submit a copy of the minutes of its Annual General Meeting to the Executive Officer within sixty days of the meeting taking place and provide the Executive Committee with its Constitution and such information about its affairs as may be called for from time to time.

## **8.5 RESIGNATION**

Any member of the CTSASA may resign his membership on not less than six calendar months' written notice provided that he is in good standing at the time such notice is given.

## **8.6 TERMINATION OF MEMBERSHIP**

Notwithstanding the provisions of Article 13 the Executive Committee shall have the right to terminate or suspend the membership of any member on any of the following grounds:

- 8.6.1 Failure to pay the prescribed membership fees.
- 8.6.2 Failure to abide by the terms and conditions of this Constitution.
- 8.6.3 Bringing the sport of clay target shooting or the CTSASA into disrepute in any manner whatsoever.
- 8.6.4 Failing to abide by and to uphold any decision of the Executive Committee: provided that nothing contained herein shall prevent any member from raising objection to any such decision by following the procedure prescribed in article 14.

## **ARTICLE 9 – MANAGEMENT**

The management of the affairs of the CTSASA vests in an Executive Committee and a Management Committee.

## **9.1 THE EXECUTIVE COMMITTEE**

### **9.1.1 FUNCTIONS**

The Executive Committee is tasked, generally, with the management of the affairs of the association within the ambit of its objects and, specifically, with carrying those objects into effect. In order to do so it may exercise all the powers of the CTSASA and deal with all matters pertaining to the CTSASA in any manner which it regards as conducive to the achievement of any particular objective including the assignment of tasks to committees or individuals whenever the Executive Committee finds this appropriate.

### **9.1.2 CONSTITUTION**

9.1.2.1 The Executive Committee shall consist of the President and representatives nominated by permanent members.

9.1.2.2 Each permanent member of the association shall be entitled to nominate one representative on the Executive Committee.

9.1.2.3 No person may be nominated as the representative of a permanent member unless he is an honorary, ordinary or dedicated member of the CTSASA.

9.1.2.4 Each representative shall hold office until replaced by the permanent member whom he represents.

9.1.2.5 At the first Meeting of the Executive Committee after the Annual General Meeting the members thereof shall elect a person to fill the position of Vice-President.

### **9.1.3 MEETINGS AND PROCEDURE**

9.1.3.1 The President shall serve as the chairperson of the Executive Committee.

9.1.3.2 Each permanent member shall be entitled to nominate an official alternate from the permanent member's executive.

9.1.3.3 The nomination of representatives, alternates and other persons representing a permanent member at a particular meeting shall be governed by regulation.

9.1.3.4 The Executive Committee shall meet at least twice in each calendar year.

9.1.3.5 In the event of any representative of a permanent member being absent without excuse for three consecutive meetings, he shall automatically cease to be the representative of such permanent member, whereupon the permanent member shall have the right to appoint another person to represent it on the Executive Committee.

9.1.3.6 Each meeting of the Executive Committee shall be called on due notice of not less than ten days given to each of its members save in respect of any such members who have in writing waived the right to receive such notice. However, in urgent cases a meeting may be called on shorter notice and conducted by way of telephonic discussion or e-mail.

9.1.3.7 A quorum at any meeting of the Executive Committee shall be constituted by the President or the Vice-president in the absence of the President and half plus one of the other representatives.

9.1.3.8 In the event of a meeting of the Executive Committee having been duly called and no quorum being present within thirty minutes of the appointed time, the meeting shall stand adjourned for fourteen days or for such period as the President may direct, whereupon the members present at the adjourned meeting, shall constitute a quorum.

9.1.3.9 The President shall preside at all meetings of the Executive Committee: provided that if he is not available for any particular meeting the Vice-President shall preside and, should he not be available either, the representatives present at the meeting shall elect an ad hoc chairperson from their ranks.

9.1.3.10 Unless a special resolution is required, or consensus is not reached, resolutions of the Executive Committee shall be passed by a majority of the votes cast.

9.1.3.11 Each representative shall be entitled to one vote and the President or Vice-President (in the event of the latter presiding at the meeting) shall have a casting vote.

