

THE CONSTITUTION

of

**GAUTENG ICE HOCKEY
ASSOCIATION**

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1. DEFINITIONS

The following words and phrases shall bear the meaning ascribed to them hereunder. The masculine shall include the feminine, the singular shall include the plural and vice versa:

- 1.1 **“Province”** means: A province in the Republic of South Africa.
- 1.2 **“Club”** means: A club established primarily for the purpose of playing ice hockey or in-line hockey in the Republic of South Africa.
- 1.3 **“Provincial Ice Hockey Organisation/Federation”** means: An organisation or federation, formed by a club or clubs, established in a province, primarily for the purpose of administering or regulating or promoting the playing of ice hockey or in-line hockey in that province.
- 1.4 **“Provincial In-Line Hockey Organisation”** means: An organisation, formed by a club or clubs, established in a province, primarily for the purpose of administering or regulating or promoting of in-line hockey in that province provided that a Provincial Ice Hockey Organisation/Federation does not exist.
- 1.5 **“In-Line Hockey”** means: The sport of In-Line Hockey administered by the South African Ice Hockey Federation.
- 1.6 **“Executive Committee”** means: The executive committee of GIHA.
- 1.7 **“Committee member”** means: Any member of the executive committee.
- 1.8 **“President”** means: The President of the executive committee
- 1.9 **“Vice-President”** means: The Vice-President of the executive committee.
- 1.10 **“General Secretary”** means: The general secretary of the executive committee.
- 1.11 **“Treasurer”** means: The treasurer of the executive committee.
- 1.12 **“The Woman in Sport Development Coordinator”** means: The person responsible for the development of Women’s Hockey and the needs of women in particular.
- 1.13 **“The Players Representative”** means: The person responsible to represent the players
- 1.14 **“The Provincial Coaching Development Co-Ordinator”** means: The person responsible for the development of coaching.
- 1.15 **“The Provincial Referee-in-chief”** means: The person responsible for the development of Referees and Match Officials.
- 1.16 **“The Provincial Scorer and Statistics Co-Ordinator”** means: The person responsible for the development of scorers and to maintain match statistics.
- 1.17 **“Club delegate”** means: Any person nominated by any provincial Ice Hockey or In-Line Hockey organisation/federation or qualifying club to serve on the executive committee.

- 1.18 **“IIHF”** means: The International Ice Hockey Federation.
- 1.19 **“IIHF Rules”** means: The rules, constitution and by-laws contained in the IIHF official rule book, constitution and by-laws as amended from time to time.
- 1.20 **“Age group”** means: The under 10, under 12, under 14, under 16, under 18, under 20 or PHL age groups.
- 1.21 **“Division”** inclusive of: The development division, the women’s division, the second division, the first division, PHL or the Super league division.
- 1.22 **“Under 10 player”** means: An under 10 player as defined in terms of the IIHF rules.
- 1.23 **“Under 12 player”** means: An under 12 player as defined in terms of the IIHF rules.
- 1.24 **“Under 14 player”** means: An under 14 player as defined in terms of the IIHF rules.
- 1.25 **“Under 16 player”** means: An under 16 player as defined in terms of the IIHF rules.
- 1.26 **“Under 18 player”** means: An under 18 player as defined in terms of the IIHF rules.
- 1.27 **“Under 20 player”** means: An under 20 player as defined in terms of the IIHF rules.
- 1.28 **“Development Division player”** means: Any registered player of any age group who is a novice or comparatively inexperienced player who wishes to play in the development division.
- 1.29 **“Women’s Division Player”** means: Any registered female player nominated by her club to play for the women’s division
- 1.30 **“Second Division Player”** means: Any registered player nominated by his or her club to play in the second division.
- 1.31 **“First Division Player”** means: Any registered player nominated by his or her club to play for the first division
- 1.32 **“Super league Player”** means: Any registered player nominated by his club to play for the Super league.
- 1.33 **“PHL”** means: Any registered player nominated by his club to play for the Premier Hockey league.
- 1.34 **“Junior leagues”** means: Leagues which will be played between registered teams of under 10, under 12, under 14, under 16, under 18 and under 20, during such period as the executive committee may determine.
- 1.35 **“Senior leagues”** mean: Leagues which will be played between registered teams of women’s division players, second division players, first division players and super league division players during such period as the executive committee may determine.
- 1.36 **“Match”** means: Any game of ice hockey played in the Republic of South Africa between competing registered teams in the same age group or division from any two clubs, or two different registered teams in the same age group or division from the same club, in terms of the IIHF rules.

