
CONSTITUTION

OF

ATHLETICS FREE STATE

1. DEFINITION OF TERMS

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

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| 1.1 | WA | World Athletics |
| 1.2 | CAA | Confederation of Africa Athletics |
| 1.3 | ASA | Athletics South Africa. |
| 1.4 | AFS | Athletics Free State. |
| 1.5 | AGM | Annual General Meeting. |
| 1.6 | Amateur | Is one who abides by the eligibility Rules of ASA. |
| 1.7 | Athlete | Any person who participates in athletics meetings sanctioned by ASA, directly or indirectly through its members, and/or who holds an ASA license number. |
| 1.8 | Athletics | Track and Field, Road Running, Race walking and Cross Country Running including, Mountain Running and Trail Running. |
| 1.9 | Athletics Meet | Track and Field, Road Running, Race walking and Cross-Country Running including, Mountain Running and Trail Running, as provided for in catering for individual licensed athletes affiliated to clubs in good standing with their respective provinces, and including Fun Runs sanctioned by ASA, through its members. |
| 1.10 | C of E | Centre of Excellence |
| 1.11 | Commissions | The bodies established by the Annual General Meetings (AGM's) of AFS to manage on behalf of the Executive Board, all or any of the disciplines of athletics as provided for in Clause 20. |
| 1.12 | Constitution | The constitution of AFS |

1.13	Disabled Athletes	Athletes with a disability according the SAPD classification system.
1.14	Domicile	The place of permanent residence of an athlete in the Republic of South Africa.
1.15	Executive Board	The Executive Board as constituted in terms of Clause 18.
1.16	Fun Runs	Athletics meetings sanctioned by AFS, not requiring participation to be restricted to licensed athletes.
1.17	General Meetings	The meetings as set out in Clause 12.
1.18	Honorary Member	As described in clause 22.
1.19	Inter-Provincial	A competition involving teams from two or more provincial Competition members of ASA.
1.20	Members	As described in clause 5.
1.21	National Athlete	A national athlete is an athlete whose name appears on ASA's Register of National Athletes.
1.22	National/ASA	Competitions organised by ASA, involving teams representing Championships/Trials ASA members.
1.23	National Super club	A national athletics club established by ASA.
1.24	National Track and Field Meets (National Meets)	Track and Field meets in which more than three, national athletes from other ASA provinces, in addition to athletes from the host province.
1.25	NOCSA	National Olympic Committee of South Africa
1.26	Office Bearers	Elected members of the Executive Board, the Commissions and the Committees of AFS.
1.27	Employees	Officers Full Time and/or Part Time employees of AFS
1.28	Presidium	The body comprising the President, the Vice-President and the CEO of AFS.
1.29	Provincial Athlete	A provincial athlete is an athlete whose name appears on AFS's Register of Provincial Athletes.
1.30	Provincial Championships/Trials	Competitions organised by AFS.
1.31	Provincial Super club	A provincial athletics club established by AFS.

- 1.32 Quadrennial General Meeting (QGM) Each QGM commencing with effect from 2002 and thereafter at four-year intervals.
- 1.33 SACGA South African Commonwealth Games Association.
- 1.34 SASC South African Sports Commission.
- 1.35 SRSA Sport and recreation South Africa.
- 1.36 Any reference to the masculine gender shall include the feminine gender and *vice versa*, and any reference to the neuter shall include either the masculine or the feminine gender, or both.
- 1.37 Any reference to the singular shall include the plural, and *vice versa*.

2. NAME AND LEGAL PERSONALITY

- 2.1 Athletics Free State is an association of Members and shall be hereinafter referred to and known by the acronym as AFS.
- 2.2 AFS shall have legal personality and shall, through its authorised representatives:
- 2.2.1 Have an independent existence from its members and officers;
 - 2.2.2 Be entitled to acquire, encumber or dispose of movable or immovable property;
 - 2.2.3 Incur legal obligations and liabilities independently of its members, Officers and Office bearers.
 - 2.2.4 Be entitled to enter into legal transactions and to institute or defend legal proceedings.
 - 2.2.5 The actions of AFS shall at all times be open and transparent towards their members
- 2.3 AFS is the sole competent provincial authority for the sport of athletics in the Free State within the boundaries as defined in the Delimitation Clause in ASA's Constitution and recognised as such by ASA.
- 2.4 AFS shall be the sole body affiliated to ASA from within the Free State, as referred to in the Delimitation Clause in ASA's Constitution and as such control's athletics in the Free State.
- 2.5 A head office of AFS shall be established in Bloemfontein to carry out the administration of AFS in accordance with the policies of ASA at such address as may be determined by the Executive Board of AFS from time to time.
- 2.6 AFS shall remain a non-profit organisation, responsible for the overall development of athletics in the Free State.

3. MISSION AND OBJECTIVES

3.1 Mission

It is the mission AFS to promote athletics in every corner of the Free State through mass participation and in doing so to investigate in the most rural areas in order to uncover the talent which might have been overlooked or ignored in the past, to identify talent and to develop talent to the benefit of the athletes' wellbeing and to the benefit of AFS, further and to be accessible to all sport loving people in our Province.

