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## Chapter 1:

# CONSTITUTION OF THE SOUTH AFRICAN MAJORETTE AND CHEERLEADING ASSOCIATION

Italics indicate latest adopted changes

## **PREAMBLE**

This document, the Constitution of the South African Majorette and Cheerleading Association (hereinafter also referred to as the “SAMCA CONSTITUTION”), recognises the authority of the South African Sports Confederation and Olympic Committee (hereinafter also known as “SASCOC”), Sports & Recreation South Africa (also known as SRSA), as well as the Constitution of the Republic of South Africa, and the rule of law and good corporate governance. More specifically, the South African Majorette and Cheerleading Association shall prescribe to the provisions, regulations and stipulations contained in the following Acts and / Regulations which shall apply to the SAMCA CONSTITUTION mutatis mutandis, namely:

- the Constitution of South Africa;
- the South African Sports Commission’s Code of Conduct;
- the Companies Act 71 of 2008 regarding a Company not having a Share Capital;
- the National Sport and Recreation Act, 1998 (Act No. 110 of 1998 as amended by the National Sport & Recreation Act No. 18 of 2007, in the Republic of South Africa); and
- any policy / policies, regulation(s), directives and / or instructions issued from time to time, to which the Association has to prescribe.

### **1. NAME**

The name of the body shall be “SOUTH AFRICAN MAJORETTE AND CHEERLEADING ASSOCIATION” hereinafter also known as the “ASSOCIATION” or by the abbreviation “SAMCA”.

### **2. OBJECTIVES**

The objectives of the ASSOCIATION are as follows:

- 2.1 To continue to be recognised as Federation of the sport of Majorettes and Cheerleading (which includes Baton Twirling) as practised by all the codes, associations and other bodies that affiliate to the ASSOCIATION;

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2.2 To promote the activities and awareness of Majorettes, Cheerleading and Baton Twirling in South Africa, internationally.

2.3 To organise and co-ordinate a National Championships, tours and other similar events nationally, as well as internationally, which are designed to promote the interests of Majorettes, Cheerleading and Baton Twirling, in general;

2.4 To formulate and administer the Rules and Regulations governing the affairs of the Association and those of its affiliated and associated bodies, including the Rules and Regulations governing competitions at Tertiary, Secondary, Primary and/or Pre-primary level, which Rules and Regulations (also known as the “RULES AND REGULATIONS”) shall be deemed to form part of this document.

2.5 Develop athletes to a high performance level to enable the SAMCA National Team to compete successfully internationally

### 3. JURISDICTION

#### 3.1 Area

The areas of jurisdiction of the ASSOCIATION shall be the nine provinces constituting the Republic of South Africa. In addition, the ASSOCIATION shall have jurisdiction over all affiliated and associated Majorette, Cheerleading and Baton Twirling athletes touring abroad as Majorettes, Cheerleaders or Baton Twirlers.

3.2 No members (including teams) affiliated to SAMCA may compete/tour internationally without prior permission from SAMCA.

#### 3.3 Association and Affiliation

3.3.1 SAMCA shall affiliate to SASCOC as the controlling body for Sport in South Africa and actively seek to co-operate with formally constituted bodies concerned with organised sport and shall, wherever appropriate, associate with or affiliate to such bodies, nationally and internationally.

3.3.2 SAMCA shall actively seek reciprocal association or affiliation, as may be appropriate from International, National, Provincial and Regional Majorette, Cheerleading and Baton Twirling Associations.

3.3.3 All bodies affiliated to SAMCA shall be governed by the Council of the ASSOCIATION working through the National Executive and the Provincial Executives.

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## 4. MEMBERSHIP OF SAMCA

### 4.1 Membership

#### 4.1.1 Ordinary membership:

SAMCA consists of the various national, provincial, or regional Majorette, Cheerleading and Baton Twirling Associations and other bodies affiliated to it, each of which shall be regarded as an ordinary member upon approval by the SAMCA National Executive and upon receipt of the requisite association or affiliation fee.

#### 4.1.2 Associate membership:

Membership of SAMCA may be granted to individuals who are not involved in training, adjudicating or administering Majorettes, Cheerleading and Baton Twirling but who have, nevertheless, demonstrated a keen interest in the sport. Such associate members shall not be eligible to vote.

4.1.3 Honorary associate membership may be granted by SAMCA to individuals who in the opinion of the Council have rendered outstanding service to the sport of Majorettes, Cheerleading and Baton Twirling. Such honorary associate members shall not be eligible to vote.

## 5. CONSTITUTIONS, RULES AND REGULATIONS OF MEMBER BODIES

5.1 Any Provincial and Regional Majorettes, Cheerleading and Baton Twirling body wishing to associate with, or affiliate to, SAMCA shall be prepared to ensure that its Constitution accords in all substantive respects with the model constitution (Appendix A) to this chapter) approved by SAMCA, as may be amended from time to time. When applying for association or affiliation, each applicant body shall submit its Constitution to the SAMCA Executive for approval.

5.2 Once the constitution of an applicant body has been approved by the SAMCA Executive in terms of 5.1, such constitution shall take precedence regarding the governance of the said regional Majorettes, Cheerleading and Baton Twirling bodies. However, in the event of such regional body's constitution being silent on any material aspect, the SAMCA Constitution shall govern such aspect.

5.3 In the event of the constitution of an associated or affiliated body not being presented to SAMCA for approval and / or in material aspects conflict with the model constitution approved by SAMCA, the SAMCA CONSTITUTION shall apply to such associated or affiliated body.

5.4 The SAMCA CONSTITUTION shall only be amended at the Annual General Meeting of the ASSOCIATION or at a Special General Meeting called specifically for this purpose.

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5.5 The National Executive of SAMCA shall be advised at the same time as ordinary members of a provincial or regional association affiliated to SAMCA of any amendments proposed to the constitution of the said provincial or regional association or affiliated body. This is to enable the National Executive of SAMCA to participate in the decision-making process, should the National Executive so require. The National Executive of SAMCA shall be furnished with full details of such proposed amendments at the time the ordinary members of the provincial or regional association are informed. Such amendment to the constitution shall only take place at the Annual General Meeting of the provincial or regional association or at a Special General Meeting of such provincial or regional association called specifically for this purpose.

5.6 All affiliated associations or other bodies shall endeavour to adopt the model, standardised constitution available from SAMCA.

5.7 The Rules and Regulations governing the conduct of participants in the sport, competitions, disciplinary matters and procedures agreed upon from time to time by SAMCA and its members shall be deemed to form part of this constitution and ipso facto to be binding on all members, associates and affiliates of SAMCA.

5.8 No provincial or regional association or affiliated body to such provincial or regional association shall have the right and / or the authority to amend any part of the SAMCA CONSTITUTION or any of the RULES AND REGULATIONS without the prior written approval of the SAMCA Executive.

5.9 For the purposes of the Constitution, membership of SAMCA shall be determined and approved in terms of the provincial and regional structure as prescribed in Appendix B to this Chapter.

## 6. THE NATIONAL COUNCIL, THE NATIONAL AND PROVINCIAL EXECUTIVES

### 6.1 National Council

The ordinary members of SAMCA defined in 4.1.1 shall (subject to 7.1.1) each elect from their respective memberships or from the ranks of associate members specified in 4.1.2, the individuals who shall form the National Council.

