



EDEN TRIATHLON



SWIM BIKE RUN

EDEN TRIATHLON FEDERATION

CONSTITUTION

Approved: 31 July 2017

EDEN TRIATHLON FEDERATION

CONSTITUTION

I N D E X

<u>SECTION</u>	<u>TITLE</u>	<u>PAGE</u>
1	Definitions	3
2	Name	3
3	Objectives and Powers	3
4	Corporate Status	5
5	Jurisdiction	6
6	Head Office	6
7	Athlete Registration with ETF	6
8	Cessation of Registration	7
9	Organisation of ETF	7
10	General Meetings	8
11	Notice of General Meetings	8
12	Quorum at General Meetings	9
13	Procedure at General Meetings	9
14	Voting Procedure at General Meetings	10
15	Organisational Structure	10
16	Club Affiliation	17
17	Championships	19
18	Hosting of Triathlon Events	19
19	District Team Selection Committees and Criteria	19
20	Rules and Regulations	19
21	Membership Fees	20
22	Code of Conduct, Discipline, Complaints and Appeals	21
23	Arbitration	21
24	Colours	21
25	Awarding of Colours	21
26	Amendments to the Constitution	22
26	Dissolution of ETF	22

EDEN TRIATHLON FEDERATION

CONSTITUTION

1. **DEFINITIONS**

1.1 In this Constitution, unless the context indicates otherwise, the following meanings will apply:

“Age Category”	An age group as defined in Appendix G
“Athlete”	An athlete or interested athlete registered with EDEN TRIATHLON FEDERATION (ETF)
“Aquathlon”	An event comprising swimming and running, to be completed in continuum
“Executive Committee”	The Committee of the Organisation as defined in Section 15.1
“Club”	A sports club affiliated to ETF (If the club structure is not yet implemented by ETF, reference to a "Club" herein shall be ignored)
“Competition Year”	A period as dictated by the TSA registration year, and in the absence of such directive, from 1 September to 31 August
“Constitution”	The Constitution of EDEN TRIATHLON FEDERATION (ETF)
“Duathlon”	An event comprising running and cycling, to be completed in continuum
“Management Committee”	As defined in Section 15.2
“Financial Year”	A financial period to correspond with Competition Year
“ITU”	International Triathlon Union, the international body governing triathlons
“General Meeting”	As defined in Section 10
“Selection Committees”	As defined in Section 19
“ETF”	EDEN TRIATHLON FEDERATION
“Triathlon”	An event comprising swimming, cycling and running, to be completed in sequence or in continuum
“TSA”	Triathlon South Africa, the body governing the sport in South Africa.
“WCTF”	Western Cape Triathlon Federation

2. **NAME**

2.1 The name shall be EDEN TRIATHLON FEDERATION referred to as EDEN TRIATHLON (“ETF”).

2.2 The name EDEN TRIATHLON may be linked to that of a sponsor or product should it be required as part of a sponsorship agreement. This provision will only apply for the duration of the sponsorship agreement.

3. **OBJECTIVES AND POWERS**

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 3.1 The objectives of ETF are to promote, organise and control Triathlon, Duathlon and relevant multi events within its jurisdiction, and to represent the Eden district.
- 3.2 ETF shall have the following functions and powers at its disposal to achieve its objectives.
 - 3.2.1 to develop, control and administer the sports of triathlon, duathlon, aquathlon and other related multi-sports within its jurisdiction, in accordance with the Constitution,
 - 3.2.2 to uphold the rules and regulations as well as the eligibility of athletes to compete under the rules of ETF, WCTF, TSA and bodies governing triathlon internationally,
 - 3.2.3 to promote the interests of ETF, and its components, and its athletes, and to uphold the Rules of the International Federation, the South African National Federation, the Western Cape Provincial Federation and ETF and to uphold the rules relative to the eligibility of athletes to compete under the rules of the International Federation, the South African National Federation, the Western Cape Provincial Federation and ETF.
 - 3.2.4 to conduct its affairs in accordance with the provisions of the Laws of South Africa, including, but not limited to, the South African Sports Commission Act 109 of 1998; the National Sports and Recreation Act 110 of 1998 and The Promotion of Equality and Prevention of Unfair Discrimination Act of 2000, and the South African Institute for Drug-Free Sport Act 14 of 1997.
 - 3.2.5 to affiliate with other bodies or organisations governing sport in South Africa,
 - 3.2.6 to promote both competitive and non-competitive triathlon, duathlon, aquathlon and other related multi-sports in its jurisdiction,
 - 3.2.7 to approve facilities and arrangements for events to be run under the auspices of ET,
 - 3.2.8 to acquire such movable and immovable property as may be required to achieve its aims and objectives,
 - 3.2.9 to raise funds, enter upon negotiations and conclude such agreements that are not incompatible with its aims and objectives,
 - 3.2.10 to inquire into alleged irregularities which may have occurred in the course of the administration or competition of triathlon, duathlon, aquathlon and other multi-sports or such irregularities which have been submitted to ETF by TSA via WCTF,
 - 3.2.11 to hear appeals against the decisions of officials, and to pronounce upon such appeals,
 - 3.2.12 to hold annual provincial triathlon, duathlon, aquathlon and other related multi-sports championships for all classes of athletes,