9.1.3.12 Minutes shall be kept of the proceedings of every meeting of the Executive Committee.

- 9.1.3.13 All decisions properly taken by the Executive Committee shall be binding upon all members of the CTSASA as well as on the CTSASA itself until rescinded.
- 9.1.3.14 The minutes of any meeting of the Executive Committee shall be conclusive evidence of any decision taken there.
- 9.1.3.15 Any person to whom any particular task has been assigned by the Executive Committee shall, within such time and in such manner as the committee or the President may direct, report his actions in that regard to the committee.

## **9.2 THE MANAGEMENT COMMITTEE**

### **9.2.1 FUNCTIONS AND POWERS**

- 9.2.1.1 The Management Committee shall, subject to the overriding authority of the Executive Committee, be responsible for the day-to-day management and administration of the affairs of the CTSASA.
- 9.2.1.2 The powers and duties of the Management Committee shall be those conferred upon it from time to time by the Executive Committee.
- 9.2.1.3 The chairperson of the Management Committee may assign any task within the powers and duties of that committee to any of its members; and the person so tasked shall regularly report to the chairperson on the performance of his duties.

### **9.2.2 CONSTITUTION**

The Management Committee shall consist of the President (who shall be the chairperson), the Vice President, the Executive Officer and two other members of the Executive Committee. Each person so appointed shall hold office until replaced by the Executive Committee.

### **9.2.3 PROCEDURE**

- Subject to any further directives of the Executive Committee and provided that its chairperson shall have a casting vote which he may exercise whenever necessary, the Management Committee may from time to time generally, or on an ad hoc basis, determine the procedure to be followed in order to arrive at decisions.
- 9.2.3.1 At least ten days' due notice of every meeting of the Management Committee shall be given.
  - 9.2.3.2 The draft agenda of the meeting shall accompany the notice referred to in article 9.3.3.1. and shall include, but need not be limited to, the following matters:
    - (i) Registration.
    - (ii) Apologies.
    - (iii) Approval of minutes of previous meeting.
    - (iv) Correspondence.
    - (v) Any other business.
    - (vi) Date, time and venue of next meeting.
  - 9.2.3.3 Minutes shall be kept of every meeting of the Management Committee and a copy submitted to the Executive Committee. Decisions taken by the Management Committee must be ratified by the Executive Committee at their next meeting.
  - 9.2.3.4 In urgent cases a meeting may be called on shorter notice and may be conducted by telephone or e-mail communication.

### **9.2.4 REPORTS**

At each meeting of the Executive Committee the chairperson of the Management Committee shall table a report of the actions of the latter committee since his last report.



### **9.3 OTHER COMMITTEES**

#### **9.3.1 LEGAL COMMITTEE**

- 9.3.1.1 The Executive Committee shall, at its first meeting after each Annual General Meeting, appoint a minimum of two, but no more than four, ordinary or dedicated members of the association to function, under the chairpersonship of the person elected in terms of article 10.4.7, as the Legal Committee; and may, whenever it thereafter becomes necessary, appoint any other ordinary or dedicated member as acting member of the Legal Committee.
- 9.3.1.2 The Legal Committee shall function according to, and shall have the powers conferred upon it by the Disciplinary Regulations, and powers reasonably incidental to those so conferred; and shall in addition perform such tasks as may be entrusted to it by the Executive Committee.
- 9.3.1.3 The Chairperson of the Legal Committee shall report to the Executive Committee as provided for in the Disciplinary Regulations and in such other manner as the Executive Committee may direct.

#### **9.3.2 AD-HOC COMMITTEES**

- 9.3.2.1 The Executive Committee may at any time appoint any number of ordinary or dedicated members of the association, or non-members, to function as other standing or ad hoc committees, and also appoint the chairperson of a committee so appointed.
- 9.3.2.2 Any such committee shall, subject to its terms of reference and any directives of the Executive Committee, determine its own procedures and shall have all powers reasonably necessary to execute its mandate.
- 9.3.2.3 The chairperson of any such committee shall report to the Executive Committee as directed in the terms of reference of the committee in question.
- 9.3.3 In his report presented to every Annual General Meeting the President shall report on the activities of every committee during the period covered by the report.

