

**CONSTITUTION OF THE VOLUNTARY  
ASSOCIATION KNOWN AS**

**CELTIC HARRIERS CLUB**



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## CHAPTER 1: INTRODUCTION

### 1. DEFINITIONS

- 1.1. "ASA" means Athletics South Africa;
- 1.2. "Athletics" means the disciplines of Road running, Cross Country running (including mountain running), Track and Field competition and Race walking;
- 1.3. "Athletics Sub-Committee" means the sub-committee appointed in accordance with Clause 20;
- 1.4. "Auditor" means the person appointed as such in accordance with Clause 35.6;
- 1.5. "By-Laws" means the By-Laws of the Club made in accordance with Clause 36;
- 1.6. "Chairperson" means the person elected to such office in accordance with Clauses 13 and 14;
- 1.7. "Committee" means the committee elected and co-opted in accordance with Clauses 13 and 14;
- 1.8. "Club" means the Celtic Harriers Club, which shall be so named for all purposes, unless named in accordance with Clause 40;
- 1.9. "Clubhouse" means the premises where the Club normally conducts its activities.
- 1.10. "Honorary Life Member" means a person elected to such position in accordance with Clauses 9.9 and 29;
- 1.11. "Honorary Treasurer" means the person elected to such office in accordance with Clauses 13 and 14;
- 1.12. "Member" means any person elected to membership in accordance with Clause 8;
- 1.13. "Multisport" means and includes Duathlon, Triathlon, Cycling, Orienteering, Biathlon or any other related athletic activity or event, as determined by the Committee from time to time;
- 1.14. "Multisport Sub-Committee" means the sub-committee appointed in accordance with Clause 20;
- 1.15. "Notice" means notification of a meeting or any other notice to Members, as provided in this Constitution. Written notice may include post, fax or email as appropriate for the intended recipients. The period of notice shall be measured to include the day of sending notice to the day before the meeting or proceedings;
- 1.16. "Secretary" means the person appointed to such office in accordance with Clause 22;
- 1.17. "Trusts" shall mean the Trusts established in terms of Clause 41;
- 1.18. "Vice-Chairperson" means the person elected to such office in accordance with Clauses 13 and 14;
- 1.19. "WPA" means Western Province Athletics, the provincial body of ASA;
- 1.20. Where applicable the male pronoun refers to both genders and the singular shall include the plural and vice versa.

### 2. BACKGROUND

- 2.1. The Club was established in Cape Town on 14<sup>th</sup> August 1906, to further the interests of amateur athletes in Cape Town.
- 2.2. The Club evolved into an association participating in Athletics and organising athletic events for the participation of its own Members and other participants.
- 2.3. The Club consists of Members, regarding whom there shall be no unfair discrimination on the grounds of race, religious affiliation, gender, sexual orientation, age, physical or mental disability.
- 2.4. The Club is affiliated to WPA and thereby to ASA.

### 3. OBJECTS

- 3.1. The Club is a public, non-profit organisation established for the sole object of promoting the interests of Athletics and Multisport as recreational pastimes, on an amateur and non-professional basis, at all times conducting its activities in a manner that encourages the fullest participation of all the Members and ensuring that such activities are for the benefit of and widely accessible to the members of the general public.
- 3.2. Without limiting their general nature, the objects shall, inter alia, include:
  - 3.2.1. the right to affiliate with any body that will serve to promote the objects of the Club;
  - 3.2.2. the adoption, observation and adherence to the laws and rules of ASA, WPA and the bodies governing Multisport;
  - 3.2.3. the fostering, encouraging, promoting development and improvement of the sport of Athletics and Multisport in all its forms amongst Members and the general public;
  - 3.2.4. the preparation, publication and distribution of a regular journal or other periodic communication to Members, which shall contain matters of interest to the Club, Members and to persons interested in Athletics and Multisport generally;
  - 3.2.5. the organization of Athletic and Multisport events in accordance with Clause 38;
  - 3.2.6. the promotion, continuous development and support of athletes from previously or currently disadvantaged backgrounds.

### 4. NAME

- 4.1. The name of the Club shall be Celtic Harriers Club, or in its shortened form as Celtic Harriers or Celtics, or otherwise in accordance with Clause 40.

### 5. LEGAL STATUS

- 5.1. The Club is a voluntary association of Members and as such a corporate body with its own legal identity, which is separate from that of the individual Members.
- 5.2. The Club shall continue to exist even if its Members and office bearers change.
- 5.3. The Club may own property, enter into contracts and sue or be sued in its own name.

### 6. NON-PROFIT DISTRIBUTING CHARACTER

- 6.1. The receipts and property of the Club shall be used solely for the promotion of its stated objects. No portion of the income or property of the Club shall be paid or distributed directly or indirectly to any person, other than in the ordinary course of the Club undertaking any public benefit activity, or to any Member, office bearer or employee of the Club except as:
  - 6.1.1. reasonable remuneration for services actually rendered to or on behalf of the Club;
  - 6.1.2. reimbursement of actual costs or expenses reasonably incurred on behalf of the Club, provided that such costs and/or expenses are proved by the production of the original invoices, vouchers and/or receipts;
- 6.2. No Member shall have any rights in the property or other assets of the Club solely by virtue of being a Member, office bearer or employee of the Club.

- 6.3. The Club may not use its resources, directly or indirectly, to support, advance or oppose any political party.
- 6.4. Upon a decision of a General Meeting to dissolve the Club, after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst the Members, but shall be transferred by donation to some other club, society or association which the Committee considers appropriate, which:
  - 6.4.1. has the same or similar objects as the Club; and
  - 6.4.2. is registered as a Public Benefit Organization in terms of the Income Tax Act 58 of 1962, as amended.