#### 6.1.1 Composition of the National Council

The National Council of the Association shall consist of the following office bearers:

- (i) National President;
- (ii) National Vice-President;
- (iii) National Director: Finances;
- (iv) National Director: Adjudicators;
- (v) Deputy National Adjudicators (X2);

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- (vi) National Director: Development;
  - (vii) National Director: Coaches;
  - (viii) Deputy National Coach - Majorettes;
  - (ix) Deputy National Coach - Cheerleading
  - (x) Director: National Team
  - (xi) 4 (Four) members of each Provincial Executive whose names shall be furnished to the Secretary at least 21 days before the Annual General Meeting of SAMCA as representing the Provincial Association at the National Council.
  - (xii) National Athlete's Commission Representative (does not have a vote)
  - (xiii) The National Secretary (does not have a vote).
- NB:

The National Director: Adjudicators and the two Deputy National Adjudicators must be current, active and qualified Adjudicators and affiliated to a Province.

The National Director: Coaches and the two Deputy National Coaches must be current, active, and qualified Coaches and affiliated to a Province.

#### 6.1.2 Function and accountability of the National Council

The SAMCA National Council formulates the policy and direction of SAMCA in attaining its objectives, as set out in Clause 2.

The SAMCA National Council is accountable to SAMCA, via General Council Meetings at which all policy matters shall be decided.

### 6.2 National Executive

#### 6.2.1 Composition of the National Executive

The SAMCA National Executive Committee ("Dagbestuur") consists of the incumbents of the following offices of the National Council:

- (i) National President;
- (ii) National Vice-President;
- (iii) National Director: Finances;
- (iv) National Director: Adjudicators;
- (v) National Director: Development;
- (vi) National Director: Coaches;
- (vii) National Director: National Team

#### 6.2.2 Function and accountability of the National Executive

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Execution of SAMCA policy and direction is carried out by the SAMCA National Executive working through the SAMCA Provincial Councils. The SAMCA National Executive is accountable to the SAMCA National Council. The “Dagbestuur” is responsible for the day to day running of the Association.

### 6.3 Provincial Councils

SAMCA shall be represented in each of the nine provinces by a Provincial Council, which shall be elected annually by the provincial associations practising Majorettes, Cheerleading and Baton Twirling in the Province concerned. Each provincial association or other affiliated body may nominate members of their respective council or any other appropriate individual (e.g. Associate member as specified in 4.1.2) who is resident in the province for election to the Provincial Council.

Elections shall take place at the Annual General Meeting of the Provincial Council and shall follow the model of the National Council as set out in section 6.1.1

The Provincial Council is accountable to the SAMCA National Executive for the execution of SAMCA policy and direction at Provincial and Regional level.

All Provinces shall have Boards that report to the respective elected person at Provincial level for the appropriate Board.

Where a Province is subdivided into Regions, such Province may apply to SAMCA to have additional teams compete at Nationals, which may be allowed at the discretion of the SAMCA Executive.

#### 6.3.1 Composition of the Provincial Council

The Provincial Council shall consist of the following office bearers:

- (i) Chairperson;
- (ii) Vice-Chairperson: Either elected or in the event of any Region(s), the position to be filled by such elected Chairperson(s) of any / all Region(s);
- (iii) Provincial Treasurer;
- (iv) Provincial Chief Adjudicator;
- (v) Deputy Provincial Chief Adjudicator;
- (vi) Provincial Coaches Representative;
- (vii) Deputy Provincial Coaches Representatives;
- (viii) Provincial Development Officer;
- (ix) Provincial Competitions Manager;
- (x) Provincial Athletes Commission Chairperson; and

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- (xi) The Secretary appointed by the Provincial Council.

### 6.3.2 Function and accountability of the Provincial Council

The Provincial Council formulates the necessary policies and direction in order to ensure that the SAMCA objectives as set out in clause 2, is attained at provincial and regional level.

The Provincial Council is accountable to the SAMCA Executive and ultimately to the SAMCA Council.

## 6.4 The Provincial Executive

### 6.4.1 Composition of the Provincial Executive

The Provincial Executive Committee (“Provincial Dagbestuur”) consists of the incumbents of the following offices of the Provincial Council:

- (i) Chairperson;
- (ii) Vice-Chairperson as per 6.3.1 (ii) above;
- (iii) Provincial Treasurer;
- (iv) Provincial Chief Adjudicator;
- (v) Provincial Coaches Representative
- (vi) Provincial Development Officer
- (vii) Provincial Competition Manager

### 6.4.2 Function and accountability of the Provincial Executive

Execution of policy and direction at Provincial and regional level is carried out by the Provincial Executive working through the Provincial Council. The Provincial Executive is ultimately accountable to the SAMCA National Council. The Provincial “Dagbestuur” is responsible for the day to day running of the Province.

## 6.5 The Regional Council:

Regional Councils may be established within a Province in terms of the regional structure as per Appendix B to this Chapter 1. Such Regional Council(s), shall be elected annually by the regional associations practising Majorettes, Cheerleading and Baton Twirling within the region concerned. Each regional association or other affiliated body may nominate members of their respective council or any other appropriate individual (e.g. Associate member as specified in 4.1.2) who is resident in the region for election to the Regional Council.

Elections shall take place at the Annual General Meeting of the Regional Council and shall follow the model of the Provincial Council as set out in section 6.3.1



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The Regional Council is accountable to the Provincial Executive for the execution of policy and direction at Regional level.

All Regions shall have Boards that report to the respective elected person at Regional level for the appropriate Board.

6.5.1 Composition of the Regional Council:

The Regional Council shall consist of the following office bearers:

- (i) Chairperson: once elected, also takes office of the position of Vice-Chairman at Provincial Council level;
- (ii) Vice-Chairperson;
- (iii) Regional Treasurer;
- (iv) Regional Chief Adjudicator;
- (v) Deputy Regional Chief Adjudicator;
- (vi) Regional Coaches' Representative;
- (vii) Deputy Regional Coaches Representatives;
- (viii) Regional Development Officer;
- (ix) Regional Competition Manager;
- (x) Athletes Commission Chairperson;
- (xi) The Secretary appointed by the Regional Council.

6.5.2 Function and accountability of the Regional Council

The Regional Council exercises the necessary policies formulated in terms of 6.3.2 in order to ensure that the SAMCA objectives as set out in clause 2, is attained at sub-regional level.

The Regional Council is accountable to the Provincial Executive and ultimately to the Provincial Council.

6.6 Composition of the Regional Executive:

6.6.1 The Regional Executive ("Dagbestuur") consists of the incumbents of the following offices of the Regional Council,

- (i) Chairperson;
- (ii) Vice-Chairperson;
- (iii) Regional Treasurer;
- (iv) Regional Chief Adjudicator;
- (v) Regional Coaches' Representative;
- (vi) Regional Development Officer;
- (vii) Regional Competition Manager.



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## 6.6.2 Function and accountability of the Regional Executive

Execution of policies and direction formulated by the Provincial Council is carried out by the Regional Executive. The Regional Executive is accountable to the Regional Council. The Regional Dagbestuur is responsible for the day to day running of the region.

6.7 Members of the National Council, Provincial Council or Regional Council who have a financial interest, direct or indirect, or who stand to gain financially from the activities of Majorettes, Cheerleading, and Baton Twirling must disclose, in writing on the prescribed SAMCA “Declaration of Interest Form”, (as per Appendix C to this Chapter 1) such interest prior to each specific election or nomination, or immediately upon any Member obtaining said financial interest subsequent to and during the term of such Member’s election, to the relevant Council. Failure to do so may, upon application and upon majority vote of the respective council, render such member’s election invalid. Subsequent to any election, in the event where an elected Member’s financial interest changes, such Member shall be obliged to inform the National Council, Provincial Council or Regional Council of the change and obtain approval from the relevant council regarding the change, in writing.