3.2 Objectives.

In the pursuit of this mission, the following objectives are regarded as basic cornerstones of the program guiding the activities of AFS:

- 3.2.1 To establish an open friendly and loyal cooperation between all members for the benefit of athletics, efficient and effective administration, harmonious coexistence and cooperation amongst members and to promote the best interests of athletes and athletics in the Free State.
- 3.2.2 The maintenance and extension of a system of clubs throughout the Free State, open to membership by all members of the population and allowing access to registration, participation, coaching, technical officiating and other services of AFS to all members of the community who wish to participate in athletics and who comply with this Province's membership pre-requisites.
- 3.2.3 To ensure that no form of discrimination, be it based on race, ethnicity, religion, politics, gender or otherwise, be permitted in athletics and to take all practicable measures to prevent such discrimination.
- 3.2.4 The compilation and maintenance of the rules and regulations governing athletics in accordance with the Constitution of ASA and with relevance to this constitution.
- 3.2.5 The training of athletics officials by the promotion of theoretical and practical courses and examinations accessible to all interested parties and leading to registration as qualified officials, such training to be aimed at ensuring the availability of officials to be utilized for all authorized athletics meetings.
- 3.2.6 The training of aspirant coaches in the principles and methodology of coaching and the organisation of refresher and advanced courses for qualified coaches and leading to registration as qualified coaches. Such training to be aimed at ensuring the availability of coaches for the benefit and development of all athletes.
- 3.2.7 The co-ordination of athletics in the Free State with regard to, *inter alia*:
 - 3.2.7.1 The annual awarding of Provincial Colours
 - 3.2.7.2 External liaison and affiliation with ASA and any other relevant organisations, internal or external.

- 3.2.7.3 Licensing of athletes, technical officials, coaches and administrators who resides in or work within the Free State province.
- 3.2.7.4 The monitoring of athletics at all levels registered within the Free Sate.
- 3.2.7.5 The compilation of an events calendar for the hosting and presenting of athletics meetings within the Free State, which shall be subjected to approval by ASA.
- 3.2.7.6 Development of athletics training programs within the Free State.
- 3.2.7.7 Generally to do all such things as are necessary or incidental to the attainment of the objectives of athletics in this Province.
- 3.2.7.8 To conduct regular athletics courses, clinics, training camps and workshops
- 3.2.8 The maintenance of the rules affecting the status of athletes and the eligibility of athletes to compete at athletics meetings in the Free Sate.
- 3.2.9 The promotion of a spirit of dedication to the basic principles of fair competition in all respects, including the right of every athlete to strive to achieve provincial and national titles and colours without being disadvantaged by administrative constraints, rulings, or otherwise.
- 3.2.10 The promotion of athletics meetings and competitions through its members so as to ensure ample and equal access to competition by all athletes from all recognised age groups in accordance with the mission and objectives of AFS.
- 3.2.11 The identification of local requirements with regard to facilities for training and competition and the promotion of the provision of such facilities through representation to the appropriate authorities and other interested parties.
- 3.2.12 Participation to the full in the affairs of the, national governing body of athletics and their affiliated associations.
- 3.2.13 To strive for the total and complete unification and transformation of athletics at all levels, and to stem all forms of racism wherever it rears its ugly head.
- 3.2.14 To enforce the WA Doping Control regulations as laid down in the ASA Constitution, in the Free Sate.
- 3.2.15 To ensure that more athletics events are taken to disadvantaged communities, especially in the rural areas.
- 3.2.16 To embrace the following further objectives, namely: -
 - 3.2.16.1 To achieve all the objectives set out in this Constitution.

3.2.16.2 To eradicate the imbalances of the past by putting a special focus on making the sport of athletics easily and more accessible to the disadvantaged people in the Free State.

3.2.17 To raise funds from whatever appropriate source for the purpose of uplifting athletics in the Free State.

4. MEANS OF ACHIEVING OBJECTIVES

The objectives of AFS will be achieved by, *inter alia*:

4.1 AFS shall co-ordinate athletics in this Province with regard to: -

4.1.1 The licensing of athletes.

4.1.2 The maintaining a list of all the provincial records in the Free State.

4.1.3 The control and determination of all fixtures on the track, cross country and road running within the Free State. This includes any National or International athletics meetings awarded to the Free State by ASA.

4.1.4 The approval of all teams selected to compete for the Free State at ASA events as recommended by the various Commissions of this Province.

4.1.5 The promotion of provincial representative teams to all ASA athletics meetings and to strive to offer every incentive to the athletes of this Province.

4.1.6 To ensure that through ASA the rules in respect of doping are strictly adhered to.

4.1.7 To set standards for and to award Provincial Colours and awards.

4.1.8 To oversee the organization of this Province's Championship events for every recognized fixture of athletics in the Free State.

4.1.9 The drafting of the annual calendar of the Free State and to remit same to ASA for approval before the date stipulated by ASA.

4.2 The objective of AFS will be achieved *inter alia* by:-

4.2.1 Affiliation with ASA, or any relevant organization as may become necessary.

4.2.2 Taking all steps and following all procedures which are lawful and compatible with the aims and objectives of AFS.

4.2.3 Raising funds for any purpose which may be deemed necessary in terms of this Constitution.

- 4.2.4 Requiring compliance with the provisions of this Constitution and with the Rules and Regulations issued in terms thereof.
- 4.2.5 Complying with uniform rules and regulations laid down by ASA for the administration, control and protection of athletics in the Free State.
- 4.2.6 Ensuring the annual provincial championships are held.
- 4.2.7 Ensuring that athletics clubs are established within the area of the Free State.
- 4.2.8 Ensuring that all clubs in the Free State are registered with AFS and have licensed athletes.
- 4.2.9 Ensuring that no unregistered athlete will be allowed to participate in Provincial competitions that are approved by this Province.

5. MEMBERSHIP

5.1 Categories of Membership

5.1.2 Membership of AFS may be divided into three broad categories:

5.1.2.1 Provincial clubs responsible for the administration and promotion of athletics, on behalf of AFS., divided in three (3) categories, namely:

- 5.1.2.1.1 Full Member clubs
- 5.1.2.1.2 Probation clubs.
- 5.1.2.1.3 Junior clubs (schools only)

5.1.2.2 AFS clubs shall pay an affiliation fee as determined by the AGM from time to time and is payable before the end February each year.