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 3.2.13 to set criteria for the selection of ETF teams and to select athletes to represent ETF at national and selected championship events,
- 3.2.14 to decide upon the nature, award and protection of ETF and other Colours,
- 3.2.15 to provide for the official list of records of performances and athletes selected to represent ETF brought to the attention of ETF,
- 3.2.16 to assist in organising training courses for athletes, coaches and administrators in co-operation with WCTA and TSA,
- 3.2.17 to endeavour as far as possible to support provincial athletes either financially or otherwise,
- 3.2.18 to uphold the principle of non-discrimination in respect of race, gender, religion and political beliefs,
- 3.2.19 to establish and co-ordinate event calendars for ETF each season,
- 3.2.20 to do such things as may appear to be in the interest of ETF or its members and which are not inconsistent with the objectives or any matter specifically provided for in this Constitution.
- 3.2.21 to facilitate and assist with the formation of Clubs and to assist existing Clubs to promote the development of the sport of triathlon and other multi-sports.
- 3.2.22 to promote a development programme, particularly directed at those athletes, coaches and administrators who may be disadvantaged due to a lack of financial resources, facilities or equipment.

4. CORPORATE STATUS

- 4.1 The EDEN TRIATHLON is a voluntary amateur sporting association, with a separate legal entity with the power to acquire, to hold and to alienate property, and with the capacity to acquire rights and obligations and having perpetual succession and the capacity to sue or be sued in its own name.
- 4.2 ETF shall:
 - 3.2.1 Be a none profit organisation (“NPO”),
 - 3.2.2 Not be carried on for the purpose of gain,
 - 3.2.3 Have perpetual succession notwithstanding any change in the number or identity of its athletes from time to time,
- 4.3 The income and assets of ETF shall be applied towards the promotion of the objectives, for which it was established,

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 4.4 No part of that income or the assets shall be paid, directly or indirectly, by way of dividend, donation or otherwise, to the athletes of ETF, except for incentives as determined by the Executive Committee,
- 4.5 The liability of each athlete of ETF is limited to any unpaid subscription that may be owed by that athlete,
- 4.6 ETF shall be entitled to sue and be sued in its own name.

5. **JURISDICTION**

- 5.1 ETF's competency extends to the boundaries of the municipal districts of EDEN and represents the following seven (7) municipalities:

- 4.1.1 GEORGE
- 4.1.2 OUDTSHOORN
- 4.1.3 KNYSNA
- 4.1.4 MOSSEL BAY
- 4.1.5 HESSEQUA
- 4.1.6 BITOU
- 4.1.7 KANNALAND

6. **HEAD OFFICE**

- 6.1 The Head Office of ETF is based in George.

7. **ATHLETE REGISTRATION WITH ETF**

- 7.1 Anyone wishing to register with ETF shall do so as a member of a club and shall apply in writing on the form prescribed from time to time by the Manco, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to Constitutions of TSA, the International Federation, the South African National Federation, the Western Cape Provincial Federation and the Eden Sport Council Federation, a complete membership list and such other information as may be required by ETF. The Secretary shall submit applications for affiliation to the next Executive Committee meeting for consideration and the Executive Committee shall in turn submit all such applications, with recommendation, to the next AGM.
- 7.2 A Eden district club which has constituted itself as representing a Club in a municipal area and which has submitted an application for affiliation to ETF may be granted provisional affiliation until the next AGM, by the Executive Committee of ETF, on such terms and conditions as it may in its discretion determine.
- 7.3 Applications for affiliation shall be considered by the AGM, upon recommendation by the Executive Committee of ETF and upon approval, a member shall serve as a Provisional Member for a period of 12 months or until it has complied with the requirements of Clause 7.5.