- 1.37 **“Local international tournament”** means” Any ice hockey game or tournament played in the Republic of South Africa by any national team against any foreign team, in terms of the IIHF rules.
- 1.38 **“Overseas international tournament”** means: Any ice hockey game or tournament played outside the Republic of South Africa by any national team against any foreign team, in terms of the IIHF rules.
- 1.39 **“Registered player”** means: Any ice or in-line hockey player who is a member of any club and who is registered with the SAIHF.
- 1.40 **“Registered team”** means: A team, consisting of not less than eight specified registered players from a club in any age group or division, which is itself registered with the SAIHF, provided that no registered players in a registered team may be a registered player in any other registered team in the same age group or division or as regulated by applicable by-laws (for example floating rules and goalies).
- 1.41 **“Provincial squad”** means: A squad of players in any age group or division chosen for possible inclusion in a provincial team and who are from whom a national team will be selected
- 1.42 **“Provincial team”** means: The provincial team, chosen to play in any local or national tournament from any provincial squad or any other players.
- 1.43 **“Selectors”** means: The selectors of any national squad or any team chosen to represent the Republic of South Africa in any tournament.
- 1.44 **“Provincial team coach”** means: The coach of any provincial squad or team.
- 1.45 **“Assistant Provincial team coach”** means: The assistant coach for any provincial squad or team.
- 1.46 **“Provincial team Manager”** means: The manager of any provincial squad or team.
- 1.47 **“Provincial Convener of Coaches”** means: A Head Coach Selected by, and from all the Head Coaches in the province to represent them in the National Coaches Forum.
- 1.48 **“Provincial Player Development Co-ordinator”** means: Person selected and tasked with the development of Junior and Senior Players in the Province.

2. NAME OF THE ORGANISATION

- 2.1 The name of the Organisation is: Gauteng Ice Hockey Association
(hereinafter referred to as the “organisation”)
- 2.2 The abbreviated name is: GIHA
- 2.3 Colours and emblem:
- 2.3.1 The colours of GIHA for Provincial teams shall be those prescribed by the relevant authorities.
- 2.3.2 GIHA may from time to time prescribe its own association colours.

3. LEGAL STATUS

The GIHA is a non-profit making sporting voluntary association

The Organisation shall:

- 3.1 Exist in its own right, which is separate from its office-bearers and members
- 3.2 Continue to exist even if its membership changes and there are different office bearers
- 3.3 Be able to own property and other possessions
- 3.4 Be able to sue and be sued in its own name

4. OBJECTIVES

The Organisation is a non-profit organisation established for the following public benefit objectives:

- 4.1 To establish a non-racial, non-sexist association
- 4.2 To administer, regulate, organize and promote the sport of ice hockey and in-line hockey in the Gauteng Province and national tournaments, and to do all such things as are directly or indirectly necessary for or related or ancillary thereto including, without derogating from the generality of a foregoing, the appointment of referees, timekeepers and other officials for any matches or tournaments.
- 4.3 To maintain and promote an organisation with the Provincial Sports Commission, the IIHF and any other organisations or bodies or entities of any other nature administering or regulating or organising or promoting ice hockey and in-line hockey in South Africa or anywhere else in the world.
- 4.4 To make any such rules or by-laws, to pass any such resolutions or to take any such decisions as may be required or necessary or desirable to achieve any objects of the organisation or any objects which are directly or indirectly necessary for or related or ancillary thereto, including, without derogating from the generality of the foregoing in relation to the appointment of sub-committees, the co-opting of members onto the executive committees, the establishment of standards to be observed by any registered player, club or provincial ice hockey organisation/federation, and the imposition of any disciplinary measures, including a fine, suspension or expulsion on any of the foregoing persons or entities.
- 4.5 To prescribe conditions for membership of GIHA
- 4.6 To provide for the annual registration of players, teams and provincials organisations with the SAIHF.
- 4.7 To determine the procedure for running Leagues and Provincial Championships.

