

CONSTITUTION OF THE WEIMARANER KLUB OF GAUTENG

1. Interpretation. Throughout this constitution and in the regulations framed under it, words importing the singular shall include the plural, words importing the masculine gender shall include the feminine and neuter genders, and vice versa, unless such interpretation is inconsistent with the context thereof.

2. Name. The name of the club shall be “THE WEIMARANER KLUB OF GAUTENG”, hereafter referred to as “the club”.

3. Affiliation with the Kennel Union of Southern Africa. The club shall be affiliated with the Kennel Union of Southern Africa and shall observe the constitution, rules and regulations of that body, hereafter referred to as KUSA.

4. Headquarters and Address of the Club. The headquarters and address of the club shall be as determined from time to time by the committee, but shall be in the Gauteng Centre as defined by KUSA, and the club’s shows shall take place within that area.

5. Objects.

The objects of the club shall be:

(a) To promote, encourage, foster and advance the breeding, well being of and interest of the Weimaraner breed of dog.

(b) To observe and adhere to the breed standard of the Weimaraner breed of dog as adopted from time to time by KUSA.

(c) To organise and hold shows, including match meetings in breed, obedience, working trials, field trials and other dog activities recognised by KUSA including training for any or all of these activities.

(d) To promote a better understanding of dogs and a wider knowledge of dogs and dog affairs and to promote goodwill both among people interested in dogs and towards dogs and people interested in dogs.

(e) To abide by the guidelines of the club.

6. Powers For the better attainment of its objects, the club shall be empowered;

(a) To collect, canvas for and to accept subscriptions, donations, bequests, endowments and any benefits of any nature for the club, from any person or body or from any source whatsoever

(b) To invest the funds and assets of the club in securities nominated by the committee

(c) Subject to the approval of a two-thirds majority of members with voting rights present at a general or special general meeting;

(i) To acquire or dispose of immovable property

(ii) To mortgage the immovable property of the club

(iii) To create and issue debentures and to mortgage the immovable property of the club to secure such debentures.

(d) To offer prizes and trophies in connection with any of the club's activities.

(e) To arrange social functions for members and guests.

(f) To design, register and issue pedigrees, heraldic arms badges or uniforms.

(g) Generally to perform all such acts as may be expedient or necessary to further the interest of the club and objects for which it is formed.

(h) To buy, dispose of, rent, lease and/or hire movable property, goods and services required for the effective conduct of the club's affairs or for the advancement of the interests of the club's members.

7. Trading and Income.

The club shall not engage in any activity or transaction which has as its object the financial gain of any person or persons or any institution other than the club. The income and property of the club shall be used solely for the pursuit of the club's objects.

8. Trustee. The chairman of the club for the time being shall be the trustee of the club in whom shall vest all movable and immovable property of the club and who shall be entitled to sue and accept service in the name of the club. In handling the property of the club and in dealing with legal issues the trustee will always act on behalf of the club and in accordance with such directions given or decisions made from time to time by the committee or passed by members in a general meeting of the club.

9. Indemnity. All office bearers and members of the club shall be indemnified by the club in respect of any legal liability incurred while acting on behalf of the club, provided they acted in accordance with directions given or decisions made from time to time by the committee or passed by members in a general meeting of the club.

10. Membership.

(a) Membership shall be open to any person who is not disqualified or suspended by KUSA

(b) There shall be five classes of membership, viz;

(i) Honorary Life Members;

who shall be persons nominated by the unanimous vote of the committee and subsequently elected at the next annual general meeting of the club by a majority of members with voting rights. Persons nominated for Honorary Life Membership shall be considered worthy of special recognition for services to the club or to dogdom or for any outstanding achievement in connection with dogs. An Honorary Life Member shall enjoy the full privileges of membership of the club, free entrance fee and subscription and shall be entitled to vote as an ordinary member.

(ii) Life Members;

who shall be persons or members who have paid the relevant entrance fee and subscriptions, provided that if an ordinary or family member decides to become a Life Member he shall not be required to pay any entrance fee. Life Members shall be entitled to vote as ordinary

members.

(iii) Ordinary Members;

being members over 18 years of age that are not otherwise defined in this section. An Ordinary Member shall be entitled to vote at all general meetings of the club.

(iv) Family Members; comprising parents and children not over the age of 18 years. The parents shall each be entitled to vote as ordinary members but the children shall have no vote.

(v) Junior Members; being persons not included in a family membership who are attending school, for as long as they are attending school. Junior Members may participate in the discussion on any matter before the club, but shall not be entitled to vote thereon.

(c) The liability of each member shall be limited to the amount of the annual subscription.

