



CONSTITUTION FOR EDEN BIATHLON FEDERATION

NPO 275-527

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CLAUSE 1: DEFINITIONS

In the Constitution, except where incompatible with the context, the following terms shall have the meanings indicated:

- “Federation” : the EDEN BIATHLON FEDERATION
- “Constitution” : the constitution of the EDEN BIATHLON FEDERATION
- “General Meetings” : the meetings convened in terms of Clause 7;
- “NF”: the South African NATIONAL FEDERATION
- “PF” the WC Provincial Federation
- “IF”: the International FEDERATION
- “Member(s)” : district sport clubs administering the sport code and affiliated to the Eden Federation as referred to in clause 5
- “Regulations” : regulations adopted by NF or in terms of this constitution to regulate the administration of the FEDERATION
- “Rules” : the rules of the NF, the WC Federation and EDEN Federation
- Laws and By-laws the laws and by-laws of the NF and the WC & EDEN Federations
- “Selection Committee” : a Selection Committee as constituted in terms of Clause 19
- “South Africa” : the Republic of South Africa
- “SASCOC” : the South African Sports Confederation and Olympic Committee
- “SRSA” : the South African Department of Sport and Recreation
- “DCAS” : the WC Department of Cultural Affairs & Sport
- WCPSC Western Cape Provincial Sport Confederation
- WCF Western Cape Federation
- DF District Federation

CLAUSE 2: NAME AND LEGAL PERSONALITY

- 2.1 The name of the FEDERATION shall be the EDEN BIATHLON FEDERATION
- 2.2 The FEDERATION shall have legal personality and shall:
- 2.2.1 have an independent existence
 - 2.2.2 be entitled to own property
 - 2.2.3 be entitled to enter into legal transactions and institute legal actions.
 - 2.2.4 be entitled to appoint and dismiss employees.
- 2.3 The FEDERATION shall register as a Non-Profit Organisation (NPO) and shall not distribute its annual profits among members or management.

CLAUSE 3: AIMS AND OBJECTIVES

The aims and objectives of the FEDERATION are:

- 3.1 to promote the interests of FEDERATION, and its components, and its athletes, and to uphold the Rules of the IF, NF, PF and the FEDERATION and to uphold the rules relative to the eligibility of athletes to compete under the rules of the IF, NF, PF and the FEDERATION;
- 3.2 to administer the FEDERATION and its components under the jurisdiction of the FEDERATION;
- 3.3 to inquire into any irregularities that may occur during FEDERATION or those of competitions, or in the course of the administration, that have come to its notice;
- 3.4 to hear appeals against the decisions of Members, and to pronounce upon such appeals;
- 3.5 to hold Inter-district and District Championship meetings in the FEDERATION and its components including individual, team and championships;
- 3.6 to attend to the selection of athletes who are to represent the FEDERATION;
- 3.7 to provide for the keeping of official lists of records of performances;
- 3.8 to decide upon the nature, award and protection of District and other colours;
- 3.9 to maintain the principle of non-discrimination in respect of race, gender, religion, disability and political views;
- 3.10 to declare invalid any district club or component meeting or competition held within the jurisdiction of the FEDERATION but which does not conform to the rules and regulations.

CLAUSE 4: WAYS AND MEANS OF ACHIEVING AIMS AND OBJECTIVES

The aims and objectives of the FEDERATION may inter alia be achieved by:

- 4.1 affiliation with the SA BIATHLON ASSOCIATION and PF;
- 4.2 affiliation with the EDEN DISTRICT SPORT COUNCIL;
- 4.3 facilitate in providing suitable grounds, premises, equipment and other conveniences necessary for the holding and organising of amateur meetings;
- 4.4 the acquisition in a legal manner of such movable or immovable property as may be required to achieve the aims and objectives of the FEDERATION;
- 4.5 entering into such negotiations and concluding such contracts and agreements as may be lawfully undertaken by an incorporated body and are not incompatible with the aims and objectives of the FEDERATION;
- 4.6 raising funds for any purpose which may be deemed necessary.

CLAUSE 5: MEMBERSHIP

5.1 The FEDERATION consists of three categories of members, namely:

- 5.1.1 Members (Clubs); and
- 5.1.2 Associate Members
- 5.1.3 Honorary Life Members

5.2 The jurisdictions of Members shall be limited by the boundaries of the municipal districts of EDEN and represent the following 7 municipalities:

- GEORGE
- OUDTSHOORN
- KNYSNA
- MOSSEL BAY
- HESSEQUA
- BITOU
- KANNALAND

5.3 A CLUB seeking to be affiliated to EDEN Biathlon Federation may apply to the Secretary/Operational Manager of the FEDERATION on the form determined by EDEN Biathlon Federation from time to time, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to the Constitutions of IF, NF, PF and EDEN BIATHLON FEDERATION, a complete membership list and such other information as may be required by the FEDERATION. The Secretary shall submit applications for affiliation to the next FEDERATION meeting for consideration and the EXCO shall in turn submit all such applications, with a recommendation, to the next Annual General Meeting.