- 4.8 To determine the procedure for the selection of provincial squads and teams and to select provincial squads and teams.
- 4.9 To appoint selectors, provincial team coaches and provincial team assistant coaches and provincial team managers.
- 4.10 To apply for and/or award provincial colours to members of provincial teams in conjunction with the Provincial Sports Commission and/or any other relevant South African organisation, body or entity.
- 4.11 To employ full or part-time employees, independent contractors or other third parties or any nature, and to terminate the employment of any such party.
- 4.12 To receive membership fees and any other monies including, without derogating from the generality of a foregoing, donations, sponsorships, money from IIHF, or any other monies of any nature and to administer and apply such funds for the purpose of achieving any of the objects of the organisation.
- 4.13 To borrow any monies for any of the abovementioned purposes.
- 4.14 To establish and maintain a Member of the Executive Committee responsible for the promotion of Women in Sport of Ice and In-line Hockey and in the structures of GIHA.
- 4.15 To establish and maintain a Member of the Executive Committee to represent the players.
- 4.16 To establish and maintain a Member of the Executive Committee to coordinate and develop coaching.
- 4.17 To establish and maintain a Member of the Executive Committee to coordinate and develop Referees and Match officials.
- 4.18 To establish and maintain a Member of the Executive Committee to coordinate and develop the Timekeepers and Match Statisticians.
- 4.19 To raise funds and receive contributions where appropriate to finance the work of the organisation
- 4.20 To publicise and promote the work
- 4.21 To open bank accounts or invest funds
- 4.22 Make rules and standing orders for categories of members and their rights.
- 4.23 To organise meetings, trainings and events
- 4.24 To work with similar groups and exchange information and advice with them
- 4.25 To take any action that is lawful, which would help it fulfil its aims

5. INCOME AND PROPERTY OF THE ORGANISATION

- 5.1 The organisation will keep a record of everything it owns.
- 5.2 Members and office-bearers have no rights over the property or other assets of the Organisation.
- 5.3 The income and property of the Organisation shall be used solely for the promotion of its stated objectives and shall not be paid or distributed directly or indirectly to any person, or to any member of the Organisation or office bearers, except as reasonable compensation for services actually rendered to the Organisation or reimbursement of actual costs or expenses reasonably incurred on behalf of the Organisation. Reimbursement will only occur on the presentation of documentary proof in the form of invoices, receipts etc.

- 5.4 The Organisation will ensure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the nonprofit organizations and causes they are asked to support, we declare that all donors have these rights:
- a. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
 - b. To be informed of the identity of those serving on the organization's Executive Committee, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
 - c. To have access to the organization's most recent financial statements.
 - d. To be assured their gifts will be used for the purposes for which they were given.
 - e. To receive appropriate acknowledgement and recognition.
 - f. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
 - g. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
 - h. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
 - i. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
 - j. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

6. TAXATION OF ORGANISATION

The Organisation may apply to the Commissioner for the South African Revenue Service for approval as a Public Benefit Organisation in terms of section 30 of the Income Tax Act. Upon approval the provisions set out in Schedule A shall bind the Organisation.

7. POWERS OF ORGANISATION

The Organisation shall have the same powers as that of a company under the Companies Act, as amended.

Such powers include:

- 7.1 To institute or defend any legal or other proceedings and to settle any claims
- 7.2 To prudently invest funds of the Organisation
- 7.3 To acquire, attain, maintain, manage, lease, sell, or in any way deal with property and assets of the Organisation
- 7.4 To donate and transfer the property and assets of the Organisation to public benefit organisations with similar objectives
- 7.5 To borrow and to use the property or assets of the Organisation as security for borrowing
- 7.6 To execute any act or deed in any deeds registry, mining titles or other public office
- 7.7 To exercise all the management and executive powers ordinarily vested in the Board of Directors of a Company

- 7.8 To carry out all the powers and authority of the Organisation in South Africa and in any other part of the world.

8. THE EXECUTIVE COMMITTEE

The ongoing conduct and administration of the affairs of GIHA shall be dealt with by the executive committee which shall be entitled to take any decisions, pass any resolutions or make any by-laws or regulations to achieve any of the objects of the GIHA.