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 7.4 A Provisional Members hall have all the rights and privileges of membership, save that its representative at General, Executive Committee and other meetings of ETF shall be entitled to speak and vote.
- 7.5 A Member shall be deemed to be in good standing for the purpose of any meeting of ETF if it remains properly constituted and was represented at the most of recent AGM of ETF, has held a club AGM and a club championship event in the last 12 months and has during that period attended any two ETF meetings. Whilst it remains “not in good standing” a Member shall be entitled to attend, but not to speak or vote, at any meeting. A Member may at any time redeem its good standing by fulfilling the requirements herein.
- 7.6 Athlete’s registration is electronically web based,
- 7.7 The admission of any applicant member to register shall be at the discretion of the Executive Committee.
- 7.8 Any applicant whose registration has been rejected shall have the right to appeal to TSA.
- 7.9 ETF shall from time to time prescribe the manner in which temporary licences will be issued to an Athlete, being a non-registered member, to participate in an event, as well as the licence fee to be paid. These requirements are determined by TSA and which ETF will then implement.

8. **CESSATION OF REGISTRATION**

- 8.1 An Athlete shall cease to register with ETF:
- 8.1.1 if the Athlete’s resignation is submitted in writing to the Secretary of ETF by his club;
 - 8.1.2 if the Athlete’s registration is cancelled by the Executive Committee in terms of Sub-Clause 8.2 below.
- 8.2 The Executive Committee:
- 8.2.1 may cancel the registration of any Athlete, at any time by giving written notice to that effect, and any such cancellation shall take effect on the posting of the notice;
 - 8.2.2 shall be obliged to hear or receive any representation from the Athlete and/or Athlete’s Club in question, and give reason for its decision.
- 8.3 An Athlete whose registration has been cancelled or suspended shall have the right to appeal to TSA.
- 8.4 ET shall not refund registration fees paid, either in part or in full.

EDEN TRIATHLON FEDERATION

CONSTITUTION

9. ORGANISATION OF ETF

- 9.1 The principle constituent bodies on ETF are:
- 9.1.1 General Meetings (Annual and Special),
 - 9.1.2 The Executive Committee as set out in Clause 15,
 - 9.1.3 The Manco as set out in Clause 15,
 - 9.1.4 Other Committees and/or Sub-committees appointed by the Executive Committee from time to time, in conformity with the provisions of the Constitution as need arise.

10. GENERAL MEETINGS

- 10.1 A General Meeting shall mean an Annual General Meeting (AGM) or Special General Meeting (SGM),
- 10.2 The AGM shall be held as soon as possible after each financial year-end of ETF, but not later than 28 February,
- 10.3 The business of the AGM shall be in accordance with Clause 13.2,
- 10.4 An SGM shall be called at any time by the Executive Committee, or on the written application of three (3) Clubs or thirty (30) registered Athletes of ETF. Such application shall include an agenda for the meeting to be called. The Secretary shall convene an SGM within thirty (30) days of receiving an application.

11. NOTICE OF GENERAL MEETINGS

- 11.1 A General Meeting shall be convened by the Secretary upon 30 (thirty) days written notice of the date, time and venue of the AGM or SGM, to Members, the Executive Committee as well as Honorary Life Members.
- 11.2 Such written notice will only be sent by e-mail.
- 11.3 No error or omission in giving notice of any meeting of the Executive Committee or any adjourned meeting of the Executive Committee shall invalidate such meeting or make void any proceedings thereat and any executive may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat,
- 11.4 Notice of any resolution to be proposed at the AGM or SGM, other than ordinary business, must be lodged with the Secretary not less than twenty one (21) days before such a meeting,
- 11.5 The Secretary shall notify all Members and the Members of the Executive Committee of the agenda for the AGM or SGM in writing, to reach Clubs, Athletes and Members by no later than fourteen (14) days before such meetings.

EDEN TRIATHLON FEDERATION

CONSTITUTION

11.6 The notice convening a SGM shall include its agenda, including any motions submitted for consideration at such meeting by the Executive Committee or the requisitioning Members.

12. QUORUM AT GENERAL MEETINGS

12.1 A minimum of 50% (fifty per cent) of the numbers of affiliated Members, plus one Member, in good standing on the date of the meeting, shall constitute a quorum at any General Meeting,

12.2 In the event that a quorum is not present at the appointed place within ten (10) minutes of the appointed time of the meeting, the Chairperson of the meeting shall adjourn the meeting for 30 (thirty) minutes to be held at the same time and place,

12.3 If after the elapse of 30 minutes a quorum cannot be reached, the Chairperson shall adjourn the meeting for no more than 7 (seven) days. The Secretary shall advise all members of the date and place of the adjourned meeting and all members, in good standing, than present at such reconvened meeting shall constitute a quorum and can then hold a lawful meeting.

