



**THE PORT ELIZABETH RIDING CLUB
CONSTITUTION**

Revision1 1 September 2012

1. **OBJECTS**

- 1.1 The name of the club shall be THE PORT ELIZABETH RIDING CLUB.
- 1.2 The Purpose and Objects of the Club shall be to promote all equestrian activities, to provide facilities for all these activities, as far as possible, and to undertake and promote all such other activities as may be convenient and beneficially undertaken in connection therewith.
- 1.3 The Club Year shall run from 1st July to 30th June.

2. **LEGAL STATUS**

- 2.1 The Club shall have perpetual succession and sue and be sued in any Court of Law in its name and may be represented in any legal proceedings by any person or persons delegated for such purpose by the Committee.

3. **HONORARY POSTIONS**

- 3.1 The Club may appoint an Honorary President on the resolution of the Executive Committee.
- 3.2 The Honorary President shall stand for a period of one year and shall endure until the next Annual General Meeting
- 3.5 The holder of any honorary position shall have no voting rights unless such holder is also a member of the Club.

4. **EXECUTIVE COMMITTEE**

4.1 COMPOSITION OF THE EXECUTIVE COMMITTEE

- 4.1.1 There shall be a Committee consisting of Nine (9) Ordinary members of the Club, namely Chairperson, Vice-Chairperson, Treasurer, and a Representative for each of the following Six (6) categories: Jumping, Dressage, Equitation, Eventing, Showing and Grounds.

4.1.2 The Management of the affairs of the Club shall be vested in the Committee. The Committee shall meet regularly, at least once per month throughout the year, and proper minutes of all Meetings of the Committee shall be kept by the Secretary of the Committee.

4.2 ELECTION OF THE EXECUTIVE COMMITTEE

At every Annual General Meeting:

4.2.1 A Chairperson shall be elected, and such Chairperson shall hold office until the election of a Chairperson at the next Annual General Meeting.

4.2.2 No person shall hold office as Chairperson for more than two successive years unless the Annual General Meeting, on a simple majority vote, decides that there are exceptional circumstances which warrant his/her election for a further term.

4.2.3 No person shall hold office as Vice-Chairperson for more than two successive years, unless the Annual General Meeting, on a simple majority vote, decides that there are exceptional circumstances which warrant his/her election for a further term, provided that such person may be elected as Chairperson.

4.2.4 Four (4) Members (excluding the Chairperson) of the Committee shall retire from office. The Members to retire at each Annual General Meeting shall be, firstly, those retiring in terms of Section 4.3.9; and, secondly, those longest in Office since the last election or appointment. As between Members of equal seniority, the Members to retire shall, in the absence of agreement, be selected from among them by lot; provided that, notwithstanding anything herein contained, if, at the date of any Annual General Meeting, any Member will have held office for a period of two (2) years since his last election or appointment, she/he shall retire.

4.2.5 A Retiring Member shall act as a Member until the commencement of the Meeting at which she/he retires. The length of time a Member has been in office shall be computed from the date of his/her last election or appointment. The Chairperson and Retiring Members shall be eligible for re-election, subject to the provisions of this Constitution.

4.3 POWERS AND OBLIGATIONS OF THE COMMITTEE

The Committee shall have the power:

- 4.3.1 Generally, to administer and manage the affairs of the Club.
- 4.3.2 To prescribe procedure for Meetings of the Committee, save that:
 - (a) The Chairperson shall have a casting vote in the event of an equality of votes;
and
 - (b) Five (5) members who are entitled to vote shall constitute a quorum.
- 4.3.3 To buy, sell, let or hire, exchange, transfer, receive by way of donation or otherwise, Im/movable Property, including Debentures, Stocks and Shares; and to invest the funds of the Club in Government or Municipal Stocks, Mortgage Bonds, or on Fixed Deposit, Savings Accounts or otherwise in Banks, Building Societies or like Organisations.
- 4.3.4 To borrow money on the security of Immovable Property, and pass Mortgage Bonds on the same.
- 4.3.5 Generally to deal with the Property and funds of the Club for the Objects and Purposes of the Club.
- 4.3.6 To institute and defend legal proceedings on behalf of the Club.
- 4.3.7 To employ a secretary, groundsman and any casual labour deemed necessary.
- 4.3.8 Without stating any reason therefore, to
 - (a) Decline to accept Membership;
 - (b) Decline to renew Membership;
 - (c) Remove or suspend any Membership.
- 4.3.9 To appoint a successor (who shall retire at the commencement of the first Annual General Meeting held after such appointment) to a Committee Member who vacates Office for any reason other than effluxion of time.