### **ARTICLE 10 – ANNUAL GENERAL MEETING.**

- 10.1 The members of the CTSASA shall hold an Annual General Meeting in the course of each calendar year on twenty-one days due notice being given.
- 10.2 The date for such meeting shall be fixed by the Executive Committee.
- 10.3 The venue of the meeting shall be in the discretion of the Executive Committee.
- 10.4 At the meeting the following matters shall be dealt with:
  - 10.4.1 Consideration and adoption, with or without amendment, or rejection of the minutes of the previous Annual General Meeting.
  - 10.4.2 The annual report by the President.
  - 10.4.3 Consideration and adoption or rejection of the annual financial statements for the preceding financial year, and all other financial matters.
  - 10.4.4 Election from persons nominated in writing not less than thirty days prior to the meeting, of a person to the office of Patron.
  - 10.4.5 Election from persons nominated in writing not less than thirty days prior to the meeting, of a person or persons as Honorary Vice President(s).
  - 10.4.6 Election from persons nominated in writing not less than thirty days prior to the meeting, of an ordinary or dedicated member of the CTSASA to the office of President.
  - 10.4.7 Election from persons nominated in writing not less than thirty days prior to the meeting of an ordinary or dedicated member to the office of Chairperson of the Legal Committee.
  - 10.4.8 Any other matter of which any member had given written notice to the

Executive Officer during the course of the year preceding the date of the Annual General Meeting; provided that such notice be given no less than forty days prior to the date of the meeting.

- 10.4.9 Any other business which may customarily be transacted at an Annual General Meeting, or such matters as may be allowed by the President to be discussed and resolved upon.
- 10.5 A proposal for the election of any person as contemplated in this Constitution at an Annual General Meeting shall be made by a permanent member in good standing and seconded by another permanent member in good standing. A proposal for the election of the President, the Patron or Honorary Vice-President or Honorary Life Vice-President shall be accompanied with a motivation and CV for the nominated person.
- 10.6 A person nominated for President must be in good standing with his club, province and the CTSASA; must not have been found guilty under the CTSASA disciplinary procedure, and must have attended at least three CTSASA Executive Committee meetings as the delegate of a permanent member nominated in terms of Article 9.2.2.2.
- 10.7 The President shall preside as chairperson at every Annual General Meeting where he shall have a casting vote. If, for any reason, the President is unable to take the chair the Vice-President, or failing him, any person elected by the members present shall preside: provided that the latter shall have no casting vote.
- 10.8 The representatives of half plus one of the permanent members shall constitute a quorum.
- 10.9 If a quorum is not present within thirty minutes of the appointed time, the meeting shall stand adjourned to a date, as directed by the chairperson, between fourteen and twenty-one days in the future. Such persons as may be present at the adjourned meeting shall then constitute a quorum.
- 10.10 Only permanent members in good standing shall have a vote.
- 10.11 Each permanent member shall be entitled to one vote.
- 10.12 Each permanent member shall be entitled to nominate one person to represent it at the meeting.
- 10.13 Voting on all motions shall be by a show of hands or by secret ballot, as the chairperson may direct.
- 10.14 Except where a special resolution is required, every resolution may be passed by a simple majority of votes cast.

## **ARTICLE 11 - SPECIAL GENERAL MEETINGS**

- 11.1 The Executive Committee may, whenever it finds it necessary or desirable, convene a Special General Meeting of members of the CTSASA to be held at such time and such place as the Committee may decide.
- 11.2 In addition a Special General Meeting of members of the CTSASA shall be convened at the request of
- 11.2.1 any permanent member; or
  - 11.2.2 any ten ordinary members or
  - 11.2.3 any ten associate members, or
  - 11.2.4 any ten dedicated members, or
  - 11.2.5 any combination of ordinary, dedicated and associate members being not less than ten in number in aggregate.
- 11.3 A request for a meeting contemplated in Article 11.2 shall be in writing, and shall contain a draft resolution to be proposed at the meeting, and an offer to pay the

expenses referred to in sub-article 6. Any request by a permanent member shall be accompanied by a copy of the minutes of the meeting where the request was decided upon.

