

NORTHERN CAPE AQUATIC SPORTS ASSOCIATION
NOORD- KAAP AQUA SPORT ASSOSIASIE
Est. 1976



CONSTITUTION

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1. PREAMBLE

- 1.1. Northern Cape Aquatic Sports Association (NCASA) is the official body responsible for the aquatic disciplines of Open Water Swimming, Synchronised swimming, Diving, Swimming, Water Polo and Masters in the province of Northern Cape.
- 1.2. NCASA is affiliated to Swimming South Africa (SSA), which is the recognised national body governing the above disciplines in South Africa.
- 1.3. NCASA, based on its activities and objectives, be registered with the South African Revenue Services as a Non- Profit Organisation.
- 1.4. NCASA and its Members, jointly and separately, (including *inter alia* all registered individual members) agree that they are bound by the provisions of the constitution, bye-laws, rules and regulations of FINA, CANA, SSA or anybody having control over the recognised aquatic disciplines in the Republic of South Africa, and agree to abide hereby.
- 1.5. This document must be read in conjunction with the Bye-Laws, Policies and Procedure of NCASA.

2. LANGUAGE

- 2.1 The official language of NCASA communication shall be English and/or Afrikaans, in accordance with the constitution of NCASA.
- 2.2 Words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neutral gender shall include any gender, except in the specification of a competition being for male or female competitors; and correction of any manifestly evident typographic errors shall be made.

3. DEFINITIONS

The following definitions shall apply in this Constitution.

- 3.1 '**Federation**' shall mean Northern Cape Aquatic Sports Association.
'Aquatic discipline' shall mean open water swimming, swimming, Synchronised swimming, Diving or water polo.
- 3.2 '**Constitution**' shall mean this Constitution, its provisions, schedules hereto, Bye-Laws, rules, policies and procedures of NCASA, as amended from time to time.
- 3.3 '**Members**' shall mean the Districts, Clubs and Associate Members (e.g. schools) of Northern Cape Aquatic Sports Association, the individual members of such as Honorary and Life Members, and persons deemed to be members of NCASA in terms of Clause 5.0.
- 3.4 '**Capitated Member**' means any individual member of a Club who is up to date with the payment of his capitation levies to NCASA and SSA. The word 'capitation', 'capitated', 'capitated levy or levies' and the like shall have the corresponding meaning in context.
- 3.5 '**Competition**' means competition, event, meeting, camp, clinic, tour or the like.
- 3.6 '**Code of Conduct**, means the Code of Conduct as amended from time to time.
- 3.7 '**Disciplinary enquiry**' shall mean a disciplinary enquiry, investigation, hearing or the like.
- 3.8 '**Days**' means full calendar days, inclusive of public and other holidays.
- 3.9 '**Month**' means a full calendar month.
- 3.10 '**Drug/s and/or drug free sport**' shall mean any substance, method and/or provision regulated in accordance with FINA's Doping Control Programme.
- 3.11 Northern Cape Aquatic Sports Association (NCASA) area of jurisdiction is within the boundaries of the Northern Cape Province.

4. OBJECTIVES

The objectives of NCASA are to:

- 4.1 To promote and encourage all aquatic disciplines for abled and disabled members in the area of jurisdiction of NCASA.
- 4.2 Ensure that NCASA and its members do not practice discrimination on the ground of race, religion, political association, disability, creed, colour or class.
- 4.3 Encourage the practice of aquatic disciplines for all the Northern Cape with the purpose of:
 - 4.4 Reducing the frequency of drowning tragedies in the Northern Cape Province.
 - 4.5 Recruiting recreational swimmers to compete in the various competitions provided by the aquatic disciplines of the sport, and promoting competition to the highest level.
 - 4.6 Use their best endeavours to ensure that public facilities are made available to be shared by all South Africans.
 - 4.7 Encourage the provision of new facilities for use by all South Africans in areas where they are most needed.
 - 4.8 Ensure a drug free sport.
 - 4.9 Adopt uniform and adequate rules and regulations for the hosting of competitions in all the aquatic disciplines.
 - 4.10 Promote and encourage the development of international relations within all the aquatic disciplines.
 - 4.11 Provide local, districts, national and international competitions.
 - 4.12 Carry out such other activities as may be desirable to promote the sport.
- 4.13 Ensure that all Districts and the Clubs in the Districts, subscribe and adhere to the Bye-Laws, Rules & Regulations of Competitions, and Policies and Strategies of the Organisation, as determined by NCASA from time to time.
- 4.14 Ensure that the Child Protection Policy for persons working with minors is enforced and continuously monitored.
- 4.15 Support SSA in its efforts to achieve its objectives.
- 4.16 In accordance with the published Guidelines for the Establishment of Code Committees to support School Sport by the DBE and SRSA, NCASA will
- 4.17 Give guidance to proper functioning of the established School Sport Code structures; provide technical assistance and support to School Sport Code Committees; as the custodian of the sport, promote good governance at all levels; delegate members to sit on the School Sport Code Committees; ensure that the school sport activities are aligned with NCASA activities to ensure maximum use of resources.

5. MEMBERSHIP

The Membership of NCASA shall comprise of the following:

5.1 Individual Members

- 5.1.1 Individual Members shall automatically become Members of NCASA on capitating with a Club in the District of their residency.
- 5.1.2 The Membership is achieved by completing the prescribed capitation Form, copy of ID or birth certificate and remitting to their Club the prescribed Capitation Fee.
- 5.1.3 This completed Capitation Form is submitted by the Club to its District, who in turn forward this document to NCASA, with the prescribed NCASA Capitation Fee.

- 5.1.4 Each Individual Member, and in the case of minors their parents / legal guardians, acknowledge that NCASA is the only recognised body in the Northern Cape Province which governs the aquatic disciplines and that they are bound by the provisions of the Constitution of NCASA.
- 5.1.5 Parents / legal guardians are required to sign the Capitation Form.
- 5.1.6 In capitating with a Club, the Individual Member will be bound by the NCASA and SSA Codes of Conduct and Ethics.
- 5.1.7 NCASA, shall have the power to sanction an Individual Member for violation of this Constitution, and/or its Bye-Laws, and/or its Rules and Regulations.
- 5.1.8 If an Individual Member transfers from one Club to another Club; in the same District, then the District must inform NCASA, who in turn must inform SSA, and the transferring Club must approve the transfer; in a different District but in NCASA, then the transfer is only completed once the transferring Club approves (Clearance letter), and NCASA and SSA are informed accordingly; in a different Province, then the transfer is only completed once the transferring Club approves the transfer, and the accepting Province informs SSA by November 30th.
- 5.1.9 The closing date for the capitation of all Individual Members, be they Competitors, Officials, etc. will be 31st August of each year, unless circumstances in mitigation can be provided.
- 5.1.10 A fine of R1000.00 for each consecutive month will be implemented for the club or district that register late, no exceptions.
- 5.1.11 In the case of National and International competitions prior to 30th November of each year, all NCASA Members must be capitated within seven (7) days after nomination / selection for that competition.
- 5.1.12 No Individual Member shall have any kind of relationship with a non-affiliated or suspended member.
- 5.1.13 No Individual Member may sit on any Committee or act as an official at or take part in any competition, whilst under sentence of disqualification or suspension for any offence committed by himself / herself.