## 7. POWERS

- 7.1. The Club, acting through the Committee or at a General Meeting, shall have all the powers necessary for it to carry out its objects effectively.
- 7.2. Save as provided for elsewhere in this Constitution such powers shall include, but not be limited:
  - 7.2.1. to do such lawful things including the purchasing, renting, leasing, holding and disposal of property, both movable and immovable as are incidental and conducive to the attainment of the above objects or any one of them;
  - 7.2.2. to enter into contracts with third parties from time to time, upon terms and conditions as may be determined by the Club, or upon authority delegated to not fewer than two Members of the Club or Members of the Committee, who shall also be required to sign any such agreements;
  - 7.2.3. to sue or be sued in its own name;
  - 7.2.4. to employ staff and hire professional and other services;
  - 7.2.5. to institute or defend any legal or arbitration proceeding and to settle any claims made by or against the Club;
  - 7.2.6. to open, control and maintain accounts with registered banks;
  - 7.2.7. to invest funds not required to meet current charges upon the Club and vary such investments and re-invest the proceeds of such investments, on condition that any investments made by the Club shall be
    - 7.2.7.1. with a financial institution as defined in section 1 of the Financial Services Board Act, Act No 97 of 1990; and/or
    - 7.2.7.2. in securities listed on a stock exchange as defined in section 1 of the Stock Exchanges Control Act, 1985 (Act No 1 of 1985); and/or
    - 7.2.7.3. in such other prudent investments in financial instruments and assets as the Commissioner of the South Africa Revenue Service may determine after consultation with the Executive Officer of the Financial Services Board and the Director of Non-Profit Organisations.

provided that the provisions of this sub-clause do not prohibit the Club from retaining any investment (other than any investment in the form of a business undertaking or trading activity or asset which is used in such business undertaking or trading activity) in the form that it was acquired by way of donation, bequest or inheritance;
  - 7.2.8. to accept donations made to the Club and retain them in the form in which they are received or sell them and re-invest the proceeds;
  - 7.2.9. to pay any licence and/or any affiliation fees to any provincial or national controlling body for amateur Athletics or Multisport, as defined, which may be prescribed by such bodies, for or on behalf of the Members;
  - 7.2.10. with regard to movable and immovable property and tangible and intangible assets of whatsoever nature:

- 7.2.10.1. to purchase or accrue property and assets;
- 7.2.10.2. to maintain, manage, develop, exchange, lease, sell, or in any way deal with the property and assets of the Club.
- 7.2.10.3. to borrow and to use the property or assets of the Club as security for borrowing;
- 7.2.11. to donate and transfer the property and assets of the Club to an organisation with the same or similar objectives and registered as a Public Benefit Organisation in terms of the Income Tax Act No. 58 of 1962. The Committee will take reasonable steps to ensure that the property and assets are used for the purpose for which they were provided;
- 7.2.12. to guarantee the performance of contracts or obligations of any person on condition that any such person is primarily engaged in activities which further the objectives of the Club;
- 7.2.13. to execute any act or deed in any Deed Registry, Mining Titles or other public office;
- 7.2.14. to work in collaboration with other organisations and to associate, or affiliate, or amalgamate with any organisation with the same or similar objectives and which are registered as a Public Benefit Organisation;
- 7.2.15. to exercise all the management and executive powers that are normally vested in a board of directors of a company registered under South African law;
- 7.2.16. to exercise all such powers and authorities of the Club not only in the Republic of South Africa, but in any other part of the world;
- 7.2.17. have unlimited ancillary powers to deal with any matter not specifically provided for in this Constitution, in a manner which is not at variance with the other provisions of this Constitution.

## CHAPTER 2: MEMBERSHIP

### 8. DEFINITION OF MEMBERSHIP

- 8.1. The Members of the Club shall be :
  - 8.1.1. all those who are already Members or Honorary Life Members at the date of adoption of this Constitution;
  - 8.1.2. all persons who are subsequently admitted to membership of the Club.
- 8.2. Applications for membership shall be considered from any person who is not disqualified or suspended by either ASA or WPA or any other body governing Athletics or any body governing Multisport.
- 8.3. Any person desirous of becoming a Member shall submit the relevant application form to the Secretary, which form shall be signed by the applicant and by two Members in good standing, as proposer and seconder, respectively. The application shall be voted on at the next meeting of the Committee.

The Committee shall have the discretion as to whether an applicant is to be admitted to membership of the Club or not. The Committee's decision shall be final and no explanation is necessary.
- 8.4. Once an application for membership of the Club has been approved by the Committee, a Member shall be notified of his election by the Secretary and shall be sent a copy of the Club's Constitution and By-laws if so requested.
- 8.5. A Member shall be entitled to the privileges of membership from the date of election.
- 8.6. The liability of a Member shall be limited to the amount of his annual subscription and any other amount which he may owe to the Club.

### 9. CLASSES OF MEMBERSHIP

There shall be the following Classes of Members:

- 9.1. Ordinary Members shall be those Members of the Club not falling into classes 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9 and 9.10 of this clause.
- 9.2. Scholar Members shall be those Members of the Club attending full-time a primary or secondary school or educational institution.
- 9.3. Student Members shall be those Members of the Club attending full-time a recognised University or College for tertiary education.
- 9.4. Junior Members shall be those Members of the Club who do not qualify as either Scholar or Student Members but are under the age of 20 as at 31 December of the applicable year of membership.
- 9.5. Country Members shall be those Members of the Club who reside permanently in South Africa outside the Western Province, who may not hold a WPA licence number unless classified by ASA as a national athlete.
- 9.6. Social Members shall be those Members of the Club who choose not to represent the Club in any official athletic activity but wish to participate solely in the social activities of the Club.
- 9.7. Spouse Members shall be those Members of the Club married to another Member of the Club or living together in a permanent relationship akin to marriage, whether under common law or custom, provided that such persons are residing at the same address.
- 9.8. Travelling Members shall be those Members of the Club who are not ordinarily resident in South Africa for more than 6 months in a calendar year.
- 9.9. Honorary Life Members shall be those Members of the Club elected in terms of Clause 29. An Honorary Life Member shall be entitled to all the privileges of membership of the Club but shall not be required to pay any membership fee or subscription.

- 9.10. Vice Presidents shall be those Members of the Club elected in terms of Clause 28. A Vice President shall be entitled to all the privileges of membership of the Club but shall not be required to pay any membership fee or subscription.