- 5.4 A CLUB which has constituted itself as representing the BIATHLON CLUB in a municipal area and which has submitted an application for affiliation to EDEN BIATHLON FEDERATION may be granted provisional affiliation until the next Annual General Meeting, by the EXCO of the FEDERATION, on such further terms and conditions as it may in its discretion determine.
- 5.5 Applications for affiliation shall be considered by the AGM, upon recommendation by the EXCO of the FEDERATION 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 5.7.
- 5.6 A Provisional Member shall have all the rights and privileges of membership, save that its representative at General, EXCO and other meetings of EDEN BIATHLON FEDERATION shall be entitled to speak and vote.
- 5.7 A Member shall be deemed to be in good standing for the purposes of any meeting of EDEN BIATHLON FEDERATION if it remains properly constituted and was represented at the most recent AGM of EDEN BIATHLON FEDERATION, has held a club AGM and a club championship event within the prior 12 months and has during that period attended the EDEN BIATHLON FEDERATION 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.
- 5.8 A Member shall have jurisdiction over all BIATHLON CLUB matters within its geographic area of jurisdiction, subject to the overall authority of the EDEN BIATHLON FEDERATION and the General Meeting in terms of this Constitution.

CLAUSE 6: ORGANISATION OF THE FEDERATION

- 6.1 The principal constituent bodies of the EDEN BIATHLON FEDERATION are:
 - 6.1.1 The General Meeting
 - 6.1.2 The Executive Committee [EXCO]
 - 6.1.3 The Management Committee [MANCO]
- 6.2 Other Committees and Sub-committees may be constituted by the principal constituent bodies in conformity with the provisions of the Constitution as need arises.

CLAUSE 7: GENERAL MEETINGS

- 7.1 The General Meeting is the supreme authority of the FEDERATION and an Annual General Meeting shall be held once every year on a date to be fixed by the Management Committee.
- 7.2 A Special General Meeting shall be convened by the Secretary/Operational Manager pursuant to a resolution of the Management Committee, or upon receipt of a requisition signed on behalf of at least three Members. A Special General Meeting shall be called within 21 days after receipt by the Secretary of the said resolution or requisition as the case may be.

CLAUSE 8: NOTICE OF GENERAL MEETINGS

- 8.1 A General Meeting shall be convened by the Secretary/Operational Manager upon 30 days (in the case of an AGM) and 21 days (in the case of a SGM) written notice of the time and venue thereof, to Members, Executive Committee and Management Committee members as well as Honorary Life Members at their address of record with the EDEN BIATHLON FEDERATION, provided that any failure on the part of any one or more of them to receive such notice, shall not invalidate such meeting.
- 8.2 Any notice of a motion to be tabled at the Annual General Meeting must reach the Secretary/Operational Manager not less than 21 days before such a meeting.
- 8.3 The Secretary/Operational Manager shall circulate the agenda of an AGM to all Members, Executive Committee, Management Committee and Honorary Life members at least 14 days prior to the meeting.
- 8.4 The notice convening a SGM shall include its agenda, including any motion submitted for consideration at such meeting by the Management Committee or the requisitioning Members.
- 8.5 The Chairperson may in the exercise of his/her discretion determine shorter periods than the periods stipulated in clauses 8.1 and 8.3, provided that the periods so determined shall not be less than 14 days and 7 days respectively, and are subsequently condoned by the General Meeting.

CLAUSE 9: REPRESENTATION AT GENERAL MEETINGS

- 9.1 Every Member (CLUB) shall be entitled to be represented at the General Meetings by two delegates at General Meetings.
- 9.2 Delegates of Members shall be entitled to participate in the business of the Annual General Meeting only if the Member are represented, is in good standing as at the date of the meeting in question.

CLAUSE 10: QUORUM AT GENERAL MEETINGS

- 10.1 A minimum of 50% of the numbers of the Members, plus one Member, in good standing on the date of the meeting, shall constitute a quorum at any General Meeting;
- 10.2 In the event that at the date and time for the meeting, there is no quorum present, the Chairperson of the meeting shall adjourn the meeting for one hour. If after the elapse of one hour, at least 50% of Members plus one Member, in good standing, are present, such number shall constitute a quorum. If however, the meeting remains inquorate, the Chairperson shall adjourn the meeting for no more than seven days. The Secretary/Operational Manager shall advise all members of the date and place of the adjourned meeting and all members then present at such reconvened meeting shall constitute a quorum.