6. CLUBS

- 6.1 All Clubs, new and old, need to compile a constitution, with their rules aligned to their District and NCASA constitution.
- 6.2 The Club constitutions must include their Codes of Conduct and Ethics.
- 6.3 The minimum administrators for a Club are five, namely the Chairperson, Secretary, Treasurer, Records Officer and one additional Committee Member.
- 6.4 The minimum number of competitors that are required in a Club are five (5) for each Discipline other than water polo, and nine (9) for a water polo team.
- 6.5 The Club must confirm to its District the Coaches responsible for its disciplines.
- 6.6 Clubs must submit the completed Capitation Form to NCASA, with the prescribed SSA Capitation Fee.
- 6.7 New Clubs, once accepted by their District, will have no voting rights in their first year of operation.
- 6.8 At the end of the one-year introductory period, the District will review the performance of the Club, and if found to be in order, will grant full membership and voting rights to the Club.
- 6.9 The annual fees for Clubs shall be determined by their NCASA.
- 6.10 Should any of the parameters listed in the above clauses not be in place, the Club may face restrictions or sanctions.
- 6.11 Each Club is entitled to two delegates at General Meetings of their District in accordance with the constitution of the District.

7. DISTRICTS

- 7.1 Each District structure governs the sport of Aquatics in their area of jurisdiction pending all five Districts are active and formed successfully, until this happened the Clubs will still operate direct under NCASA and will have 2 voting rights.
- 7.2 Each District Member shall acknowledge in its Constitution and Policies, that NCASA is the only recognized body in the Northern Cape Province that governs the aquatic disciplines, and that it is bound by the provisions of the Constitution of NCASA.
- 7.3 The constitution and rules of a District must be aligned to that of NCASA and not be in conflict with those of NCASA.
- 7.4 In the event of such conflict arising, the District agrees that the provisions of the NCASA Constitution shall supersede those of the District.
- 7.5 Districts shall provide NCASA with a copy of their Constitution on an annual basis.
- 7.6 All Districts are directed to align their financial periods with that of NCASA, the financial year ending the 30th April of each year.
- 7.7 Districts shall provide NCASA with a copy of their Financial Statements by no later than 30 June of each year.
- 7.8 Failure to comply with the demands outlined in the above clauses shall render the Districts automatically suspended.
- 7.9 No District shall have any kind of association with a non-affiliated or suspended body.
- 7.10 All Districts must forward their Annual Report to the Secretary of NCASA by not later than the 21st of May of each year.
- 7.11 SSA or NCASA, shall have the power to suspend and/or expel a District for violation of this Constitution and/or Bye-Laws and/or Policies.
- 7.12 SSA and NCASA may call on any District to forward such documents, books and statements as may be deemed necessary.
- 7.13 During the period of suspension and/or expulsion from Membership, the District, its Clubs and Individual Members, will not be able to participate in any of the competitions overseen by SSA or NCASA.
- 7.14 At all District meetings, each Club will be represented by two authorised delegates, with each delegate present entitled to one vote.
- 7.15 Each District shall be entitled to two delegates at General Meetings of NCASA, with each delegate present entitled to one vote.
- 7.16 The prescribed registration fee for Districts shall be determined by NCASA.
- 7.17 Prior to the Quadrennial Annual General Meeting of NCASA, each District will submit nominations of their Individual Members, suitable to serve on NCASA.
- 7.18 A minimum number of two (2) Clubs is required to form a District structure.
- 7.19 Should there be only one active Club in a District, NCASA will be responsible for the activities of that District until a second or more clubs are established.

8. NORTHERN CAPE COLOURS

- 8.1 The awarding of Colours is under direct control of the Executive Committee and will be as per Bye-Laws

9. EXECUTIVE COMMITTEE

- 9.1 The elected Executive Officers of NCASA shall constitute the Executive Committee.