13. PROCEDURE AT GENERAL MEETINGS

13.1 The Chairperson of each General Meeting shall be:

13.1.1 the Chairperson of the Executive Committee or

13.1.2 if a Chairperson of the Executive Committee has not been elected, or having been elected and is not present, the Vice-Chairperson,

13.1.3 failing (1) and (2) above, any other member of the Executive Committee, or

13.1.4 if no such Executive Committee member is present, any member of ETF, elected by the Members in good standing at the meeting,

13.2 The agenda of the AGM shall be disposed of in the following order:

13.2.1 confirming the quorum and constituting the meeting,

13.2.2 reading and confirming the notice of the meeting,

13.2.3 reading and adopting the minutes of the previous AGM and SGMs, and discussing matters arising there from,

13.2.4 submission, discussion and adoption of the Chairperson's annual report,

13.2.5 submission and adoption of the certified or independently reviewed financial statements (by an accountant) of the previous financial year and discussing matters arising there from,

13.2.6 dealing with any amendments to the constitution and/or any proposed matters of which due notice was given,

13.2.7 election of office-bearers in terms of Clause 15 (if applicable),

13.2.8 election of Honorary Members

13.2.9 general.

13.3 The agenda of the SGM shall be disposed of in the following order:

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 13.3.1 confirming the quorum and constituting the meeting,
- 13.3.2 reading and confirming the notice of the meeting,
- 13.3.3 dealing only with matters proposed of which due notice was given and matters arising there from.

- 13.4 If the original proposer of a motion is absent at that meeting, any other delegate shall be competent to introduce the motion, and he/she shall be vested with the rights and privileges of the original proposer.
- 13.5 A retiring Executive Committee member shall remain in office until the dissolution or adjournment of the meeting at which the retirement is accepted and the successor is elected. They shall however have no vote in the election process as part of the Executive Committee.

14. VOTING PROCEDURE AT GENERAL MEETINGS

- 14.1 Each affiliated Club will be represented by one (1) of its members (where representation is duly certified in writing by the Club and handed to the Secretary prior to commencement of the meeting) and such Club shall be entitled to one (1) vote.
- 14.2 Delegates of Members shall be entitled to participate in the business of the AGM only if the Member is present, in accordance to Clause 14.1, and is in good standing as at the date of the meeting in question.
- 14.3 At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless demanded by the Chairperson, or two (2) Clubs, request that the voting be conducted by a poll before voting is proceeded to.
- 14.4 Members may vote in person only, and no proxies or any other form of representation shall be permitted.
- 14.5 All questions properly proposed for consideration at a General Meeting shall be determined by a majority vote, except changes to the Constitution which require two-thirds (2/3) of the vote recorded. Members and the members of the Executive Committee shall have one (1) vote each. In the event of a tie, the Chairperson of the meeting, shall, in addition to his/her ordinary vote, have a casting vote. This will however not apply at the Annual General Meeting.

15. ORGANISATIONAL STRUCTURE

- 15.1 The Executive Committee
 - 15.1.1 The management of ET shall be vested in the Executive Committee.
 - 15.1.2 The Executive Committee shall consist of:
 - i) The Chairperson
 - ii) Vice-Chairperson
 - iii) The Treasurer

EDEN TRIATHLON FEDERATION

CONSTITUTION

- iv) The Secretary
- v) And 6 (six) additional committees appointed by the Executive Committee, who will be represented by their chairpersons and with a none-vote seat
- vi) Each affiliated club will be represented by ONE [1] person

15.1.2 The Executive Committee may at its discretion co-opt additional members from time to time. Such members shall not carry any voting rights at meetings of the Executive Committee.

15.1.3 Nominations for Executive Committee members have to be submitted to the Secretary in writing, in a sealed envelope and at least 14 days prior to the meeting. Only Members may submit nominations, which shall be signed by the Chairperson of the Member in question and include an acceptance of the nomination by the nominee.

15.1.4 Each member of the Executive Committee will fulfil his/her job as elected by the members in the AGM.

15.1.5 If insufficient nominations are received nominations may be made during the meeting with the consent of the AGM.

15.1.7 Meetings as well as the Rights and Duties of the Executive Committee shall be as follows:

15.1.7.1 **The Executive Committee**

15.1.7.1.1 **Meetings of the Executive**

- a. The Executive Committee shall meet as and when required.
- b. Members of the Executive Committee shall be given at least five (5) days written notice of a meeting and the agenda by hand or by e-mail.
- c. In an emergency a special meeting may be called with 48 hour notice and mention of the matter/s to be discussed. Such meeting may be called by the President.
- d. The Chairperson, or in his absence, the Vice-Chairperson, or in the absence of both of them, a member of the Manco, shall be the Chairperson of a meeting of the Manco or Executive Committee.
- e. Unless otherwise determined by the Executive Committee, four (4) members present at the commencement of and throughout a meeting of the Executive Committee shall constitute a quorum.

