



CONSTITUTION OF
DRESSAGE SOUTH AFRICA

Contents

1.	CONSTITUTION, NAME AND CORPORATE PERSONALITY	4
2.	DEFINITIONS AND ABBREVIATIONS USED.....	4
3.	INTERPRETATIONS.....	7
4.	HEADQUARTERS	7
5.	AREA OF JURISDICTION OF DRESSAGE SA.....	7
6.	OBJECTS OF DRESSAGE SA.....	7
7.	MEMBERSHIP	8
8.	POWERS OF DRESSAGE SA TO CARRY OUT ITS OBJECTIVES.....	10
9.	MEMBERSHIP AND TERMINATION OF MEMBERSHIP	11
10.	VOTING RIGHTS	12
11.	ANNUAL GENERAL MEETING ("AGM")	13
12.	SPECIAL GENERAL MEETINGS ("SGM's")	14
13.	ORDINARY GENERAL MEETINGS ("OGM's").....	14
14.	GENERAL PROVISIONS RELATING TO AGM's, OGM's AND SGM's.	15
15.	DRESSAGE COUNCIL	16
16.	ELECTION OF THE PRESIDENT, VICE-PRESIDENT, TREASURER AND THE OTHER MEMBERS OF DRESSAGE COUNCIL	22
17.	EXECUTIVE COMMITTEE ("EXCO")	24
18.	ASSOCIATE MEMBERS	25
19.	HONORARY LIFE MEMBERS	25
20.	PATRON	26
21.	LIMITATION OF LIABILITY OF MEMBERS INDEMNITY	26
22.	ALTERATION OR VARIATION OF THIS CONSTITUTION.....	26
23.	NOTIFICATION	26
24.	INTERPRETATION OF THIS CONSTITUTION.....	27
25.	DISSOLUTION OR WINDING UP OF DRESSAGE SA.....	27
26.	JUDICIAL BODY	27

~~POLICIES AND SCHEDULES TO THIS CONSTITUTION~~

~~I. — POLICY A — NON-RACIALISM~~

~~II. — POLICY B — APPLICATION OF SECTION 30(1) OF THE INCOME TAX ACT~~

~~III. — POLICY C — DISPUTE RESOLUTION~~

~~IV. — POLICY D — PROVINCIAL COMMITTEES~~

- ~~V. — POLICY E — ACCESS TO INFORMATION~~
- ~~VI. — POLICY F — DRESSAGE RULE AND REGULATION IMPLEMENTATION POLICY~~
- ~~VII. — POLICY G — DRESSAGE JUDGES CODE OF CONDUCT POLICY~~
- ~~VIII. — POLICY H — OFFICE BEARERS, EMPLOYEES AND VOLUNTEERS CONFIDENTIALITY POLICY~~
- ~~IX. — SCHEDULE 1 — LIST OF AFFILIATES~~
- ~~X. — SCHEDULE 2 — LIST OF HONORARY MEMBERS~~

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

1. CONSTITUTION, NAME AND CORPORATE PERSONALITY

- 1.1. This is the Constitution of the body known as "**Dressage South Africa** ", which Association is the national body duly recognised by the South African Equestrian Federation.
- 1.2. **Dressage South Africa** is a voluntary Association having a corporate identity separate from that of its Members and is entitled to own property, whether movable or immovable or otherwise, and is entitled to sue and to be sued in its own name and, notwithstanding any change in the composition of its Members from time to time, shall have perpetual succession.
- 1.3. The provisions of this Constitution are founded upon and shall be implemented and administered in the recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitution of the Republic of South Africa (1996), the rule of law and good corporate governance.
- 1.4. At all times the welfare of the Horse must be paramount and must never be subordinated to competitive or commercial influences.

2. DEFINITIONS AND ABBREVIATIONS USED

- 2.1 For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:
- 2.2 "Act of Parliament" refers to the National Sport and Recreation Act, (Act No 110 of 1998) and the National Sport and Recreation Amendment Act (Act No 18 of 2007), also referred to as "The Act".
- 2.3 "AGM" means the Annual General Meeting of Members held in accordance with the provisions of this Constitution.
- 2.4 "Judicial Body" means a judicial body appointed by the Council in terms of this Constitution.
- 2.5 "Associate Members" means all those associations or organisations having the same or similar objects to **Dressage South Africa** and having their National Office within the area of jurisdiction of **Dressage South Africa** , which bodies have made application and have been accepted as Associate Members of **Dressage South Africa** in terms of the provisions of this Constitution.
- 2.6 "Athlete" shall mean the individual, together with ~~his~~ each horse which shall be regarded as one competitor.
- 2.7 "Annual Financial Statements" or "AFS" means the annual audited balance sheet, income and expenditure account, Treasurer's report and Auditor's report.
- 2.8 "Chief Executive Officer" or "CEO" means the person appointed by Executive Committee of **Dressage South Africa** , to be employed in terms of an employment contract. It is specifically recorded that such person may be a member of the National Executive, but shall not be entitled to any voting rights in terms of this Constitution.
- 2.9 "DRESSAGE" shall mean the discipline of DRESSAGE as referred to in this Constitution and as defined by the FEI, whether ridden in the presence of other Athletes, or by means of correspondence or by way of the internet, computer software programmes or otherwise.
- 2.10 "Club" means any club which caters for any discipline but must include the discipline of DRESSAGE in a district or Province, as contained in this Constitution and must have a minimum of five (5) or more bona fide active Dressage Members. The Club must be affiliated to Dressage South Africa and SAEF.
- 2.11 "Compliance" means that the member club or individual has fulfilled the necessary provisions

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

of this Constitution in regard to specific requirements as contained herein, and as such is regarded as being in good standing with **Dressage South Africa** .

- 2.12 "Constitution" means this Constitution.
- 2.13 "Dressage Council" means the National Council of **DRESSAGE SA** as constituted in terms of this constitution
- 2.14 "**Dressage South Africa** " and "**DRESSAGE SA**" means the body recognised by SAEF as the organisation responsible for DRESSAGE in the Republic of South Africa, and as referred to in this Constitution, and incorporates all rights that may have existed or exist in the entity formerly known as the South African Equestrian Association National Dressage Technical Committee.
- 2.15 "Day" means a calendar day." Working day" means a calendar day excluding Saturdays, Sundays and Public Holidays.
- 2.16 "Event" means a DRESSAGE event held under the auspices of the SAEF and **DRESSAGE SA** and where a Show Schedule has been submitted and approved by either a Provincial or a National council of **DRESSAGE SA** and activated on the online entry system.
- 2.17 "Event Organiser" means the responsible person who has been appointed as such by a Show Holding Body to manage an event on behalf of a Show Holding Body that is affiliated with DRESSAGE SA.
- 2.18 "EXCO" means the Executive Committee of **DRESSAGE SA** as appointed by the council of the association.
- 2.19 "FEI" means the ***Fédération Equestre Internationale*** being the supreme controlling body of DRESSAGE including but not limited to global and continental levels.
- 2.20 "Honorary Life Members" means all those persons bestowed with this honour by the General Council of **DRESSAGE SA** at a **SGM** or an **AGM**
- 2.21 "Levies" means the monies levied on competitors at DRESSAGE SA competitions and due to DRESSAGE SA and paid over to **DRESSAGE SA** by the ~~membership~~ relevant Show Holding Bodies ~~and~~ as approved and agreed to by the membership at a **SGM** or an **AGM** of **DRESSAGE SA**.
- 2.22 "Member" shall mean an Ordinary Member, ~~Special Member~~ or an Associate Member duly appointed as such in terms of this Constitution.
- 2.23 "Month" means a calendar month.
- 2.24 "National Sport Federation" means the national governing body of Equestrian Sport in South Africa, namely S.A.E.F being a member of SASCOC and recognised by the Department of Sport and Recreation in the Republic of South Africa.
- 2.25 "National Office" means the head office of **DRESSAGE SA** as defined in this Constitution.
- 2.26 "Ordinary General Meeting" or "OGM" means a meeting convened in terms of this Constitution.
- 2.27 "Ordinary Members" means those members duly accepted as members in terms of the geopolitical demarcations known as Provincial Associations as set out in this Constitution.
- 2.28 "Organisers" shall mean those persons who have been duly authorised by **DRESSAGE SA** either directly or through their provincial membership to stage a DRESSAGE event inclusive of the hosting, managing, organising, planning, and supervision of such an event and who report directly to the Event Organiser of that event.