- 9.2 The Executive Committee of NCASA shall comprise of the President, Vice-President, Treasurer, Education Officer, Training Officer, Records Officer and additional members will be the coach or LTS teacher to represent each respective club (Extended Executive), all of who shall have full voting rights at all Extended Executive Meetings and secretary with no voting rights.
- 9.3 The Executive Officers of NCASA shall be elected at the Quadrennial Annual General Meeting of NCASA and shall hold office for four years, and take office at the first meeting of the Executive Committee.
- 9.4 A quorum at an Executive Meeting shall comprise of five (5) Executive Officers.
- 9.5 In the absence of the President, the Vice-President will chair the Executive Meeting. In the absence of the Vice-President, an ad hoc Chairperson shall be elected by the Executive members to chair the meeting.
- 9.6 The Chairperson of the Executive Meeting, shall, in addition to his deliberative vote, have a casting vote in the event of an equality of votes on any resolution.
- 9.7 Should any Executive Officer absent himself/herself from two consecutive meetings of the Executive Committee, after having received due notice of such meeting and without special leave of absence, his office shall, ipso facto, be deemed to be vacant.
- 9.8 A full record of the proceedings in the form of Minutes of all Meetings shall be kept by the Secretary.
- 9.9 The procedure at all Executive Meetings shall be as follows:
- 9.9.1 Welcome
 - 9.9.2 Confirmation of Notice of Meeting
 - 9.9.3 Apologies
 - 9.9.4 Review of Agenda
 - 9.9.5 Declaration of Interests
 - 9.9.6 President's Introduction
 - 9.9.7 Minutes of the Previous Meeting
 - 9.9.8 Matters Arising
 - 9.9.9 Financial Report from the Treasurer
 - 9.9.10 Other matters
 - 9.9.11 Date of next Meeting
- 9.10 The Minutes of Meetings shall be circulated to all Executive members ten (10) days before the next Meeting.
- 9.11 The Executive Management Committee will meet at least once a month if possible.
- 9.12 The Executive Committee shall form an Executive Management Committee to attend to day to day business of NCASA as well as all disciplinary hearings and process.
- 9.13 The Executive Management Committee will comprise of the President, Vice-President, Secretary, Treasurer, Training and Education, and the Records Officer. (Day to day management Committee)
- 9.14 All decisions taken by the Executive Management Committee must be ratified at the Executive Committee at its next Meeting.
- 9.15 Should a vacancy on the Executive Committee, be it through resignation or dismissal, occur prior to an Annual General Meeting, the nominee with the next highest number of votes shall be appointed to the vacancy.
- 9.16 The President shall be responsible for the overview of operations at the NCASA Headquarters.
- 9.17 The Executive Committee shall appoint a Secretary, which shall be appointed from any applicable discipline, and therefore not necessarily from any aquatic discipline. The Secretary shall attend meetings of the Executive and shall be an ex-officio member without a vote. The Secretary shall be responsible for the following:
- 9.18 Manage the day to day affairs of NCASA, keeping all paperwork up to date.
 - 9.19 Receive and respond directly or indirectly to all communications received by NCASA.
 - 9.20 Implement all the decisions taken by the Executive Committee.

- 9.21 Compile the Minutes of all meetings.
- 9.22 Represent NCASA at meetings as required.

10. POWERS OF THE EXECUTIVE MANAGEMENT COMMITTEE

The powers and duties of the Executive Management Committee shall be to:

- 10.1 Deal with all cases of misconduct directly or through the Disciplinary Committee (for this purpose it is also considered misconduct for a member of a selected Team or a Selector, to make an unqualified statement to the Media or give Media interviews in regard to the team(s) selected or any complaint lodged by any of the Clubs or members), provided, however, that any decision so given by the Executive Committee in terms hereof shall be subject to an appeal to NCASA.
- 10.2 Conduct, institute or defend legal proceedings on behalf of NCASA and be empowered to take evidence on commission.
- 10.3 Appoint delegates to represent NCASA to National and International congresses or meetings.
- 10.4 Appoint Ad Hoc Committees, with persons of knowledge in special areas, to advise the Executive Committee on urgent matters or to investigate specific matters or problems and to report thereon.
- 10.5 Approve the appointment of all officials and members of teams representing NCASA.
- 10.6 Check the accreditation of all competitors and officials participating in events controlled by NCASA.
- 10.7 Lease or hire movable and immovable property in the name of NCASA, where it shall appear to be in the best interest of the NCASA and upon such terms as it may deem expedient to be utilised solely for the purpose of conducting the sporting activities controlled and promoted by NCASA. Purchase goods or do payments within the approved budget without pre-approval of Extended Executive Committee in the interest of NCASA.
- 10.8 Purchase in the name of NCASA such property, movable or immovable goods, as may be considered requisite and necessary to be utilised solely for the purpose of conducting the sporting activities controlled and promoted by NCASA, noting that no member or office bearer, will be or is entitled as a member to any of the property, asset or income of NCASA, or to any portion thereof.
- 10.9 Should any funds become available; the Executive Management Committee will consider investment of such funds, provided that it is consistent with a policy of prudent investment for the protection of assets.
- 10.10 Formulate rules and regulations for its own government, and, subject to ratification at the Annual Meeting or any Special General Meeting convened in this regard, to add to, alter or revoke any Bye-Laws, Rules or Regulations of Association or add to, alter or revoke any provisions of this Constitution.
- 10.11 Uphold the good name of the Association and to discipline/sanction any Member who, in the opinion of the Association, has been guilty of misconduct and /or bringing the Association into disrepute, subject to appeal.
- 10.12 Submit proposals to the General Meetings.
- 10.13 Decide on and publish Bye-Laws and Rules.
- 10.14 Decide on NCASA awards.
- 10.15 Determine and circulate the dates of all Northern Cape Province events.
- 10.16 Impose sanctions as and when required.
- 10.17 Deal with all cases of misconduct or any other complaint lodged by any of the Affiliated or Associated Members of NCASA.
- 10.18 Attend to all appeals.
- 10.19 The Executive may fine, reprimand, suspend or expel any affiliated club or member thereof which is or has been guilty of conduct warranting such action.
- 10.20 The Executive may decide all cases of dispute not definitely provided for in these laws, and any such decision shall take immediate effect.

- 10.21 Submit at each Annual General Meeting a written report of the past year's activities embracing all the Provincial events, all the winners at the Provincial events, together with their scores and/or times, the holders of all Provincial trophies and a list of all the record holders, together with the Annual Financial Statements.
- 10.22 The Executive Committee shall determine and will advise all Districts and Clubs of the prescribed fees applicable in the next season prior to the start of the calendar year.
- 10.23 The Executive may co-opt additional members should it be deemed necessary.

11. MEETINGS

11.1 General Meetings

- 11.1.1 Each Club may nominate two (2) delegates to the General Meetings, with each delegate present entitled to one vote.
- 11.1.2 Each Affiliate Member and Associate Member must give written notice of the appointed delegates to the Secretary of NCASA seven (7) days prior to the commencement of the Meeting, failing which delegate/s shall not be entitled to vote.
- 11.1.3 The President or, in his absence, the Vice-President, or in the absence of both, a nominated Executive Member, shall be the Chairperson of the Meeting.
- 11.1.4 General Meetings shall be held as provided for in this Constitution, whenever considered necessary by the Executive Committee, and/or upon a requisition signed by not less than four Clubs.
- 11.1.5 Twenty-one (21) days clear notice of all General Meetings shall be sent to all Clubs, together with the Agenda to be dealt with at the Meeting.
- 11.1.6 If within fifteen (15) minutes from the time appointed for any General Meeting a quorum is not present, the Meeting shall stand adjourned until further notice.
- 11.1.7 The Chairperson, with the consent of the Meeting, may adjourn any Meeting from time to time. When such adjourned Meeting is reconvened, only such business remaining unfinished shall be transacted.
- 11.1.8 No resolution shall be rescinded at the same Meeting unless a motion is carried by a two-thirds majority of the members present and eligible to vote.
- 11.1.9 A quorum at all General Meetings shall consist of not less than fifty percent (50%) plus one member of the Executive and not less than fifty percent (50%) plus one of the Clubs.
- 11.1.10 All General Meetings shall be open to Club members, Honorary and Life Members, except when the Meeting is resolved into committee by the Chairperson or delegates.
- 11.1.11 A full record of the proceedings of the previous Meetings in the form of Minutes, shall be kept by the Secretary.
- 11.1.12 Copies of the Minutes of all Meetings shall be forwarded from the Secretary to each Club, but not later than twenty-one (21) days before the date of the next Meeting.
- 11.1.13 At General Meetings, the following items and procedure shall be included on the agenda:
- 11.1.13.1 Welcome.
 - 11.1.13.2 Confirmation of the Notice of the Meeting.
 - 11.1.13.3 Confirmation of the delegates present.
 - 11.1.13.4 Apologies.
 - 11.1.13.5 Declaration of a quorum.
 - 11.1.13.6 Matters arising from the Minutes.
 - 11.1.13.7 Other business for which due notice has been given.
- 11.1.14 The Minutes of the previous General Meeting shall be read and confirmed as true reflection of the Meeting. The minutes, after confirmation, shall be moved and seconded by two authorised delegates of the Meeting.
- 11.1.15 Notices of Motion for changes to the Constitution must be in the hands of the Secretary forty-five (45) days prior to the date of the General Meeting.