6.8 Membership of the National Council or National Executive, the Provincial Council or Provincial Executive, or the Regional Council or Regional Executive shall ipso facto terminate in the event of a member failing to attend three respective Council or Executive meetings in succession without the respective prior written approval of Council or the Executive for which purposes confirmation by e-mail shall be regarded as sufficient written approval.

## **7. ELECTION OF THE NATIONAL COUNCIL/NATIONAL EXECUTIVE MEMBERS; PROVINCIAL COUNCIL/PROVINCIAL EXECUTIVE MEMBERS AND REGIONAL COUNCIL/REGIONAL EXECUTIVE MEMBERS**

- The same broad principles applicable to the election of the National Council and National Executive shall also apply to the election of the Provincial Council and Provincial Executive, as well as that of the Regional Council and Regional Executive.
- The members of the Council shall hold office for a term of 3 (three) years, but shall not be entitled to serve for longer than 4 (four) successive terms, in same portfolio.
- Any person elected to a position on the Council must vacate their position and retire by no later than the end of the calendar year during which they attain the age of 70 (seventy) years

### 7.1 National Council

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- 7.1.1 The National President; National Vice-President; National Director: Finance; National Director: Adjudicators; Deputy National Adjudicators (X2); National Director: Development; National Director Coaches; the Deputy National Coaches (X2); and National Director: National Team shall be elected every third year at the Annual General Meeting of the ASSOCIATION. The Vice President is not elected in the same year as the President, to ensure continuity.
- 7.1.2 In case of any elected member referred to under 7.1.1 becoming ineligible, resign or for any other reason becomes unable to hold office for the entire period, the position can be filled by either co-option or through special Annual General Meeting, which shall be convened to elect new members to serve for the remainder of the unexpired period of the three year period.
- 7.1.3 The Secretary position will be voted for at the AGM and will be for a period of three years.
- 7.1.4 Written nominations for the positions of National President, National Vice-President, National Treasurer, National Director of Adjudicators, Deputy National Adjudicators (x2), National Director: Development, National Director: Coaches', Deputy National Coaches Representatives (x2), and National Director: National Team, shall be received by the incumbent President 21 days prior to the date of the Annual General Meeting at which the incumbents of these positions vacate their respective offices.
- 7.1.5 The National Director: Adjudicators and the Deputy National: Adjudicators (x2) must be current qualified Adjudicators and affiliated to a Province.
- 7.1.6 The National Director: Coaches and the Deputy National: Coaches (x2) must be current qualified Coaches and affiliated to a Province.

## 8. MEETINGS – NATIONAL, PROVINCIAL AND REGIONAL COUNCILS

The same broad principles applicable to meetings of the National Council and National Executive shall also apply to meetings of the Provincial Council and Provincial Executive, as well as that of the Regional Council and Regional Executive.

### 8.1 ANNUAL GENERAL MEETING

- 8.1.1 **Frequency**  
The Annual General Meeting of the National Council shall be held after the National Championships. An Annual General Meeting is to be held within each calendar year.

#### 8.1.2 Attendance and Voting

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- The Annual General Meeting, as well as any other general meeting of the Association, shall be open to all persons associated with SAMCA, but only those designated in (6.1.1) above shall be entitled to vote as indicated in (6.1.1), i.e.:6
- Only nominees of members in good standing and who are citizens or permanent residents of the Republic of South Africa shall be eligible for elections as a member of the SAMCA Executive;
- Remunerated employees of SAMCA are not eligible to stand for elections onto the SAMCA Council. ; SAMCA Executive members are not eligible for any employment within SAMCA
- No family members of an existing SAMCA Executive member, or married or related members are eligible to stand for any position on the SAMCA Executive.
- A candidate may be nominated for more than one office provided that if and when elected to a particular office, the candidate's remaining nomination. shall lapse.
- Prior to the commencement of elections, the meeting shall appoint an Electoral Officer and two other persons as scrutineers, from those present, who are not candidates for office, to conduct the elections Should any dispute relating to an election result arise during the meeting, the Electoral Officer shall rule thereon, and their ruling shall be final and may not be challenged by any candidate, delegate or member.
- Each office bearer of the National Council shall have one vote.
- Each of the 4 (four) members of a Provincial Council shall have one vote that must reflect the respective views of the Coaches' Board, the Adjudicators' Board and the Administrative body. Any one of the 4 (four) members may exercise all 4 (four) Provincial votes.
- Any associated national body approved by SAMCA as defined in 6.1.1 (xii) shall have one vote.

It shall be determined by a show of hands whether on any particular motion or matter, voting shall be by show of hands or secret ballot.

- No Proxy votes shall be recognised or utilised

### 8.1.3 Notice of Meeting

Not less than 60 days prior to any proposed Annual General Meeting or any General Council Meeting, the Secretary of the respective body or other affiliated body shall give written notice of the intended date of the meeting to the respective Council or Executives as well as, where applicable, to other affiliated bodies.

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Proposals for matters to be discussed at an Annual General Meeting or General Council Meeting shall reach the Secretary not less than 14 days prior to the meeting. The Secretary shall compile the Agenda and circulate the same (to all affiliated bodies) not less than 7 days before the meeting.

Proposals which have been submitted for discussion and approval at the AGM can only be amended during the AGM provided the Provincial Representatives present at the meeting can submit a written resolution signed by the Provincial Chairperson allowing for such change.

#### 8.1.4 Business of the Annual General Meeting

- (i) Consider the balance sheet, final accounts and related documents as part of the Treasurer's Report;
- (ii) Receive and adopt all Reports including the President's Report;
- (iii) Elect incoming office bearers as set out in (7) above;
- (iv) Discuss points listed on the Agenda;
- (v) Present and discuss any other business permitted by the President or the Chairperson provided it falls within the scope of the objectives of the meeting.

### 8.2 SPECIAL GENERAL MEETING

A Special General Council Meeting may be called by the National Council upon receiving, at least 21 days in advance, prepaid registered notice to all affiliated bodies, at the instance of at least two regions requesting such a meeting, addressed to the Secretary, stating the reason(s) for such request. The Secretary shall convene such a meeting giving 21 days' notice to all affiliated bodies, stating clearly the purpose for which the meeting has been called.

### 8.3 MEETING PROCEDURE

#### 8.3.1 Chairman

The incumbent President (and in his / her absence, the Vice-President) shall act as Chairman of meetings of the National Council and National Executive. The Chairman shall have, in addition to his ordinary vote, a casting vote in the event of a deadlock.

#### 8.3.2 Quorum

A quorum for all meetings shall be 60% of all representatives (4 (four)) Persons per Province together with each Member of the National Council), entitled to vote at such a meeting.

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In the event of no quorum being present the meeting shall stand adjourned for a period of one hour after the scheduled time of the original meeting. Should there still be no quorum, the meeting shall stand adjourned for a further 21 days at the same time and place. If no quorum is then obtained, those present shall form the quorum. Notice of the adjourned meeting will be given where reasonably possible.

A quorum is established through number of people in attendance.

### 8.3.3 Minutes of meetings

Proper and accurate minutes of all meetings shall be given and circulated within 21 days of such meeting.