4.3.10 To make Bye-Laws not inconsistent with this Constitution, including Regulations governing the right of Members to admit Guests to the Club. Any making, alteration, or repeal, of a Bye-Law by the Committee shall be notified on the Club Notice Board for a period of two (2) weeks and shall only on the expiry of such period become effective and binding.

4.3.11 To appoint Sub-Committees for special purposes: save that:

- (a) At least one (1) Member of each sub-committee shall be a Member of the Committee.
- (b) The Committee shall not delegate to any Sub-Committee the power to make, alter or repeal any Bye-Laws.
- (c) The Junior Committee shall be considered a Sub-Committee.

4.3.12 At its discretion, to co-opt to the Committee further Members of the Club, but such Members shall not have voting powers.

4.3.13 To appoint an Auditor, should the Auditor appointed at the Annual General Meeting resign during the course of the year.

4.3.14 And shall be obliged to:

- (a) Keep and maintain proper Books of Accounts and of Financial Records of the Club at all times.
- (b) Keep an up to date Register of Members of the Club at all times.
- (c) Keep proper Minutes of Meeting of the Committee, and of any and all General Meetings of the Club.

4.3.15 To apply for the grant of a Club Liquor Licence in respect of the Club premises in Lorraine, including all and whatever other Licences, Authorities and Permits, are prescribed as necessary for the conducting of all affairs of the Club.

4.4 RESIGNATION, SUSPENSION AND DISQUALIFICATION OF COMMITTEE MEMBERS

A Committee Member shall cease to hold office as such;

4.4.1 Upon receipt by the Committee of the Club of his/her resignation in writing,

- 4.4.2 Upon his/her ceasing to be a Member of the Club, or upon his/her Membership being suspended.
- 4.4.3 Upon his absenting himself/herself without leave from all Meeting of the Committee held over a period of three (3) consecutive calendar months.
- 4.4.4 Any member of the Committee shall be disqualified from voting at any Meeting of the Committee if in arrear with any payment due to the Club.

5. **MEMBERSHIP**

- 5.1 The Club shall consist only of those membership categories in this constitution, or as defined and recorded by the committee from time to time, provided that no person under the age of eighteen (18) years may become an Ordinary Member under any circumstances.
- 5.2 Application for Membership shall be made on the prescribed form, and shall be signed by the Applicant and shall be forwarded to the secretary of the Club who shall submit same to the Executive Committee. On an Application for Membership being accepted by the Committee, the Applicant shall be:
- (a) Become entitled to the benefits and privileges of the Club; and
 - (b) Become liable for all payments, fees and subscriptions due for the year in which he/she is accepted, and shall be immediately be bound by this Constitution and Bye-Laws made hereunder, and shall be presumed to be aware of all the provisions of the Constitution and Bye-Laws.
- 5.3 Subscriptions shall be due and payable to the Club Treasurer on the 1st of July in each year, all other payments or fees on such date as a General Meeting, or the Committee, may decide; but a Member will not be in good standing if his subscriptions are not paid by the date stipulated in the annual fee notice submitted to all members for that particular year.
- 5.4 Any Member intending to resign from the Club shall, in writing, notify the Secretary of such resignation on or before the 1st July in any year, and shall otherwise be liable for his subscription for the ensuing year, except in such cases in which the Committee consider; in their discretion that such payment may be waived. Any Member whose

subscription is unpaid after three (3) months of its becoming due shall cease to be a Member, but may be reinstated by the Committee, at their discretion, on payment of arrears.

- 5.5 A member who's Membership has been cancelled, or who has been expelled or suspended, or who has resigned:
- (a) Shall remain liable for such payments, fees and subscriptions still due and unpaid by him/her.
 - (b) Shall not be entitled to recover any sums by reason of the termination or suspension at his/her Membership prior to the end of the current year.
 - (c) Shall pay the current entrance fee upon rejoining.
- 5.6 Every Member shall cause his or her contact details, or any change thereof, to be recorded with the Secretary; who shall keep an up-to-date Register of Members at all times.
- 5.7 Any Notice or communication of whatever kind to a Member shall, on being posted in an envelope bearing such address as at the time of posting is recorded in the Club's Register, be deemed for all purposes to have been received by such Member within SEVENTY-TWO (72) HOURS of its being placed in the post; or email and where acknowledgement of receipt will be provided by return mail.
- 5.8 The accidental omission to give Notice of any Meeting to any person or persons entitled to be present thereat shall not invalidate the proceedings of that Meeting.
- 5.9 A member of the Club in good standing shall be entitled to inspect, at reasonable times, all books of account of the Club; which the Treasurer, or other custodian, shall accordingly produce within ten (10) DAYS of receipt of request which shall be in writing.
- 5.10 Membership of the Club consists of the following categories:
- (a) Ordinary Members: who shall be eighteen (18) years and over, who shall enjoy all rights and privileges of the club and who may be further categorised as; Adult members, Ungraded Adult Members, Social Members or Country Members. Country members are required to reside further than FIFTY (50) kilometres in a direct line from the Club.