CLAUSE 11: PROCEDURE AT GENERAL MEETINGS

- 11.1 At General Meetings the Chairperson shall preside, or in his or her absence, the Vice Chairperson. In the absence of both of them, the Members present shall elect a Chairperson.
- 11.2 The agenda of the Annual General Meeting shall be disposed of in the following order:
- 11.2.1 Scrutiny of delegates' credentials;
 - 11.2.2 Reading of the Notice of Meeting;
 - 11.2.3 Reading and adopting the minutes of the previous Annual General Meeting and of any Special General Meetings during the period;
 - 11.2.4 Consideration of the Chairperson's annual report;
 - 11.2.5 Consideration of the audited statements of account for the preceding financial year;
 - 11.2.6 Consideration of any Notices of Motion;
 - 11.2.7 Election of the Executive and Management Committees;
 - 11.2.8 Election of honorary members.
 - 11.2.9 Appointment of auditors.
- 11.3 The agenda of a Special General Meeting shall be disposed of in the order specified below:
- 11.3.1 Scrutiny of delegates' credentials;
 - 11.3.2 Reading of the Notice of Meeting;
 - 11.3.3 Consideration of any Notice of Motion or report submitted by the Management Committee
- 11.4 No motion or amendment on the agenda of General Meetings may be withdrawn without the approval of the Meeting. If the Member which has submitted a motion is not present at a meeting, any other Member present may move it.

CLAUSE 12: VOTING AT GENERAL MEETINGS

- 12.1 All matters requiring a resolution shall be decided by a show of hands, or if so resolved by the meeting, or so ruled by the Chairperson of the meeting, by secret ballot. All elections shall be conducted by secret ballot.
- 12.2 In all meetings except the AGM, Members and the members of the Executive and Management Committees shall have one (1) vote each. In the event of a tie a tie the Chairperson of the meeting, shall, in addition to his/her ordinary vote, have a casting vote.

CLAUSE 13: ELECTION OF OFFICE BEARERS FOR MANAGEMENT COMMITTEE

- 13.1 The office bearers of EDEN BIATHLON FEDERATION, namely the Chairperson, the Vice Chairperson, the Secretary/Operational Manager, the Treasurer shall be elected at an AGM, for a period of two years. Elections of office bearers shall accordingly occur
- 13.2 at every second AGM, which shall be in a non-Olympic year, ("an electoral AGM"), save to the extent provided to the contrary herein.

- 13.3 All the nominations for these posts shall be submitted in writing to the Secretary/Operational Manager at least 14 days prior to the meeting. Nominations for the position of Chairperson and Vice Chairperson shall be accompanied by a C.V. of the nominee and a written motivation of his/her candidacy. 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.
- 13.4 The incumbent members of the Executive and Management Committees, which includes the office bearers, shall retire immediately prior to the commencement of an election and the Meeting shall elect a Chairperson to preside until the completion of the election. It follows that only Members shall be entitled to vote in an election.
- 13.5 The Office Bearers and Members of the Executive and Management Committees shall be elected in the following order:
- 13.5.1 Chairperson
 - 13.5.2 Three [3] Vice Chairpersons
 - 13.5.3 Secretary/Operational Manager
 - 13.5.4 Treasurer
 - 13.5.5 One representative each of the following regions: Knysna/Bitou, George, Mossel Bay/Hessequa and Oudtshoorn/Kannaland, nominated by the relevant regions
- 13.6 The Management Committee will consist of the following Executive Committee members:
- 13.6.1 Chairperson
 - 13.6.2 At least ONE [1] Vice Chairperson
 - 13.6.3 Secretary/Operational Manager
 - 13.6.4 Treasurer

The Management Committee will oversee the day to day running of the FEDERATION.

CLAUSE 14: MEETINGS OF THE EXECUTIVE and MANAGEMENT COMMITTEES

- 14.1 Meetings of the Executive Committee shall meet at least four (4) times per year on dates to be determined by the AGM or shall be convened by the Secretary/Operational Manager pursuant to a direction of the Chairperson, who shall also determine the agenda for such meetings. The Chairperson shall be obliged to call a meeting upon receipt of a written request from at least two members of the Committee. At least 10 days written notice of the date, time and place for meetings shall be given, but if convenient, the Chairperson may direct that meetings may be held by telephone or video conference call, or by telephonic or written round-robin communication.
- 14.2 A quorum for meetings of the EXCO shall be 50% of members thereof, plus one member.
- 14.3 The Chairperson, or in his absence, the Vice Chairperson, or in the absence of both of them, a member of the EXCO, elected by the meeting, shall be the Chairperson of a meeting of the EXCO or MANCO.