11.1.16 Any changes to the Constitution shall require the support of two-thirds of the total vote at the General Meeting, and will become effective immediately, unless otherwise determined.

11.1.17 The venue of any Meeting shall be determined by the Executive Committee.

11.2 ANNUAL GENERAL MEETING

11.2.1 The Annual General Meeting of NCASA shall be held each year, on a date to be decided upon by the Executive Committee by no later than the end of May of each year. The date of such Meeting shall be advised by NCASA to its members not less than forty-five days (45) days before the date of the Meeting.

11.2.2 If the Annual General Meeting is held away from the Headquarters of NCASA, the expenses of the Executive Officers attending same shall be met by NCASA.

11.2.3 The Annual General Meeting is the highest authority of NCASA and shall have the power to decide on any matters arising in NCASA.

11.2.4 At the Annual General Meetings, the following items and procedure shall be included on the Agenda:

- 11.2.4.1 Address by President.
- 11.2.4.2 Audited Financial Statements submitted by the Treasurer.
- 11.2.4.3 Appointment of Auditors for the ensuing year.
- 11.2.4.4 Presentation and adoption of the Secretary's Report.
- 11.2.4.5 Reports from Committees and Clubs.
- 11.2.4.6 Reports from Events by the host by NCASA.
- 11.2.4.7 Other business for which due notice has been given.
- 11.2.4.8 Bestowing of Awards.
- 11.2.4.9 Technical Officials
- 11.2.4.10 Honours
- 11.2.4.11 Meritorious Service
- 11.2.4.12 Life Member
- 11.2.4.13 General.

11.3 QUADRENNIAL ANNUAL GENERAL MEETING

This Meeting is held every four years.

11.3.1 The procedure of the Meeting is identical to the Annual General Meeting.

11.3.2 At this Meeting the election of the Executive Committee takes place.

11.3.3 All Clubs, Districts and the current Executive Committee Members shall have the right to nominate Individual Members to the Executive Committee.

11.3.4 The written acceptance of the nomination by each nominee, shall be submitted to the Secretary by the Club or District making the nomination.

11.3.5 No nomination will be accepted by NCASA unless a signed acceptance document accompanies the nomination.

11.3.6 Such nominations, and acceptances, shall have been received by the Secretary of NCASA at least forty-five (45) days prior to the date of the Annual General Meeting and all bona fide nominations shall have been received by the Clubs fourteen (14) days before such Meeting.

11.3.7 The voting papers are to be retained by the Secretary until the start of the next Quadrennial Annual General Meeting.

11.4 SPECIAL GENERAL MEETINGS

11.4.1 A Special General Meeting of NCASA may be held at any time prior, during or after a Tournament at the centre where the Tournaments have taken place.

11.4.2 The Agenda for this meeting will be in accordance with:

- 11.4.2.1 Report from Club on the proposed Tournament.
- 11.4.2.2 Confirmation of the Club's subscription fee.
- 11.4.2.3 Confirmation of the Individual Member Capitation fee.
- 11.4.2.4 Any emergency matter, provided that a two-thirds majority of those present and eligible to vote agree.