EDEN TRIATHLON FEDERATION

CONSTITUTION

- f. Any member of the Executive Committee shall be deemed to have vacated office if the member is absent from two (2) consecutive meetings without good reason and without having first advised the Secretary of the inability to attend.
- g. Members of the Executive Committee or Manco will have one vote each and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote.
- h. Any question arising at a meeting of the Executive Committee shall be decided on a show of hands unless any two (2) members request that voting be conducted by a poll. In the case of an equality of votes the Chairperson shall be entitled to a second or casting vote.
- i. Any motion proposed shall only be passed by a 50% + 1 majority of the members present.
- j. In the event of a vacancy the Executive Committee shall fill such vacancy by nomination and Executive Committee election.
- k. Minutes of Manco, after ratified by the Executive Committee and Executive Committee meetings shall be circulated to all members within 14 days of the meeting.

15.1.7.2 Rights and duties of the Executive Committee

15.1.7.2.1 Management

- a. To manage the affairs of ETF in terms of the Constitution,
- b. To implement rules and regulations in connection with matters that falls within the jurisdiction of ETF,
- c. To make the necessary arrangements to hold Triathlon, Duathlon and Aquathlon championships each year as well as other events,
- d. To keep a register of all relevant records and statistics of ETF athletes, to recognise EDEN TRIATHLON records and to apply for the recognition of Provincial and National records,
- e. To fill interim vacancies according to the clause describing the procedures thereof,
- g. To promote a development program for junior athletes,
- h. To approve and sanction all events by organisations and/or individuals in its judicial area and to issue directives and protocols with regard to the safety of athletes participating in such events,

EDEN TRIATHLON FEDERATION

CONSTITUTION

- i. To keep a watchful eye over the status and efficiency with which approved events are held by organisations in its judicial area and to ensure that TSA rules are applied,
- j. To make a list of referees and other officials available to event-organisers who have obtained official sanctioning,
- k. To impose levies on events and to set annually affiliation fees payable by Clubs, registration fees payable by Athletes and temporary license fees on unregistered athletes. These requirements with regards to temporary license fees on unregistered athletes are determined by TSA and which will then implemented by ETF.
- l. To receive and decide on applications for affiliation by Clubs and to approve the constitution of affiliated Clubs,
- m. To convene an AGM of ETF at least once a year in terms of Clause 10,
- n. To submit to the AGM an annual report and certified or independently review financial statements (by an accountant) for the previous financial year,
- o. Annually appoint the elected members to the positions and allocate portfolios accordingly,
- q. To deal exclusively with all communications to and from WCTF, TSA, the National and Provincial Federations, the Eden Districts Sport Council, and other communications,
- r. To decide where meetings of ETF shall be held,
- s. To bid for, decide on and control Provincial and National Competitions and to inform Members of the decisions in this regard,
- t. To decide on and allocate and control all District and Inter-District Championships and any other district competition, and to report to the AGM in this connection,
- u. To appoint the delegates to the WCTF, South African National Federation and the Western Cape Provincial Federation meetings, AGM and SAGM ect.

15.1.7.2.2 **Financial**

- a. to manage the financial affairs of the ETF and to consider the financial matters at all normal meetings,

EDEN TRIATHLON FEDERATION

CONSTITUTION

- b. to open current and savings accounts in the name of the ETF and to transact the financial business of ETF. In this regard the Executive Committee will appoint THREE [3] signatories to this account of which TWO (2) must always sign off the transaction whether cheques or electronic. The treasurer should be one of this two signatories to sign.
- c. To approve the payment of any honorarium that the Executive Committee may decide on from time to time,
- d. To agree to the settlement of the travel and subsistence of any athlete or official when circumstances warrant it,
- e. To impose levies and other charges on event-organisers seeking sanctioning of ETF.

15.1.7.2.3 **Special**

- a. Besides the powers and duties invested in the Executive Committee in terms of any provisions in the Constitution, the following powers shall also be vested in the Executive Committee:
- b. to deliberate on any violation or infringement of the Constitution and/or rules and regulations of the ETF, and to act accordingly,
- c. to temporarily or permanently suspend any affiliated Club or any of its athletes who are found guilty of misbehaviour or dishonourable practices in triathlon, duathlon, aquathlon or other multi-sport or to take any such actions as may be deemed necessary against such transgressor/s.
- d. To suspend temporarily or permanently any person who has been convicted of misbehaviour or dishonourable practices in regard to the activities of ETF and to restore the status of such a person in accordance with the finding of the AGM, if a Member has proposed a motion to this effect.
- e. To hear appeals against the decisions of Members and to pronounce on these.
- f. To ensure that participation in prescribed provincial race kit may only be at events as laid down by the Executive Committee.
- g. To do everything that is desirable for the affairs of the ETF, in keeping with its accepted aims and objectives and subject to the conditions of the Constitution and directions of the AGM.