- 14.4 Members of the EXCO and MANCO Committees will have one vote each and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote.
- 14.5 Minutes of EXCO and MANCO meetings shall be circulated to all members within 14 days of a meeting.

CLAUSE 15: POWERS AND DUTIES OF THE EXECUTIVE AND MANAGEMENT COMMITTEES

In addition to any powers and duties granted to the Executive and Management Committees in this Constitution, the following further powers shall vest in them:

- 15.1 When vacancies occur in the offices of Chairperson, Vice-Chairperson, Secretary/Operational Manager, Treasurer, to fill such vacancies from amongst the members of the EXCO, to hold office until the next General Meeting, when an election shall be held to fill such vacancy, notwithstanding that such General Meeting is not an elective AGM.
- 15.2 To deal exclusively with all communication to and from the National and Provincial Federations, the EDEN District Sport Council, and other communications.
- 15.3 To decide where meetings of the FEDERATION shall be held;
- 15.4 To bid for, decide on and control Provincial and National Competitions and to inform Members of decisions in this regard.
- 15.5 To decide on and allocate and control all District and inter-district Championships and any other district competition, and to report to the Annual General Meeting in this connection;
- 15.6 To nominate delegates to anybody with which the FEDERATION is affiliated.
- 15.7 To appoint the delegates to the NF and PF meetings, AGM, SAGM etc.
- 15.8 To make the following appointments from time to time, from amongst its number or by co-option, as it deems fit, together with such other functions as may be appropriate:
- 15.8.1 Development officer;
 - 15.8.2 Women representative;
 - 15.8.3 Coach and Officials;
 - 15.8.4 Team managements
 - 15.8.5 Selection committee
 - 15.8.6 Athlete representative
 - 15.8.7 Safeguarding officer
- 15.9 To prepare and maintain a database of registered athletes and clubs.
- 15.10 To approve all Eden teams selected, team managers and other officials of such teams.

- 15.11 To convene an Annual General Meeting of the FEDERATION every year.
- 15.12 To consider any violation or infringement of the Constitution, Rules and Regulations of the FEDERATION, code of conduct and to take the necessary action in terms of this Constitution.
- 15.13 To prosecute, or take action against, any athlete or person who attempts to obtain any award dishonestly or has so obtained it.
- 15.14 To suspend temporarily or permanently any person who has been convicted of misbehavior or dishonorable practices in regard to the activities of the FEDERATION and to restore the status of such a person in accordance with the finding of the Annual General Meeting, if a Member was proposed a motion to this effect.
- 15.15 To hear appeals against the decisions of Members and to pronounce on these.
- 15.16 To consider at every meeting a report on the financial affairs of the FEDERATION.
- 15.17 To submit to the Annual General Meeting an annual report.
- 15.18 To manage and control all financial matters of the FEDERATION and to submit to the Annual General Meeting an audited financial report, and financial statements for the previous financial year (1 April to 30 September). If the Annual General Meeting is held before 31 October, a provisional financial statement shall be submitted, in which case the audited financial report and financial statements shall be sent to all Members within 30 Days of the AGM.
- 15.19 To open current and savings accounts for the FEDERATION, and to draw, receive and endorse cheques, bills of exchange and IOUs in connection with the financial business of the FEDERATION: to pay out any honorarium upon which the EXCO and MANCO may decide.
- 15.20 To appoint three [3] signatories of which two [2] must sign off cheques/EFT payments and of which the treasurer must be one;
- 15.21 To agree to the settlement of the travel and subsistence expenses of any athlete or official when funds are available. The income and property of Eden Biathlon Federation are not distributable to its members of office-bearers except as reasonable compensation for services rendered. Office bearers will not be personally liable for any loss of the federation while performing his/her duties in good faith on behalf of the federation.
- 15.22 To appoint a legal advisor and an honorary auditor at its first meeting after the Annual General Meeting
- 15.23 To seek and approve of all sponsorships that may be decided upon by the Management Committee
- 15.24 To approve any district participation by athletes under the jurisdiction of the FEDERATION

- 15.25 To do everything that is desirable for the affairs of the FEDERATION, in keeping with its accepted aims and subject to the conditions of this Constitution and to directions of the Annual General Meeting.

CLAUSE 16: FORFEITURE OF OFFICE

- 16.1 If any member of the Executive and Management Committees or any other committee absents himself without leave from two successive meetings, it shall be presumed that he/she has forfeited his/her office.

CLAUSE 17: HEAD OFFICE

- 17.1 The Head Office of the FEDERATION shall be situated at the place decided upon by the Management Committee at its first meeting after the Annual General Meeting.
- 17.2 Should the Management Committee decide to move the Head Office all members must immediately be notified of the new address and the Head Office must be established at the new address within two (2) months.