### 8.3.4 Meeting procedure

All meetings shall be governed by established meeting procedure and, where the rules are silent, in accordance with common law.

## 8.4 EXECUTIVE MEETINGS

Executive meetings shall be held at least twice a year. It is recorded that telephone meetings may be conducted at the instance of the President.

## 9. MEMBERSHIP AND AFFILIATION FEES

National, Provincial, Regional and other affiliation fees shall be determined annually at the Annual General Meeting.

## 10. FINANCE AND RECORD KEEPING

### 10.1 Funding

In addition to revenue from Provincial / Regional membership fees or other affiliation fees determined in terms of Clause 9, the National Executive shall have the authority to actively seek additional funding as may be required to conduct the affairs of the Association,

### 10.2 Budget

- (i) At the end of each year the Council shall prepare and approve a budget for each Board for the ensuing year setting out all anticipated expenditure and realistic revenue sources.

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- (ii) The Director: Finances shall prepare the following, 30 days prior to the SAMCA AGM, an audited balance sheet and financial statement for the preceding year submitted to SAMCA prior to the AGM.
- (iii) The financial year of SAMCA will be from 01 April to 31 March of each year

### 10.3 Accounts and other records

- (i) An audited balance sheet and financial statement reflecting the affairs of SAMCA in the preceding year shall be submitted at each AGM;
- (ii) The financial statements and balance sheets of the Provincial Council referred to in 10.2 (ii) (a) shall be incorporated, without consolidation, into the annual accounts of SAMCA as a supplement;
- (iii) In addition, a properly audited balance sheet and financial statement covering the National Championships shall be prepared by the body concerned and submitted to SAMCA Council within 40 days after the end of the Competition;
- (iv) In addition to lodging audited financial statements with SAMCA each year, each Provincial Council shall submit a regional annual report 30 days prior to the SAMCA AGM. Provincial reports shall incorporate the reports, respectively, of the Provincial Chairman, the Provincial Treasurer, the Provincial Adjudicators' Representative, the Provincial Coaches' Representative and the Provincial Development Officer.

These reports shall form part of the report of the National President referred to in Clause 8.1.4 (ii).

## 11. RULES AND REGULATIONS

Rules and Regulations formulated to govern the day-to-day organisation and management of the ASSOCIATION shall be deemed to form an integral part of the SAMCA CONSTITUTION and have the same binding effect. Any rule contemplated in this clause must be constitutionally sound and conform to acceptable business morals and practice. Any rule formulated in terms of this clause shall be circulated and then tabled for ratification at the next Annual General Meeting.

## 12. LEGAL STATUS

- 12.1 The ASSOCIATION shall have the full status of a legal personality. The President, on authorisation of the National Executive, shall sign all necessary documents and take such steps as may be considered necessary.

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12.3 Only the National Council shall, by means of a properly minuted resolution, have the right to commit or bind the ASSOCIATION contractually.

### 13. COLOURS AND INSIGNIA

13.1 SAMCA shall be entitled to award its own distinctive Colours to associate Majorettes, Cheerleading and Baton Twirling Coaches, Adjudicators and Administrators according to such criteria as may be decided from time to time by the National Executive and ratified by the National Council.

13.2 In addition, SAMCA shall be entitled to allow:

- (i) Individual members of associated or affiliated Majorette, Cheerleading and Baton Twirling teams;
- (ii) Coaches of associated or affiliated teams;
- (iii) Affiliated Adjudicators;
- (iv) Office bearers of associated or affiliated bodies;
- (v) Associate members of SAMCA; the sale of such blazers, badges, ties, jewellery or other official insignia as may be decided from time to time.

Items sold in terms of this clause shall be clearly and distinctively different from the colours awarded in terms of 13.1 so as to ensure there can be no confusion about the status of the wearers.

### 14. AMENDMENT TO THE CONSTITUTION

Amendments to the Constitution may only be made by a properly constituted Annual General Meeting or Special General Meeting and shall be carried by a two-thirds majority of the meeting.

### 15. TROPHIES

All trophies purchased by, or donated to, the Association for use at the National Championships shall remain the property of the Association.

### 16. ANTHEM

There shall be a unique anthem known as the SAMCA anthem with words depicting the sport. The Anthem is to be utilised at all National Championships

### 17. FLAG:

Shall be utilised at all competitions and shall depict the SAMCA logo

### 18. LOGO

The SAMCA logo is to be utilised on all SAMCA documentation and correspondence.

### 19. DISSOLUTION OF SAMCA



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- 19.1 SAMCA may only be dissolved at an Annual General Meeting or at a Special General Meeting.
- 19.2 SAMCA will only be dissolved if a two-thirds majority vote of the members present in person approves such dissolution
- 19.3 In the event of the dissolution of SAMCA, after all debts and liabilities have been satisfied the balance of the property or assets will be transferred to another institution that has similar objects to those of SAMCA. There will be no distribution of any kind to any member or Office Bearer of SAMCA.

Signed by the current elected committee

.....  
Wayne Oberem  
President

.....  
Moses Ngobeni  
Vice President

.....  
Angie Hagerman  
Treasurer

.....  
Keith Alho  
Director: Coaches

.....  
Hylton Graham  
Director: Adjudicators

.....  
Cornel Bezuidenhout  
Director: National Team

.....  
Damean Tibbetts  
Director: Development

## APPENDIX B TO CHAPTER 1

### SAMCA MEMBERSHIP

The membership of SAMCA shall comprise of the following Provinces:

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**1. Province of Western Cape (Cape Town), including the following Regions:**

- 1.1 West Coast (Malmesbury);
- 1.2 Boland (Stellenbosch);
- 1.3 Overberg (Swellendam);
- 1.4 Eden (George);
- 1.5 Central Karoo (Beaufort West);
- 1.6 Cape Town Unicity (Cape Town).

**2. Province of Northern Cape (Kimberley), including the following Regions:**

- 2.1 Namakwa (Springbok);
- 2.2 Pixley-ka-Seme (De Aar);
- 2.3 Siyanda (Upington);
- 2.4 Kgalagadi (Kathu);
- 2.5 Frances Baard (Kimberley).

**3. Province of the Eastern Cape (Bisho), including the following Regions:**

- 3.1 Cacadu (Grahamstown);
- 3.2 Amathole (East London);
- 3.3 Buffalo City (East London);
- 3.4 Chris Hani (Queenstown);
- 3.5 Ukhahlamba (Aliwal North);
- 3.6 O R Tambo (Umtata);
- 3.7 Alfred Nzo (Mount Ayliff);
- 3.8 Nelson Mandela (Port Elizabeth).

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**4. Province of Free State (Bloemfontein), including the following Regions:**

- 4.1 Xhariep (Trompsberg);
- 4.2 Motheo (Bloemfontein);
- 4.3 Lejweleputswa (Welkom);
- 4.4 Thabo Mofutsanyana (Phuthaditjhaba);
- 4.5 Fezile Dabi (Kroonstadt).

**5. Province of Kwazulu-Natal (Pietermaritzburg), including the following Regions:**

- 5.1 Ugu (Port Shepstone);
- 5.2 Umgungundlovu (Pietermaritzburg);
- 5.3 Uthukela (Ladysmith);
- 5.4 Umzinyathi (Dundee);
- 5.5 Amajuba (Newcastle);
- 5.6 Zululand (Ulundi);
- 5.7 Umkhanyakude (Mtubatuba);
- 5.8 UThungulu (Richards Bay);
- 5.9 iLembe (Kwa Dukuza);
- 5.10 Sisonke (Ixopo);
- 5.11 Ethekwini (Durban).