## 10. SUBSCRIPTIONS

- 10.1. Annual subscriptions shall be fixed by the Committee and may be altered from time to time by the Committee, provided that the increase does not exceed 15% per annum, rounded to the nearest Rand in any one year and provided that different amounts may be fixed for the different categories of Membership as defined in Clause 9. Any greater amount must be accepted at a General Meeting.
- 10.2. Annual subscriptions for existing Members shall be due on 01 January of any calendar year.
- 10.3. Should any Member fail to pay any subscription when due, he shall after:
- 10.3.1. 1 (one) month, forthwith automatically cease to be a Member in good standing and shall automatically forfeit his rights to attend, speak, call for or vote at any meeting of the Club and these restrictions shall continue until the Member has brought his subscription fully up to date.
- 10.3.2. 3 (three) months, forthwith automatically cease to be a Member of the Club. (See Clause 11.3).
- 10.4. The President, Vice Presidents and Honorary Life Members and the members of the Committee referred to in Clause 13.1 shall not be required to pay membership fees or annual subscriptions. (See Clauses 9.9, 9.10, 13.5 and 26.5).
- 10.5. Annual subscriptions shall provide for a pro-rated discount for Members joining after 01 August in any year. Such subscription shall be determined by multiplying the Annual Subscription by the number of days left in the year at the date of joining divided by the number of days for that year.

## 11. LAPSING OF MEMBERSHIP

A Member shall cease to be a Member of the Club if the Member;

- 11.1. resigns in writing to the Secretary
- 11.2. is expelled from the Club (see Clause 12)
- 11.3. has his subscription outstanding for a period of more than 3 (three) months (See Clause 10.3.2).

## 12. DISCIPLINARY MATTERS

- 12.1 The Committee shall have the power, but shall not be obliged, to investigate any complaint received in writing by the Committee accusing any Member of conduct (whether on or outside the premises of the Club) which is or was;
- 12.1.1 injurious or contrary to the objects, best interests, character or reputation of the Club;
- 12.1.2 contrary to the Constitution or By-Laws of the Club;
- 12.1.3 offensive or objectionable to any Member or group of Members, or otherwise;
- 12.1.4 improper, dishonest or unsportsmanlike;
- 12.1.5 contrary to the Code of Conduct of Western Province Athletics;
- 12.1.6 referred to the Club by Western Province Athletics in terms of their disciplinary process.



- 12.2 In the event of the Committee deciding to pursue a *charge* of the nature described in Clause 12.1 the Committee shall not take any decision relating thereto unless and until the Committee:
  - 12.2.1 has informed the Member concerned of the conduct, in writing, of which the Member has been accused;
  - 12.2.2 has appointed a Committee of Enquiry (COE) to convene a Disciplinary Hearing; consisting of persons who are unconnected to the accused or the Committee and have not been involved in the investigation of the charge;
  - 12.2.3 has appointed a person to Chair the Disciplinary Hearing;
  - 12.2.4 has granted the Member an opportunity to appear before the COE to explain the Member's conduct and/or lead evidence in rebuttal or mitigation of the conduct of which the Member was charged.
- 12.3 A Member appearing before the COE at a Disciplinary Hearing as contemplated in Clause 12.2 shall not be entitled to legal representation but, should the Member so wish, be entitled to be assisted by another Member who consents to assist the charged Member accordingly.
  - 12.3.1 At the conclusion of any Disciplinary Hearing, the COE shall within 5 (five) Business Days submit to the Member accused and the Committee, a report of its findings and suggested sanction.
- 12.4 The COE findings shall be subject to an Appeal process instituted by the Member to be brought within 5 ( Five ) Business Days post the release of the COE report, as follows:
  - 12.4.1 if a Member considers the COE finding or proposed sanction to be unfair, an Appeal may be lodged through the Chairperson of the Committee, for review and / or consideration,
  - 12.4.2 such Appeal shall be made in writing, by the Member, detailing the merits / reasons for such Appeal
  - 12.4.3 the decision on such Appeal shall be made by the Committee in writing within 5 ( Five ) Business Days. Such decision and sanction confirming or retracting such sanction shall be final.
- 12.5 The Committee shall have the power, and sole discretion as the Committee might consider appropriate, to :
  - 12.5.1 expel the Member from the Club;
  - 12.5.2 suspend the Member from enjoying the privileges of membership of the Club for a period not exceeding 1 (one) year, suspension of the ASA licence issued by the Club thereby prohibiting the Member from participation in ASA events ;
  - 12.5.3 reprimand the Member, including a final written warning;
  - 12.5.4 levy a fine not exceeding R1000.00 (one thousand Rands) on the Member
  - 12.5.5 inform Western Province Athletics of its decision and the sanction imposed.
- 12.6 In the event of a fine being levied upon a Member, the Member shall pay the fine to the Club within a period not exceeding 7 (seven) Business Days after the Member is informed of the decision of the Committee, failing which the Member shall automatically be suspended from membership of the Club until the fine is paid in full.
- 12.7 Any Member of the COE who, in the opinion of the majority of the other Members of the Committee, may be personally involved in conduct of which a Member is accused or is unable for any other reason to participate in an unbiased, fair and reasonable inquiry, shall recuse himself from the COE for the duration of the hearing concerned and the remaining members of the COE shall have full authority to proceed with the hearing.
- 12.8 The Committee may, in accordance with the rules of WPA, refuse to grant any Member not in good standing with the Club a clearance certificate to join another club affiliated to ASA.

## CHAPTER 3: MANAGEMENT

### 13. THE COMMITTEE

- 13.1 The affairs of the Club shall be governed and managed by the Committee which shall consist of:
- The Chairperson
  - The Vice-Chairperson
  - The Honorary Treasurer
  - The Club Captain
  
  - The Vice Club Captain
  - The Social Convenor
  - Two Additional Members
  - Two Additional Members for the Finance Advisory Committee
- 13.2 The Committee shall have the power to invite or co-opt the President or other knowledgeable persons to the Committee to assist with the deliberations and/or the functioning of the Committee and/or any sub-committee appointed by the Committee, provided that such persons shall not have any vote.
- 13.3 No person on the Committee shall hold more than one position.
- 13.4 The Secretary shall participate in the meetings of the Committee but without the right to vote.
- 13.5 Members of the Committee shall not be required to pay any membership fee or subscription.