11. Application for Membership.

(a) Application for membership shall be made in writing on the form prescribed from time to time and shall be considered by the committee at its first meeting after receipt of the application. The applicant shall enjoy no voting rights until the committee has conveyed acceptance of such application to him.

(b) The committee shall have complete and absolute discretion to accept, refuse, or defer any application without having to disclose any reason for its decision.

12. Lapsing of Membership.

Membership shall lapse ;

(a) Upon failure to pay entry fees and initial subscription within 30 days of the date on which they become due.

(b) Upon failure to pay a renewal subscription within 60 days of the date on which it became due.

(c) Upon receipt by the secretary of written notice of resignation, all fees, subscriptions and other monies due prior to the date of receipt of the notice of resignation shall remain due and payable.

(d) Upon the death of the member.

(e) Upon the event of any member, including Honorary Life Members, being convicted of any offence and sentenced to imprisonment without the option of a fine, or being convicted of any offence relating to cruelty towards or neglect of any animal.

(f) Upon the member being disqualified or suspended by KUSA.

13. Reprimand, Suspension or Expulsion of a Member.

(a) Whenever by majority vote of the whole of its members, the committee is of the opinion that the behaviour or conduct of a member has been harmful, prejudicial or injurious to the objects, interest, good order or character of the club or of KUSA, the committee shall have the power to ;

(i) Reprimand such member in writing.

(ii) Suspend such member from all privileges of membership for a period not exceeding 6 months in cases where in the opinion of the committee his conduct was not sufficiently serious to justify expulsion. A member who has been suspended shall not be entitled to the refund of any fee or subscription paid or due by him.

(iii) Expel such member who shall thereupon be debarred from all privileges of the club.

(b) Before deciding to suspend or expel a member, such member shall be afforded full opportunity to explain his conduct to the committee.

(c) A member who has been suspended or expelled shall have the right to appeal against his suspension or expulsion to the members of the club in special general meeting. Such appeal must be lodged within 30 days of the receipt of notification of such suspension or expulsion with the chairman or secretary who shall take immediate steps to convene the special general meeting. At this meeting the case against the member shall be put by one member of the committee and the member shall be given an equal opportunity to defend himself. To reverse the committee's decision will require a two-thirds majority with voting rights present. The vote shall be taken by ballot.

14. Subscriptions.

(a) Entrance fees and subscriptions payable by the various categories of members shall be determined from time to time by the committee and may include special subscriptions from members participating in training.

(b) Subscriptions shall be from one year from the first day of January each year, or in the case of new members joining after the 1st of October in any one year, will be deemed to have paid the annual subscriptions until the 31st of December in the following year.

(c) Renewal subscriptions shall be due on the 1st of January in each year.

15. Patrons, President and Honorary Vice-President.

(a) At each annual general meeting the members with voting rights may elect to invite such persons as they consider desirable to be ;

(i) Patrons.

(ii) President.

(iii) Honorary Vice-President.

All of who shall hold office at the member's pleasure.

(b) The President and Honorary Vice-President may take part in any general meeting of the club and the President may also attend any meeting of the committee and participate in the discussions there at but these offices shall not, per se, carry any entitlement to vote.

16. Management Committee.

A. (a) The management and control of the club shall be vested in a Committee consisting of a Chairman, a Vice-Chairman and 6 elected Committee members. Additional members (not more than 4) may be co-opted as necessary.

(b) The foregoing officers and members, who must be members of the club and not less than 18 years of age shall be elected at an annual general meeting and shall hold office as hereinafter provided.

(c) At its first meeting, which shall be held within 7 days of the annual general meeting at which it was elected, the committee shall, not necessarily from its number, appoint an honorary secretary and an honorary treasurer, who may be one and the same person , and who shall hold office as hereinafter provided.

B. (a) The committee elected under this constitution, shall at its first meeting determine by lot which members, being one-half of the total membership of the committee, shall retire from office at the end of the next ensuing annual general meeting. Except for the committee members thus chosen to serve for one year only, all committee members shall be elected to serve for a term of two years. All committee members upon conclusion of their term of office may offer themselves for re-election provided they remain eligible otherwise.

(b) The offices of chairman, vice-chairman, honorary secretary and honorary treasurer shall be held for one year from the date of appointment thereto until the close of the next annual general meeting.

C. (a) A member's seat shall fall vacant if such member ;

(i) Dies -from the date of his death.

(ii) Resigns -from the date of such resignation.

(iii) Otherwise ceases to be a member of the club -from the date his membership ceases.

(iv) Fails to attend 3 consecutive committee meetings without the permission of the committee

-from the day following the date of the 3rd meeting he fails to attend.

(b) The committee may appoint a member of the club to fill any vacancy arising in terms of sub-section (a) above and such member shall hold office for the remainder of the term of the office of the committee member he has replaced.