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 2.29 ~~"Patrons" shall mean a person duly appointed as such in terms of this Constitution.~~
- 2.30 "Person" means a natural or legal person.
- 2.31 "President" means the President of **DRESSAGE SA**, duly elected in terms of this Constitution.
- 2.32 "Province" means one of the nine (9) geopolitical areas in good standing with **DRESSAGE SA** as defined in Section 103 of the Constitution of the Republic of South Africa 1996 (as amended).
- 2.33 "Provincial DRESSAGE Committee" means a body consisting of more than one Club within a Province, associated with each other, for the special and specific purpose of liaison and communication with the sporting codes of that Province, the Provincial Confederation and the Department of Sport and Recreation in that Province. The Province will only be active if they have a minimum of two (2) Clubs with a minimum of five (5) or more bona fide active Dressage Members.
- 2.34 "Rules, Regulations and Policies" means the rules, regulations and policies of **DRESSAGE SA**.
- 2.35 "S.A.E.F." or "SAEF" means the South African Equestrian Federation.
- 2.36 "S.A.I.D.S." or "SAIDS" means the South African Institute for Drug-Free Sport.
- 2.37 "S.A.S.C.O.C." or "SASCOC" means the South African Sport Confederation and Olympic Committee duly recognized and approved by the Department of Sport and Recreation as the governing body of Sport in the Republic of South Africa.
- 2.38 "Special General Meeting" or "**SGM**" means a meeting convened in terms of this Constitution.
- 2.39 ~~"A Special Member" shall mean the persons elected or appointed in terms of the constitution in the position of Athletes Representative, the Judges Representative and a Para Athlete Representative in the discipline of DRESSAGE under the auspices of **DRESSAGE SA**~~
- 2.40 "Treasurer" means the person elected in terms of the provisions of this Constitution.
- 2.41 "Vice-President" means the Vice-President of **DRESSAGE SA** as defined in this Constitution.
- 2.42 "W.A.D.A" or "WADA" means the World Anti-Doping Agency.
- 2.43 "Year" means a calendar year.
- 2.44 ~~Any words importing one gender include the other.~~

3. INTERPRETATIONS

- 3.1. The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used in the interpretation hereof.
- 3.2. Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.
- 3.3. Any words importing one gender include all other genders.

4. HEADQUARTERS

- 4.1. The National Office Headquarters shall be in Gauteng Province, Republic of South Africa, and shall remain as such until the Council of **DRESSAGE SA** resolves that the National Office be moved.
- 4.2. The National Office shall always be located within the borders of the Republic of South Africa.

5. AREA OF JURISDICTION OF DRESSAGE SA

- 5.1. The geographical area of jurisdiction of **DRESSAGE SA** shall be the Republic of South Africa.

6. OBJECTS OF DRESSAGE SA

The objects of **DRESSAGE SA** are:

- 6.1. To be and to operate and function as the autonomous controlling and administrative body of the sport of DRESSAGE within the area of its jurisdiction.
- 6.2. To direct, develop, promote and administer the sport of DRESSAGE within the area of its jurisdiction in accordance with sound business and financial principles.
- 6.3. To develop and participate in the sport of DRESSAGE, in such a way as to ensure the development of DRESSAGE Athletes through constructive coaching and capacity building.
- 6.4. To ensure that the encouragement, promotion, development and administration of the sport of DRESSAGE, whether same be at National or Provincial level, is carried out in accordance with the principles of non-racism and non-sexism, by which it is meant that race ethnicity, nationality or gender shall not be a basis for discriminating against or of affording privileges to any one person or group of persons, ~~such principles are more fully set out in the policy document known as "POLICY A – NON RACIALISM" of DRESSAGE SA~~
- 6.5. To promote sportsmanship and fair play at all levels of the sport, free of any interference.
- 6.6. To apply annually to be a member of SAEF and to abide by their Constitution and Rules and Regulations.
- 6.7. A resolution passed by the EXCO may decide to cooperate with SAEF and SASCOC (through SAEF) if required, in particular as regards the participation of DRESSAGE Athletes in all Multi-Code Games and Events.
- 6.8. To advance the objects of **DRESSAGE SA** and to associate itself with all such other lawfully constituted Associations and Organisations as shall be decided by Dressage Council, whether within or without the area of jurisdiction of **DRESSAGE SA** and irrespective of whether or not such other Associations or Organisations be connected with the sport of DRESSAGE.

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 6.9. To uphold and enforce the rules of DRESSAGE as prescribed by the FEI, where applicable, from time to time and to encourage and promote the highest standard of sporting behaviour in connection with the performing of DRESSAGE.
- 6.10. To uphold and enforce any code of conduct pertaining to the sport of DRESSAGE approved by the FEI, SAEF and/or any other code of conduct decided upon by **DRESSAGE SA**.
- 6.11. To encourage the appointment of coaches at all levels within the Equestrian community.
- 6.12. To select representative Athletes at all levels for participation in any tournaments whether same be local or international.
- 6.13. ~~To award provincial colours in terms of the criteria laid down in the Rules and Regulations of the association.~~
- 6.14. To apply to SAEF for the awarding of national colours in terms of the criteria laid down in the Rules and Regulations of the SAEF and SASCOC.
- 6.15. To recognise and accept the jurisdiction, rules and regulations of the SAIDS as well as the code of the WADA and the FEI Equine Anti-Doping and Controlled Medication Regulations as may be amended from time to time.
- 6.16. ~~To recognise and accept the jurisdiction, rules and regulations of the SAIDS as well as the code of the WADA and the FEI Equine Anti-Doping and Controlled Medication Regulations as may be amended from time to time.~~
- 6.17. ~~To recognise and accept the impact of the holistic development of children in our sport and to be properly understand and provide the correct environment and conditions for them in order to protect their rights and in order not to risk a potential sacrifice of these rights for the purposes of early specialisation or any other reason. In this respect, we are guided, inter alia by the Children's Act, 2005 (Act No. 38 of 2005) as amended.~~
- 6.18. ~~Dressage SA strongly supports the Promotion of Access to Information Act and gives effect to the right to access such information in order to foster a culture of transparency and accountability. This object is further supported by the Promotion of Access to Information Act as 2 of 2000 as amended and the appropriate Dressage SA Policy document on Access to Information.~~
- 6.19. To promote the appointment and education of Judges and Officials under the auspices of SAEF **DRESSAGE SA**.