5.2 Associate members as defined in Clause 5.4 below.

5.3 Individual members, namely Office Bearers and Honorary Members as defined in Clause 5.5 below.

5.4 Associate members comprising from: -

- 5.4.1 The Provincial Affiliate Body to South African Student Sports Union (SASSU Athletics);
- 5.4.2 South African Masters Association (FS SAMA);
- 5.4.3 The Provincial Affiliate Body to School Sports – Athletics (FSSASA).
- 5.4.4 South African National Defence Force (SANDF FS);
- 5.4.5 South African Police Services (SAPS FS);

5.4.6 The Provincial Affiliate Body to Disability Sport of South Africa (FSSAPD).

5.4.7 Correctional Services.

5.5 Individual Members shall comprise of: -

5.5.1 All the individual people who serve on the Executive Board, the Commissions and Committees of AFS. They shall all be members via their respective clubs.

5.5.2 All the honorary members.

5.6 Athletes, Coaches and Technical Officials - They shall all be members via their respective clubs.

6. **APPLICATION FOR MEMBERSHIP**

6.1 Application for membership by an aspirant member must be submitted to the Office of AFS and must include the completed standard application form, the Constitution of the applicant and the affiliation fee as determined by the AGM. Before the end June each year. Applications received for new clubs received from the 1st of July will be handled for the next year.

6.2 The application shall then be submitted to the Executive Board of AFS, which shall rule on the application.

6.3 Membership provisionally granted by the Executive Board as probation clubs, must be tabled at the subsequent AGM, QGM or SGM for ratification.

7. **REGISTRATION OF ATHLETES**

7.1 Registration takes place immediately when a club has been accepted as a member of AFS after complying with the provisions of Clause 5 and 6 above. Such members must keep the Office of AFS informed of all changes in its management and constitution. Changes to the member's constitution will not be valid until validated by AFS.

7.2 All clubs/schools are to be notified in January each year in writing as to their registration fees.

7.3 Members must apply directly to the office of this Province for the registration numbers of their athletes.

7.4 All athlete registrations must be done through the member clubs and not directly at the Provincial offices according ASA and AFS Rules and Regulations.

7.5 All coaches and technical officials will only be recognized if registered with AFS.

8 SUSPENSION AND EXPULSION

- 8.1 Any member (including clubs, athletes, and office bearers of members of AFS) which has engaged in misconduct or has unjustifiably violated the provisions of this Constitution or by its actions brings AFS and the sport of Athletics into disrepute may be suspended for an indefinite period until its case has been referred to AFS's Disciplinary Committee for investigation and further action.
- 8.2 Allegations of misconduct warranting suspension must be submitted to the Office of AFS in writing.

9. DEMARCATIION AND DELIMITATIONS

AFS is demarcated by the following districts: -

9.1 MANGAUNG METRO MUNICIPALITY: BLOEMFONTEIN

- 9.1.1 **MANGAUNG:**
Bloemfontein; Botshabelo; Mangaung; Opkoms; Rodenbeck; Sonskyn; Thaba 'Nchu

9.2 XHARIEP: TROMPSBURG

- 9.2.1 **KOPANONG:**
Trompsburg; Philipolis; Springfontein; Edenburg; Fauresmit; Gariepdam; Bethulie; Jagersfontein; Ipopeng; Itumeleng; Lephoi; Madikgetla; Maphodi; Oranjekrag; Poding-Tse-Rolo; Qhoweng; Reddersburg

- 9.2.2 **LETSEMENG:**
Koffiefontein; Luckhof; Oppermansgronde; Jacobsdal; Petrusburg; Boitumelong; Bolokanang; Diamant Hoogte; Dithlake; Ratanang; Relebohile

- 9.2.3 **MOHOKARE:**
Zastron; Smithfield; Rouxville

- 9.2.4 **NALEDI:**
Dewetsdorp; Wepener; Vanstadensrus; Morojaneng

9.3 LEJWELEPUTSWA: WELKOM

- 9.3.1 **MASILONYANA:**
Theunissen; Brandfort; Winburg; Verkeerdevlei; Majwemasweu; Masilo; Tshepong; Makeleketla

- 9.3.2 **MATJABENG:**
Welkom; Nyakallong; Henneman; Phomolong; Thabong; Kutlwanong; Ventersburg

- 9.3.3 **NALA:**
Bothaville; Wesselsbron; Kgotsong; Monyakeng

- 9.3.4 **TOKOLOGO:**
Boshof ; Hertzogville; Dealesville; Malebogo; Seretse; Tswaraganang

9.3.5 **TSWELOPELE:**
Bultfontein; Hoopstad; Phameng; Tikwana

9.4 FEZILE DABI: SASOLBURG

9.4.1 **MAFUBE:**
Frankfort; Viliers; Cornelia; Mafahlaneng; Namahadi; Ntshwanatsatsi; Qalabotjha

9.4.2 **METSIMAHOLO:**
Sasolburg; Deneysville; Oranjeville; Coalbrook; Holly Country; Metsimaholo;
Refengkgotso; Viljoensdrif; Zamdela

9.4.3 **MOQHAKA:**
Kroonstad; Viljoenskroon; Steynsrus; Maokeng; Matlwangtlwang; Rammulutsi;
Vierfontein

9.4.4 **NGWATHE:**
Parys; Heilbron; Edenville; Koppies; Vredefort; Kwakwatsi; Mokwallo; Ngwathe;
Phiritona; Tumahole;