**6. Province of Mpumalanga (Nelspruit), including the following Regions:**

- 6.1 Gert Sibande (Standerton);
- 6.2 Nkangala (Witbank);
- 6.3 Ehlanzeni (Nelspruit).

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**7. Province of Limpopo (Polokwane), including the following Regions:**

- 7.1 Mopani (Giyani);
- 7.2 Vhembe (Thohoyandou);
- 7.3 Capricorn (Polokwane);
- 7.4 Waterberg (Bela-bela);
- 7.5 Sekhukhune (Groblersdal).

**8. Province of North West (Mafikeng), including the following Regions:**

- 8.1 Bojanala (Rustenberg);
- 8.2 Central (Mafikeng);
- 8.3 Bophirima (Vryburg);
- 8.4 Southern (Klerksdorp).

**9. Province of Gauteng (Johannesburg), including the following Regions:**

- 9.1 Sedibeng (Vereeniging);
- 9.2 Johannesburg (Johannesburg);
- 9.3 Ekurhuleni (Germiston);
- 9.4 Metsweding (Bronkhorspruit);
- 9.5 Tshwane
- 9.6 West Rand.

There will be 9 Provincial Councils comprising of:

- 1. Western Cape Provincial Majorette and Cheerleading Association;
- 2. Gauteng Provincial Majorette and Cheerleading Association;
- 3. Eastern Cape Provincial Majorette and Cheerleading Association;

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4. Free State Provincial Majorette and Cheerleading Association;
5. Limpopo Provincial Majorette and Cheerleading Association;
6. Kwazulu Natal Provincial Majorette and Cheerleading Association;
7. Northern Cape Provincial Majorette and Cheerleading Association;
8. North West Provincial Majorette and Cheerleading Association;
9. Mpumalanga Provincial Majorette and Cheerleading Association.

Associate Members shall be:

1. USSA – University Sport South Africa;

Anyone else seeking affiliation to SAMCA may apply to the SAMCA President of the National Executive, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to the Constitutions of SASCOC and SAMCA, a complete membership list and any other information as may be required by the National Executive. The President shall submit applications for affiliation to the next National Executive meeting for consideration and the National Executive shall in turn submit all such applications, with a recommendation, to the next Annual General Meeting of SAMCA.

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## APPENDIX C TO CHAPTER 1

### Declaration of Interests / Conflict of Interests

Any member of the National Council, Provincial Council or Regional Council (“Member”) is reminded of his/her common law duty of good faith towards SAMCA and that he / she shall, in the execution of his/her duties at all times act in the best interest of SAMCA during the term of such Member’s election or the term any Member has been co-opted. Resulting from this common law duty, a Member who has a financial interest, direct or indirect, or who stand to gain financially from the activities of Majorettes, Cheerleading, and Baton Twirling must disclose, in writing, in terms of this Appendix C to Chapter 1, such interest prior to each specific election or nomination, or immediately upon any Member obtaining said financial interest subsequent to and during the term of such Member’s election, to the relevant Council.

Failure to do so may, upon application and upon majority vote of the respective council, render such member’s election invalid. Subsequent to any election, in the event where an elected Member’s financial interest changes, such Member shall be obliged to inform the National Council, Provincial Council or Regional Council of the change and obtain approval from the relevant council regarding the change, in writing.

A Member is not entitled to abuse his / her position as an elected member to, or co-opted to the National Council, Provincial Council or Regional Council to generate profit and commission for his / her own account or the account of another related person / party without the prior written permission of SAMCA.

Where a Member, as a result of his / her election or having been co-opted, is in a position to influence or direct the award of any business or income generated towards any commercial enterprise in which the Member has a direct or indirect interest, the Member shall immediately inform SAMCA of the fact in order to obtain the necessary approval and shall, until such time as the approval has been granted, which approval shall be granted or rejected within a reasonable period, abstain from any further action(s) in this regard. The Member shall notify SAMCA of the fact in accordance with the approval authority as stipulated in the table below:

The authorisations are directed as per table below.

Designation of Member declaring interest in Commercial Enterprise	Approval Authority
Regional Council Members or Members of the Regional Executive.	The Provincial Council of the Province under which the Region resides, through its Chairperson.
Provincial Council Members or Members of the Provincial Executive.	The SAMCA Council through the President of SAMCA.

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Designation of Member declaring interest in Commercial Enterprise	Approval Authority
Members of the SAMCA Council or SAMCA Executive, excluding the President and Vice-President.	The SAMCA Vice-President.
The SAMCA Vice-President.	The SAMCA President.
The SAMCA President.	SASCOC.

The approval given hereunder is within SAMCA's absolute and unfettered discretion and may be withdrawn at any time and whatever reason.



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## DECLARATION OF INTEREST FORM

- A. I, the undersigned, hereby declare that I currently have interest(s) in the commercial enterprise(s) listed below.
- B. I undertake to disclose any other interest(s) that I may acquire in the future to SAMCA for addition to this declaration.

Name of Undertaking	Nature of Business	Company Registration Number	Nature of Interest	% Interest

**Full Description of Interest:**

<b>Member Name:</b>	
<b>Position:</b>	
<b>Signature:</b>	
<b>Date:</b>	

**Approval of Outside Interest:**

<b>Approval Authority name:</b>	
<b>Signature:</b>	
<b>Date:</b>	

**Additional notes:** (Where applicable discussions should be held with Member to fully understand impact of declaration, and should be noted below.)

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# APPENDIX A TO CHAPTER 1

## Model Provincial / Regional Constitution

All wording appearing in italics is optional and may be excluded if so decided by the general meeting at which the particular province or region formally adopts the constitution. By the same token, alternative wording appropriate to the requirements of a province / region may be substituted in these sections. In the event of wording changes, the relevant renumbering of paragraphs must be effected.

### Constitution of the XYZ Provincial / Regional Majorette and Cheerleading Association

#### 1. Name

The name of the association shall be the XYZ Provincial Majorette and Cheerleading Association, hereinafter also known as “XYZMCA”.

#### 2. Office

The offices of the XYZMCA shall be deemed to be either the physical address of the Provincial office or that of the Provincial Secretary.

#### 3. Definitions

Unless inconsistent with the context, the following words / phrases / titles shall have the meaning ascribed to them in this clause:

- 3.1 The Majorette and Cheerleading Association shall mean the members defined in Clause (5) and its sub-clauses.
- 3.2 The term Adjudicator shall mean a person of adequate training and sufficient experience to adjudicate Majorette, Cheerleading and Baton Twirling competitions, the parameters of which are in accordance with the requirements of the South African Majorette and Cheerleading Association (SAMCA).
- 3.3 Coach shall mean the person or persons responsible for the training, development and control of a team.
- 3.4 Team shall mean the leader, sub-leader and squad members who comprise the team as more fully defined in the SAMCA Manual.
- 3.5 The “SAMCA Manual” shall mean the Rules Regulations and Guidelines published by SAMCA, as amended from time to time.

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- 3.6 SAMCA shall mean the South African Majorette and Cheerleading Association, the unified controlling body of Majorettes, Cheerleading and Baton Twirling in South Africa.
- 3.7 Disciplinary Code shall mean the publication setting out the lodging of grievances and the disciplinary measures to be taken in the event of any violation of SAMCA rules and regulations governing conduct.
- 3.8 Words and expressions, importing the singular shall include the plural and any reference to one gender shall include reference to the other.