7. MEMBERSHIP

DRESSAGE SA consists of three categories of members namely:

- 7.1. **Ordinary Members**, shall be those members as defined by their geopolitical areas and made up of their clubs as set out in this Constitution.
 - 7.1.1. At the time of acceptance of this constitution, there shall be a maximum of nine (9) Ordinary Members which will be the limited by the boundaries of the provinces, which shall be:
 - 7.1.1.1. Western Cape DRESSAGE

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 7.1.1.2. Gauteng DRESSAGE
- 7.1.1.3. Eastern Cape DRESSAGE
- 7.1.1.4. Free State DRESSAGE
- 7.1.1.5. Limpopo DRESSAGE
- 7.1.1.6. KwaZulu Natal DRESSAGE
- 7.1.1.7. Northern Cape DRESSAGE
- 7.1.1.8. North West DRESSAGE
- 7.1.1.9. Mpumalanga DRESSAGE
- 7.1.2. The jurisdictions of Ordinary Members shall be limited by the boundaries of the provinces, in compliance mutatis mutandis with SASCOC.
- 7.1.3. Should the legislation of the Republic of South Africa determine a variation to the existing provincial structures or boundaries, then the ordinary membership of DRESSAGE SA will vary in such a way as to mirror such a change as and when the legislation becomes effective.
- 7.2. ~~**Special Members** shall be bodies representative of current DRESSAGE athletes, coaches and officials known as the Athlete's Representative, National Lead Coach and Judges Representative and established from individual DRESSAGE enthusiasts participating in the sport of DRESSAGE, as defined in this Constitution.~~
 - 7.2.1. ~~Such Members shall at all times have direct representation on the Dressage Council however only the Athlete's Representative is permitted to vote.~~
- 7.3. **Associate Members** shall comprise those bodies who have made application and been accepted as Associate Members to the Sport of **SAEF and DRESSAGE SA**, and are recognised as a body specifically catering for their membership within a confined organisation and/or area, namely the Defence Force, Police Force, Schools and Tertiary Education and any other body duly accepted. An Associate Member seeking to be affiliated to **DRESSAGESA** may apply to the President of the Dressage Council in the form determined by the Dressage Council from time to time, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to the Constitutions of SASCOC and **DRESSAGE SA**, a complete membership list and such other information as may be required by the Dressage Council. The President shall submit applications for affiliation to the next Dressage Council meeting for consideration and the Dressage Council shall in turn submit all such applications, with a recommendation, to the next **AGM, SGM or OGM.**
- 7.4. **Athletes** which shall mean each individual participant in the sport, who together with his **each** horse shall make up one competitor. Such Athlete may apply to join **DRESSAGE SA** by way of filling out the requisite **online** application form as may be produced by **DRESSAGE SA** and amended from time to time. **DRESSAGE SA** may levy a fee against such Athlete at its discretion and such Athlete, whether or not a fee was levied and / or paid but upon acceptance of such application, shall be subject to this Constitution and any Rules, Policies and Regulations of **DRESSAGE SA**. The aforesaid fees shall be collected directly by **DRESSAGE SA** by way of any mechanism that it may establish for such purpose.
- 7.5. **DRESSAGE SA** may, by a majority vote taken at an **AGM** or a **SGM** convened inter alia for this

purpose, grant associate membership status to any other association operating on a national level provided that no associate membership shall be granted to an association with the same or virtually the same aims and objectives as **DRESSAGE SA**.

7.6. **DRESSAGE SA** may, by a two-thirds majority vote taken solely for this purpose, withdraw its recognition of any associate member contemplated in this Constitution, in which event; the relevant association will cease, forthwith, to be an associate member of **DRESSAGE SA**.

7.7. In matters of mutual interest, **DRESSAGE SA** and any members may, if the need arises, enter into a written agreement covering specific issues for the benefit of **DRESSAGE SA** and its members.

8. POWERS OF DRESSAGE SA TO CARRY OUT ITS OBJECTIVES

8.1. **DRESSAGE SA** shall have all such powers and authorities as shall be necessary or desirable or conducive of achieving any and all of the objects of **DRESSAGE SA**. These powers and authorities shall be exercised by the Dressage Council and/or by the EXCO and/or by any duly constituted sub-committee in accordance with and subject to the provisions of this Constitution and the Act. Without in any way limiting the generality of the foregoing, the powers and authorities of **DRESSAGE SA** shall include those set out in Clauses 8.2 to 8.20 below.

8.2. To acquire by purchase, exchange, hire, sub-lease, donation or otherwise movable and/or immovable property of any kind.

8.3. To sell, let, mortgage, dispose of, give in exchange, turn to account or otherwise deal with all or any part of the property or rights of **DRESSAGE SA**

8.4. To enter into contracts of any and all kinds necessary to carry out, give effect to or secure the objects of **DRESSAGE SA**.

8.5. From time to time, in accordance with sound business and financial principles to invest the funds of **DRESSAGE SA** in such property or assets or other security as may be deemed advisable.

8.6. To employ, suspend or dismiss and remunerate employees, professional assistants and experts.

8.7. To establish and contribute to a pension, annuity, medical aid scheme and/or other fund for the benefit of its employees and/or the dependents of such employees in accordance with the rules of such fund and to grant pensions, allowances, gratuities and bonuses to employees or ex-employees of **DRESSAGE SA**, or the dependents of such persons, and to support or subscribe or make donations to any charities or other institutions, clubs, societies and funds in accordance of the policies of **DRESSAGE SA**.

8.8. ~~To regulate relations between its Members and **DRESSAGE SA** or its members or individual **DRESSAGE** Athletes.~~

8.9. To invite the patronage of any person or persons as it may consider advisable.

8.10. To insure against losses, damage, risk and liability of all kinds.

8.11. To draw, make, accept, endorse, execute, negotiate and issue ~~cheques~~, electronic transactions, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments.

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 8.12. To initiate and transact on electronic banking platforms and applications provided by the major banks of the Republic of South Africa subject to their standard terms and conditions.
- 8.13. To institute, conduct, defend, compound or abandon any legal proceedings by and against **DRESSAGE SA** or its officers or otherwise concerning the affairs of **DRESSAGE SA**, or the action of its Members, and also compound and allow time for payment or satisfaction of any debts due or any claims or demands made by or against **DRESSAGE SA**.
- 8.14. To raise money ~~whether by~~ annual membership fees ~~subscription or annual levies~~ which are to be paid to **DRESSAGE SA** by the 5th 31st day of January each year from its Members inclusive of clubs and show holding bodies. ~~, tertiary institutions, and or any other associations or organisations which are affiliated directly or indirectly to DRESSAGE SA on behalf of ordinary DRESSAGE Athletes who are members of the bodies referred to above, as well as to obtain funding from any other source, and to recover by legal process monies due by any of the above.~~
- 8.15. To contribute or subscribe to bodies with aims similar to the aims of **DRESSAGE SA**, and invest monies upon such security and in such manner as it may from time to time determine.
- 8.16. To borrow and guarantee or otherwise secure the repayment of money in such manner and in such terms as it may think fit.
- 8.17. To make and pass policies, rules, by-laws or regulations and to add to, repeal or alter such rules, by-laws or regulations, with or without penalties for the carrying out, administration and implementation of this Constitution and the attainment of the objects of **DRESSAGE SA**.
- 8.18. To impose fines, to suspend for a period of time, to ban and/or implement any other disciplinary measures on its Members or former Members or on any DRESSAGE Athlete or club or association or organisation connected or concerned with DRESSAGE arising out of or connected with any contravention or breach of the provisions of this Constitution or any rule, policy, by-law or regulation passed by Dressage Council, including those of FEI, SAIDS, SASCO and WADA Anti-Doping Code and recover by legal action or otherwise such fines or compulsory contributions or damages from its Members or former Members. Without in any way limiting the generality of the foregoing, **DRESSAGE SA** shall have the power to suspend or ban any DRESSAGE Athlete, Judge, Coach or Member ~~or Club~~ from participating in any championship or event.
- 8.19. To take all such action as may be required or necessary to enforce fully and effectively all obligations of whatsoever nature and howsoever arising which may be owed to **DRESSAGE SA** by its Members, former Members or any other persons or body.
- 8.20. **DRESSAGE SA** shall establish a financial reserve equal to the 25% of the average expenditure of the previous three financial years, and such reserve shall be topped up annually. ~~The reserve shall be established within four years of the signature of this Constitution.~~ Such reserve shall be used only in instances where there is an urgent need of funds, but it shall not be accessed if **DRESSAGE SA** is of the view that it will cease to be a going concern, whether or not it uses such reserve.

9. MEMBERSHIP AND TERMINATION OF MEMBERSHIP

- 9.1. Any Association which wishes to become an Associate Member of **DRESSAGE SA** shall apply in writing to Dressage Council to be admitted as an Associate Member and shall furnish a

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

copy of its constitution and all such information as Dressage Council may require in order to decide upon its application.