9.5 THABO MOFUTSANYANE: PHUTHDITJHABA

9.5.1 **DIHLABENG:**
Bethlehem; Clarens; Fouriesburg; Paul Roux; Rosendal; Bohlokong; Fateng-Tse-Ntsho;
Masjaing; Mautse

9.5.2 **MALUTI A PHOFUNG:**
Phuthaditjhaba; Harrismith; Kestell; Tshiame; 42nd Hill; Intabazwe; Namahadi;
Phomolong; Tlholong; Witsieshoek

9.5.3 **MANTSOPA:**
Ladybrand; Excelsior; Hobhouse; Borwa; Dipeleng; Mahalatswetsa; Manyatseng;
Tweespruit

9.5.4 **NKETOANA:**
Reitz; Arlington; Lindley; Petrus Steyn; Leratswana; Mamafubedu; Ntha; Petsana

9.5.5 **PHUMELELA:**
Vrede; Memel; Warden; Thembalihle; Zenzeleni

9.5.6 **SETSOTO:**
Fiksburg; Clocolan; Marquard; Senekal; Hlohlolwane; Matwabeng; Meqheleng;
Moemaneng

10. RIGHTS OF MEMBERS

All full members as referred to in Clause 5 shall have the right to participate in the affairs of athletics in this Province. Probation Clubs will only be allowed as observers and Development Clubs will have no recognition at AGM's QGM's or SGM's or the management of AFS.

11. ORGANISATION

11.1 The substructures of AFS are: -

11.1.1 The Annual General Meeting - AGM.
and Quadrennial General Meeting – QGM
and Special General Meeting - SGM

11.1.2 The Executive Board - EB

11.1.3 The Various Commissions

11.1.4 The Various Committees and

11.1.5 Clubs in the Free State.

11.1.6 Associated Members in the Free State

12. THE GENERAL MEETINGS

12.1 Powers and Duties of the General Meeting

The powers of the direction of the affairs of AFS shall be vested in the General Meeting and in addition to the powers and duties granted to the General Meeting in terms of any section of the constitution, the following further powers shall vest in the General Meeting:

12.1.1 To do anything which is in the interest of AFS, provided that it is in keeping with its mission and objectives and complies with the provisions of the Constitution and the directives of the General Meeting (AGM, QGM or SGM);

12.1.2 To make rules and regulations as required for the smooth running of the affairs of AFS, subject to ratification by the AGM / QGM / SGM and ASA.

12.1.3 To deliberate on any matters, which may be brought before it, and to make recommendations on the same matters to the AFS Board.

12.2 Annual General Meeting (AGM)

12.2 .1 The AGM, shall be convened every year within six months of the financial year end of AFS. The financial year-end shall be 31 December each year.

12.2.2 The AGM is the supreme authority of athletics in the Free State.

12.2.3 The members shall receive sixty (60) days written notice of the date and venue of the AGM.

12.2.4 All notices of motions and nominations are to reach the Office of AFS not less than thirty (30) days before such meeting.

- 12.2.5 The Office shall notify all Members, of the agenda and provide a list of nominations for the Executive Board, Commissions and other positions twenty-one (21) days before the AGM.

12.3 Special General Meeting (SGM)

- 12.3.1 The Executive Board may at any time of its own accord or shall upon receipt in writing of a request from at least one third of the clubs in the Free State call a general meeting which shall be known as an SGM to consider matters beyond the authority of the EB.
- 12.3.2 A SGM called for as prescribed in clause 12.3.1 above shall be convened by the Office of AFS in writing thirty (30) days after the said request.
- 12.3.3 The notice convening the SGM shall include its agenda.

12.4 Quadrennial Meeting (QGM)

- 12.4.1 The QGM, shall be convened every four years within six months of the financial year end of AFS. The financial year-end shall be 31 December each year.
- 12.4.2 The QGM is the supreme authority for electing Office Bearers of Athletics Free State.
- 12.4.3 The members shall receive sixty (60) days written notice of the date and venue of the QGM.
- 12.4.4 All notices of motions and all nominations are to reach the Office of AFS not less than thirty (30) days before such meeting.
- 12.4.5 The Office shall notify all Members, of the agenda and provide a list of nominations for the Executive Board, Commissions and other positions twenty-one (21) days before the QGM.

13. REPRESENTATION AT GENERAL MEETINGS

- 13.1 The General Meetings (AGM, QGM and SGM) shall consist of:
- 13.1.1 The Executive Board of AFS.
- 13.1.2 The AFS Commissions.
- 13.1.3 Clubs fully affiliated to AFS
- 13.1.4 Associate members and
- 13.1.5 Honorary Members.

- 13.2 Clubs shall be entitled, but not obliged, to be represented at the AGM, SGM, QGM by the Chairperson of the Club plus one member of the Club i.e. not more than two members or delegates to be present at such meetings. Probation clubs will only have observer status and Development clubs will have no representation.
- 13.3 Associate Members shall be entitled, but not obliged, to be represented by two eligible delegates.
- 13.4 Club and Associate Members shall be entitled to participate in the business of the AGM, SGM, QGM only if their affiliation requirements have been complied with, not declared ineligible, and all monies, including licensing fees, levies, fines and other fees have been met in full prior to the said meeting.
- 13.5 Clubs shall be entitled to two voting eligible delegates and observers shall be accredited with no vote.
- 13.6 Delegates representing at least fifty percent (50%) plus one of the Clubs, Associate Members and Individual Members registered in this Province at the date of the General Meeting shall constitute a quorum at any General Meeting.
- 13.6 Should a quorum not be present at the venue of which notice was given of the meeting the meeting will adjourn for ten (10) minutes where after the members present will constitute a quorum.