15.1.8 The duties of the members of the Executive Committee shall be as follows:

15.1.8.1 **Duties of the Chairperson**

EDEN TRIATHLON FEDERATION

CONSTITUTION

- a. Directs ETF, calls and shall preside at all meetings of ETF,
- b. Is the spokesperson for ETF and represents it at all appropriate occasions,
- c. Supervises the strict execution of decisions made by the Executive Committee,
- d. Controls the activities of the Secretary and Treasurer,
- e. Is an ex-officio member of all committees,
- f. Strategic Planning and Execution,
- g. Budget and Expense Control,
- h. Represent ETF at WCTF and TSA meetings,
- g. Athlete Development,
- h. Development of the sport and Federation.

15.1.8.2 **Duties of the Secretary**

- a. To function in a similar capacity as that of a company secretary and to assume the management of the ETF office,
- b. Shall take charge of correspondence,
- c. Prepares the meetings of Executive Committee and general meetings,
- d. Shall attend all meetings of ETF and the Executive Committee and keep minutes of same,
- e. Shall preserve and have custody of the minutes. The Secretary shall keep a complete record of the membership and addresses, and shall be custodian of all documents of value and other properties,
- f. Shall receive all fees and assessments. Moneys collected shall be promptly turned over to the Treasurer,
- g. Track athlete's potential eligibility for colours.

15.1.8.3 **Duties of the Treasurer**

- a. Is responsible for the development of ETF's financial affairs,

EDEN TRIATHLON FEDERATION

CONSTITUTION

- b. The Treasurer shall account for the funds of ETF, and keep proper records of said funds, receipts, books and disbursements necessary, as lay out by the Executive Committee. The Treasurer will present a certified statement whenever required by the Executive Committee and will prepare a duly certified or independently reviewed statement of the financial position of the society, for the annual general meeting. A copy of the annual certified or independently reviewed statement will be submitted to the secretary for the inclusion in the record of ETF,
- c. Invests the funds of ETF, having consulted various financial experts and informed the President,
- d. Collection of registration and other fees and depositing thereof into ETF's bank account,
- e. Making of registration payments to TSA,
- f. Payments to be received from the Event Organiser for official events,
- g. Is responsible for the collection of temporary license fees at events.
- h. The members of the Executive Committee shall serve ETF for a 4 (four) year period.
- i. The Chairperson shall serve the Executive Committee for not more than 2 (two) consecutive terms where after the Chairperson shall not be eligible for reappointment as Chairperson. After the expiry of 2 (two) years, such person may again be appointed as Chairperson. In the meantime, such person shall be eligible for re-election.
- j. An Executive Committee member may resign at any time, by written notice to The Secretary. Upon resignation the Executive Committee may co-opt a member as provided for.

15.2 The Manco

15.2.1 The Manco shall be responsible for the day to day running of ETF.

15.2.2 The Manco shall be composed of:

- i) The Chairman
- ii) The Vice-Chairman
- iii) The Treasurer
- iv) The Secretary
- v) The MANCO may from time to time co-opt members relevant to the matters being up for discussion on an ad hoc base.

15.2.3 Meetings as well as the Rights and Duties of the Manco shall be as follows:

EDEN TRIATHLON FEDERATION

CONSTITUTION

15.2.3.1 **The MANCO (Management Committee)**

15.2.3.1.1 **Meetings of the Manco**

- a. Meetings of the Manco shall be called by any one of its members on an ad-hoc basis as and when the need arises. These meetings may be held at a venue as decided upon or may, when circumstances so describe, be held telephonically.

15.2.3.1.2 **Rights and duties of the Manco**

- a. The Manco shall be responsible for the day-to-day management of the affairs of ET in accordance with the policies and actions approved by the Executive Committee or by the membership at a General Meeting.
- b. Manco may in its discretion take decisions on behalf of the Executive Committee which decisions the Executive Committee may ratify at the next Executive Committee Meeting.
- d. The Manco shall take the initiative in preparing policies and actions for consideration and possible action by the Executive Committee.
- e. This committee is also responsible for the implementation of all resolutions passed at Executive Committee meetings.
- f. To prepare Executive Committee meetings as well as General Meetings.