### 14. ELECTION OF COMMITTEE

- 14.1 The Committee shall be elected at each Annual General Meeting. The members of the Committee shall hold office from the close of the Annual General Meeting at which they are elected to the close of the following Annual General Meeting.
- 14.2 Candidates for election to office for any of the positions on the Committee, as defined in Clause 13, shall be required to have been nominated and seconded by Members and have accepted their nominations in writing.
- 14.2.1 While qualifications or minimum criteria are not prescribed for any position on the Committee it is recorded for guidance that persons nominated for the positions of Honorary Treasurer and Additional Members for the Finance Advisory Committee should have knowledge and skill in financial and associated legal matters.
- 14.3 From the date that the notice of the Annual General Meeting of the Club is sent to all Members, in accordance with the provisions of Clause 25, any such nominations, together with the candidate's acceptance in writing, may either be submitted
- 14.3.1 on the form provided for such purpose, which the Secretary shall have displayed on the notice board at the Clubhouse and described in the notice to Members, or
- 14.3.2 to the Secretary, who shall record the details of such nominations on the form displayed on such notice board.
- 14.4 The period open for nominations shall close at 20h00 the day before the day scheduled for the Annual General Meeting.
- 14.5 If no nominations for any position on the Committee have been received by that time, nominations for the positions of office on the Committee shall be called for from those

Members present at the Annual General Meeting, provided that those Members who are proposed and seconded accept such nomination.

- 14.6 If only one valid nomination for any position on the Committee has been received by that time, that nomination shall be tabled at the meeting. Further nominations for the position shall then be called for from those Members present at the Annual General Meeting provided that those Members who are proposed and seconded accept such nomination. Voting shall then proceed. If no further nominations are received, then the meeting shall vote on the single nominee, whether to elect the Member or not.
- 14.7 The election of Members to the Committee shall follow the order listed in Clause 13.1 and determined by a majority of votes of Members in good standing present and entitled to vote.
- 14.8 A candidate for any position shall be entitled but not required to leave the meeting room at the time when the voting of Members for any such position is called for. Such a candidate shall nevertheless be entitled to exercise his vote, either by way of ballot or show of hands, whether he decides to remain in or leave the meeting room and arrangements should be made for this to take place.
- 14.9 A Member who may have accepted nominations for more than one position on the Committee shall, once elected to a position, automatically be removed as a candidate for any other position.
- 14.10 In the event of a tie in voting for any particular position there shall be a further vote for the position which shall exclude all other nominees except the tied parties.
- 14.11 In the event that there is still a tie the meeting will proceed with the voting in of the Members to the remaining Committee positions, then:
  - 14.11.1 on completion thereof, only those individuals newly elected on to the Committee, who are present at the meeting, shall cast votes for the nominees for the position where voting has been tied.
  - 14.11.2 should there still be a tie after this vote, then the decision shall be made by the drawing of lots.

## 15. COMMITTEE MEMBER VACATING OFFICE

- 15.1 Membership of the Committee or any Sub-Committee shall cease upon termination of membership of the Club in terms of Clause 11.
- 15.2 A member of the Committee or any Sub-Committee may resign from the Committee or Sub-Committee at any time. Such resignation shall be required to be in writing and submitted to the Chairperson of the Committee or chairperson of the Sub-Committee as the case may be.
- 15.3 Membership of any Sub-Committee shall (unless terminated as provided in Clauses 15.1 and 15.2) terminate when the Sub-Committee concerned is dissolved.

## 16. REMOVAL OF ELECTED OFFICE BEARERS FROM OFFICE

- 16.1 Any decision to remove an elected office bearer from office shall be taken only at the Annual General Meeting or a Special General Meeting called for such purpose.

## 17. VACANCIES ON THE COMMITTEE

- 17.1 In the event of membership of the Committee being terminated for any reason, the vacancy may be filled until the next ensuing Annual General Meeting, by the appointment by the Committee of a Member in good standing and such appointee shall have all the rights and obligations of a Committee Member elected at an Annual General Meeting.

## 18. DUTIES OF THE COMMITTEE

The Committee shall have powers as per Clause 7 to:

- 18.1 implement resolutions that may be passed at General Meetings of the Club.
- 18.2 report to the Members at the Annual General Meeting on the activities of the Club (see Clause 25).
- 18.3 except as provided for below in Clause 18.3.1, have the authority to spend, borrow or incur a debt not exceeding R50 000.00 (fifty thousand Rand) on any one project. Any amount over R50 000.00 (fifty thousand Rand) shall require the approval of the majority of Members present and voting at a General Meeting, as per Clause 25 or Clause 30, called for that purpose.
  - 18.3.1 The respective budgets and accounts of the Peninsula Marathon Race Committee and the Don Lock Memorial Race Committee shall not be limited to the aforementioned sum of R50 000.00 (fifty thousand Rand) but may exceed same. The said budgets and any extraordinary expenditure not catered for in the said budgets are to be approved by the Committee as per Clause 38.4 and audited as per Clause 35.6.

## 19. MEETINGS OF THE COMMITTEE

- 19.1 The Committee shall meet at least 10 (ten) times during its year of office. Committee members shall be given 5 (five) days notice of Committee meetings.
- 19.2 An extraordinary meeting of the Committee may be summoned by the Chairperson or upon requisition of 4 (four) members of the Committee addressed to the Secretary, stating the purpose of such a meeting. The time of such meeting shall be fixed by the Chairperson and not less than 7 (seven) days notice, stating the objects of the Meeting, shall be given to the Committee Members. Shorter notice shall be permitted if at least 5 (five) members of the Committee agree.
- 19.3 The Chairperson shall take the chair at meetings of the Committee, but in his absence the Vice-Chairperson shall take the chair. In the absence of both the Chairperson and Vice-Chairperson, the Committee members present at the meeting may appoint one of their number to chair the meeting.
- 19.4 The Chairperson plus the Vice-Chairperson and Honorary Treasurer, acting together as an Executive Committee, shall be entitled to deal with any urgent matters arising between meetings of the Committee provided:
  - 19.4.1 such decisions are in accordance with the powers of the Committee,
  - 19.4.2 any decision made or action taken shall be ratified at the next meeting of the Committee, failing which it shall lapse.
- 19.5 It shall be the responsibility of the person chairing the meeting to ensure that proper and adequate minutes are kept of all Committee meetings and tabled at the next Committee Meeting for noting and ratification, where required.