#### 4. Objectives

Majorettes, Cheerleading and Baton Twirling have been established and exists for the better functioning and administration of the sport in the region and further to:

- 4.1 Maintain the activity on a competitive level by arranging regular league and Provincial competitions;
- 4.2 Encourage non-affiliated teams to take up XYZMCA affiliation;
- 4.3 Foster the objectives of Majorettes, Cheerleading and Baton Twirling as defined in the SAMCA manual;
- 4.4 Arrange and, if necessary, provide training courses and development seminars for:
- 4.4.1 Adjudicators,
  - 4.4.2 Coaches,
  - 4.4.3 Majorettes, Cheerleaders and Baton Twirlers.
- 4.5 Encourage and promote high standards of
- 4.5.1 display techniques;
  - 4.5.2 conduct, behaviour and ethics.
- 4.6 Develop an awareness of the activity amongst educational authorities and the public in general;
- 4.7 Ensure the activity is conducted within the strictest moral code and in a modest and dignified manner;
- 4.8 Promote the activity to the principals of schools without Majorette, Cheerleading and Baton Twirling teams;
- 4.9 Recruit suitable persons to develop as
- 4.9.1 Adjudicators,
  - 4.9.2 Coaches.

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## 5. Membership

### 5.1 Membership of Provincial / Regional Association(s)

The above Associations shall consist of:

- 5.1.1 two representatives of each affiliated team which has paid its annual affiliation fees;
- 5.1.2 all affiliated Adjudicators who have paid their annual subscription fees;
- 5.1.3 all ACTIVE affiliated Coaches who have paid their annual subscription fees;
- 5.1.4 associate members (any person outside of clause 5.1.1, 5.1.2 or 5.1.3) who have been granted membership by the Provincial / Regional Councils, who are not involved in coaching, adjudicating or administering Majorettes, Cheerleading and Baton Twirling but who have, nevertheless, demonstrated a keen interest in the sport. Such associate members shall not need to pay annual subscription fees and shall not be eligible to vote;
- 5.1.5 honorary members who have been granted membership by the Provincial / Regional Councils, who in the opinion of the Council have rendered outstanding service to the sport of Majorettes, Cheerleading and Baton Twirling at Provincial / Regional level. Such honorary associate members shall not need to pay annual subscription fees and shall not be eligible to vote.

### 5.2 Provincial / Regional Council / Executive

The Provincial and Regional Majorette and Cheerleading Association(s) shall elect from its members:

- 5.2.1 a Provincial / Regional Council / Executive on the basis as defined in 6.1.1; 6.4.1; 6.5.1 and 6.6.1 of the SAMCA Constitution.
- 5.2.2 an Adjudicators' Board for Majorettes, Cheerleading and Baton Twirling:  
A board of adjudicators ("MCAB") consisting of all affiliated adjudicators (including scorers), who have paid their annual subscriptions.
  - a) The Chairperson, who in addition shall also be the Provincial / Regional Representative of Adjudicators;
  - b) Vice-Chairperson;
  - c) Chief Regional Scorer;
  - d) Not less than four, but no more than eight, ordinary members.
- 5.2.3 a Coaches' Board for Majorette, Cheerleading and Baton Twirling:  
A Board of Coaches ("MCCB") consisting of all registered Coaches of all affiliated teams who have paid their annual subscriptions.
  - a) The Chairperson, who shall also be the Provincial / Regional Coaches' Representative,

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- b) Vice-Chairperson,
- c) Not less than four, but no more than eight ordinary members.

5.2.4 A Competition Board for Majorettes, Cheerleading and Baton Twirling:  
A Majorette, Cheerleading and Baton Twirling Competition Board shall consist of:

- a) The Provincial / Regional Competition Manager;
- b) The Chairperson, who in addition shall be secundus to the Competition Manager;
- b) Vice-Chairperson;
- c) Not less than four, but no more than eight members.

5.2.5 A Development Board for Majorettes, Cheerleading and Baton Twirling:  
A Majorette, Cheerleading and Baton Twirling Development Board shall consist of:

- a) The Development Officer;
- b) The Chairperson, who in addition shall be secundus to the Development Officer;
- b) Vice-Chairperson;
- c) Not less than four, but no more than eight members.

5.2.6 Secretary

The Secretary appointed annually by the Provincial / Regional Councils.

### 5.3 Relationship to SAMCA

The XYZMCA and its constituent members are affiliated to SAMCA. It shall have the right to nominate its own members to serve on the National Executive of SAMCA.

### 5.4 Co-options

Any Council / Executive may at any time co-opt persons, whether members of the Association or not, to undertake any task of whatsoever nature in fulfilment of the required responsibilities and functions.

## 6. Election of office bearers

The Secretary of any Provincial / Regional Council; will be appointed annually by the Council members and shall not have a vote.

The Provincial / Regional Chief Adjudicator must be a current qualified Adjudicator and be affiliated to a Province / Region.

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The Provincial / Regional Coaches Representative must be a current qualified Coach and be affiliated to a Province / Region.

The following persons are deemed to be office bearers of the XYZMCA and shall have a vote at ordinary meetings:

## 6.1 Provincial Council

6.1.1 The Provincial Council shall be elected at an annual general meeting of the XYZ Majorette and Cheerleading Association (“XYZMCA”), as follows:

6.1.1.1 The Chairperson, Vice-Chairperson, Provincial Treasurer, Provincial Chief Adjudicator, Deputy Provincial Chief Adjudicator, Provincial Coaches’ Representative, Deputy Provincial Coaches’ Representative/s (one for Majorettes and one for Cheerleading), Provincial Development Officer, Provincial Competition Manager, shall be elected every third year at the Annual General Meeting of the XYZMCA, by the members listed in Sections 5.1.1, 5.1.2, 5.1.3 and 5.1.4.

6.1.1.2 In case of any elected member referred to under 6.1.1 becoming ineligible, resign or for any other reason becomes unable to hold office for the entire period, the position can be filled by either co-option or through special Annual General Meeting, which shall be convened to elect new members to serve for the remainder of the unexpired period of the three year period.

6.1.1.3 The Secretary shall be the XYZMCA appointed official.

6.1.2 Majorette, Cheerleading and Baton Twirling Adjudicators Board (“MCAB”):  
The office bearers shall be elected as indicated:

- a) The Chairperson of the MCAB shall be elected every third year at the Annual General Meeting of the Province by the members described in 5.1.1, 5.1.2, 5.1.3 and 5.1.4.  
**NB** The Chairperson of the MCAB shall be ex-officio the Regional Director of Adjudicators of the Regional executive.
- b) Vice-Chairperson of the MCAB shall be elected annually at the Annual General Meeting of the Province by the members described in 5.1.1, 5.1.2, 5.1.3 and 5.1.4.

6.1.3 Majorette, Cheerleading and Baton Twirling Coaches’ Board (MCCB):  
The office bearers shall be elected as indicated.

- a) The Chairperson of the MCTB shall be elected every third year at the Annual General Meeting by the members described in 5.1.1, 5.1.2 5.1.3 and 5.1.4.

**NB:** The Chairperson of the MCTB shall be ex-officio the

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- Provincial Coaches' Representative of the Provincial Executive.
- b) Vice-Chairperson of the MCTB shall be elected every third year at the Annual General Meeting by the members as described in 5.1.1, 5.1.2, 5.1.3 and 5.1.4.