11.5 EMERGENCY MEETINGS

- 11.5.1 In the case of an emergency, a Special General Meeting may be held solely to address the issue at hand.

12. COMMITTEES

- 12.1 In order to meet the objectives of NCASA, Technical and Specialised Committees are appointed to cover the various facets of the sport.
- 12.2 The structure and functions of these Committees are outlined in the Bye-Laws.

13. FINANCE

- 13.1 The Management of NCASA shall keep proper books of account, under the control of the Treasurer, which books shall be audited and independently reviewed annually by the Auditors appointed by NCASA.
- 13.2 The financial year of NCASA terminates on the 30th April each year, after which the Treasurer shall present a Balance Sheet, and Income and Expenditure Account, and after audit and independently reviewed and will be presented at the Annual General Meeting.
- 13.3 No profits or gains shall be distributed to any person and the funds of NCASA shall be utilised solely for investment or for the objects for which it has been established.
- 13.4 NCASA may refund necessary expenses incurred by any members whilst engaged in the work of NCASA or grant any sum to any individual in recognition of services rendered.
- 13.5 Upon dissolution of NCASA, after payment of all debts, the remaining assets shall be given or transferred to another organisation with principles similar to those of NCASA, and which is itself exempt from income tax.
- 13.6 NCASA shall open and maintain an account with a registered commercial bank and the account shall be operated upon the signature by any two of the following:
 - 13.6.1 President and Treasurer.
 - 13.6.2 Upon instruction from the Executive Committee, the signatures of the Vice-President may also be included.
- 13.7 NCASA may deposit money not immediately required for its use into a savings account.
- 13.8 Funds available for investment may only be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, and in securities listed on a licensed stock exchange as defined in the Stock Exchange Control Act, 1985.
- 13.9 Only NCASA, Districts and Clubs are allowed to maintain banking accounts in their names.
- 13.10 Any other organisations within the framework or structure of NCASA made up of Individual Members are not allowed to open and maintain separate financial accounts and/or carry out transactions.
- 13.11 The Treasurer will draw up an annual budget for distribution to the Executive Committee prior to the start of a season.
- 13.12 The Treasurer will draw up a four-year budget for distribution to the Executive Committee prior to the Quadrennial Annual General Meeting.

14. HONORARIA

- 14.1 All Honoraria shall be determined and confirmed by full sitting of the NCASA Executive Committee.

15. DISPUTES / DISCIPLINARY MATTERS

- 15.1 Any Individual Member, Club or District may be sanctioned in the case of violation of the Constitution, Bye-Laws, Rules and/or decisions, and/or for bringing the sport, club, district or NCASA into disrepute.
- 15.2 Sanctions shall be recommended and imposed by the Executive Committee of NCASA and may consist of one or more of the following:
- 15.2.1 Warning,
 - 15.2.2 Fine,
 - 15.2.3 Suspension, and/or
 - 15.2.4 Expulsion.
- 15.3 Sanctions shall be enforced immediately upon the decision being made by the Executive Committee.
- 15.4 NCASA shall notify the Individual Member, Club or District of the sanctions imposed.
- 15.5 Any member sanctioned by the Executive Committee of NCASA may appeal to Executive Committee of NCASA not later than fourteen (14) days after the sanction has been issued by NCASA.
- 15.6 All appeals must be lodged with the Secretary of NCASA in writing, setting forth the facts, accompanied by extracts, or copies of all documents quoted, or relating to the case and such other particulars as may be thought necessary.
- 15.7 The Executive of NCASA, on receipt of an appeal against disciplinary action, may in its discretion alter such decision, and/or decrease the penalty imposed.
- 15.8 During the period in which the Individual Member, Club or District, is awaiting the appeal to be heard, that member may not participate in any of the NCASA activities, unless special permission has been granted by NCASA.