## 20. STANDING COMMITTEES

### 20.1 ATHLETICS COMMITTEE

- 20.1.1 An Athletics Standing Committee shall be appointed by the Committee at the first Committee meeting following the Annual General Meeting. The Club Captain and Vice-Captain shall recommend to the Committee names of suitable Members to fill the designated positions.
- 20.1.2 The Athletics Standing Committee shall consist of Members who shall be:
  - 20.1.2.1 the Club Captain, who shall chair the Athletics Standing-Committee and report back to the Committee on all matters;
  - 20.1.2.2 the Vice Club Captain, and

- 20.1.2.3 at least four (4) other Member to represent the interests of Road, Cross Country, Track and Field and Trail Running
- 20.1.3 The Athletics Committee shall meet as often as required to fulfil its obligations.
- 20.1.4 Decisions of the Athletics Sub-Committee involving expenditure or awards shall be ratified by the Committee before being implemented.
- 20.1.5 It shall be the responsibility of the Club Captain, as chairperson, to ensure that proper and adequate minutes are kept of all Athletics Standing Committee meetings and tabled at the next Committee Meeting, for noting and ratification where required.

## 20.2 FINANCE ADVISORY STANDING COMMITTEE

- 20.2.1 A permanent standing committee shall be formed to consider and advise the Committee on matters pertaining to the assets and finances of the Club in line with its objects and powers detailed in Clause 7.
- 20.2.2 The Finance Advisory Standing Committee shall consist of
  - 20.2.2.1 the Honorary Treasurer;
  - 20.2.2.2 the Chairperson or Vice-Chairperson as decided by the Committee;
  - 20.2.2.3 two Additional Members elected at the AGM – see clause 25
  - 20.2.2.4 as many further members as approved by the Committee.
- 20.2.3 The Honorary Treasurer shall call and chair the first meeting of standing committee following its election at the AGM. At its first meeting the standing committee shall elect a chairman from its members. The chairman so elected shall be responsible for calling further meetings of the standing committee, shall chair meetings of the standing committee, ensure minutes are kept, and report back to the Committee.
- 20.2.4 The standing committee shall meet as often as required to fulfil its obligations.
- 20.2.5 Any recommendation or decision of the standing committee must be ratified at a full meeting of the Committee before being implemented.

## 21. SUB-COMMITTEES

- 21.1 The Committee may from time to time appoint and dissolve ad-hoc Sub-Committees whose functions shall be to assist the Committee or a Committee Member in attending to specific designated matters.
- 21.2 Names of suitable persons to fill the designated positions on any Sub-Committee shall be tabled and approved at a Committee meeting.
- 21.3 The responsible Committee Member shall chair the Sub-Committee meeting and report back to the Committee on all matters.
- 21.4 It shall be the responsibility of the chairperson of any Sub-Committee to ensure that proper and adequate minutes are kept of all Sub-Committee meetings and tabled at the next Committee Meeting, for noting and ratification, where required.

## 22. POSITION OF SECRETARY

- 22.1 The position of Secretary shall be a paid one and the Committee shall make the appointment.
- 22.2 The Secretary shall perform duties in accordance with Clause 23.
- 22.3 The Secretary shall have no vote at any meeting of the Committee.

- 22.4 The Secretary's remuneration and hours of employment shall be determined from time to time by the Committee.

### 23. DUTIES OF THE SECRETARY

23.1 The Secretary shall:

- 23.1.1 keep proper and adequate minutes of all meetings of the Club and the Committee;
- 23.1.2 issue notices of all meetings and of other functions of the Club to Members as appropriate;
- 23.1.3 not less than 6 (six) weeks prior to an Annual General Meeting, issue a notice to all members calling for nominations for candidates for election as President and to the Committee for the ensuing year and for items for inclusion on the Agenda and at the same time display the required Nomination Form on the Notice Board used by the Club for notices to Members (see Clause 14.3);
- 23.1.4 not less than 14 (fourteen) days prior to an Annual General Meeting, send an Agenda for the meeting to all Members;
- 23.1.5 take on the duties of the Honorary Treasurer should such office bearer become temporarily unable to carry them out;
- 23.1.6 keep and maintain a register of all Members of the Club in whatever form may be directed by the Committee;
- 23.1.7 carry out such duties as may be required by the Committee from time to time;
- 23.1.8 report directly to the Chairperson and in his absence, the Vice-Chairperson.

### 24. DUTIES OF THE HONORARY TREASURER

24.1 The Honorary Treasurer shall:

- 24.1.1 keep or cause to be kept a proper account of the investments, receipts and expenditure of the Club and of the matters in respect of which such receipts and expenditure takes place and of the Property Assets and liabilities of the Club;
- 24.1.2 produce the account books properly posted, including balances of all banking and other accounts at each Committee meeting and when requested by the Committee from time to time;
- 24.1.3 assist the Auditor as may be required in the compilation and auditing of the Annual Statement of accounts;
- 24.1.4 report on for approval at each Committee meeting all expenditure and receipts of the Club, excluding those of the budgets of the various races organized by the Club;
- 24.1.5 if requested by the Committee, monitor and report on for approval at the next Committee meeting all expenditure and receipts of the Committees of the various races organized by the Club (see Clause 38) or any aspect relating to such financial matters.
- 24.1.6 Chair the Finance Advisory Standing Committee – see Clause 20.2