- 9.2. No Association shall be admitted to membership of **DRESSAGE SA** unless Dressage Council is satisfied that the constitution of such Association substantially complies with the requirements. ~~contained in Schedule Two hereto.~~
- 9.3. In deciding whether or not to admit a new Association as an Associate Member, Dressage Council shall have regard to such factors as it considers relevant including the number of clubs and DRESSAGE Athletes within the jurisdiction of the applicant, clubs run by the applicant, and whether or not the applicant and the clubs within its jurisdiction are committed to the scheme in terms of which levies are paid to **DRESSAGE SA**.
- 9.4. Dressage Council's decision to admit or refuse any application for membership shall be referred to the next meeting of the Council for ratification.
- 9.5. Associate Members shall agree upon and define their geographic areas of jurisdiction provided that in the event of dispute and failure to reach agreement such areas of jurisdiction shall be defined by Dressage Council and shall comply mutatis mutandis with the SAEF constitution.
- 9.6. The right of each existing and future Member to have one or more representative teams participate in the various events and championships which are held or staged under the auspices of **DRESSAGE SA** shall be determined by Dressage Council, which may vary such rights from time to time.
- 9.7. Any Member other than an ordinary member which ceases to operate a viable structure as defined in this Constitution and may ipso facto be suspended from membership and the Council shall decide at its next ordinary meeting whether the membership of such member should be terminated.
- 9.8. ~~Any member of any classification may, at any time, tender their resignation from **DRESSAGE SA**. Such member must give notice by not later than 30 November of each year. Any member so resigning shall continue to be liable for any monies due and owing by such member, to **DRESSAGE SA** at the date of their resignation.~~

10. VOTING RIGHTS

- 10.1. The voting rights set out in this clause shall apply in respect of any and all meetings of the Council.
- 10.2. The President, Vice-President and Treasurer shall each have 1 (one) vote, however the President shall have a deliberate as well as a casting vote.
- 10.3. Ordinary Members shall each have 1 (one) vote.
- 10.4. The Athletes Representative shall each have 1 (one) vote.
- 10.5. Associate Members shall each have 1 (one) vote.
- 10.6. Honorary Life Members may only vote in connection with any motion to terminate the Membership of any Honorary Life Member, and shall each have 1 (one) vote
- 10.7. Only Members whose are personally present or online or in their absence, have their duly appointed representatives present at the meeting concerned shall have the right to vote.

- 10.8. Each Voting Member as set out in 10.2, 10.3, 10.4 and will be entitled to in their absence, nominate one representative to attend and to vote at any **AGM**, **SGM** and **OGM**. Such representative nominations shall be in writing, in the format specified for such a meeting, duly signed and addressed to the President of **Dressage SA** and must be received by the National Office ~~not less than 48 (forty-eight) hours~~ prior to the time for the commencement of that meeting.

11. ANNUAL GENERAL MEETING ("AGM")

- 11.1. An **AGM** shall be held once in every year provided that not more than fifteen months shall elapse between one **AGM** and the next.
- 11.2. The EXCO shall decide the date, time and place on which each **AGM** shall be held, provided that unless there is good reason to the contrary, it shall be held at a venue or online platform to be determined by the EXCO or at such other place as EXCO may determine and that the **AGM** is held in within 3 (three) months from the *end* of the financial year.
- 11.3. The following persons shall be entitled to attend and speak at the **AGM**:
- 11.3.1. All members of Dressage Council
- 11.3.2. Not more than 1 (one) representative of each ordinary Member, 1 (one) representative of the Athletes Representative, and not more than 1 (one) representative of the Associate Members.
- ~~11.3.3. The Patrons~~
- 11.3.4. All Honorary Life Members
- 11.3.5. Any other person who may be invited by Dressage Council to do so.
- 11.4. The business to be transacted at an **AGM** shall be:
- 11.4.1. To read the notice convening the Meeting
- 11.4.2. To confirm the Minutes of the previous **AGM** and **SGM's** and to consider any matters arising therefrom
- 11.4.3. To receive and consider the Annual Report of the President, for the period since the date of the previous **AGM**
- 11.4.4. To adopt with or without modification, the audited Annual Financial Statements for the period since the date of the previous **AGM**, provided that if not so adopted, the Annual Financial Statements shall stand for consideration and adoption, with or without modification, or rejection by the Council at an **SGM**, **OGM** or by the Dressage Council as per the decision of the **AGM**
- 11.4.5. To appoint the auditors of **DRESSAGE SA** to hold office until the next **AGM**, provided that if not so appointed, the appointment of the auditors shall stand for consideration and appointment, or rejection by the Council at an **SGM**, **OGM** or by the Dressage Council as per the decision of the **AGM**.
- 11.4.6. To consider and to adopt with or without modification, or to reject any recommendations of Dressage Council

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 11.4.7. To consider all nominations by Dressage Council of persons to be ~~Patrons~~ or Honorary Life Members and to accept or to reject any such recommendation or nomination
- 11.4.8. To elect the Dressage Council in terms of this constitution. ~~clause 15 as read with clause Error! Reference source not found. which will be done by an appointed member of SAEF or SASCOG.~~
- 11.4.9. To discuss and consider any matter of which 15 (fifteen) days written notice has been given.
- 11.5. Notice of a non-electoral ~~of each~~ **AGM** shall be sent to all the Members, Members of Dressage Council, ~~Patrons~~ and Honorary Life Members not less than 30 (thirty) calendar days prior to the date of the **AGM**.
- 11.6. Not less than ~~15 (fifteen)~~ 14 (fourteen) calendar days prior to the date of any **AGM**, copies of the Agenda for that **AGM** and the Annual Financial Statements for the financial year preceding the date of the **AGM** shall be disseminated to all Members, ~~Patrons~~ and Honorary Life Members ~~by post, and/or by hand, and/or by fax, and/or by electronic~~ means mail.

12. SPECIAL GENERAL MEETINGS ("SGM's")

- 12.1. An **SGM** of Members shall be convened:
 - 12.1.1. By resolution of Dressage Council, or
 - 12.1.2. By resolution of the EXCO, or
 - 12.1.3. Upon the written requisition of not less than 50% (fifty per centum) plus 1 (one) Ordinary Members, in good standing, addressed to the President and delivered to the National Office provided that such written requisition shall state the exclusive purpose for which the **SGM** is to be called and the text of the motion to be put to the meeting.
- 12.2. Within 14 (fourteen) calendar days after receipt of the resolution or requisition referred to in sub-clause 12.1.3, the President shall send written notification to all Members, which notice shall specify the time, date and place or online platform of the **SGM**, which time, date and place or online platform shall have been determined by EXCO provided that the date shall not be ~~less~~ more than 21 (twenty-one) calendar days and not ~~more~~ less than 7 (seven) calendar days after the date of posting dissemination of the notification, together with written notification of the purpose of and measures to be transacted at the **SGM** and the text of motions to be put to and considered by the meeting.
- 12.3. No business other than that stated in the notification, referred to in sub-clause 12.2, shall be transacted at the **SGM**.
- 12.4. Only the persons referred to in 11.3 as in an **AGM** shall be entitled to attend and speak at the **SGM**'s.