16. DISQUALIFICATION / SUSPENSION

- 16.1 Any sentence of disqualification and/or suspension by NCASA shall be binding on all Districts, Clubs and Individual Members.
- 16.2 Full power of disqualification or suspension of any member in the Clubs and/or Districts shall be vested in the Clubs and/or Districts.
- 16.3 The General Secretaries of Clubs must send to NCASA a list of suspensions immediately after the meeting at which they were resolved upon. NCASA shall then notify the General Secretaries of the other Clubs of such suspension.
- 16.4 NCASA, to whom preliminary appeals have been presented, have the power to reinstate any disqualified member.

17. DISPUTES / DISCIPLINARY MATTERS

- 17.1 Where a dispute (i.e. a matter which is *subjudice* or any decision affecting the Policy or function of the Executive) affecting any of the matters within the jurisdiction of the Northern Cape exists, the matter concerned shall be treated as a domestic dispute and the channels and methods provided in the Constitution for the settlement of such matters shall be followed.
- 17.2 Any attempt to take such matters outside the sphere of NCASA jurisdiction by resort to the media shall constitute misconduct on the part of the person concerned.
- 17.3 Any Individual Member, Club, or District taking legal action against NCASA without following the dispute resolution process will have their membership immediately suspended.
- 17.4 All disciplinary matters concerning members of NCASA shall fall under the jurisdiction and control of the Executive Committee of NCASA or designated appointees to deal with such matters.
- 17.5 Any complaint made by either an Individual Member, Club or District or a non-member against an Individual Member, Club or District, shall be lodged in writing with the Secretary of NCASA, who in consultation with the

Executive Committee, shall then give a directive as to whether or not a disciplinary enquiry should be held, and if so, the nature, composition and details thereof.

17.6 Where the member against which the complaint has been made is an Individual Member, Club or District, the Executive Committee may delegate its powers to the District or to an external party with experience of the complaint substance, to deal with the matter accordingly in terms of such mandate.

18. APPEALS

18.1. Any Individual Member, Club and/or District may appeal to NCASA against any decision of the Executive Committee given in terms of Clauses 15, 16 and 17.

18.2. All appeals must be lodged with NCASA within fourteen (14) days after the incident or sanctions.

18.3. An appellant, on lodging the notice, must deposit with NCASA the sum of one thousand Rand (R1 000.00), the whole or part of which may be refunded or retained by NCASA at its discretion.

18.4. Appeals against a ruling of a Member must be made within fourteen (14) days from the time of receiving the decision of such Member.

18.5. NCASA, on receipt of an appeal against disciplinary action taken by a Club or District against any Individual Member, Club or District, may in its discretion alter such decision, and/or increase or decrease the penalty imposed.

18.6. All appeals shall be heard by the Executive Committee and/or through its appointed appeals committee and or representative.

19. INTERPRETATION OF LAWS

The interpretation of this Constitution and all Bye-Laws, regulations, rules or decisions of NCASA shall rest entirely with the Executive Committee, whose interpretation shall be final and binding on all members on NCASA.

20. BYE-LAWS, POLICIES AND RULES

20.1 NCASA shall have the power to make all such Bye-Laws, Policies and Rules as may be necessary to carry out the objects and intent of the Association for the betterment of Aquatics.

20.2 All such Bye-Laws, Policies and Rules shall be binding on all Clubs and Individual Members once circulated by the Secretary.

This Constitution was approved by the NCASA Meeting held on the of 27 May 2017, in Kimberley, Northern Cape And duly signed.

President 

Treasurer..... 

NCASA Area of Jurisdiction

- | | |
|---|-----------|
| Frances Baard District Municipality | Kimberley |
| John Taolo Gaetsewe District Municipality | Kuruman |
| Namakwa District Municipality | Springbok |
| Pixley ka Seme District Municipality | De Aar |
| Siyanda District Municipality | Upington |

Northern Cape Aquatics