CLAUSE 18: MEMBERS

- 18.1 Conditions for affiliated membership:
- 18.1.1 Members shall consist of CLUBS which have affiliated in terms of Clause 5.
- 18.1.2 Each Member may decide upon its colours subject to the approval of the Management Committee and the District sports council.
- 18.1.3 No Member shall be allowed to use or to adopt the emblem of the EDEN BIATHLON FEDERATION without the consent of the EXCO.
- 18.1.4 Members shall be responsible for ensuring that all athletes who compete at Club, Eden, Provincial or National Championships or in any International competitions shall be registered with the FEDERATION.
- 18.2 Reports of members: Every Member shall, if requested in writing by the Management Committee, submit a report on its activities within a specified period.

CLAUSE 19: SELECTION COMMITTEE AND CRITERIA

- 19.1 The Management Committee shall from time to time establish a selection system consisting of selection committees and selection criteria for representative teams for FEDERATION and its components.
- 19.2 The selection system shall in addition provide for the election or appointment of members of selection committees, any minimum qualifications or attributes required for selection or appointment, terms of office and any other matters it deems necessary to regulate the activities of such committees.

CLAUSE 20: HONORARY LIFE MEMBERS

- 20.1 There shall never be more than six (6) Honorary Life Members.
- 20.2 Nominations, along with a report outlining the services rendered to FEDERATION, shall be submitted to the Executive Committee for consideration at least 30 days before the AGM.
- 20.3 When the number of acceptable nominations exceeds the available vacancies, the nominations, along with reports of services, shall be submitted to Members for a digital vote.
- 20.4 When an equal number of votes are recorded, the Management Committee shall decide whose name or names should be submitted to Members for a digital vote.
- 20.5 Members shall vote by digital ballot and only those nominees who have gained 75% of the lawful votes recorded shall receive the award.
- 20.6 The names of the successful candidates shall be announced at the Annual General Meeting.
- 20.7 The colours for the honorary life members shall be the official emblem of the FEDERATION with the following wording added to the blazer badge: "Honorary Life Member".

CLAUSE 21: EDEN COLOURS

- 21.1 The FEDERATION's official colours are the colours as registered by EDEN SPORT COUNCIL – bottle green, dark blue and white.
- 21.2 The award of MERIT colours will be guided by the following criteria:
- The minimum of 2000 points and be under the first 5 athletes;
 - Or be one of the additional 10 athletes allowed by SA Biathlon that is spread over all the age groups;
 - Colours will only be allocated once the athlete physically take part;
 - The final decision however remains with the Selectors who will mainly adjudicate the situation around medical and other exceptions;
- 21.3 MERIT Colours: the official green, blue & white vest, green running pants and the official track suit;
- 21.4 B-Team Colours: the official green, blue & white vest, green running pants but no track suit;
- 21.5 DEVELOPMENT Colours: the white vest, green running pants but no track suit.
- 21.6 EDEN colours may only be wearing when representing the Eden Biathlon Team;
- 21.7 Schools/clubs must wear their official school/club colours during league meetings
- 21.8 The official EDEN BIATHLON logo shall be the one as on the home page and accepted by the Eden Sport Council

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CLAUSE 22: AWARD OF EDEN COLOURS

22.1 The Executive Committee shall from time to time determine and resolve upon the criteria and qualifications for the award of provincial colours in all disciplines under the jurisdiction of the FEDERATION, subject to the directions of EDENSC in this regard, for athletes and administrators.

CLAUSE 23: AWARD OF COLOURS OF THE EDEN BIATHLON FEDERATION

23.1 Award to athletes

FEDERATION colours may be awarded by the Management Committee to male and female Athletes selected by the selectors to represent EDEN B-teams, invitation teams or junior teams, if the merit of participation and standard of competition justifies it.

23.2 Award to managers and coaches

Persons who are duly nominated to act as managers or coaches to teams of the FEDERATION, other than EDEN teams, are allowed to wear the official colours of the FEDERATION, with the proviso that the wording "Team Manager" or "Team Coach" be indicated on the badge. The language of such wording is at the discretion of the recipient.

CLAUSE 24: CODE OF CONDUCT

24.1.1 The Executive Committee shall develop and adopt a Code of Conduct for Members of the FEDERATION and circulate it to all Members.

24.1.2 All athletes and officials to whom representative colours have been awarded shall at all times conduct themselves in a manner that will benefit and do credit to the insignia under which they

have been chosen to represent their sport and their country. A copy of the Code of Conduct shall be handed to each athlete and official to whom national colours has been awarded.

- 24.2 The management committee may take disciplinary action against any athlete or official who does not behave in terms of the Code of Conduct. Such action may include the withdrawal of representative colours.