16. **CLUB AFFILIATION**

- 16.1 An athlete who is a member of a Club must register as an Athlete, subject to payment by the Club of such Athlete's registration fee.
- 16.2 Club affiliation has to be approved by the Executive Committee of ETF by the submission of the Club's approved Constitution and a membership list of at least seven (7) athletes.
- 16.3 Clubs will:
 - 16.3.1 be entitled to membership fees,
 - 16.3.2 submit for registration from time to time, a list of athletes' names (and such further particulars as required by ETF) together with the appropriate

EDEN TRIATHLON FEDERATION

CONSTITUTION

registration fee (as determined annually by the Executive Committee), to the Secretary.

- 16.3.3 pay an annual affiliation fee to ETF (as determined annually by the Council), to the Secretary, before 1 November.
- 16.4 The cessation of a club's affiliation may take place either by decision of the club or by that of the Executive Committee of ETF. Such a cessation will be notified in writing to the other party.
- 16.5 Any club covering one or more elements of any of the relevant multi events activities within ETF, is eligible to affiliate with ETF.
- 16.6 No Member shall be allowed to use or to adopt the emblem of ETF without the written consent of the Manco.
- 16.7 Affiliated clubs will be allowed to display the ETF logo with the following inscription: "Affiliated Member of EDEN TRIATHLON".
- 16.8 An athlete shall not be a member of more than one (1) club at any time, nor shall an athlete be allowed to switch Club membership during a Competition Year. Except where the athlete move out of the jurisdiction the club/district.
- 16.9 All affiliated Clubs shall in their Constitution subscribe to the following **Code of Conduct**, which shall apply equally to an affiliated Club and states:
- 16.9.1 Athletes shall conduct themselves in a sporting manner,
- 16.9.2 Athletes shall behave in a responsible, respectful and courteous manner towards team members, competitors, coaches, staff, officials, volunteers and members of the public while at competitions and while travelling,
- 16.9.3 Athletes shall not commit any act which would be considered an offence under any law within the Republic of South Africa or the laws of the country in which the event takes place (insofar as they can reasonably be expected to be aware of those laws),
- 16.9.4 Athletes shall conduct themselves in a manner consistent with commitment to excellence in athletic competition including respect for quiet hours and appropriate treatment of alcohol,
- 16.9.5 Athletes shall respect private property such as accommodation,
- 16.9.6 Athletes shall be aware of and abide by the current provisions of doping prohibitions adopted by TSA and the ITU,
- 16.9.7 Contravention of the Code of Conduct may result in any one or more of the following sanctions:

EDEN TRIATHLON FEDERATION

CONSTITUTION

- a. written reprimand;
- b. suspension from the current competition;
- c. suspension from the team for a specified period of time;
- d. fine;
- e. probationary terms and conditions.
- f. Members of ETF may use reasonable discretion in interpreting the above.
- g. The Executive Committee and District Team Managers have the authority to impose reasonable disciplinary measures on athletes who do not adhere to the Code of Conduct.

16.10 An athlete shall affiliate with ETF through club membership, if such athlete is predominantly domiciled within the jurisdiction area of ETF.

17. CHAMPIONSHIPS

17.1 District championships over the standard distances for each discipline shall be held every year.

18. HOSTING OF TRIATHLON EVENTS

18.1 All triathlon, duathlon, aquathlon and other multi-sport events organised within the jurisdiction area of ETF, must be sanctioned by ETF and shall be held according to the rules of the ITU and TSA, as well as such further directives and protocols as issued and/or approved by ETF.

18.2 To sanction an event ETF shall be entitled to:

18.2.1 Raise a levy (or charge such other fee) per event or per participant, on the organiser of such an event.

18.2.2 Any athlete, being a non-club member, may only enter and participate in an event organised and/or sanctioned by ETF if such athlete has obtained a temporary licence and made payment accordingly.