13. ORDINARY GENERAL MEETINGS ("OGM's")

- 13.1. An **OGM** of Members shall be convened:
 - 13.1.1. By resolution of Dressage Council, or
 - 13.1.2. By resolution of the EXCO

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 13.2. An **OGM** of the Council shall be held on such date and at such place or online platform as the EXCO shall determine ~~provided that~~ unless there are good reasons to the contrary.
- 13.3. The following persons shall be eligible to attend and speak at meetings of the Council:
- 13.3.1. All the persons referred to in clause 11.3 save those referred to in sub- clauses 13.4.
- 13.4. Notwithstanding anything to the contrary herein, no Honorary Life Member ~~or Patron~~ shall be entitled to attend or speak at the **OGM** but may do so upon the invitation of Dressage Council.
- 13.5. Notice of any **OGM** of the Council shall be sent to Ordinary, ~~Special~~ and Associate Members not less than 21 (twenty-one) calendar days before the date of such meeting which notice shall be accompanied by a proposed agenda as recommended by EXCO.
- 13.6. The text of any motion which any Member wishes to be put to and considered by any **OGM** shall be received not less than ~~15 (fifteen)~~ 14 (fourteen) calendar days prior to the date of such meeting by the National Office who shall disseminate it by ~~post and /or by hand, and/or by fax, and/or by electronic means mail~~, together with the final agenda to all Ordinary Members, ~~Special Member~~ and Associate Members, not less than ~~10~~ 7 (seven) calendar days prior to such date.
- 13.7. The business to be transacted at the **OGM** shall be:
- 13.7.1. to read the notice convening the meeting;
- 13.7.2. to table and confirm, with or without amendments, or to reject the minutes of the previous **OGM** as the case may be, as well as the minutes of any **SGM** held in the interim, and to consider any matters arising therefrom;
- 13.7.3. to consider and to adopt, with or without modification, or to reject, any Resolution of which due notice has been given;
- 13.7.4. to consider and to adopt with or without modification or to reject the budget for the ensuing year which shall have been prepared by the Treasurer and considered and recommended to the Dressage Council by the EXCO;
- 13.7.5. no resolution which has the effect of creating, amending or repealing a by-law, policy, regulation or standing rule shall be binding unless the notice thereof has been given in terms of 13.5 hereof or such resolution has been ratified at the next EXCO meeting.

14. GENERAL PROVISIONS RELATING TO AGM's, OGM's AND SGM's.

- 14.1. The following provisions shall apply to all **AGM's**, **OGM's** and **SGM's**.
- 14.1.1. **AGM's**, **OGM's** and **SGM's** shall, subject to the terms of this constitution, be held at such time and place or online platform as shall be decided by Dressage Council or the EXCO.
- 14.1.2. The chairperson of any **AGM**, **OGM**, or **SGM** shall be the President or in his or her absence the Vice-President, or in his or her absence such other person as shall be

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

elected for that purpose by the Members or the representative of the Members present at the Meeting and entitled to vote.

- 14.1.3. Each member of Dressage Council shall have 1 (one) vote as per 10.1 above and the Chairperson of any meeting shall have 1 (one) vote second or casting vote, only in the event of an equality of votes.
- 14.1.4. A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Ordinary Members in good standing.
- 14.1.5. If a quorum shall not be present at the place of the meeting within 30 (thirty) minutes after the time set for commencement of the meeting, or if the Member is not present during the meeting, until the proceedings have been duly declared to have been concluded so by the Chairman, the meeting if convened upon the requisition of Ordinary Members, shall be dissolved; in any other case, it shall stand adjourned to a date not earlier than ~~5 (five)~~ 7 (seven) calendar days and not later than ~~15 (fifteen)~~ 14 (fourteen) calendar days after the date of that meeting, and, at such adjourned meeting the Ordinary, Special and Associate Members that are present or their representatives that are present and entitled to vote, shall constitute a quorum and may transact the business of that meeting.
- 14.1.6. Where a meeting has been adjourned as aforesaid, the President shall, upon a date not later than 3 (three) calendar days after the adjournment disseminate a written notice to each Member stating:
 - 14.1.6.1. the date, time and place or online platform to which the meeting is adjourned;
 - 14.1.6.2. the matter before the meeting, when it was adjourned;
 - 14.1.6.3. the outstanding items still on the agenda at the time of adjournment;
 - 14.1.6.4. the grounds for the adjournment; which notice shall have been settled by the President.
- 14.1.7. Voting shall be on a show of hands unless a poll be demanded by Members or representatives of Members, of not less than 40% (forty per centum) of Members and representatives, entitled to vote, and in such event, the poll shall be conducted in such manner as the Chairperson of the meeting shall decide.

15. DRESSAGE COUNCIL

- 15.1. Subject to the terms of this Constitution the Dressage Council shall be the highest authority of **DRESSAGE SA** and shall determine its policy, decide upon its budget and give directives to the EXCO.
- 15.2. The Dressage Council shall consist of the following persons:
 - 15.2.1. The President, who takes overall responsibility for the running of DRESSAGE SA
 - 15.2.2. The Vice-President with or without a portfolio, who will be supportive to the President and stand in for the President in his or her absence.
 - 15.2.3. The Treasurer, who shall be an Ex-Officio member and will be responsible for the overall running of the financial affairs of DRESSAGE SA and adhere to all the laws of the Country

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

and good governance.

- 15.2.4. ~~9 (nine) members made up of a~~ The chairman Presidents of each of the provincial structures referred to under article 7.1.
- 15.2.5. The Athletes Representative ~~who~~ shall be an Ex-Officio member and ~~the only Special Member~~ entitled to vote. The athletes representative communicates the will of the provincial athletes representatives on council.
- ~~15.2.6. Other Special Members with no voting rights.~~
- 15.2.7. The CEO (if appointed) who shall be an Ex-Officio Member, with no voting rights
- 15.2.8. Provided that at no stage shall there be less than 5 (five) women who shall occupy the positions referred to above.
- 15.2.9. ~~Minimum of 5 (five) and Maximum of 9 (Nine)~~ 8 (eight) members holding the following portfolios. The Provincial chairman President may not hold one of the following portfolios.
- 15.2.9.1. Development and Transformation
 - 15.2.9.2. Technical Portfolio
 - 15.2.9.3. Judges and Officials
 - 15.2.9.4. Legal and Administration Portfolio
 - 15.2.9.5. International Affairs
 - 15.2.9.6. Venue and Schedules
 - 15.2.9.7. Marketing and Communications Advertising
 - 15.2.9.8. Para-Dressage
 - 15.2.9.9. ~~Liaison, Public Relations and Communications~~
- 15.2.10. **DRESSAGE SA** shall have the right to appoint, where needed, the following sub-committees, or distribute the portfolio among the members of Dressage Council.
- 15.2.10.1. National Selection Committee
 - 15.2.10.2. National Judges Committee
 - 15.2.10.3. National Disciplinary Committee
- 15.2.11. Any individual who is a Provincial President of SAEF may not at the same time be a member of the Dressage Council.
- 15.3. Dressage Council Meetings shall be deemed to be validly constituted notwithstanding the fact that at any time there are no fewer than 2 (two) women as members thereof.
- 15.4. Dressage Council may co-opt other persons as members in order to discharge specific functions provided that no co-opted member shall have a vote and provided further that although the

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

predominant criterion for co-option shall always be merit, Dressage Council shall, as far as possible, seek to preserve a balance of men and women members.

- 15.5. Members of Dressage Council shall vote on all resolutions by a show of hands.
- 15.6. Members of Dressage Council shall decide on all matters by a simple majority vote.
- 15.7. Each member of Dressage Council shall have 1 (one) vote, and the President of any meeting of Dressage Council shall have a second or casting vote, in the event of an equality of votes, save and except at an Elective Annual General Meeting where the DRESSAGE COUNCIL shall have no vote after item 11.4.7 of the AGM's Agenda.
- 15.8. The chairperson of any meeting of Dressage Council shall be the President, or in his or her absence the Vice-President, or in his or her absence such other Member of Dressage Council as shall have been appointed at that meeting by the Members of Dressage Council present and entitled to vote.
- 15.9. ~~No person may serve for more than 5 (five) consecutive years as President nor may any person serve for more than 5 (five) consecutive years as Vice-President.~~ The elected members of Council shall be elected and shall hold office for a term of four (4) years but shall not be entitled to serve for longer than three (3) successive terms (12 years) in a single elected position or four (4) successive terms (16 years) in combined positions. Save as aforesaid, all members shall be eligible for re-election.
- 15.10. Dressage Council shall meet not less than twice (2 times) per annum.
 - 15.10.1. A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Ordinary Members in good standing.
 - 15.10.2. Should there is not a quorum present at the appointed time and place or online platform for any meeting of Dressage Council or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the chairperson of that meeting to have been concluded, such meeting shall stand adjourned until a date, time and place or online platform to be determined by those members of Dressage Council who are present at that meeting provided that such date shall not be less than 7 (seven) more than 10 calendar days or more than 14 (fourteen) days after such meeting; and at such adjourned meeting those members of Dressage Council present and entitled to vote shall constitute a quorum and may transact the business of that meeting.
- 15.11. The President shall, by such means as is most expedient and by such means as appears most appropriate in the circumstances, inform those members of Dressage Council who were not present at the meeting of the date, time and place or online platform to which the meeting has been adjourned.
- 15.12. Except where otherwise stated herein and subject to the provisions of this constitution, Dressage Council shall be vested generally with all such powers and authorities as are necessary to promote and attain the objects of **DRESSAGE SA** and, without in any way limiting the generality of the foregoing, Dressage Council shall have all such powers and authorities as are necessary to carry out the duties and functions referred to in paragraph 15.16.
- 15.13. Dressage Council shall control all expenditure of the funds of the Association and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of the

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

Association.