## CHAPTER 4: GENERAL MEETINGS

### 25. ANNUAL GENERAL MEETING

- 25.1 The Annual General Meeting of the Club shall be held not later than the last business day of March of each year; or in exceptional circumstances as soon as is practical thereafter.
- 25.2 Written notice of the Annual General Meeting stating the date, time and place of the meeting, shall be sent to all members at least 6 (six) weeks before the date set for the meeting. Matters for inclusion on the Agenda at the meeting for which resolution by the Members is required shall be submitted, in writing, by any Member, to the Secretary not less than 21 (twenty-one) days before the date of the meeting, or 30 (thirty) days in the case of changes to the Constitution.
- 25.3 The Agenda for the Annual General Meeting shall be sent to the Members at least 14 (fourteen) days before the day fixed for the said meeting.
- 25.4 The business of the Annual General Meeting shall be:
  - 25.4.1 Secretary to read the notice convening the meeting and confirm that notice of the meeting was properly given in terms of Clause 25.2;
  - 25.4.2 Welcome to the Members by the chairperson;
  - 25.4.3 Apologies;
  - 25.4.4 To receive, consider and approve the minutes of any Special General Meeting which might have been held in the past year;
  - 25.4.5 To receive, consider and approve the minutes of the last Annual General Meeting;
  - 25.4.6 To receive and consider the report of the Chairperson;
  - 25.4.7 To receive and consider the audited annual financial statements for the preceding financial year and the report of the Honorary Treasurer;
  - 25.4.8 Election of Office Bearers:
    - 25.4.8.1 Clause 32.3.4 on ballots to be read at the meeting;
    - 25.4.8.2 To elect the President (see Clause 26)
    - 25.4.8.3 To elect the Chairperson
    - 25.4.8.4 To elect the Vice-Chairperson
    - 25.4.8.5 To elect the Honorary Treasurer
    - 25.4.8.6 To elect the Club Captain
    - 25.4.8.7 To elect the Vice Club Captain
    - 25.4.8.8 To elect the Social Convenor
    - 25.4.8.9 To elect two Additional Members
    - 25.4.8.10 To elect two other Additional members for the Finance Advisory Committee (see Clause 20.2)
  - 25.4.9 To appoint the Auditor (see Clause 35.6)
  - 25.4.10 To consider and deal with specific matters submitted as per Clause 25.2.
  - 25.4.11 To award Club Honours if any (see Clause 27);
  - 25.4.12 If Vice Presidents are to be proposed for election, the President to read the names of the existing Vice Presidents (see Clause 28.5.1)
  - 25.4.13 To elect Vice Presidents (see Clause 28)
  - 25.4.14 To elect Honorary Life Members, if any (see Clause 29)
  - 25.4.15 Club Awards
    - 25.4.15.1 Garnett Lipsett Memorial Trophy  
"To be awarded to the Member who has done the most to promote the internal development of the Club during the year."
    - 25.4.15.2 Pedro Ugolini Club Ambassador Shield  
"To be awarded to the Member who has done the most to foster the Club image externally."
  - 25.4.16 General matters for discussion.

## 26. ELECTION OF PRESIDENT

- 26.1 The President shall be elected by the Members at the Annual General Meeting.
- 26.2 This is a prestigious position to be given to a Member who meets the criteria for a Vice President and in addition has experience in the administration of the Club.
- 26.3 Candidates for election to this office shall be required to have been nominated and seconded by Members and have accepted their nomination in writing.
- 26.4 Nomination and election shall be in accordance with the process described in Clauses 14.3 to 14.11.
- 26.5 The President shall not be required to pay any membership fee or subscription.

## 27. AWARDING OF CLUB HONOURS

- 27.1 Honours Colours may be awarded to any Member of at least 5 (five) years standing who, in the opinion of the Committee, has:
  - 27.1.1 been consistently active as a competitor and/or official and/or administrator, and
  - 27.1.2 set a standard which is higher than that normally expected of a person in such position, and
  - 27.1.3 set an outstanding example to other Members.
- 27.2 The nomination of any Member for such award shall appear as an item on the Agenda of the next Annual General Meeting, following the decision of the Committee. The support of 75% (seventy five percent) of those present and voting at such Annual General Meeting is required to confirm the award.
- 27.3 Honours Colours shall be recognised by the word "Honours" embroidered beneath the Member's club blazer badge.

## 28. ELECTION OF VICE PRESIDENTS

- 28.1 The Club may appoint any number of Vice Presidents.
- 28.2 This is a prestigious and honorary status to be given to a Member who, in the opinion of the Committee, is of suitable stature, and who, having been active as a competitor, official or administrator of the Club for not less than 10 (ten) years has set a standard which is higher than that normally expected of a Member in such role and has set an outstanding example to other Members.
- 28.3 Once elected, the individual shall retain the status of Vice President for as long as the Member remains an active Member in good standing in the Club.
- 28.4 A sub-committee consisting of the President (who shall act as chairman), at least two existing Vice Presidents or Life Members, the Chairperson and at least two members of the Committee shall:
  - 28.4.1 propose and motivate the election of candidates to the status of Vice President (and Honorary Life Members as provided in Clause 29); and
  - 28.4.2 investigate whether any Vice President who has not been active in the Club for the past 2 (two) years, and who has not been nominated for Life Membership, should stand down as Vice President; provided that no Vice President shall be requested to stand down as Vice President unless the Vice President concerned has been contacted by the President, or any other person designated by the sub committee, and has verified that the Vice President concerned does not intend to remain active.
- 28.5 Once the list of nominees has been finalised by the sub-committee, such names shall be included in the notice of the Annual General Meeting under Clauses 25.2 and 25.3
  - 28.5.1 Prior to the election of new candidates for Vice President, the President shall:
    - 28.5.1.1 read the names of the existing Vice Presidents;



- 28.5.1.2 read the names of any existing Vice Presidents who are no longer active in the Club and have agreed to stand down as Vice Presidents;
- 28.5.1.3 read the names of any new candidates proposed, including a motivation for each.
- 28.5.2 New candidates shall be voted for on an individual basis and must receive the support of 75% (seventy five percent) of those Members present and voting at the AGM to confirm the appointment.
  - 28.5.2.1 Voting for new Vice Presidents shall be by means of secret ballot.
- 28.6 A Vice President shall be recognised by the words "Vice President" embroidered beneath the Member's club blazer badge.

## 29. ELECTION OF HONORARY LIFE MEMBERS

- 29.1 The sub committee convened in terms of clause 28.4 may refer to a General Meeting of the Club a proposal for the election as an Honorary Life Member, a Member of at least 20 (twenty) years standing who is a Vice-President and, in the opinion of the sub committee, has rendered special service to the Club or to the Athletic or Multisport world
- 29.2 The Vice-President concerned shall be elected as an Honorary Life Member should 75% (seventy five percent) of the Members present and voting at such General Meeting confirm the proposal.
- 29.3 The Honorary Life Membership shall commence at the close of the General Meeting at which the election is confirmed.
- 29.4 A Life Member shall be recognised by the words "Life Member" embroidered beneath the Member's club blazer badge.