- 11.4 Upon receipt of such a request, the Executive Officer shall, in collaboration with the President, convene a Special General Meeting.
- 11.5 Any Special General Meeting shall be convened on at least twenty-one days due notice (which shall specify the business to be transacted at the meeting) and shall be conducted in accordance with Articles 10.7 to 10.14. No business other than that contained in the notice convening the meeting shall be transacted.
- 11.6 The member who had requested a meeting in terms of sub-article 2, shall, subject to any other decision which may be taken at the meeting, be liable to the CTSASA for the expenses incurred by the latter in connection with the arrangement and holding of the meeting. If the request had been submitted by more than one member, the liability shall be joint and several.
- 11.7 Where a Special General Meeting has been requested to be held immediately before, or on the same day as, an Annual General Meeting or an Executive Committee Meeting, article 11.6 shall not apply.

## **ARTICLE 12 – ADMINISTRATIVE PROVISIONS**

### **12.1 ACCOUNTS**

The Executive Committee shall appoint an officer to control its financial affairs to the satisfaction of the Executive Committee and the CTSASA's auditors.

### **12.2 AUDITORS**

The Executive Committee shall appoint a firm of public accountants and auditors who shall audit the CTSASA's Annual Financial Statements each year. The Executive Officer shall deliver draft annual financial statements to the auditors within four months of the close of each financial year.

### **12.3 FINANCIAL YEAR**

The CTSASA's financial year shall end on the 31st day of December each year.

### **12.4 RECORDS**

The Executive Committee shall ensure that the CTSASA keeps such records of its affairs as may be necessary from time to time. Without limiting the generality of this provision it shall maintain the following:

- 12.4.1 A register of members.
- 12.4.2 A Minute book recording the business of Annual and Special General Meetings.
- 12.4.3 A Minute book recording the business of Executive Committee meetings.
- 12.4.4 An adequate set of books of accounts.

### **12.5 BANK ACCOUNT**

The Executive Committee shall ensure that a suitable account or suitable accounts be opened and maintained for the CTSASA with a bank or similar financial institution.

### **12.6 AGENCY**

No person shall have authority to perform any act or to sign any document on behalf of the CTSASA other than upon the authority of the Executive Committee.

## **ARTICLE 13 - DISCIPLINE**

- 13.1 Any member of the CTSASA may be disciplined in the manner provided for in this

## Article

- for deliberately or otherwise failing to comply with any provision of this Constitution or any regulation, or
  - for conducting himself, herself or itself, by act or omission, in a way unbecoming a member, or which is actually or potentially harmful to the interests of the association, or brings or may bring the sport of clay target shooting into disrepute.
- 13.2 The power to initiate and prosecute disciplinary proceedings vests in the Chairperson of the Legal Committee and shall be exercised, in the manner prescribed in the Disciplinary Regulations.
- 13.3 The Chairperson of the Legal Committee and any two other members of that Committee may suspend any person who has been informed of a charge in terms of the Disciplinary Regulations from participating in any competition held in South Africa under the auspices of the CTSASA as well as from any competition held elsewhere under the auspices of any association or body to which the CTSASA is affiliated or with which it is registered, and from any office he may hold in the CTSASA or any of its committees, until the disciplinary proceedings have been finally concluded.

## **ARTICLE 14 - MEMBER GRIEVANCES**

- 14.1 Any member who feels aggrieved by a decision of the Executive Committee or by any act or omission by any of its members, or by a decision of any other committee or any act or omission on the part of any member of such a committee, may submit his grievance in writing to the Executive Officer who shall promptly forward it to the President who in turn shall decide whether he will attempt to resolve the complaint personally.
- 14.2 If the President decides not to do so, or if he is unable to resolve the complaint, he shall send a copy of the complaint to all members of the Executive Committee for their consideration.
- 14.3 If an Executive Committee meeting is scheduled to be held within one month of receipt of the complaint, the matter shall be placed on the agenda for that meeting.
- 14.4 If an Executive Committee Meeting is not scheduled to be held within one month of receipt of the complaint but the complainant agrees to its consideration at the first ensuing meeting, the complaint shall be placed on the agenda for that meeting.
- 14.5 In both cases envisaged in sub-articles 3 and 4 the complainant shall be invited to attend the meeting at his own costs.
- 14.6 If the complainant does not agree to the consideration of the complaint in terms of sub-article 4, it shall be resolved by telephonic discussion or e-mail.
- 14.7 After discussion and consideration in terms of sub-articles 3, 4 or 6 the complainant shall be informed in writing of the decision of the Executive Committee.