- 15.14. No ~~cheque or promissory note drawn~~ financial transaction on behalf of **DRESSAGE SA** shall be valid unless signed authorised by any 2 (two) of the President, the Vice-President, the Treasurer, the CEO , or any other employee of **DRESSAGE SA** who has been authorised by Dressage Council to have signing powers provided that it shall not be competent for the two signatures to be those employees of **DRESSAGE SA**, whether or not one of them is that of the CEO.
- 15.15. Dressage Council shall be entitled to make any regulations, policies and by- laws and all such policies, by-laws or regulations necessary to promote the aims and objects of the Association and shall be binding upon members. Such regulations, policies and by-laws shall take effect as prescribed and further shall be ratified at the next **OGM** or **AGM**.
- 15.16. Dressage Council may delegate the exercise of any of its powers and functions to one of its Members or to a sub-committee of **DRESSAGE SA**.
- 15.17. In addition to the foregoing, Dressage Council shall:
- 15.17.1. undertake and perform all such duties and functions as shall be decided by the Council;
 - 15.17.2. consider and, if thought fit, approve the separate constitutions, by- laws, rules, policies and regulations of each Member, and any amendments or alterations thereto;
 - 15.17.3. generally undertake and perform all such duties and obligations as are reasonably required to achieve the objects of **DRESSAGE SA**, and to implement the policies to be followed by **DRESSAGE SA**;
 - 15.17.4. formulate recommendations and resolutions for the consideration of the Council and to prepare the agenda for Council meetings;
 - 15.17.5. subject to the provisions of the Constitution, make, amend, vary, repeal and enforce rules, by-laws, policies and regulations;
 - 15.17.6. conduct disciplinary proceedings in respect of any infringement of this constitution or the by-laws, policies, rules or regulations or any agreement between any participant and **DRESSAGE SA** or the rules of the sport and to impose sanctions whether by way of fines, or suspension or banning/ exclusion from participating in any championships, event or event held or being conducted under the auspices of **DRESSAGE SA** or the activities of **DRESSAGE SA** or by way of withdrawing monies for which any person would otherwise be eligible. For the purposes of this Constitution, all Dressage events and championships of whatsoever nature organised and/or run by Members of **DRESSAGE SA** shall be deemed to be under the auspices of **DRESSAGE SA**;
 - 15.17.7. impose and collect levies, subscriptions, dues and imposts;
 - 15.17.8. arrange, control, regulate and promote events, championships and any other forms of competition;
 - 15.17.9. employ any person upon such terms and conditions as shall be decided and, when considered necessary or desirable, terminate the employment of any such person. In

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

particular, Dressage Council may from time to time appoint a suitable person to act as the CEO of **DRESSAGE SA** and shall determine his or her powers, duties, remuneration and privileges. Such person shall be an ex officio member of the Dressage Council with no voting rights at any Dressage Council or general meetings.;

- 15.17.10. decide upon and resolve any dispute between any Members, and/or Club, and/or persons who are members of such clubs;
- 15.17.11. subject to 7.1 above, determine the area/s or jurisdiction of Members and vary or alter such areas from time to time when necessary;
- 15.17.12. co-opt any person to Dressage Council as may be required to achieve the objects of **DRESSAGE SA** or fulfil any purpose incidental thereto;
- 15.17.13. form sub-committees, consisting of one or more persons, for any purpose incidental to the objects and powers of **DRESSAGE SA** and, subject to the constitution, by-laws, policies, rules and regulations, delegate such of its powers to such sub-committees as may be required;
- 15.17.14. appoint special advisers and consultants, for any purposes, and terminate such appointment/s;
- 15.17.15. accept or reject any application for membership subject to ratification by the Council.
- 15.17.16. open accounts with any recognised commercial banking or financial institution and invest any funds of **DRESSAGE SA** and pay any such funds to any person (natural, corporate or otherwise) who has a valid claim for payment against **DRESSAGE SA**;
- 15.17.17. recommend the criteria for the awarding of National Colours and appoint National Selectors for the selecting of teams which may be recommended for such awards by SASCO.
- 15.17.18. To appoint and empower the EXCO of the Dressage Council to form an effective body to run the day to day affairs of the association and to either ratify or reject all resolutions passed by the EXCO in a reasonable period of time.
- 15.17.19. ensure that full and proper books of accounts are kept in accordance with sound accounting principles;
- 15.17.20. ensure that the said books of account and all records of **DRESSAGE SA**'s finances and assets are duly audited each year as soon as is practicable after the financial year end of **DRESSAGE SA** which shall be 31 December of each year and that annual financial statements are prepared;
- 15.17.21. deal with any question or issue arising out of or relating to or incidental to non-racialism as described in the schedule one hereto;
- 15.17.22. deal with any question or issue arising out of or relating to or incidental to non-sexism or discrimination on any grounds as referred to in this Constitution.
- 15.17.23. Actively manage Development and Transformation and to address any question or issue or matter concerning or incidental to development and transformation including budgeting for and expenditure on development and transformation;

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 15.17.24. approve the employment and termination of employment of staff by **DRESSAGE SA** including all matters incidental thereto and the review from time to time of all existing contracts of employment of staff and all matters incidental thereto;
- 15.17.25. decide any question, issue or matter relating to logo's emblems, colours, or anthems for **DRESSAGE SA**;
- 15.17.26. make recommendations on any question or issue relating to the affiliation to or disaffiliation from any macro or other body;
- 15.17.27. decide any question or issue relating to the use of DRESSAGE facilities and/or other facilities incidental thereto and/or the standard thereof;
- 15.18. Dressage Council's jurisdiction shall not be limited to dealing with such matters as are referred to it but shall include the power and capacity to be pro-active and initiate such enquiries and/or take such steps as Dressage Council seems fit.
- 15.19. It is recognised that it is desirable for all provincial bodies themselves to negotiate and achieve unified provincial bodies. ~~Notwithstanding this, Dressage Council shall have the right and power to be pro-active and to take such steps as it may to facilitate unity as may seem fit to ensure that any difficulties or problems in the way of unity in any province shall be overcome.~~
- 15.20. Any member of Dressage Council who, without having first obtained leave of absence from Dressage Council, shall otherwise than in circumstances beyond his or her control, not attend 3 (three) consecutive meetings of Dressage Council, of which ~~meetings~~ due notice has been given, shall be deemed to have resigned from Dressage Council.
- 15.21. No member of Dressage Council shall be entitled to any remuneration, but all members of Dressage Council shall be entitled to be refunded any disbursement incurred by any such member in fulfilling any duties or functions as shall be approved in advance by the Dressage Council.
- 15.22. The CEO if appointed by Dressage Council, and shall:
 - 15.22.1. Represent as an Ex-Officio member of the Dressage Council Committee with no voting rights
 - 15.22.2. Send to all Members, and to all members of Dressage Council:
 - 15.22.2.1. Written notification of all meetings of Dressage Council (excluding emergency meetings), and the proposed Agenda, not less than ~~21~~ **7 (seven)** (five) calendar days prior to the date of the proposed meeting.
 - 15.22.2.2. Copies of the minutes and resolutions of all meetings of Dressage Council, within 14 (fourteen) calendar days after the date of the relevant meeting.
- 15.23. Any Member, of any classification, shall be entitled to have a representative attend and speak, at any meeting of Dressage Council; provided such Member shall have submitted written notification to the President of such intention and the full details of any matter such member is desirous of raising at such Meeting, not less than ~~10 (ten)~~ **7 (seven)** calendar days prior to the date of such meeting.