- (b) Junior Members: who shall be those Members who have attained their fourteenth (14th) birthday, but have not yet attained their eighteenth (18th) birthday.
- (c) Child Members: who shall be those Members who have not yet attained their fourteenth (14th) birthday.
- (d) Temporary Members: The Committee shall have the right to grant Temporary Membership on payment of a non-membership levy, to such person or persons as it may decide, for events at the Club. Temporary Members shall not have the right to vote at any Meeting of the Club.
- (e) Honorary Members: The committee shall have the right to grant Honorary Membership to such person or persons, or Corporate Bodies(represented by their nominee), as it sees fit; for such period in each case as it may determine.
- (f) Family Membership: This is not a membership category and has been formed for the purposes of subscription fee payment terms. This category is limited to 4 members, maximum of 2 adults and maximum of 2 children per family.
- (g) Little League members: shall be those members who have not yet attained their EIGHTEENTH(18th) birthday.
- (h) The Ungraded Adult Members and Little League members may only be classified as such should they not be riding in Graded classes. As soon as they ride in a Graded Class full membership fees are payable.

5.11 LIABILITY OF MEMBERS

The Liability of a Member shall be limited to :

- (a) The Subscription to the end of the current year in which he or she ceases to be a member.
- (b) Any indebtedness to the Club.
- (c) Any fine which may have been lawfully imposed, or damages which may have been lawfully and reasonably assessed by the Committee against him or her.

5.12 No Member shall have any Right, Title or Interest to or In the Property or funds of the Club, save as is provided for in Section 8.2.

6. **DISCIPLINE**

6.1 The Committee of the Club are entitled to discipline any member of the Club should they deem it necessary.

- 6.2 The Committee shall appoint THREE(3) Ordinary or Honorary members of the Club to constitute the Disciplinary Sub-committee for a disciplinary hearing, save that, on the recusation or unavailability of any of the above mentioned the Committee shall have the power to fill any vacancies from among the members of the Committee.
- 6.3 The Disciplinary Sub-Committee shall have power to formulate, enquire into and decide on charges against members and to reprimand, fine, suspend and expel members who have duly been found guilty of:
- 6.3.1 a wilful breach of the provisions of this constitution or of the bye-laws made hereunder, save that a member shall not be expelled for breach of the bye-law; or
- 6.3.2 conduct prejudicial to the interests or reputation of the Club; or
- 6.3.3 non-payment, within a month of its imposition, or a fine imposed by the sub-committee; or
- 6.3.4 bringing the Club into disrepute or bringing dishonour to the sport, or
- 6.3.5 cruelty to animals or any kind of ill-treatment whatsoever, in accordance with the Regulations of the South African Equestrian Association or
- 6.3.6 misconduct at Club premises or events, including but not limited to drunken, disorderly, abusive, insulting or aggressive behaviour.
- 6.4 The accused member must be given seven (7) days' notice of the charge preferred against him/her. This must be in the form of a registered written letter or email and where acknowledgement of receipt will be provided by return mail. The accused member shall be called to the meeting by reasonable notice, which must be within six (6) weeks of the incident, and the accused member must be given every opportunity to put his/her case before the disciplinary Committee. No legal representation will be permitted.
- 6.5 An appeal shall lie from any decision or order made by the Disciplinary Committee, provided that:

- 6.5.1 a notice of appeal shall be lodged with the Secretary within one (1) month of the date of the decision or order appealed against,
- 6.5.2 that the quorum of the Committee at the hearing of such appeal shall be eight and
- 6.5.3 that the Committee shall have power to confirm, alter or set aside in any manner whatever any such decision or order.