## **ARTICLE 15 - GENERAL**

### **15.1 TERMS OF OFFICE**

Every person elected at one Annual General Meeting shall hold office until the next Annual General Meeting but shall be eligible for re-election for a further term of office.

### **15.2 CONFLICT OF INTEREST**

- 15.2.1 Every member of any committee of the CTSASA and every employee of the association shall, within thirty days from his assumption of office, submit a written declaration of interest in any other organisation, federation, association, business or any other type of group, alliance or entity, which may have a conflict of interest with the business or operation of any part of the CTSASA.
- 15.2.2 Any non-disclosure by any person in terms of sub-article 1 will constitute grounds for

immediate disciplinary action under article 13 and, in the case of a member of a committee, also to his automatic disqualification for membership of all committees of the CTSASA.

15.2.3 The Executive Committee may exclude any person from any committee described in this Constitution, or from a particular meeting or meetings of such a committee, on the basis of an actual or potential conflict of interests.

15.2.4 For purposes of the application of articles 15.2.2 and 15.2.3 the onus to show that his interest in any other organisation does not conflict with the interests of the CTSASA shall be on the member concerned.

### **15.3 HONORARY OFFICERS**

The CTSASA may elect the Patron, Honorary Vice Presidents and Honorary Life Vice Presidents not exceeding twenty in number at the Annual General Meeting.

### **15.4 AFFILIATION**

The CTSASA may affiliate with any such body of persons or organisation which has a common interest with that of the CTSASA as may be decided upon from time to time by the Executive Committee.

### **15.5 COLOURS**

15.5.1 The CTSASA may, by resolution by the Executive Committee, recommend to the relevant authority the award of national colours to shooters who have complied with such rules and regulations and conditions as may from time to time be laid down by the Executive Committee.

15.5.2 The colours which may be so awarded, shall be subject to such rules and regulations as the Executive Committee may from time to time decide.

15.5.3 The Executive Committee shall ensure that such colours are registered and protected.

### **15.6 EMPLOYEES NOT TO SERVE AS REPRESENTATIVES OF PERMANENT MEMBER**

No employee of the CTSASA may represent a permanent member at any meeting.

### **15.7 INADVERTENT OMISSIONS, BONA FIDE ERRORS AND CONDONATION**

15.7.1 The inadvertent omission to give due notice to any permanent member of any matter concerning the CTSASA shall not in any way invalidate or adversely affect any meeting held, or decision taken, in the absence of such member or members.

15.7.2 No proceeding of the CTSASA or any of its committees shall be invalidated by reason of the fact that any person who participated in that proceeding was wrongly elected or nominated as a result of a bona fide error.

15.7.3 Where it will not unreasonably affect the rights of any member in terms of this Constitution an Annual General Meeting or a Special General Meeting may in its discretion, by special resolution, condone any non-compliance with this Constitution.

### **15.8 INDEMNITY**

All office-bearers, officers and employees of the CTSASA are indemnified personally by the CTSASA against any liability incurred or loss suffered as a result of any act or omission performed or omitted in good faith in the conduct of the affairs of the CTSASA.

### **15.9 ARBITRATION**

15.9.1 In the event of the member concerned being dissatisfied with his conviction or sentence under the Disciplinary Regulations, or with any action taken by the Executive Committee under article 8.6 or by the President or Executive Committee under article 14, the matter shall be finally resolved by arbitration by an arbiter appointed by the

Arbitration Foundation of Southern Africa which appointment and whose procedural determination for the conduct of the arbitration proceedings shall be binding on the CTSASA and the member concerned.