**6.1.4 Majorette, Cheerleading and Baton Twirling Competition Board (MCCB):**

The Regional Competition Manager shall be elected every third year at the Annual General Meeting by the members described in 5.1.1, 5.1.2, 5.1.3 and 5.1.4.

**6.1.5 Majorette, Cheerleading and Baton Twirling Development Board (MCDB):**

The Development Officer shall be elected every third year at the Annual General Meeting by the members described in 5.1.1, 5.1.2, 5.1.3 and 5.1.4

**6.1.6 Eligibility for re-election**

Upon expiry of their respective terms of office, each person having served on any XYZMCA committee shall be eligible for re-election.

- 6.1.7 In case of any elected member referred to under 6.1.2 becoming ineligible, resign or for any other reason becomes unable to hold office for the entire period, the position can be filled by either co-option or through special Annual General Meeting, which shall be convened to elect new members to serve for the remainder of the unexpired period of the three year period.

**6.2 Regional Council**

6.2.1 The Regional Council shall be elected at an annual general meeting of the XYZ Majorette and Cheerleading Regional Association on the basis as in 6.1.1, above.

6.2.2 The Regional Secretary shall be the Regional Council's appointed official.

6.2.3 The Regional Adjudicators Board; Regional Coaches' Board; Regional Competition Board and Regional Development Board Representatives shall be elected on the basis as in 6.1.2, 6.1.3, 6.1.4 and 6.1.5.

**7. Functions of the Association**

**7.1 Committee Meetings**

7.1.1 The Provincial and Regional Executive Committees of the XYZMCA shall meet at least once each month period during its term of office.



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7.1.2 The MCAB, MCTB, MCCB and MCDB Committees shall meet at least once each month during their respective terms of office.

## 7.2 Minutes

Accurate minutes of all meetings of all committees shall be kept by the Secretary of the committee concerned.

## 7.3 Quorum

The quorum for all committee meetings shall be 60% of its elected members. Should no quorum be present at the start of any meeting, the Chairperson shall adjourn the meeting for one half hour. Those present once the meeting reconvenes shall be the quorum.

## 7.4 Absence of Chairperson

If the Chairperson is absent from a properly constituted meeting, the vice-chairperson shall preside over the meeting. Should both the Chairperson and the vice-chairperson be absent, those present shall elect a chairperson from their number to preside over the meeting.

## 7.5 Voting

Any resolution proposed at a committee meeting shall be carried by a simple majority of votes of the duly elected members present at the meeting. The chairperson of any meeting shall have a deliberate and casting vote, which he may or may not exercise at his sole discretion.

## 7.6 Powers of the Executive Committee

The Provincial and Regional Executive Committees shall be empowered to draw up by-laws to govern procedures at meetings, dates and venues of meetings, election or replacements of office-bearers, co-option of additional non-voting committee members and all other matters relative to the proper carrying out of the functions of the region. Such authority shall also be delegated to the regional sub-committees, being the BMCA, MCTA, MCCA and MCDA respectively.

Any rule contemplated in this clause must be constitutionally sound and conform to acceptable business morals and practice. Any rule formulated in terms of this clause shall be circulated and then tabled for ratification at the next Annual General Meeting.

## 7 Personal Liability

Any bona fide action of any member of the XYZMA in due performance of such person's duties in terms of this Constitution, or of any by-laws made there under, shall not subject

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such member to any personal liability of any kind arising out of such action or any omission by such member.

## 7.8 General Meetings

### 7.8.1 Annual General Meeting

All members of the Provincial and Regional Associations as defined in Clause 6 and its sub-clauses shall have a vote. The AGM of the Provincial Association shall be held every year at least a fortnight prior to the AGM of SAMCA. The AGM of the Regional Association shall be held every year at least a fortnight prior the AGM of the relevant Province. Notice of the meeting together with the agenda shall be sent to all members of the Association not less than 21 days prior to the date of the meeting. Members shall also receive the minutes of the previous AGM as well as the minutes of any Special General Meeting(s) held during the preceding year.

The business to be transacted at the AGM shall be:

- a) To consider and confirm the minutes of the previous AGM and of any Special General Meeting(s) held since the date of the previous AGM.
- b) To receive and consider the report of the Chairperson and the reports of the Chairpersons of the subsidiary committees.
- c) To receive and consider the report of the Treasurer for the previous year.
- d) To elect office bearers and members to the executive committee and sub-committees.
- e) to conduct any other competent business normally transacted at an AGM.

The quorum for the AGM shall be 60% of the members entitled to vote. Should no quorum be present at the start of the meeting, the chairperson shall adjourn for one half hour. Those present once the meeting reconvenes shall be the quorum.

### 7.8.2 Special General Meetings

All members of the Association as defined in Clause 5 and its sub-clauses shall have a vote. A special general meeting shall be called by the Secretary upon receipt of a written request detailing the purpose of the meeting, signed by at least two members, each representing at least two different teams. Notice of the meeting, together with the agenda, shall be posted or delivered to all members of the Association not less than 21 days prior to the date of the meeting.

The quorum for a special general meeting shall be 60% of the members entitled to vote. Should no quorum be present at the start of the meeting, the chairperson

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shall adjourn the meeting for one half hour. Those present once the meeting reconvenes shall be the quorum.

## **8. Financial responsibilities**

### **8.1 Assets**

All property and capital funds of the Association of any kind shall belong to and be registered in the name of the Majorette and Cheerleading Association and shall only be utilised to the benefit or advantage of Majorettes, Cheerleading and Baton Twirling within its region.

### **8.2 Expenditure**

Expenditure shall not be incurred without a minuted approval of the Provincial / Regional Executive Committee. All payments shall be made by the Provincial / Regional Treasurer after approval by the Provincial / Regional Executive Committee.

### **8.3 Collection of Fees**

The Provincial / Regional Executive Committee, in association with its subsidiary committees shall be responsible for the collection of all membership and affiliation fees.

### **8.4 Determination of Fees**

The Regional Executive Committee shall, from time to time, determine the fees to be paid by its members and affiliated teams.

### **8.5 Donations and Sponsorships**

The Provincial / Regional Executive Committee shall take all reasonable steps to interest the general public in the funds and finances of the Association and to obtain donations and/or sponsorships to further Majorettes, Cheerleading and Baton Twirling in the province / region, provided always that such donations and/or sponsorships shall not have any untoward or undesirable requirements attached to them.

### **8.6 Annual Accounts**

The financial accounts of the Association shall be subject to audit each year and such audited accounts shall be published to the members of the Association, if not at the AGM, then as soon after as may be reasonably practicable.

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## 8.7 Modification of terms of payment

The Provincial / Regional Executive Committee shall have the discretion to waive, reduce, or modify the terms of payment in respect of any team or member who, in their respective opinions, warrants special consideration regarding the payment of fees.

## 8.8 Deadline for payment of fees

Fees shall be paid on or before 31 March of each year or on such other date (earlier or later) as may be determined by the Provincial / Regional Executive.