CLAUSE 25: HONORARY AWARDS FOR SERVICE

- 25.1 An honorary award for services rendered to the FEDERATION may be made to a maximum of three persons per year by the Executive Committee
- 25.2 Nominations for honorary awards shall be submitted to the Management Committee 7 days before the Annual General Meeting by members, together with a report on the services rendered;
- 25.3 If more than three nominations are received, the Selection Committees shall decide to which three names the honorary awards shall be awarded.
- 25.4 The names of nominees, to who honorary awards have been made, shall be announced at the Annual General Meeting.
- 25.5 Nominations for honorary awards shall be subject to the condition that a candidate shall have served the FEDERATION for at least five years in an executive capacity;
- 25.6 The honorary colours shall be the official badge of the FEDERATION with the following wording “**Honoris Causa**” added to the blazer badge:

CLAUSE 26: MEMBERSHIP FEES

- 26.1 Every Member shall annually contribute to the FEDERATION an affiliation fee (which shall include a determined proportion of the affiliation fees of individual members to Members) and such other contributions as determined by the Executive Committee.
- 26.2 Affiliation fees of Members shall be due before 31 October every calendar year.
- 26.3 If the affiliation fees have not been paid before the Annual General Meeting this shall mean that the defaulting member is not in good standing.
- 26.4 If the amount due is paid together with the penalty as determined by the Management Committee from time to time, the Management Committee may uplift the disqualification.
- 26.5 If a Member ceases to exist or abandons its activities for a period to be determined by the Executive Committee, the EXCO, shall take the necessary steps to liquidate the affairs of such Member.

CLAUSE 27: RULES AND REGULATIONS

- 27.1 In addition to the provisions of the Constitution the FEDERATION shall issue such Regulations

as may be required for the smooth running of its affairs.

27.2 Such regulations may be issued or amended only by:

27.2.1 An Annual General Meeting;

27.2.2 Special General Meeting called for this purpose, or

27.2.3 The Executive and Management Committees, with the proviso that it is approved at the following Annual General Meeting.

27.3 Any amendment of the Regulations shall be entered in the minutes of the particular meeting at which such amendments have been passed. If the minutes have been duly circulated, as provided for in the Constitution, this shall be deemed sufficient notice of such amendments.

27.4 No regulations may be in conflict with the Constitution of the FEDERATION.

27.5 All members, clubs, or bodies affiliated with them shall:

28.5.1 be obliged to observe and accept the Regulations of the FEDERATION;

28.5.2 furnish any information required by the FEDERATION in connection with any matters falling within the province of Members' activities;

28.5.3 refrain from introducing any incompatible amendments or additions to the Regulations of the FEDERATION.

27.6 The rules of order adopted by the General Meeting, or failing such rules, Roberts Rules of Order shall regulate all meetings held under the auspices of the FEDERATION.

27.7 The FEDERATION shall additionally issue Competition Rules that shall be applicable and must be complied with at all domestic, district, inter-district and provincial Championship meetings:

27.8 Sub-Paragraphs 31.2, 31.3, 31.4, and 31.5 shall apply *mutatis mutandis* to the Competition Rules.

CLAUSE 28: INTERPRETATION OF RULES AND REGULATIONS

28.1 Decisions of the Executive Committee concerning the validity of any clauses of the Rules in terms of which FEDERATION is administered, shall be final and binding.

28.2 Doubts concerning interpretations, the definitions of an amateur or any matter not provided for shall be laid in writing before the Secretary/Operational Manager of the FEDERATION by the Secretary of the Member, to be investigated and commented upon by the Management Committee. The decision of the Management Committee shall be final and binding.

CLAUSE 29: APPEALS

Appeals against the decision of the FEDERATION

- 29.1 if satisfaction is not obtained and/or if there is any uncertainty about the decision, an appeal may be directed via the Member to the Management Committee accompanied by a fee in a sum determined by the Management Committee from time to time, which shall rule on the matter;
- 29.2 the decision of the Management Committee shall be final and binding and may include a decision to refund the appeal fee.

CLAUSE 30: ARBITRATION

Should any dispute arise which involves the Union, its officials, any clubs affiliated with the Union, and any officials, players 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. The provision of Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.