## 30. SPECIAL GENERAL MEETINGS

- 30.1 The Committee may summon a Special General Meeting at any time and shall summon a Special General Meeting on receipt by the Secretary of a written request from at least 10 (ten) Members of the Club, stating the object of the meeting.
- 30.2 Written notice stating the purpose of a Special General Meeting shall be sent by the Secretary, to all Members, at least 14 (fourteen) days before the day chosen for the meeting.
- 30.3 Only the business stated in the notice may be discussed at such a meeting.

## 31. CHAIRPERSON AT GENERAL MEETINGS OF THE CLUB

- 31.1 The President for the time being, or in his/her absence the Chairperson, shall take the chair at all General Meetings of the Club.
- 31.2 In the absence of the President or Chairperson, a chairperson shall be appointed by an open vote of all Members present.

## 32. VOTING

- 32.1 Every Member in good standing shall have one vote.
- 32.2 Voting for the election of the Committee and President shall be in accordance with Clauses 14 and 26 respectively.
- 32.3 All matters referred to General Meetings of the Club shall be decided by a majority of votes of the Members present and voting.
  - 32.3.1 Scrutineers to count the votes shall be appointed at the meeting.

- 32.3.2 In the case of an equality of votes, there shall be a re-vote after further discussion of the matter.
- 32.3.3 If the votes are then still tied the chairperson shall :
  - 32.3.3.1 Adjourn the meeting for a period of 15 (fifteen) minutes after which a further vote shall be taken.
  - 32.3.3.2 If there is still equality the meeting shall dispose of all other matters and then stand adjourned for 7 (seven) days. (See Clause 33.2).
- 32.3.4 Voting shall be determined by a show of hands, unless there is a proposal for a ballot supported by not less than 25% (twenty five percent) of such Members present provided that voting for Members to be awarded Club Honours or be elected as Vice Presidents or Life Members shall always be by way of secret ballot.
- 32.3.5 If a ballot is demanded it shall be by secret vote.
- 32.4 At meetings of the Committee, Standing Committee or a Sub-Committee, each member present shall have one vote and all matters shall be decided by a majority of votes by members present and voting.
  - 32.4.1 In the case of an equality of votes there shall be a re-vote after further discussion of the matter.
  - 32.4.2 If the votes are then still tied the chairperson shall:
    - 32.4.2.1 Adjourn the meeting for a period of 15 (fifteen) minutes after which a further vote shall be taken.
    - 32.4.2.2 If there is still equality the chairperson shall make the final decision.
- 32.5 At a joint meeting of both the Committee and any Sub-Committee, only Committee members may vote.
- 32.6 Matters appertaining to an alteration of the Constitution need 75% (seventy five percent) of Members present and entitled to vote in favour (see Clause 34.2).
- 32.7 Voting by proxy shall not be permitted.

### 33. QUORUM

- 33.1 At any meeting:
  - 33.1.1 of the Committee, or any Standing or Sub Committee, half more of the members of the fully constituted Committee, Standing or Sub-Committee, or
  - 33.1.2 of the Club, 30 (thirty) Members shall constitute a quorum.
- 33.2 In the event of no quorum being present 30 (thirty) minutes after the meeting has been called, the meeting shall stand adjourned for 7 (seven) days and the Members then present shall constitute a quorum. Notice of the adjourned meeting shall be posted on the notice board at the Clubhouse directly after the adjournment of the said meeting.

## CHAPTER 5: GENERAL

### 34. CONSTITUTION

- 34.1 Every Member shall be bound by this Constitution and By-laws enacted from time to time in terms of Clause 36 and shall, on request, be entitled to receive a copy of this Constitution and a copy of the By-laws.
- 34.2 The Constitution shall be amended as follows:
  - 34.2.1 Notice in writing of any proposed amendment to the Constitution shall be lodged with the Secretary.
  - 34.2.2 On receipt of the proposed amendment to the Constitution, the Secretary shall immediately refer it to the Committee for its immediate consideration.
  - 34.2.3 No amendment to the Constitution shall be made except at an Annual General Meeting or at a Special General Meeting called for that purpose, and then only if at least 75% (seventy five percent) of the Members present and entitled to vote, vote in favour thereof.
- 34.3 In the event of a conflict between this Constitution and the rules/constitution of ASA, WPA or any other body governing the disciplines included in Multisport, the rules of such body shall prevail as appropriate to that sport.

### 35. FINANCIAL MATTERS

- 35.1 The Club financial year shall run from the 1st January to the 31st December.
- 35.2 The Club's finances shall be conducted by means of various bank accounts.
- 35.3 All Club property, banking accounts and other investments shall be in the name of the Celtic Harriers Club, or in the name of the particular race, race organising committee or other name as approved by the Committee from time to time.
- 35.4 Withdrawals from banking and other accounts shall require the signature or electronic approval of the Treasurer and that of the Chairperson or Vice-Chairperson. Withdrawals from race organising committees banking and other accounts shall require equivalent approval of the chairperson and treasurer of that particular organising committee or such other person as may be so authorised by the Committee from time to time.
- 35.5 Adequate insurance cover shall be effected on Club property and assets.
- 35.6 The Annual Financial Statements of the Club shall be audited annually by a Registered Auditor, who shall not be a member of the Committee. Such Registered Auditor shall be appointed at the Annual General Meeting.
- 35.7 The Club shall not engage in any transaction with a view to the pecuniary gain or profit of its Members.

### 36. BY-LAWS

- 36.1 The Committee shall have the power to make, alter or revoke any By-laws for the regulation of the affairs of the Club as may be from time to time found necessary, provided such By-laws are not inconsistent with the Constitution and any other applicable legislation.
- 36.2 All such By-laws shall be binding upon Members until repealed by the Committee or set aside by resolution of a General Meeting of the Club.