19. DISTRICT TEAM SELECTION COMMITTEES AND CRITERIA

19.1 District teams shall be selected by the Selection Committee to compete in selected Provincial, National and other selected events according to criteria as set in the Rules and Regulations

20. RULES AND REGULATIONS

EDEN TRIATHLON FEDERATION

CONSTITUTION

- 20.1 The Executive Committee may prescribe such rules and regulations not inconsistent with the Constitution relating to the management and operation of ETF as they deem expedient.
- 20.2 Decisions of the Executive Committee concerning the validity of any clauses of the Rules in terms of which ETF is administered, shall be final and binding.
- 20.3 Doubts concerning interpretations, the definition of an amateur or any matter not provided for shall be laid in writing before the Secretary of ETF by the Secretary of the Member, to be investigated and commended upon by the Executive Committee. The decision of the Executive Committee shall be final and binding.
- 20.4 All Athletes, as members of the ETF team, shall participate at Provincial and National Championships (and any other selected event) in the official team dress code and competitive clothing of ETF. Immediately prior to and after such event, and at any official function, the Team manager will rule on the official attire and dress code to be adhered to by Athletes.
- 20.5 The Rules and Regulations of ETF, which shall not be in conflict with any rule or regulation of TSA or the ITU, shall be contained in either of the following:
- 20.5.1 The Competition Rules of TSA,
 - 20.5.2 The minutes/resolutions of the Executive Committee,
 - 20.5.3 The rules and regulations of ETF.
- 20.6 No individual participating athlete at any event (including the National Championships) at which a selected team of athletes of ETF is participating, shall be allowed to wear and/or participate in any race kit other than the race kit in the colours or clothing of ET. This provision does not apply to elite athletes and elite athletes will be regulated by TSA directly.

21. **MEMBERSHIP FEES**

- 21.1 Every Member shall annually contribute to ETF an affiliation fee and such other contributions as determined by the Executive Committee.
- 21.2 Affiliation fees of Members shall be due before 31 August every calendar year.
- 21.3 If the affiliation fees have not been paid before the AGM, this shall mean that the defaulting Member is not in good standing.
- 21.4 If the amount due is paid together with the penalty as determined by the Executive Committee from time to time, the Executive Committee may uplift the disqualification.
- 21.5 If a Member ceases to exist or abandons its activities for a period to be determined by the Executive Committee, the Manco shall take the necessary steps to liquidate the affairs of such Member.

EDEN TRIATHLON FEDERATION

CONSTITUTION

22. **CODE OF CONDUCT, DISCIPLINE, COMPLAINTS AND APPEALS**

- 22.1 The Code of conduct, discipline, complaints and appeal procedures are in accordance with the TSA and will apply to athletes registered with ETF. These are set out in Clause 16 and the Rules and Regulations of ETF.

23. **ARBITRATION**

- 23.1 Should any dispute arise which involves the Federation, its officials, any clubs affiliated with the Federation, and any officials, athletes or members who are subjected to the rules of this Constitution, pertaining to any matter arising from the interpretation or implementation of the Constitution, or arising from the sports governed by this Constitution, then such dispute shall be referred to the Arbitration Forum of the Western Cape Provincial Government, to be dealt with in accordance with the Rules of that Forum.
- 23.2 The provisions of the Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.

24. **COLOURS**

- 24.1 The official colours of ETF are as follows:
23.1.1 *Emblem:* The Swim, Bike, Run emblem.
23.1.2 The ET official District colours are the colours as determined by EDEN SPORT COUNCIL
23.1.3 The official logo of the EDEN SPORT COUNCIL will also be on all District colours.
- 24.2 Colours may only be purchased with the written authorisation of ETF's Executive Committee

25 **AWARDING OF COLOURS**

- 25.1 District colours can be awarded to Elite, Juniors, Development, Age group athletes and administrators who have qualified according to the criteria as set out in the Rules and Regulations of ETF. Eden Colours can only be allocated when an athlete physically represent an official Eden team.
- 25.2 The Federation shall adhere to the policies of the **SASCOC** and TSA regarding the awarding of ETF colours and badges, as well as the EDEN SPORT COUNCIL.

EDEN TRIATHLON FEDERATION

CONSTITUTION

26. AMENDMENTS TO THE CONSTITUTION

26.1 The Constitution can only be amended at an AGM or SGM.

26.1.1 Notice of any proposed amendments shall be in accordance with the provisions of Clause 11,

26.1.2 Notice of the amendment shall clearly state which section of the Constitution it proposes to amend and what should be omitted or inserted,

26.1.3 The Constitution can only be amended by a two-thirds majority vote of eligible voters present and recording their votes.

26.2 Any amendment takes immediate effect unless the contrary is decided (no amendment may be retroactive).

26.3 Amendment to Appendices to the Constitution may only be made with the approval of the Executive Committee.

27. DISSOLUTION OF ETF

27.1 The dissolution of ETF may only be affected by the AGM provided that the following are met:

27.1.1 an interim committee be appointed to finalise the affairs of ETF,

27.1.2 such interim committee be appointed from the members of the Executive Committee, two athletes from the Athletes Committee and 1 [one] representative of the EDENSC.

27.1.3 The assets and liabilities of ETF are transferred to Western Cape Triathlon Federation (WCTF).