CLAUSE 31: DISPUTE RESOLUTION PROCEDURE

- 31.1 In the event of a dispute arising between Members or between the Members and the FEDERATION, on any issue relating to FEDERATION or its administration either party may declare a dispute by written notice to the other, with a copy to the Secretary/Operational Manager.
- 31.2 The respective Chairpersons of the Members in question, or the Chairperson and the Chairperson, as the case may be, shall immediately communicate with each other in the most practical manner, including if necessary by meeting each other (and if necessary as facilitated by the Secretary/Operational Manager) and attempt to resolve the matter within 14 days of declaration of the dispute. Should the matter be resolved, a written record of the resolution arrived at, duly signed by both of the parties, shall be binding on the parties to the dispute and the FEDERATION.
- 31.3 If the dispute has not been resolved in the manner referred to in 31.2 within 14 days of declaration thereof, any party thereto may give written notice of non-resolution to the other party or parties to the dispute and to the Secretary/Operational Manager.
- 31.4 If the dispute is between Members, the Secretary shall refer the dispute to the Chairperson within seven days of receipt of notice thereof. The Chairperson shall in his/her sole discretion determine an appropriate procedure for the resolution of the dispute, which may include requiring the parties to submit information or written submissions, appear before him/her and present oral or written evidence and advise the parties accordingly. The Chairperson shall thereafter determine the dispute within 21 days of referral of the dispute to him/her.
- 31.5 If the dispute is between Member/s and the FEDERATION, the FEDERATION, represented by the Chairperson and the Member/s represented by its/their Chairperson/men shall attempt to

agree on a person to consider and determine the dispute. In the event that they are unable to agree with in seven days of the declaration of the dispute, either party may refer the matter to the WC Arbitration Forum [see Clause 30].

- 31.6 No party to a dispute referred to in this clause shall be entitled to be represented by a legal professional, acting such, in such dispute.

CLAUSE 32: DISSOLUTION

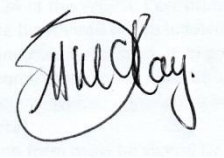
- 32.1 The Eden Biathlon Federation may be dissolved at any time by a resolution in favour of dissolution by a majority of not less than four-fifths of the Members present in person and entitled to vote as set out above at a Special General meeting called specifically for such purpose and of which thirty (30) clear days notice specifying the intention to propose such a resolution has been given.
- 32.2 upon the dissolution of the Eden Biathlon Federation its property not consisting of money shall be sold and the proceeds, together with so much thereof as shall consist of money, shall be applied in satisfaction of the debts and liabilities of the Eden Biathlon Federation and subject thereto, the balance shall be distributed equally among affiliates of the Council which are also registered as a "Public Benefit Organization" in terms of Section 30 of the Income Tax Act, or to some other similar public benefit organization which has been approved in terms of section 30 of the Income Tax Act No 58 of 1962, to be determined by the Council at or before the time of its dissolution or, failing such determination, by the court.

CLAUSE 33: AMENDMENTS TO THE CONSTITUTION

- 32.1 The Constitution may be amended only at an Annual General Meeting or at a Special General Meeting called for this specific purpose.
- 32.2 Notice of any proposed amendments shall be entered on the agenda in accordance with the procedure laid down in Clause 8.
- 32.3 The notice shall specify which clause of the Constitution it proposes to amend and shall indicate clearly what should be omitted or added to it.
- 32.4 The Constitution can be amended only by a 75% majority of all of the Members of the FEDERATION.
- 32.5 Any amendment to the Constitution takes immediate effect unless the contrary is decided.
- 32.6 Amendments to the Constitution must be submitted by the Executive Committee to the PF, NF and the EDENSC.

Date Accepted: 23 April 2018

Signed:

A handwritten signature in black ink, appearing to read 'McKay', enclosed within a light blue rectangular border.

Stephnie McKay

Chairperson

A handwritten signature in black ink, appearing to read 'Dave van der Walt', enclosed within a light blue rectangular border.

Dave van der Walt

Operational Manager

BYLAWS

BYLAW 1 CODE OF CONDUCT

Once Eden Biathlon colours are bestowed and accepted, all participants are bound by the CODE OF CONDUCT.

- 2.2 Representing the EDEN is an honour reserved for the selected and the ultimate honour would be victory.
- 2.3 Participants are ambassadors of the EDEN and as such must behave in an exemplary manner and must be a credit to the EDEN.
- 3.1 Guidelines have been compiled to serve as broad criteria for all those involved in representative participation in order to ensure –
- basic uniformity,
 - group unity,
 - discipline
 - friendly and comfortable disposition within the group or team.
- 3.2 EDEN Biathlon clubs within the EDEN BIATHLON FEDERATION must ensure that team management consists of seasoned and responsible adults who can provide the necessary guidance to young and or inexperienced team members, especially if participants are travelling for the first time.
- 3.3. Each Eden Biathlon Club must have a Code of Conduct.
- 3.4 Every participant shall, during all events and at all times while participating in the sport arena conduct themselves in a true sportmanlike manner. These provisions apply to each participants conduct while within the precincts of each venue or site of the tournament, as well as at any official event or function related to the tournament, including while travelling and while wearing the official colours.
- 3.4.1 **PUNCTUALITY** must be adhered to.
- 3.4.2 **DRESS** – must conform to the standards as set out by the EDEN Biathlon Colours Policy. The official dress of the team should be worn at departure and arrival and at official receptions.
- 3.4.3 **LEAVING THE PREMISES OF THE SPORTS VENUE** - may only be allowed with the permission of the team management.
- 3.4.4 **CEREMONIES** – Opening and Closing Ceremonies must be attended with due respect to all speakers and organisers.
- 3.4.5 **CONDUCT** especially when travelling – bad language, rowdy behaviour, singing of vulgar songs will not be permitted. Participants and persons accompanying the team, must respect fellow travellers and must be well behaved in public places, at venues, towards staff or hosts and respect the persons and property of others.
- 3.4.6 **UNSPORTSMANLIKE CONDUCT** – participants shall at all times conduct themselves in a sportsmanlike manner and give due regard to the authority of officials and the rights of opponents, spectators and others. If such violation occurs during a event (including a warm-up) the participants shall be subject to disciplinary action.