14. PROCEDURE AT THE ANNUAL GENERAL MEETING / SGM AND QGM

- 14.1 The President of AFS shall preside at any General meeting.
- 14.2 The agenda of an AGM shall include, but shall not be limited to the matters set out hereunder:
 - 14.2.1 Scrutiny of delegates` credentials.
 - 14.2.2 Reading of notice covering the Meeting.
 - 14.2.3 Reading and adoption of the minutes of the previous Annual General Meeting and any Special General Meetings under the period of review.
 - 14.2.4 Submission, discussion and adoption of the Annual Reports.
 - 14.2.5 Submission of audited financial statements financial year under review
 - 14.2.6 Dealing with any amendments to the Constitution and Rules and Regulations of which due notice has been given;
 - 14.2.7 Election of office bearers in terms of Clause 16.
- 14.3 The agenda of a Special General Meeting shall be disposed of in the order specified below:

- 14.3.1 Scrutiny of delegates' credentials;
- 14.3.2 Reading of the notice convening the meeting;
- 14.3.3 Dealing only with matters for which the meeting was called, which matters were specified in the notice calling the meeting.

15. VOTING AT GENERAL MEETINGS

- 15.1 Voting on all recommendations/proposals/motions shall be by show of hands, or by secret ballot if two members, unopposed, so demand. However, if the demand of two or more members is opposed then the President or Presiding Member, upon consultation with the Executive Board, shall make a ruling on the mode of voting to be employed. In the case of a tie, the Presiding Member shall use his/her casting vote to break the deadlock. This Clause excludes voting for election of Office Bearers.
- 15.2 Members will be entitled to the following number of votes:
 - 15.2.1 Provincial Executive Board Members present: 1 vote per member
 - 15.2.2 Clubs present: 2 votes per member club (and not per delegate)
 - 15.2.3 Associate Members present: 1 vote per member (and not per delegate)
 - 15.2.4 Members of Commissions 1 vote per member (excluding Chairpersons) present:
 - 15.2.5 Honorary. No votes
- 15.3 No person shall have more than one vote, irrespective of the number of offices held.
- 15.4 Any new Club who may affiliate to this Province shall serve a period of thirty days before being entitled to vote at a General Meeting.

16. ELECTION OF OFFICE BEARERS

- 16.1 The AGM shall hold elections quadrennial by secret ballot. Only Members affiliated to AFS may stand for office and only individuals who are Members in good standing at their respective clubs or in good standing as Associate Members, in this Province, may stand for office.
- 16.2 **Nominations Procedures: -**



- 16.2.1 There shall be four sets of nomination forms, one for the Executive Board and one each for the four Commissions.
- 16.2.2 The nomination forms shall be distributed by the Office sixty days prior to the AGM.
- 16.2.3 The nomination forms shall be returned to the office of AFS by no later than thirty (30) days before the AGM.
- 16.2.4 The nominating member shall verify on the nomination form that the nominated person is eligible and available for election.
- 16.2.1.4 The final lists of the persons nominated for specific portfolios and who are available for election shall be prepared by the office of AFS and send to all members no later than twenty-one (21) days prior to the AGM. Ballot papers shall also be prepared by the office of AFS for the elections.
- 16.2.1.5 Nominees must be active eligible members of the respective Clubs or active eligible members of the Associate Members nominating them.

16.3 Voting Delegates and Their Voting Power

- 16.3.1 A maximum of two voting delegates per club, per session will be allowed.
- 16.2.2.2 The voting powers of members shall be as provided by Clause 15. above.

16.4 Quadrennial Elections Procedure

- 16.4.1 There will be one QGM subdivided into 4 four (4) sessions, namely one session to elect the Executive Board (including the four (4) Commission Chairpersons), and one session each to elect each of the four (4) Commissions
- 16.4.2 The Executive Board Session.
 - 16.4.2.1 This session will precede the other four (4) sessions, and it will sit to elect the Executive Board., as provided by Clause 18, and in the order of precedence as provided by Clause 18.
- 16.4.3 The Commissions Session.
 - 16.4.3.1 These sessions will sit in alphabetical order of precedence (i.e., then Cross Country then Road Running then Track & Field and finally Trail Running, Mountain Running & Race Walking) following the Executive Board session.

16.4.3.2 The sessions will sit to elect the members of each Commission, (excluding the Commission chairperson), and in the order of precedence.

16.4.4 No member of the Executive Board or any of the Commissions will be allowed to fill more than one position. In other words, as soon as a member is elected onto the Executive Board or any one Commission, he/she will automatically be unavailable for election into another position for which he/she was nominated (one person one portfolio), save that the Chairperson of each Commission automatically sits on the Executive Board.

16.4.5 The candidates need not be present at the QGM but written acceptance of office nominated for must be received at the meeting.

16.4.6 Outgoing office bearers are automatically deemed to have been nominated for their respective offices.

16.4.7 If no nominations are received for a specific portfolio, nominations may be made from the floor from accredited members.

16.4.8 In the case of an election tie, there is to be a re-vote and if the parties are still tied, then the President, or failing him, the person presiding over the meeting shall exercise a casting vote.

16.5 Appointment of Committees

16.5.1 Committees of AFS shall be divided into two categories, namely Standing Committees and Ad Hoc Committees / Workgroups.

16.5.2 Ad Hoc Committees / Workgroups

16.5.2.1 These are special committees / groups that will be formed on a need (as and when) basis. The number of members in these committees will differ from committee to committee, depending on the task they have to execute.

16.5.2.2 The procedure for the formation of ad hoc committees / workgroups will be determined from time to time, and may differ from committee to committee / group to group, depending on the circumstances surrounding a specific committee / group.