- 15.9.2 The decision of the Arbiter shall be final and binding on both parties.
- 15.9.3 Any costs relating to arbitration shall be for the account of the party requesting arbitration unless the Arbiter upholds the appeal in its entirety, in which case the costs shall be for the account of the defending party.
- 15.9.4 Any deviation from the procedure provided for in article 14, or any actual or implied threat of legal action without utilizing the procedure provided for in article 15.9.1, shall be regarded as conduct unbecoming a member of the CTSASA for which he may be disciplined under article 13.

## **ARTICLE 16 - AMENDMENT OF THE CONSTITUTION**

This Constitution may be amended by special resolution at any Annual or Special General Meeting of the CTSASA provided that

- 16.1 the notice of the proposed amendment contains a draft of the said amendment together with such motivation for it as the proposer may wish to present to the General Meeting, and
- 16.2 if the proposer intends to propose the amendment at an Annual General Meeting, he shall notify the Executive Officer of that intention by written notice which must reach the Executive Officer not less than forty days before the date of such Annual General Meeting.

## **ARTICLE 17 - DISSOLUTION**

The CTSASA may be dissolved by resolution passed by at least 75% of the representatives present at a Special General Meeting called specifically for that purpose. Should the CTSASA be possessed of any assets at the time of the resolution, the meeting shall decide upon the transfer to or use by a similar organization of the assets; and the Executive Committee shall act as a board of trustees for the purpose of carrying out the directions of the meeting.

## **ARTICLE 18 – TRANSITION PROVISIONS**

To ensure the smooth transition from the provisions of the Constitution in force immediately before the adoption of this Constitution, the following provisions shall apply:

- 18.1 Every office-bearer, officer, committee member and auditor shall remain in office as if appointed or elected in terms of this Constitution.
- 18.2 Every committee constituted in terms of the previous Constitution shall remain in place.
- 18.3 Any action validly taken by any committee, committee member, office-bearer, officer or employee shall remain valid as if taken in terms of this Constitution.
- 18.4 Every existing member shall continue to be a member.
- 18.5 Disciplinary proceedings commenced before, but uncompleted on the date of the adoption of this Constitution, shall be continued and completed in terms of the provisions of the previous Constitution.
- 18.6 The provisions of Article 13 shall apply irrespective of whether the conduct in question occurred before or after the adoption of this Constitution.
- 18.7 Notwithstanding the provisions of article 10.4.7 the first Chairperson of the Legal Committee shall be elected at the same meeting where this constitution is adopted and, unless re-elected, shall serve until the first Annual General Meeting thereafter.

## DISCIPLINARY REGULATIONS

In these Regulations any reference to “the Committee” shall be construed as a reference to the Legal Committee of the CTSASA and any reference to “the Chairperson” as a reference to the Chairperson of the said Committee.

1. The Chairperson may initiate the procedures provided for in these regulations whenever he receives written information that a member of the CTSASA may have conducted himself in any manner described in Article 13.1 of the Constitution.
2. If he decides to initiate such proceedings, the Chairperson shall as soon as possible, in whatever way he finds appropriate,
  - supply the member with the information at his disposal, and
  - request him to respond in writing thereto.
3. Upon receipt of the member's response, or if the member fails to respond, the Chairperson shall decide whether the member should be charged.
4. If he decides that the member should be charged, the Chairperson shall prepare a charge sheet.
5. The charge sheet shall list every charge separately and shall contain sufficient information to inform the member in reasonably precise terms of
  - 5.1 every act or omission on which every charge is based,
  - 5.2 the date on which,
  - 5.3 the place where and
  - 5.4 the manner in which it allegedly occurred, and
  - 5.5 the type of conduct under Article 13.1 of the Constitution that it allegedly constitutes.If any of these matters are unknown to the Chairperson, the charge sheet shall state this.
6. The Chairperson shall
  - 6.1 post a written notice informing him of the decision to charge him, and a copy of the charge sheet, to the member, and
  - 6.2 require the member to plead in writing to every charge within the time mentioned in the notice, and to submit written submissions simultaneously on the question of sentence on any charge to which he pleads guilty.
7. The member shall furnish the Chairperson with the plea and submissions (if any) within the stipulated time.
8. If the member pleads guilty to the charge or to all the charges (in the case of multiple charges), the Chairperson may convict him and, after consulting two other members of the Committee, impose a sentence in terms of Regulation 12.
9. If (in the case of multiple charges) the member pleads guilty to some of them and the Chairperson decides not to proceed with the charge or charges to which the member pleaded not guilty, he may convict him on the charge or charges on which a plea of guilty was received, and, after consulting two other members of the Committee, impose a sentence in terms of Regulation 12.
10. If the Chairperson decides to proceed with the charge or charges to which the member pleaded not guilty, or if the latter pleads not guilty to all the charges, a formal hearing shall, subject to Regulation 11.8, be held in the manner provided for in Regulations 11 and 14, unless the member agrees to another procedure proposed by the Chairperson.
11. The following provisions shall apply to formal hearings:
  - 11.1 The Chairperson shall appoint a panel of three members of the Committee to hear the matter and one of them to preside.
  - 11.2 Any other member of the Committee or any other ordinary or dedicated member of the CTSASA, may present the case against the member.
  - 11.3 The member may be represented by another ordinary or dedicated member of the CTSASA and shall be entitled to legal representation if the panel considers it fair and reasonable. In the event of the member being legally represented the CTSASA