16. ELECTION OF THE PRESIDENT, VICE-PRESIDENT, TREASURER AND THE OTHER MEMBERS OF DRESSAGE COUNCIL

- 16.1. Every member in good standing with a club where they reside, and in good standing with **DRESSAGE SA and SAEF** ~~their Provincial Discipline Association, and in good standing with this Discipline Association and in good standing with the National Sport Federation~~ shall be entitled to nominate 1 (one) person for election as President, 1 (one) person for election as Vice-President, 1 (one) person for election as Treasurer and 1 (one) person for election for each portfolio as referred to in clause 15.2.9.
- 16.2. Every member proposing a nomination, accepting such a nomination or casting a vote shall be over the age of 18.
- 16.3. ~~Each ordinary member as referred to in clause 7.1.1 as well as the National Athletes Representative shall appoint one representative to serve as its authorised representative on the Dressage SA Council. Such an authorised representative must reside and be a member of a club within the Province of the ordinary member that they represent except in the case of the National Athletes Representative.~~
- 16.4. ~~The DRESSAGE Representative of the Special Member shall be elected at a meeting of the Special Member.~~
- 16.5. Each nomination shall be in writing and shall be signed by the nominee to indicate his or her acceptance of the nomination. All nomination forms must be signed off by either the Provincial President, Provincial Vice President or Provincial Secretary in the province of the nominee's residence **and an authorised representative of the** club on the nomination form in the position indicated as the seconding signature position. The nominee must also sign the form accepting the nomination.
- 16.6. It shall be permissible for the same person to be nominated for more than one office/position. Should a person nominated be elected for the highest position of all other nominated positions, then all other nominated positions shall fall away. Should he/she not be elected for the highest position nominated for election such a member continues down the line of nominated positions.
- 16.7. A valid nomination for any of the posts referred to in sub-paragraphs 15.2.1 to 15.2.3 inclusive and 15.2.7 shall, in the event of the nominee being defeated in an election for the post concerned, be deemed to be a valid nomination for election as a member with portfolio in terms of sub-paragraph 15.2.9.
- 16.8. In the event of the nominee being elected to one of the posts referred to in sub- paragraph 15.2.9 and appointed as a representative of an ordinary member, the nominee shall be entitled to 1(one) vote on the Dressage council.
- 16.9. The following timelines and procedures will be strictly enforced with regard to the election process:
 - 16.9.1. No less than 60 (Sixty) days before the election date the Secretary shall:
 - 16.9.1.1. Send notification to every member who shall distribute to such a notice to all clubs and **DRESSAGE SA EXCO** informing them of the date, time and venue of elections meeting.
 - 16.9.1.2. Advise them who the appointed electoral officer will be. ~~(This must be a member of the National Sport Federation EXCO)~~

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

- 16.9.1.3. Call for the nominations for each of the positions to be filled during the elections and issue a nomination template as determined by the **DRESSAGE SA EXCO**. Correctly signed and completed nomination forms must be returned to the appointed electoral officer and the National Sport Federation Secretary General no later than 30(Thirty) days from the date on which the elections are announced.
- 16.9.2. No less than 25 (Twenty-Five) days before elections the electoral officer shall return all received nominations forms after verification to the Secretary of **DRESSAGE SA** for distribution amongst members stating who the candidates for elections are and what positions they have been nominated for, in order to obtain mandates on who to vote for.
- 16.10. Only Ordinary Members ~~Presidents (or their fully authorised representative) of the Discipline Provincial Association~~ may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total active PROVINCES shall be present.
- 16.11. It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive.
- 16.12. Majority votes recorded shall establish the elected person. Only in the event of an equality of votes, shall three Provincial council representatives present at the meeting, jointly have a second or casting vote which they may exercise repeatedly until a clear majority is achieved. The three Provincial representatives will be selected on the basis their rankings based on the highest number of adult athletes registered in their prospective provinces.
- 16.13. If no nominations are received for the election of the President or the Vice- President, or both, the President or the Vice-President, shall continue in office, if available, until the next **AGM**; failing which at the first meeting of Dressage Council after that **AGM**, the members of Dressage Council shall elect a person to act as the President or the Vice-President, or both until a President or Vice- President, as the case may be, is duly elected at an Ordinary General Meeting of the Council.
- 16.14. The retiring President, the retiring Vice-President and the retiring Treasurer shall be eligible for re-election without nomination, provided the EXCO shall have received written notification from such persons of their willingness to continue in office, if re-elected.
- 16.15. If there is more than one nomination for any of the posts of President, Vice- President and Treasurer then such posts shall be elected separately by ballot, such elections to be held in the sequence aforesaid.
- 16.16. **DRESSAGE SA promotes racial and gender equality.** ~~If the number of men thus nominated plus those elected to one or more of the posts referred to in sub paragraphs 15.2.1 to 15.2.3 inclusive and 15.2.7 is two or fewer, then the men thus nominated shall be deemed to be elected and there shall be a ballot only in respect of the remaining vacancies.~~
- 16.17. ~~If the number of women thus nominated plus those elected to one or more of the posts referred to in sub paragraphs 15.2.1 to 15.2.3 inclusive and 15.2.7 is two or fewer, then the women thus nominated shall be deemed to be elected and there shall be a ballot only in respect of the remaining vacancies.~~
- 16.18. ~~If the number of persons thus nominated is such that, together with those elected to the specific posts referred to in sub paragraphs 15.2.1 to 15.2.3 inclusive, the number of men exceeds two~~

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

~~and the number of women exceed two, then there shall be a ballot in respect of all nominees~~

~~16.18.1. until there is a total of three men elected to Dressage Council, those men who receive the highest number of votes amongst the men candidates shall be deemed to be elected;~~

~~16.18.2. likewise, until there is a total of two (2) women elected to EXCO those women who receive the highest number of votes amongst the women candidates shall be deemed to be elected.~~

~~16.18.3. thereafter the remaining positions on Dressage Council shall be filled by the candidates who have received the highest number of votes irrespective of the gender of the candidates.~~

16.19. Each person who votes shall record a vote for not more and not less than the number of vacancies.

16.20. All members of Dressage Council shall hold office from the date of the AGM in which they were elected until the date of the next electoral AGM ~~after the next AGM in which they were first elected to office subject to the provisions of clause 16.4~~

16.21. ~~No member of Dressage Council shall represent any Member, of any classification, at any meeting of DRESSAGE SA or Dressage Council other than as specified in 16.8.~~

17. EXECUTIVE COMMITTEE ("EXCO")

17.1. The Dressage Council will appoint an Executive Committee at an **AGM, SGM or OGM**, comprising of:

17.1.1. The President, and/or Vice-President, and/or Treasurer

17.1.2. Between One (1) and Four (4) Ordinary Members of Dressage Council inclusive of the of the Athletes Representative

17.1.3. The CEO, if one is appointed

17.2. The EXCO shall meet at least 10 (ten) times a year.

17.3. The EXCO ~~with the support of the Discipline Commissions referred to above,~~ will function as the decision-making body around policy matters and shall be empowered to take decisions and to immediately undertake any action required in the interests of DRESSAGE SA. ~~by given events as stipulated in Part 2 (Roles & Responsibilities of Dressage Council Members, Commissions and Committee Members) of the Rules and Regulations of DRESSAGE SA.~~

17.4. The EXCO shall appoint an independent Disciplinary Committee to deal with all disciplinary matters relating to the Membership and/or their individual members.