16.5.2.3 Ad hoc committees / workgroups may be formed at the request of:

- (a) The Executive Board; or
- (b) The Commissions; or
- (c) The General Manager / Chief Executive Officer.

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- 16.3.2.4 Ad hoc committees / workgroups may be dissolved:
- (a) As soon as they have achieved the objective for which they were formed, or;
 - (b) As the Executive Board may decide.
- 16.5.2.5 An ad hoc committee / workgroup may, in other circumstances, be elevated to the status of a standing committee. If this happens the necessary constitutional amendments should be affected.

16.5.3 Standing Committees

- 16.5.3.1 As opposed to ad hoc committees / workgroups, standing committees have a permanent existence (in principle and not in composition). The number of members per committee will.
- The following standing committees are constituted:
- (a) Coaches Committee;
 - (b) Women's Committee
 - (c) Technical Committee
 - (d) Race Walking Committee.
 - (e) Disciplinary Committee
 - (f) Athletes Committee
 - (g) Development / Centre of Excellence Committee.
 - (h) Financial Committee.
 - (i) The roles and responsibilities of the Committees shall be as provided in Schedule B.
 - (j) The roles and responsibilities of the Centre of Excellence shall be as provided in Schedule C.
- 16.5.3.2 Standing committees will be formed by the Executive Board inviting nominations from all members, and Associate Members.
- 16.5.3.3 The nominations will be scrutinised by the commissions, where applicable, after which a firm proposal on the composition of the committees will be made to the Executive Board for its consideration ratification.

16.5.3.4 The composition of standing committees will be reviewed biannually.

16.5.4 All committees will be of no force or effect provided they are ratified by the Executive Board.

16.5.5 Standing Committees may be reconstituted (in composition only) at the Executive Boards discretion.

16.6 Disclosure of Interests

16.6.1 Each person holding office in AFS or members of any organising committee (LOC) in respect of any event under the auspices of AFS or any Provincial Member Associate Member, shall disclose to the Executive Board in writing any interest (whether direct or indirect) he may have in any contract or proposed contract or business being considered by AFS or the relevant LOC, and shall refrain from discussing or voting upon such business. A person may make a general declaration that he is a member of a particular organisation and so to be regarded as interested in any transaction involving that organisation.

16.6.2 No person holding office in AFS or any LOC shall use any information that he/she gains as such a representative of AFS or any LOC for personal, business or otherwise gain.

16.6.3 Nothing in this Article shall derogate from the general duty of good faith owed by a member to AFS and/or any.

16.6.4 Any gifts and/or gratuities and/or benefits received by any member, including a member of any LOC, where the value thereof exceeds R500,00 shall be required to be declared to AFS and in the case of an LOC to the LOC as well. Furthermore, the Executive Board shall have the power to take such action as it deems necessary if it considers the gift, gratuity or benefit to be capable of impairing the dignity and integrity of AFS, to require such gift, gratuity or benefit to be dealt with in such manner as it may determine. Should any member of the Executive Board be the subject of this determination, he shall reclude himself from the Executive Board's deliberations.

17. REMOVAL OF MEMBERS OF THE EXECUTIVE BOARD AND COMMISSIONS

17.1 Notwithstanding anything contained elsewhere in these articles the members may by an ordinary resolution passed at a Special General Meeting remove from office any person. This excludes the officers of AFS.

17.2 Upon receiving a valid requisition for a Special General Meeting at which a resolution to remove any such person is to be proposed, the Office shall give notice in writing of such resolution to the person(s) concerned and shall if required by such person(s) circulate to all Members entitled to

receive notice of the Meeting, any written communication of reasonable length provided it does not contain any illegal, offensive or defamatory material.

17.3 At the Special General Meeting the person whose removal is proposed shall have the right to address the Meeting.

17.4 Any removal of any person shall be without prejudice to any legal claim he may have against AFS or that AFS may have against him/her in respect of matters arising before such removal.

18. THE EXECUTIVE BOARD

18.1 The Executive Board shall consist of:

18.1.1 The President;

18.1.2 One Vice-president;

18.1.3 The Chairperson of each of the four (4) Commissions; namely; Cross Country, Road Running and Track and Field; and Trail Running, Mountain Running & Race Walking

18.1.4 Four additional members.

18.1.5 At least three of the members of the Executive Board shall be women.

18.1.6 At least two of the additional members of the Executive Board shall be women.

18.1.7 A member from the Associated Members.

18.2 The Secretary General shall serve on the Executive Board as an ex-officio member, and will have no vote.

18.3 The Presidium shall be the substructure of the Executive Board facilitating decision making where necessary, in the office of AFS. The Presidium shall consist of the President, the Chief Executive Officer (CEO) / General Manager (GM) and Vice-President.

18.4 The Executive Board shall meet at least four times per year.

18.6 The President shall call a meeting of the Executive Board, or if requested to do so by at least three members thereof.

18.7 Members of the Executive Board shall receive at least seven days written notice of meetings together with a copy of the agenda.

18.5 The President shall chair all meetings of the Executive Board and in his absence the vice-president will so act. The President's function shall be that of a non-executive President.

18.8 Each member of the Executive Board has one vote except the CEO, while the chairperson of the meeting will also have a casting vote.

- 18.9 Minutes of all meetings of the Executive Board will be sent only to members of the Executive Board and must be dispatched within seven days of the meeting.
- 18.10 The Executive Board shall have the power to co-opt any person to serve thereon either in general, or for a definite purpose during a specific meeting, or when dealing with a specific matter.
- 18.11 Anyone co-opted shall be allowed to take part in the proceedings and the discussions of the Executive Board but without a vote.
- 18.12 At least five voting members present at an Executive Board meeting shall form a quorum. The five shall include at least two chairpersons of Commissions and one member of the Presidium.
- 18.13 The activities of the Executive Board are at all times to be transparent and communicated to the members in the form of regular activity reports, and the Executive Board will at all times be remain accountable to the members.