7. **GENERAL MEETING**

- 7.1 An Annual General Meeting of Members shall be held as soon after the end of the Club's financial year as may be convenient, but not later than the 30 September of each year.
- 7.2 A Special General Meeting of Members shall be held on the written request, which shall set out the purposes of the Meeting, to the Secretary of :
 - (a) The Committee; or,
 - (b) Any twenty (20) ordinary members in good standing, including Life and Honorary Members, but excluding Junior, Child and Temporary Members. Ordinary members of the same family electing to pay annual subscriptions in the Family membership subscription category shall contribute the consolidated equivalent of one(1) ordinary member. Family Life Honorary memberships shall carry also carry the consolidated equivalent of one (1) ordinary member.
- 7.3 General Meetings shall be convened by the Secretary on the direction of the Committee, and she/he shall give Notice thereof on the Club Notice Board and in writing to all members.

Such Notices shall be given in the cases of Annual General Meetings and Special General Meetings two (2) weeks before the dates of such Meetings, and such Notices shall set out the Agenda for the relative Meeting.

- 7.4 the quorum of the general meeting shall be the lessor of TWENTY-FIVE(25) or TWENTY PERCENT(20%) of Ordinary Members in good standing. Ordinary members of the same family electing to pay annual subscriptions in the Family

membership subscription category shall contribute the consolidated equivalent of one(1) ordinary member. Family Life Honorary memberships shall also carry the consolidated equivalent of one(1) ordinary member.

7.5 An Annual General Meeting shall, subject to Article 8.1, have power:

7.5.1 To raise, discuss and decide any matter whatsoever, including the election annually of an Honorary President, Chairperson, Vice-Chairperson, Treasurer, other Committee Members and any other such Officers as may be considered necessary, and the removal of any such Officers.

7.5.2 To appoint Honorary Life Members, providing that such election be supported by the unanimous vote of all Members present.

7.6 No person shall be eligible for election in terms of Article 7.5.2 unless:

7.6.1 A properly completed Nomination Form, as set out in Annexure "A" hereto, is in the hands of the Secretary by 5:00 p.m. on the tenth (10th) day preceding the day of the Annual General Meeting.

7.6.2 In the case of a nomination for the position of Honorary President, or Honorary Life Members, such nomination is approved by the Committee before the Annual General Meeting, and the Committee shall not be obliged to give reasons for the rejection of any nomination.

7.7 A Special General Meeting shall have power to raise, discuss and decide only such specific matters as have been set out for consideration in the Notice of Meeting.

7.8 The Chairperson of the Club, or in his/her absence, the Vice-Chairperson or in this absence any Member elected by the Meeting, shall act as Chairperson of a General Meeting.

7.9 The Chairperson shall prescribe the procedure to be adopted at any General Meeting, save that:

- 7.9.1 All matters shall be decided by a show of hands, provided that decisions shall be by ballot where the Chairperson deems it necessary, or on a motion to that effect by a Member, duly seconded. Members have no right to vote by Proxy.
- 7.9.2 In the case of an equal division, the Chairperson shall have a casting vote.
- 7.9.3 Should no Quorum be attained at a General Meeting, the Members entitled to vote and are present at this meeting may,
- 7.9.3.1 subject to a TWO-THIRDS (2/3) majority, adjourn the meeting ONCE to an alternative date, or
- 7.9.3.2 if unanimous, elect to proceed with the business of the meeting
- 7.9.4 Ordinary Members in good standing, shall be entitled to vote at any General Meeting. Family membership shall contribute the equivalent of one(1) vote. Family Life Honorary memberships shall also carry one(1) vote.
- 7.9.5 Any Member of the Club in arrear with any payment due to the Club shall be disqualified from voting at any General Meeting of the Club during his/her period of such indebtedness to the club.

8. **GENERAL**

- 8.1 The provisions of this Constitution may be altered by a Special Resolution, duly passed by a majority of not less than Two Thirds (2/3rds) of those Members present and entitled to vote at a General Meeting of Members, provided that the precise terms of any proposed alteration shall be set out in the Notice convening the Meeting and fourteen (14) days notice.
- 8.2 The Club may be dissolved, or merged with another Club with similar Purposes and Objects, in each case only:
- 8.2.1 On a Resolution passed by a majority of two-thirds (2/3rds) of the Members present at a duly constituted Special General Meeting of Members ; OR;

- 8.2.2 On an Order of Court made after Application to a Court of Law by any Member on the ground that the club has become dormant or is unable to fulfil its Purposes and Objects.
- 8.3 On merger, the Assets of the Club shall accrue to the Club with which the merger is effected.
- 8.4 On dissolution, the Assets of the Club shall be realised by a Liquidator appointed by the Special General Meeting or the Court, as the case may be, and the nett proceeds shall be paid and delivered to the Eastern Cape Horse Society; or failing that Society, to the South African Equestrian Association ; or the Successor/s thereof.