### 37. COLOURS, BADGE AND UNIFORM

- 37.1 The colours of the Club shall be green and white.
- 37.2 The badge of the Club shall be a white shield bearing a green Celtic harp, surmounted by a green five-bar gate and the words "Celtic Harriers" in green letters below the harp.
- 37.3 The uniform of the Club shall be as follows:

- 37.3.1 The blazer of the Club shall be blue-black with the Celtic badge on the left breast pocket.
- 37.3.2 The tie of the Club shall be navy and green, with the Celtic badge, excluding the legends, appearing in miniature.
- 37.4 The competition kit of the Club shall be:
  - 37.4.1 A green and white vest, t-shirt or similar garment, horizontally hooped throughout its length, front and back, each hoop approximately 50mm in width. The club name and/or club badge may be included on the garment in accordance with the appropriate rules of ASA/IAAF.
  - 37.4.2 Green shorts, green full or three-quarter tights/leggings, or green and white patterned shorts as approved by the Committee from time to time.
  - 37.4.3 When sub-layers (tights, thermal vests etc) are worn they should match the colour of the competition kit; namely green shorts/tights and white shirt/vest. An item of sub-layer clothing in plain black will not be acceptable.
- 37.5 The colour green when referred to throughout this Constitution shall be Pantone colour Ref. No. 334.
- 37.6 The competition kit of the Club may be amended in accordance with any agreement with a sponsor, subject to the appropriate rules of WPA/ASA.
- 37.7 Any changes to the competition kit for Athletics shall be submitted to WPA for approval before being implemented.

### 38. CLUB RACES

- 38.1 The Club shall organise athletic events for the benefit of Members in particular and athletics and the broader public in general.
- 38.2 The following races will remain under the auspices of the Club, or a Trust or Trusts, established under the provisions of Clause 41.
  - 38.2.1 The Don Lock Memorial Race (8km)
  - 38.2.2 The Peninsula Marathon (42km) and associated events;
  - 38.2.3 The Two Oceans Marathon (56km) and associated events.
- 38.3 The Committee may decide at its discretion to undertake the organising of other Athletic and Multisport events.
- 38.4 For each event organised by the Club the Committee shall appoint a race chairperson whose duties shall be:
  - 38.4.1 to organise the race on behalf of the Club;
  - 38.4.2 to appoint the race committee members;
  - 38.4.3 to hold meetings of the race committee;
  - 38.4.4 to submit a report and a financial statement after staging the race.
  - 38.4.5 to report back to the Committee for its approval of:
    - the race committee appointments;
    - the race budget;
    - the athletes to be invited;
    - the sponsors;
    - any other matters stipulated by the Committee.
- 38.5 When a race event organiser or any other body is contracted or responsible for organising any of the races referred to in 38.2, the Committee shall:
  - 38.5.1 appoint a Member to liase with such organiser or body and report back to the Committee;
  - 38.5.2 represent the race as the host club in all dealings with WPA or other controlling bodies;
  - 38.5.3 take every measure to ensure that the organisation of the race is to the highest possible standard as if it were organised by the Club.

### 39. INDEMNITY AND LIABILITY OF THE CLUB

- 39.1 Subject to the provisions of any relevant statute, members of the Committee and other office bearers are hereby indemnified by the Club for all acts done by them on its behalf.
- 39.2 The Club shall not be liable to any Member for any loss or damage suffered by such Member or his dependants due to any act or omission by another Member, or by the Committee, or any official acting for, or on behalf of the Club.

### 40. SPONSORSHIP

- 40.1 The Committee may at its discretion procure sponsorship for the Club and the races and/or other races or events organised by the Club and may, as a condition of any such sponsorship being extended or granted to the Club, consent to the sponsor's name being added to the name of the Club or any of such races or events, either as a prefix or suffix.

### 41. CLUB TRUSTS

- 41.1 The Committee may at its discretion, form a Trust or Trusts to protect the Club, and its races and assets. (see Clause 38).
- 41.2 The transfer of assets from the Club to Trusts shall be approved by a majority of the votes of Members present and voting at an Annual General Meeting or at a Special General Meeting called for such purpose.
- 41.3 The Trusts shall bear the Club's name, or when appropriate, that of the race.
- 41.4 While not restricting the future appointment of Trustees, the Trust Deed(s) for any new Trust formed in accordance with Clause 41.1 shall stipulate that the majority of Trustees shall be Members chosen from the Chairperson, Vice-Chairperson, Honorary Life Members or Vice-Presidents.

### 42. REPRESENTATIVES OF THE CLUB

- 42.1 The Club shall be represented in its dealings with the public, press, WPA and all persons external to the Club only by the Chairperson or such representatives as may be appointed by the Committee from time to time.
- 42.2 No individual Member shall communicate with WPA or ASA or other bodies except through the Secretary or the Committee.

END

Constitution of the Celtic Harriers Club Version 06 dd 02/07/2025

Approved at a Special General Meeting held on 02 July 2025 (date)



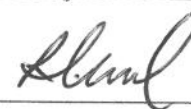
at Clavemont (place).

Signed by:

Chairperson:

Vice-Chairperson:

Honourary Treasurer:

## ANNEXURE – VERSION HISTORY

Version	Date	Detail
Draft	10/10/2006	Approved by Committee for presentation at a Special General Meeting
1.0	09/11/2006	Adopted at a SGM, with minor revisions as marked
2.0	19/11/2009	Changes adopted at AGM: Clause 9 VP's exempt from club fees. Clause 28 changes to election of VP's Clause 29 Change to qualifying period of election of Life Members. Clause 38 Removed Cape Town Marathon
3.0	28/02/2019	Changes adopted at SGM: Clause 13.1 Removal of Multisport Captain. Addition of Vice Club Captain. Inclusion of 2 Additional Members for Finance Advisory Committee Clause 14.6 Amendment to require vote for single nomination. Clause 20 amendments to Remove Multisport Sub Committee and to add Finance Advisory Committee. Clause 25 AGM moved to February. Clause 34. Financial year changed to 01 Jan - 31 Dec. Clause 36.4 changes to club kit options
4.0	13/03/2024	Changes adopted at SGM: Amendments to Clause 12 – Disciplinary Matters, Clause 25,1 AGM changed to March
5.0	12/03/2025	Changes adopted at SGM: Clause 18 changed to value of R50 000
6.0	02/07/2025	Changes adopted at SGM: Clauses 6.3, 6.4.2, 7.2.10.3, 7.2.14, 35.6 amended for registration as a Public Benefit Organization.