- shall be entitled to similar representation.
- 11.4 If the member fails to appear at the hearing after being duly informed of its date, time and venue, the hearing may be continued in his absence.
  - 11.5 The hearing shall be open to all other members of the CTSASA but to no-one else without the permission of the presiding member of the panel, and shall be conducted with fairness to both sides according to the principles of natural justice.
  - 11.6 The panel's verdict and reasons may be pronounced verbally in the member's presence or conveyed in writing to the member by the Chairperson.
  - 11.7 In the event of a conviction, the representatives of both parties shall, depending on the panel's ruling in this regard, be allowed either to present oral argument or to make written submissions on sentence. Evidence that the member had previously been convicted in disciplinary proceedings of the CTSASA shall be admissible for purposes of sentence.
  - 11.8 If the member had pleaded guilty to some of the charges as envisaged in Regulation 9, the panel may take cognizance of the plea of guilty and convict and sentence the member on the charge or charges in question.
12. The panel may, taking due account of the nature and seriousness of the conduct involved in the conviction and of any previous conviction of the member in disciplinary proceedings of the CTSASA,
    - 12.1 warn the member to desist from such conduct; or
    - 12.2 reprimand the member; or
    - 12.3 impose a fine; or
    - 12.4 suspend the member's membership for such a time as the panel may decide; or
    - 12.5 terminate the member's membership; or
    - 12.6 report the member's conduct to any Government Authority; or
    - 12.7 direct the member to pay the expenses incurred by the CTSASA in connection with the arrangement and holding of the hearing; or
    - 12.8 combine any of the above where a combination is feasible; or
    - 12.9 deal with the member as it deems fit.
    - 12.10 Any fine shall be recoverable, and any order to pay the expenses shall be enforceable, by the CTSASA by appropriate proceedings in a competent court.
  13. If, for any reason, any member of the Committee who is involved in any manner in pending disciplinary proceedings becomes incapacitated, unavailable to deal with the matter within a reasonable time or resigns, the Chairperson may replace him with another member or acting member of the Committee. If the Chairperson himself becomes incapacitated, unavailable to deal with the matter within a reasonable time or resigns, the remaining members of the Committee shall elect a replacement from their ranks. No replacement in terms of this regulation shall affect the validity of any pending proceedings.
  14. If any situation arises which is not covered by any of these Regulations, the problem shall be resolved by the Chairperson after discussing it with the member.
  15. The Chairperson shall supply the Executive Officer of the CTSASA with a concise report of any disciplinary proceedings in which a member was convicted.
  16. If the member fails to submit a plea as provided for in Regulation 7, or in any way wilfully obstructs the Chairperson or the panel in the performance of his or its duties, or insults the Chairperson or any member of the panel, or behaves in a disorderly or insulting manner at the hearing, he shall be liable to be disciplined in terms of Article 13 of the Constitution for conduct unbecoming a member.