17. Powers of Committee.

(a) The committee shall have full power and authority to carry out all or any of the objects of the club save where such powers are expressly reserved for a general meeting.

(b) In particular but without prejudice to this general authority, the committee shall have power and authority ;

(i) To make, vary and repeal regulations for the better conduct of the club .

(ii) To appoint such committees and sub-committees as may be found necessary for the efficient administration of the club, for any special purpose, and to delegate thereunto such of its powers as may seem desirable . Sub-committees shall report back to the management committee.

(iii) To supervise the investment of the funds and assets of the club and the depositing of club funds in a bank, building society or financial institution selected by it.

(iv) To ensure that all cheques and other negotiable instruments shall be signed by not less than 2 persons, one of whom shall be the honorary treasurer and the other an appointed member of the committee who may not be the spouse or close relative of the honorary treasurer.

(v) To control the sale and issue of the club's pedigrees, arms, badges and uniforms.

(vi) To take such disciplinary action in terms of this constitution as may be necessary.

(vii) To seek the view of members upon any matters by means of a questionnaire, referendum or ballot.

(viii) To perform all acts and deeds and do all things as are consistent with this constitution.

(ix) To seek interpretation from KUSA of any provision of this constitution any rules and regulations made thereunder.

18. Duties of Officers.

A. Chairman and Vice-Chairman.

(i) It shall be the duty of the chairman and vice-chairman to further the interests and prestige of the club at all times and to ensure that the provisions of this constitution and any regulations framed thereunder are complied with and that all decisions of the club in general meeting and of the committee are carried into effect.

(ii) The chairman shall preside at all meetings of the club and the committee, and in his absence the vice-chairman, if present, shall preside. If the chairman and vice-chairman are both absent, the members present shall appoint from among their number, a member to preside at such a meeting and the person so appointed should have and exercise the powers and functions that could have been exercised by the chairman.

(iii) The chairman, or in his absence the vice-chairman shall, at the annual general meeting, report on the activities of the club during the past year.

B. Honorary Secretary.

It shall be the duty of the honorary secretary ;

(i) To attend all meetings of the club and all meetings of the committee and to maintain a correct record of the proceedings and decisions taken thereat. In the event of the honorary secretary being unable to be present at any meeting he shall ensure that the minute books, correspondence, etc. required at the meeting are handed to the chairman or some committee member prior to the meeting. In such event the meeting shall nominate a member to act as secretary at the meeting.

(ii) Subject to the control of the committee, to receive and conduct the correspondence of the club.

(iii) To ensure that all notices required by the constitution are properly given.

(iv) To maintain an up-to-date register of members and their addresses.

C. Honorary Treasurer.

It shall be the duty of the honorary treasurer ;

(i) To attend all general meetings of the club and all committee meetings. In the event of the treasurer being unable to attend a meeting, he shall ensure that the financial books, as well as any other documentation that may reasonably be required at such meeting, be handed to the chairman or other committee member prior to the meeting. In such event it shall be the duty of the secretary to inform the treasurer of all financial decisions taken at the meeting.

(ii) To maintain up-to-date, proper books of accounts reflecting adequately the club's financial transactions and financial position.

(iii) Subject to the control of the committee, to conduct and administer the finances of the club.

(iv) To collect and bank expeditiously all monies owing to the club and to disburse monies due by the club without undue delay.

(v) To keep the committee informed at all times on the general financial position of the club.

(vi) To prepare a report on the financial transactions of the past financial year for presentation at the annual general meeting.

D. Auditor.

(i) At each annual general meeting an auditor, who may not necessarily be a member, but shall hold adequate qualifications and experience to discharge his duties, shall be elected and he shall audit the books of account, verify the assets of the club, audit the annual accounts and balance sheet and report thereon prior to the annual general meeting.

(ii) No member of the committee shall be eligible for appointment as auditor.

E Other Officers.

The duties of any other officers appointed by the club or the committee shall be laid down by the appointing body.

19. Finance and Accounts.

(a) The financial year of the club shall be the 12 calendar months ending 31st December in each and every year.

(b) No persons other than a person acting within the limits of any authority conferred upon him by this constitution or by the committee shall have the authority to give receipt for money or otherwise to enter into contract or arrangement having the effect of imposing any liability on the club or in any other way pledge the credit of the club.

(c) The books or accounts to be kept by the treasurer in terms of section 18

(c) of this constitution shall be open at all times to the inspection of any member of the committee.

20. Meetings.

A. The Annual General Meeting.

(i) The annual general meeting shall be held not later than 3 months after the close of the club's financial year on a date, and at a time and place to be determined by the committee.