- 3.4.7 **AUDIBLE OBSCENITY** – participants may not use words commonly known and understood to be profane and uttered clearly and loudly enough to be heard by others. This would be considered a violation of the Code of Conduct.
- 3.4.8 **VISIBLE OBSCENITY** – participants may not make obscene gestures of any kind. This would also be considered a violation of the Code of Conduct.
- 3.4.9 **VISIBLE OBSCENITIES** on clothing or any equipment of participants or persons accompanying the participants would also be considered a violation of the Code of Conduct.
- 3.4.10 **VERBAL ABUSE** – participants and persons travelling with the team, shall not at any time directly or indirectly verbally abuse any official, opponent, sponsor, spectator or other person while representing the EDEN BIATHLON, while wearing the EDEN Colours or while travelling with the EDEN team. Verbal abuse is defined as a statement about an official, opponent, sponsor, spectator or other person that implies dishonesty or is derogatory, insulting or otherwise abusive.
- 3.4.11 **PHYSICAL AND SEXUAL ABUSE** – participants or persons travelling with the team, may not at any time physically or sexually abuse any official, opponent, spectator or other person. Physical and sexual abuse is the unauthorised touching of or sexual advances to an official, opponent, spectator or any other person.
- 3.4.12 **SUBSTANCE ABUSE** – by participants and persons accompanying the team will be regarded as a violation of the Code of Conduct and can lead to disciplinary action.
- 3.4.13 **DRUGS**, and the use thereof, will not be tolerated. Subscription drugs must be checked for content. The WADA code will apply and must be adhered to.
- 3.4.14 **ALCOHOL** abuse will not be permitted.
- 3.4.15 **TOBACCO** use while wearing EDEN BIATHLON Colours will not be permitted.
- 3.4.16 The misuse of **cell phones** is also forbidden

4 **DISCIPLINARY ACTION**

4.1 Any disciplinary action taken by an affiliated club must be reported to the EDEN BIATHLON EXCO Committee.

4.2 The EDEN BIATHLON EXCO Committee reserves the right to implement:

- 4.2.1. A DISCIPLINARY HEARING
- 4.2.2. THE SUSPENSION OF PLAYERS
- 4.2.3. THE WITHDRAWAL OF EDEN BIATHLON COLOURS
- 4.2.4. THE REVISION OF THE OUTCOME OF THE DISCIPLINARY ACTION AS PER 4.1.

5 **DISCIPLINARY HEARING**

- 5.1 If the Code of Conduct is infringed, disciplinary steps, in the discretion of the EDEN BIATHLON Federation and the EDEN EXCO, may be taken against such participant.
- 5.2 A participant may be suspended on violation of any grounds appearing under any items as set out above in the Code of Conduct.

5.3 The EDEN BIATHLON EXCO Committee reserves the right to withdraw EDEN colours which have been awarded to any participant, on any violation of the Code of Conduct.

5.4 The EDEN BIATHLON EXCO Committee reserves the right to revise the outcome of any Disciplinary Action taken by any Eden Biathlon Club.

6 **LODGING OF COMPLAINTS**

6.1 PROCEDURE ON LODGING OF COMPLAINTS

6.1.1 Step 1: A participant or other party must lodge a complaint with their Eden Biathlon Federation. The Eden Biathlon Federation must inform the EDEN EXCO Committee.

6.1.2 Step 11: If no satisfactory decision is reached the participant or other party may lodge a complaint with the EDEN SPORT COUNCIL EXCO Committee.

6.1.3 Step III: If the matter is still not satisfactorily settled, the participant or other party may lodge a complaint with the South African Biathlon Association.

6.1.4 Step IV: If still no satisfaction is reached, the matter will be referred to the WC Arbitration Forum for final decision.

According to SASCOC policy, all sport related issues of dispute must be kept out of civil court as far as possible for no funds from government will be used for these cases.