19. POWERS AND DUTIES OF THE EXECUTIVE BOARD

In addition to the powers and duties granted to the Executive Board in terms of any provision of the Constitution, the following further powers shall vest in the Executive Board:

- 19.1 To establish policy and direction in line with the provisions of this Constitution, and to approve the yearly business plan and budget;
- 19.2 To keep minutes of all Executive Board meetings;
- 19.3 To appoint, quadrennial within six months after the QGM or AGM, all Standing Committees;
- 19.4 To designate, where desirable, committees or others to investigate and advise the Executive Board in areas of specialist interest, e.g. marketing, media and television;
- 19.5 To take appropriate action against any member of the athletics family who acts in a manner that brings the sport into disrepute;
- 19.6 To appoint delegates to various bodies which AFS is affiliated to or is required to send such to;
- 19.7 To temporarily or permanently suspend any person, club or member who or which is guilty of misconduct of bringing the sport of athletics into disrepute, or to restore the status of such a person, club or member.
- 19.8 To refer disciplinary matters to AFS's Disciplinary Committee, and to act on recommendations of the Disciplinary Committee.
- 19.9 To do anything which is in the interest of AFS, provided that it is in keeping with its mission and objectives and complies with the provisions of this Constitution;

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- 19.10 To maintain a head office consisting of officers under the control of the CEO, to perform such functions as AFS may decide;
- 19.11 To control the financial affairs of AFS and to consider financial statements and in this regard:
- 19.11.1 To borrow or lend money with the necessary guarantees and conditions;
 - 19.11.2 To acquire, encumber or dispose of movable or immovable property;
- 19.12 To open banking accounts for AFS and to draw, receive and endorse cheques, bills of exchange and IOU's in connection with the financial business of AFS;
- 19.13 To pay out any honoraria, which have been decided.
- 19.14 To agree to the settlement of the travel and subsistence expenses of any person when justified by the circumstances;
- 19.15 To submit to the Annual General Meeting audited financial statements for the previous financial year.
- 19.16 The authority to appoint a General Manager (GM) / Chief Executive Officer (CEO)
- 19.16.1 The General Manager / Chief Executive Officer shall be the executive head of the organisation, and is responsible for the financial well-being, the image and the marketing of the organisation, as well as the implementation of broad policies and decisions as laid down by the Executive Board. The GM / CEO will report to the Executive Board;
 - 19.16.2 The GM / CEO shall be the Chief Administrator, the Chief Protocol Officer and the Chief Development Officer and will be in charge of the administrative functions of the AFS Head Office and will be appointed on a full-time basis by the Executive Board.

20. THE COMMISSIONS

- 20.1 Each of the four (4) Commissions shall consist of the following members: -
- 20.1.1 The Chairperson;
 - 20.1.2 The Vice-chairperson; and
 - 20.1.3 Three additional members.
 - 20.1.4 At least two members of the Commission shall be women.
 - 20.1.5 A member from the Associated Members.

21. HEAD OFFICE

The Head Office of AFS shall be situated in Bloemfontein.

22. HONORARY MEMBERSHIP

Honorary membership will be awarded to persons who have served athletics with great distinction, subject to the following: -

- 22.1 Nominations, with a comprehensive motivation and report of services rendered by the nominee to athletics are to be submitted to the Executive Board consideration by the Executive Board sixty days before an AGM.
- 22.2 Once nominations have been approved by the Executive Board, such nominations, and motivations shall be submitted to members for their consideration;
- 22.3 Members shall vote by ballot and those nominees who have gained seventy five percent (75%) of the votes recorded, shall be short-listed for the award;
- 22.4 The names of the final nominees shall be presented for ratification at the next AGM;

23. FINANCIAL MATTERS

23.1 The financial year-end of AFS shall be 31 December every year.

23.2 Membership Fees.

- 23.2.1 Affiliation, license and levies fees will be determined by the Executive Board.
- 23.2.2 Affiliation fees are due on or before the last day of February of every year.
- 23.2.3 Licenses can be ordered and issued until end of September each year and had to be paid in full before issued.
- 23.2.4 Levies had to paid as determined by the Executive Board and AFS Office.
- 23.2.5 Temporary licenses had to be paid within four (4) days after the event.
- 23.2.6 If affiliation fees have not been paid before such date the defaulting member will be automatically suspended from all ASA and Provincial affairs and shall only be re-instated when the cause for that suspension will have been removed and the Executive Board approved such reinstatement.

23.2.7 If the amount due is paid, including a penalty equal to half of the members affiliation fee, the Executive Board may lift the suspension.

23.3 AFS shall not distribute its annual surplus funds among its members.

23.4 AFS is a non-profit organisation and any surplus funds arising shall be used for the benefit of athletics in the Free State.

23.5 All members of AFS shall submit to the office of AFS their audited financial statements annually, before the AGM of AFS.

24. RULES AND REGULATIONS

24.1 Rules and regulations in accordance with those of ASA shall be issued by the Executive Board from time to time.

24.2 All such rules and regulations will be ratified at an AGM, QGM or SGM convened for this purpose.

24.3 In order to facilitate transformation, the members of AFS shall subscribe to the following code:

24.3.1 All AFS structures and substructures shall guarantee equal representation for people from former establishment and non-establishment sectors.