(ii) It shall be competent for any member to request that an item other than a proposal to amend, alter or add to the constitution, be placed on the agenda provided that such request is in the hands of the honorary secretary not later than 14 days prior to the date of The meeting.

(iii) A notice stating the date, time and place of the annual general meeting and including any proposal to amend the constitution shall be posted to all members not less than 30 days before the date of such meeting.

(iv) The agenda for such meeting, which shall include the following items, shall be posted to all members not less than 10 days before the date of such meeting ; Notice convening the meeting.

Minutes of the previous annual general meeting.

Minutes of any special general meeting held since the previous annual general meeting.

Matters arising from the foregoing minutes.

The chairman's annual report.

The honorary treasurer's annual report.

An audited annual balance sheet.

An audited income and expenditure statement for the year.

Motions for the amendment of the constitution as advised in the notice convening the meeting.

Matters submitted by the committee.

Matters submitted by the members.

Election of officers and committee including the appointment of an auditor.

No matter which does not appear on the agenda may be discussed as part of the business of the meeting.

B. Special General Meetings.

(i) Special general meetings shall be called ;

(a) By direction of the committee

(b) When required to consider any matter in terms of this constitution

(c) On a requisition (stating clearly and in detail the purpose of the meeting) signed by not less than 10 members.

(ii) A notice stating the date, time and place of such meeting and setting out the business to be transacted thereat shall be posted to each member not less than 30 days prior to the date of such meeting.

(iii) A special general meeting required or requisitioned in terms of subsection (i)(b) or (i)(c) above shall be convened within 6 weeks of the receipt by the honorary secretary of such requisition or information making such meeting necessary.

(iv) No business except that stated in the notice convening the meeting may be transacted at any special general meeting.

C. Committee Meetings.

(i) The committee shall meet for the despatch of business as often as it is necessary but not less than once every 2 months, provided that the secretary shall convene a meeting of the committee immediately on receipt of a written request signed by at least 5 committee members and setting out in full the purpose of the meeting.

(ii) Not less than 7 days notice of all meetings of the committee shall be given.

D. Non-Receipt of Notices.

The non-receipt by a member of a notice convening any meeting of the club or committee shall not vitiate the proceedings of that meeting.

21. Quorums at Meetings.

The quorum at any ;

(i) Annual, or special general meeting shall be a minimum of 10 members with voting rights present.

(ii) Committee meeting shall be one-half of the full committee.

22. Voting.

(a) At all general meetings of the club every member vested with a vote in terms of section 10 shall be entitled to one vote. Matters before such meeting shall be decided by a simple majority of the votes of those present and voting , except in instances where a specific majority is required in terms of this constitution.

(b) At all meetings of the club or club committee, the chairman of the meeting shall, in the event of an equal number of votes being cast for and against a motion, have a casting vote in addition to his deliberative vote.

23. Amendment of the Constitution.

(a) No alteration, amendment or addition to this constitution shall ;

(i) Be made except at an annual general or special general meeting properly convened, and

only if not less than two-thirds of the members with voting rights who are present in favour thereof.

(ii) Become effective until the federal council of KUSA has approved it.

(b) A proposal to alter, amend or add to this constitution may be submitted only ;

(i) By the committee.

(ii) By a requisition signed by not less than 10 members and addressed to the secretary.

(c) Notwithstanding section (b) above, any member with voting rights may propose an alteration amendment or addition to this constitution by submitting such proposal in writing and fully motivated, to the secretary, who shall lay such proposal before the next committee meeting. The committee shall have discretion to determine whether or not the proposal will be submitted to a general meeting.

24. Dissolution of the Club.

(a) Subject to the provision of article 9(4) of the constitution of KUSA, any proposal to dissolve the club shall only be considered at a special general meeting convened for the purpose, and then only in terms of this section.

(b) No proposal to dissolve the club shall be considered unless there are present not less than two-thirds of the members with voting rights of the club at the time of such proposals, of whom not less than three-quarters vote in favour of such proposal.

(c) Immediately a decision to dissolve the club has been carefully taken in terms of this section, the committee shall forthwith liquidate the affairs of the club and if there is any surplus of assets on realisation, such surplus shall be disposed of to another body or bodies of similar in the manner prescribed by the special general meeting at which the decision to the club was taken. Should there be no effective committee in place, KUSA shall be empowered to approach a person to act in place of such committee.

(d) If the dissolution of the club becomes necessary as the result of a merger with any other club with similar objects, the decision to merge shall be determined in the manner provided for in this section as for the dissolution of the club. The terms of such merger shall be at the special general meeting convened to consider the proposal to merge.

e) Any trophies in the possession of the club being dissolved shall be disposed of at the direction the federal council of KUSA.