17.5. The President may call on any member of Dressage Council to attend a EXCO Meeting.

17.6. The minutes of the EXCO Meetings must be distributed to all members of Dressage Council.

17.7. ~~Each Ordinary Member and Special Member shall elect a representative to serve on the under mentioned Committees. These committees are, but will not be limited to:~~

~~17.7.1. Development and Transformation Committee~~

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

~~17.7.2. International Affairs Committee~~

~~17.7.3. Marketing, Public Relations Committee~~

~~17.7.4. Events, Schedules, Venues and Competitions Committee~~

~~17.7.5. Technical Committee~~

17.8. ~~The roles and responsibilities of Committee Members will be defined in Part 2 of the Rules and Regulations of **DRESSAGE SA**.~~

17.9. The membership and representation of each sub-committee shall be decided and approved by the EXCO. Dressage Council.

17.10. Each sub-committee shall, subject to the provisions of this Constitution and to the policies, by-laws, rules and regulations of **DRESSAGE SA**, perform such duties and functions as are delegated to it by the EXCO Dressage Council.

17.11. ~~The powers and authority of each standing sub-committee shall be as set out in the by-laws, policies, rules and regulations of **DRESSAGE SA**, provided that Dressage Council may by resolution add to or subtract there from.~~

17.12. It is specifically recorded that any Head of a Commission in ~~any discipline~~ Dressage shall not be entitled to occupy such position in the event of such person having a financial interest in a business venture connected to the Sport of DRESSAGE unless it has been declared and accepted by Dressage Council.

18. ASSOCIATE MEMBERS

18.1. Any association or organisation which wishes to become an Associate Member of **DRESSAGE SA** shall apply in writing to Dressage Council to be admitted as such and shall furnish a copy of its constitution and all such information as Dressage Council may require to decide upon its application.

18.2. Dressage Council may in its discretion admit any such association or organisation as an Associate Member upon such terms and conditions including terms and conditions as to the payment of subscriptions as Dressage Council or EXCO may consider fit.

18.3. Any decision by Dressage Council or EXCO in respect of the advance of an application for Associate Membership shall be referred to the next **OGM** of the Council for ratification and shall not be binding until so ratified.

18.4. Notwithstanding anything else herein contained it shall be competent for Dressage Council, with the ratification of the Council, to create quasi-independent and quasi-autonomous bodies or associations having their own constitutions and members for the purpose of better achieving any of the objects of **DRESSAGE SA**. The constitution, by-laws, policies and regulations of such bodies or associations shall at all times be subject to the approval and ratification of **DRESSAGE SA** which shall at all times have the power to dissolve and/or withdraw recognition of any such body or association.

19. HONORARY LIFE MEMBERS

19.1. Dressage Council shall, from time to time, nominate any person who has rendered notable and

CONSTITUTION OF DRESSAGE SOUTH AFRICA

As adopted on

meritorious service to **DRESSAGE SA** and/or in the promotion of the sport of DRESSAGE and whom it wishes to recognise and honour as an Honorary Life Member which nomination shall be presented to the Council for ratification at the next **AGM** or **OGM** and, if ratified by the Council, such person shall become an Honorary Life Member and shall enjoy the rights and privileges namely to attend the **AGM**, to receive advance notice and to make preferential bookings in respect of any event or championship held under the auspices of **DRESSAGE SA**.

- 19.2. All past presidents of **DRESSAGE SA** may become an Honorary Life Member of **DRESSAGE SA** if so nominated and such appointment is ratified at an **AGM** or **OGM**.

20. PATRON

- 20.1. ~~Dressage Council may from time to time nominate any person whom Dressage Council considers to be fit and desirable to be a Patron of **DRESSAGE SA** which nomination shall be presented for ratification at the next **AGM** or **OGM** and, if ratified by the Council, such person shall become a Patron of **DRESSAGE SA**.~~
- 20.2. ~~Patrons shall enjoy the same rights and privileges as are enjoyed by Honorary Life Members together with such further rights and privileges as are decided upon by Dressage Council from time to time.~~

21. LIMITATION OF LIABILITY OF MEMBERS INDEMNITY

- 21.1. The liability of any Member, of any classification, is limited exclusively to the sum of any monies then due and payable by such Member to **DRESSAGE SA**, by way of subscription or otherwise howsoever.
- 21.2. ~~The Patrons, the President, the Vice-President, the Directors, all members of Dressage Council, the Treasurer, all officials, servants, agents and persons (natural, corporate or otherwise) acting on behalf of **DRESSAGE SA**, in terms of this Constitution and under delegated powers from the Members in General or EXCO Meetings or from Dressage Council, shall be and they are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties for and on behalf of **DRESSAGE SA**, from whatever cause arising, provided such person/s acted in good faith.~~

22. ALTERATION OR VARIATION OF THIS CONSTITUTION

- 22.1. This Constitution may be altered or varied, at any time, by the Members in a General Meeting, upon a majority vote of not less than 75% (seventy-five percentum) of the total votes of the Members, who are present in person or by representative and entitled to vote at that time, provided not less than 21 (twenty-one) calendar days written notification of such Meeting is given, together with a copy of a proposed resolution/s.

23. NOTIFICATION

- 23.1. ~~For the purposes of this Constitution, all notifications by **DRESSAGE SA** to any person or any Member, Honorary Life Member or Patron shall, unless delivered by hand, be effective from the date of dissemination by post, and/or by hand, and/or by fax, and/or by electronic mail to the last known postal address or email address of such Member/s, by any official of **DRESSAGE SA**; but all~~
- 23.2. ~~notifications to **DRESSAGE SA** by any person (natural, corporate or otherwise) or any such Member shall only be effective from the date of receipt thereof by the President or Vice-President. In no respects shall any postal authority be, or be deemed to be, the agent of **DRESSAGE SA**.~~

24. INTERPRETATION OF THIS CONSTITUTION

- 24.1. Any disputes arising out of or in connection with the enforceability of this constitution or the application and interpretation of the provisions thereof or any dispute between **DRESSAGE SA** and another national sports federation, or between a member of the Dressage Council and Dressage Council or between Dressage Council and a Member or individual shall be referred to SAEF who may refer the matter to SASCOC or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

25. DISSOLUTION OR WINDING UP OF DRESSAGE SA

- 25.1. **DRESSAGE SA** may be dissolved or wound-up, at any time, by the Members in General Meeting, upon a majority vote of not less than 75% (seventy-five per centum) of the total votes of the Members, who are present in person or by representative and entitled to vote at that time, provided not less than 21 (twenty-one) calendar days written notification of such Meeting is given and of any resolution aimed at dissolving or winding-up **DRESSAGE SA** shall have been given to all Members.
- 25.2. Upon dissolution or winding up of **DRESSAGE SA**, all the property and assets of **DRESSAGE SA**, after payment of all monies owing to any third parties, shall be transferred free of compensation to any other Association/s or Organisation/s having objects similar to **DRESSAGE SA**, at the discretion of the Members.

~~26. JUDICIAL BODY~~

- 26.1. ~~The EXCO shall appoint the members of the Judicial Body and delegate such powers to this body to include, but not be limited by the following:~~
- 26.2. ~~To assist **DRESSAGE SA** with legal advice.~~
- 26.3. ~~To handle Appeal, Ethics and Disciplinary matters.~~
- 26.4. ~~Set up and continuously update a disciplinary code for both participants and office bearers and employees as appointed by Council.~~
- 26.5. ~~Chair disciplinary hearings when requested, and adjudicate, mediate and arbitrate upon legal and disciplinary matters.~~
- 26.6. ~~The Judicial Body shall comprise of three members of which at least one must have a legal background.~~
- 26.7. ~~Every member of the Judicial Body shall have one vote each at their meetings and hearings.~~

This Constitution was unanimously adopted by the Membership present at the Special General Meeting held on the day of 202...

President (D Smith)

Vice-President (S Horne)

South African Equestrian Federation (S Venter)