## 9. General responsibilities of the Association

The responsibilities of the XYZMCA committees are:

### 9.1 The Provincial / Regional Executive Committee

- a) General administration of the Association;
- b) Liaison with and representation at SAMCA;
- c) Liaison with the Education Department – School Sports;
- d) Financial matters pertaining to the Association;
- e) Communication to and between members, particularly sub-committees;
- f) To deliver training courses for adjudicators and coaches;
- g) To promote Majorettes, Cheerleading and Baton twirling and obtain media coverage;
- h) To arrange regional/national competitions;
- i) To arbitrate in disputes;
- j) To administer the Disciplinary Code;
- k) To confirm recommendations for the National Panel;
- l) To obtain and manage sponsorships and donations;
- m) To arrange and run the Annual General Meeting;

### 9.2 Majorette and Cheerleading Adjudicators' Board

- a) Recruitment of prospective adjudicators;
- b) Development and training of adjudicators;
- c) Regular appraisals of adjudicators;
- d) Setting of adjudicators' panels for competitions at Regional or National levels as may be appropriate;
- e) To adjudicate at league or national competitions;
- f) Communication to adjudicators;
- g) To set budgets;
- h) To assist with the arrangement of the Annual General Meeting and other meetings of adjudicators;
- i) To monitor behaviour, conduct and dress of adjudicators.

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### 9.3 Majorette and Cheerleading Coaches Board

- a) Recruitment of prospective Coaches;
- b) Development and training of Majorettes and Cheerleading Coaches;
- c) The control of league competitions;
- d) The running of indoor and outdoor competitions;
- e) Liaison with schools;
- f) Communication to Coaches;
- g) To set budgets;
- h) To assist with the arrangement of the Annual General Meeting and other meetings of Coaches;
- l) To monitor behaviour and conduct of Coaches and teams;

### 9.4 Majorette and Cheerleading Competition Board

The competition manager's duties are to check:

- a) the uniform inspection area, waiting areas, chill areas and the demarcated area prior to the competition;
- b) the availability of change rooms at the competition;
- c) that a suitable and satisfactory public address system and separate audio playing facility are available;
- d) that suitable elevated seating is available for stand adjudicators, in a suitable demarcated area, in a direct line with the centre of the competition area;
- e) that a covered area, with seating for adjudicators and officials to use for comfort purposes at suitable breaks in the competition is available;
- f) that adequate refreshments are on hand for adjudicators and officials during programme breaks;
- g) the availability of keen, agile runners for the duration of the competition, who will carry out their duties under the supervision of the Director of Adjudicators;  
In the event of any problem arising in respect of a - g above, the Competition Manager shall report to the Regional Chairman.
- h) In addition his / her duties shall be:  
to direct and place the competing teams in the correct order for the final march past and to assemble them in formation on the demarcated area for the prize giving ceremony;
- l) to control a team's entry into the waiting area;
- j) to attend briefings, de-briefings and all adjudicators' seminars;

In the event in any problem arising in respect of 8 - 9 above, the Competition Manager shall report to the Chief Adjudicator.

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## 9.5 Majorette and Cheerleading Development Board

Organise development seminars for

- a) Adjudicators;
- b) Coaches;
- c) Majorettes, Cheerleaders and Baton Twirlers;
- d) to develop the sport of Majorettes, Cheerleaders and Baton Twirlers throughout the regions.

## 9.6 Constitutions, rules and regulations of member bodies

- 9.6.1 Any Provincial / Regional Majorette and Cheerleading body wishing to associate with or to affiliate to SAMCA shall be prepared to ensure that its constitution accords in all substantive respects with the model constitution approved by SAMCA (as amended from time to time). When applying for association or affiliation, each applicant body shall submit its constitution to the SAMCA Executive for approval.
- 9.6.2 In the event of the constitution of an association or affiliated body conflicting with the model constitution approved by SAMCA, the constitution of SAMCA shall prevail.
- 9.6.3 The National Executive of SAMCA shall be advised at the same time as ordinary members of a National, Provincial or Regional association or other affiliated body of any amendments proposed to the constitution of the said provincial or regional association or affiliated body. Such amendment to the constitution shall only take place at the Annual General Meeting of the Provincial / Regional Association, or affiliated body concerned or at a Special General Meeting called specifically for this purpose. This is to enable the National Executive of SAMCA to participate in the decision-making process.
- 9.6.4 Should the constitution of a National, Provincial or Regional Association or other affiliated body be amended at any time, the National Executive of SAMCA shall immediately be furnished with the full details of such amendments.
- 9.6.5 The rules and regulations governing the conduct of participants in the sports, competitions, disciplinary matters and procedures agreed from time to time by SAMCA and its members shall be deemed to form part of this constitution and ipso facto to be binding on all member associations and affiliates of SAMCA.
- 9.6.6 The chairperson of the Provincial or Regional Association shall have the power to suspend any member/s as detailed in 5.1.1, 5.1.2, 5.1.3 or 5.1.4 pending the outcome of negotiations with regard to any disciplinary hearing

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## 10. Authority

The ultimate authority and point of reference in all major decisions of the Provincial / Regional Majorette and Cheerleading Association shall be the Provincial / Regional Executive Committee, as applicable.

## 11. Interpretation and disputes

In the event that any dispute cannot be satisfactorily resolved at the Provincial / Regional level, then subject to ratification at a General Meeting of members by majority vote, the dispute shall be referred to SAMCA whose decision shall be final and binding.

## 12. Legal status

- 12.1 In all legal or other proceedings, the Provincial / Regional Association shall sue and be sued in its own name and shall accept service at the office of the Association.
- 12.2 The Provincial / Regional Association shall have the full status of a legal personality. The Chairperson, on authorisation of the Executive, shall sign all necessary documents and take such steps as may be necessary.
- 12.3 No member shall in his private capacity be personally answerable for any liabilities incurred on behalf of the Association or in performance of his duties on the Executive or on the Association's behalf
- 12.4 Only the Provincial / Regional Executive shall, by means of a properly minuted resolution, have the right to commit or bind the Provincial / Regional Association contractually.

## 13. Proxy votes

No proxy votes will be allowed

## 15. Amendments

The power to amend this constitution shall be 66.66% (sixty six and two thirds percent) majority vote of the persons present at a Special General Meeting, provided always that written notice of such proposed amendment is given to each member at least 21 days prior to the date of the duly constituted meeting.

## 16. Trophies

All trophies, purchased by or donated to the Provincial / Regional Association for the use at the Provincial / Regional Championships and / or league competitions shall remain the property of the Provincial / Regional Association.



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## 17. DISSOLUTION OF PROVINCE / REGION

- 17.1 Province / Region may only be dissolved at an Annual General Meeting or at a Special General Meeting.
- 17.2 Province / Region will only be dissolved if a two-thirds majority vote of the members present in person approves such dissolution
- 17.3 In the event of the dissolution of Province / Region, after all debts and liabilities have been satisfied the balance of the property or assets will be transferred to another institution that has similar objects to those of the Province / Region. There will be no distribution of any kind to any member or Office Bearer of the Province / Region.

## 18. Colours and Insignia

18.1 The Province / Region shall be entitled to award its own distinctive colours to associate Majorettes, Cheerleading and Baton Twirling coaches, adjudicators and administrators according to such criteria as may be decided from time to time by the Provincial / Regional Executive and ratified by the Provincial / Regional Council.

- 18.2 In addition, the Province / Region shall be entitled to allow:
- (i) Individual members of associated or affiliated Majorette, Cheerleading and Baton Twirling teams;
  - (ii) Coaches of associated or affiliated teams;
  - (iii) Affiliated adjudicators;
  - (iv) Office bearers of associated or affiliated bodies;
  - (v) Associate members of the Province / Region;

The sale of such blazers, badges, ties, jewellery or other official insignia as may be decided from time to time.

Items sold in terms of this clause shall be clearly and distinctively different from the colours awarded in terms of 18.1 so as to ensure there can be no confusion about the status of the wearers.