24.3.2 This code shall be enshrined in AFS's constitution.

24.3.3 This code shall remain a temporary measure to ensure that transformation is irreversible.

24.3.4 AFS shall remove the provisions of this code from its constitution only when athletics in the Free State have been fully transformed.

24.3.4.1 Athletics shall be deemed to be fully transformed in the Free State as and when a reasonable balance exists between the number of clubs in the previously disadvantaged townships and/or villages, and the number of clubs in the town/city suburbs, in the Free State.

24.3.4.2 The provisions of this code shall be removed from the AFS's constitution only with ASA's written approval.

25. PROVINCIAL CHAMPIONSHIPS

25.1 AFS shall hold the following provincial championships:

25.1.1 Cross Country;

25.1.2 Road Running;

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- 25.1.3 Track and Field;
 - 25.1.4 Race Walking; Track and Road
 - 25.1.5 Mountain Running; and
 - 25.1.6 Trail Running.
- 15.2 AFS shall hold provincial championships similar to those held by ASA.
- 25.3 All clubs in the Free State shall be obliged to present teams at Provincial Championships.
- 25.4 Except in exceptional circumstances as shall be determined by the Executive Board in conjunction with the Executive Board of ASA, only South African citizens may take part in Provincial Championships.

26 DOMICILE RULE.

The rule of domicile as outlined in the constitution of ASA and AFS. shall apply.

27 LINES OF COMMUNICATION

- 27.1 The line of communication shall be from the Athlete to the Club and from the Club to the office of AFS.
- 27.2 Only in exceptional cases where no co-operation has been forthcoming from a Club, will AFS meet directly with an Athlete.
- 27.3 Officers of AFS shall serve on the Executive Board, Commissions and Committees of the Free State in an ex-officio capacity only.

28 AMENDMENTS TO THE CONSTITUTION.

- 28.1 Amendments made may be submitted by the Executive Board, Commissions and Committees and Members of AFS.
- 28.2 A proposal to amend the Constitution or the Rules and Regulations may be submitted by Members, at least forty-five (45) days prior to the AGM, QGM or SGM.
- 28.3 All members, bodies or person affiliated to AFS shall be obligated to observe and accept the Constitution, Rules and Regulations of AFS and may not introduce any amendments or additions which are incompatible with the Rules and Regulations of AFS and ASA.

29. INTERPRETATION

- 29.1 Subject to the provisions of this Constitution, decisions of the AGM QGM or SGM concerning the validity of any provision of this Constitution shall be final and binding on the proviso that they do not conflict with any provisions in ASA's Constitution or ASA's Rules and Regulations.
- 29.2 Difficulties concerning situations not provided for in the Constitution shall be submitted in writing to ASA and shall be investigated and reported upon by ASA to the Executive Board of AFS before it is placed on the agenda of the next AGM QGM or SGM. The decision of the AGM subject to 31.1 shall be final and binding.

30. DISPUTES

All disputes between Members, or between a Member and AFS, or between a Member shall be dealt with in accordance with ASA's Constitution Dispute Procedure.

31. DISSOLUTION OF AFS

The dissolution of AFS may be affected only in terms of the provisions of this Constitution relating to AGMs QGMs or SGMs, representations at AGMs QGMs or SGMs and voting at General Meetings, provided the following stipulations are met.

- 31.1 An interim committee to be appointed to finalise the affairs of AFS.
- 31.2 Such interim committee be constituted by two (2) members of the Executive Board, the Manager of AFS's official bank, and the CEO / General Manager.
- 31.3 The official archives of AFS will be placed in the care of the State Archives in terms of the provisions of section 13 (i) (B) of the Fund-Raising Act, No 107 of 1978 as amended from time to time.
- 31.4 The assets and liabilities of AFS will be controlled by the interim committee on a basis to be determined by the official auditors of AFS for use by the new management of AFS.

32. AUTHORITY OF THE CONSTITUTION

This Constitution supersedes any Constitution of a Member or Club in so far as it conflicts with it. However, in the event of any conflict in any provision or clause of this Constitution with any provision or clause in the Constitution of ASA then ASA's Constitution shall prevail and supersede this Constitution to the extent of the conflict, in order to give effect to the meaning and interpretation as laid down in the ASA Constitution.



33. AUTHORITY OF ASA AND WA RULES

Any provision in this constitution, which is in conflict with the ASA and World Athletics Rules, will be superseded by such rules, as amended from time to time.

President: _____

Board Member: _____

Board Member: _____

Board Member: _____

Board Member: _____



- 33.1 An interim committee to be appointed to finalise the affairs of AFS.
- 33.2 Such interim committee be constituted by two (2) members of the Executive Board, the Manager of AFS's official bank, and the CEO.
- 33.3 The official archives of AFS will be placed in the care of the State Archives in terms of the provisions of section 13 (i) (B) of the Fund Raising Act, No 107 of 1978 as amended from time to time.
- 33.4 The assets and liabilities of AFS will be divided amongst the members of AFS on a basis to be determined by the official auditors of AFS or be transferred to a body with similar Aims and Objectives of AFS.

34. AUTHORITY OF THE CONSTITUTION

This Constitution supersedes any Constitution of a Member or Club in so far as it conflicts with it. However, in the event of any conflict in any provision or clause of this Constitution with any provision or clause in the Constitution of ASA then ASA's Constitution shall prevail and supersede this Constitution to the extent of the conflict, in order to give effect to the meaning and interpretation as laid down in the ASA Constitution.

35. AUTHORITY OF ASA AND IAAF RULES

Any provision in this constitution, which is in conflict with the ASA and IAAF Rules, will be superseded by such rules, as amended from time to time.

President: 

Board Member: 

Board Member: 

Board Member: 

Board Member: 