8.1 COMPOSITION OF EXECUTIVE COMMITTEE

The executive committee shall consist of the following positions which shall have voting rights:

- 8.1.1 The President
- 8.1.2 The Vice President A
- 8.1.3 The Vice President B
- 8.1.4 The Treasurer
- 8.1.5 The Provincial Women's in Sport Development Co-Ordinator

The executive committee shall consist of the following positions which shall be non-voting and shall be co-opted onto the Executive Committee by the persons to vote on the Executive Committee:

- 8.1.6 the General Secretary
- 8.1.7 the League Director
- 8.1.8 the Provincial Scorer and Statistics Co-ordinator
- 8.1.9 the Player Development Co-ordinator
- 8.1.10 the Provincial Convener of Coaches
- 8.1.11 the Provincial Referee-in-Chief
- 8.1.12 the male player representative
- 8.1.13 the female player representative
- 8.1.14 the medical representative
- 8.1.15 the compliance officer

The executive committee shall consist of the following positions which shall be voting and shall be co-opted onto the Executive Committee by the persons to vote on the Executive Committee:

- 8.1.14 Club Delegates (full members)
 - (i) Each member (excluding honorary members) may at any time nominate its club delegate by written notice to the general secretary of the executive committee.
 - (ii) Any nominated provincial delegate shall, upon receipt of the nomination in the prescribed form by the general secretary of the executive committee, ipso facto immediately be a member of the executive committee on presentation of a SAP69 and verification checks as prescribed.

- (iii) Any provincial delegate shall not be required to serve for the term of four years prescribed elsewhere herein but may be replaced, from time to time, by another provincial delegate nominated in writing by his club representative.

8.2 NOMINATION AND VOTING FOR CERTAIN POSITIONS OF THE EXECUTIVE COMMITTEE:

- 8.2.1 Not less than forty-five days before the holding of any annual general meeting at which a new executive committee is to be elected, nominations may be made for the position of president, vice president, general secretary, women's representative and treasurer by any registered member which shall be seconded by another registered member.
- 8.2.2 Such nominations shall be in writing, and submitted to the general secretary as prescribed by the formal nomination form.
- 8.2.3 Any candidate nominated for any position on any new executive committee shall furnish, to the then existing executive committee all the requirements as specified in the formal nomination form.
- 8.2.4 Every nomination shall be required to specify the position or positions for which the nominee is nominated
- 8.2.5 Every nominee shall be required to be present in person at such annual general meeting, failing which any nomination for such person shall be null and void and he shall not be voted into any position
- 8.2.6 Each nominee may be voted into the position for which he is nominated by a majority of votes
- 8.2.7 In the event of a person nominated for a specific position not being voted into that position, he shall be asked whether he is willing to stand for any other position, and if so, he may be voted into that position.
- 8.2.8 Each registered member shall be entitled cast one vote for one candidate for each of the abovementioned positions.

8.3 TERM OF OFFICE OF EXECUTIVE COMMITTEE

- 8.3.1 The elected members of the executive committee shall, subject to what is set out hereunder be elected and hold office for successive periods of four years which shall be calculated from the date of the meeting at which they are elected, and can be re-elected for further terms through the nomination process.
- 8.3.2 The election of executive position shall be on a rotational basis as follows:
- 2016 Election: The President
- The Provincial Women's in Sport Development Co-Ordinator
- 2017 Election: The Vice President B
- 2018 Election: The Vice President A
- 2019 Election: The Treasurer
- 8.3.3 Upon the resignation of any person from the executive committee, the executive committee shall be entitled to co-opt any other person in their discretion, to fill the position of the person resigning.

8.4 FUNCTIONING OF THE EXECUTIVE COMMITTEE AND DECISIONS TAKEN BY IT:

- 8.4.1 The executive committee shall be required to meet at least twice a year.
- 8.4.2 Two thirds of the executive committee shall be required to form a quorum.
- 8.4.3 Any matters of procedure which are disputed shall be decided on by the chairman of the meeting.

- 8.4.4 All members of the executive committee shall have one equal vote in relation to all matters, save that the president will have a casting vote in addition to his deliberative vote in case of an equal number of votes being cast for and against any decision or resolution.
- 8.4.5 All decisions and resolutions, if they are not unanimous, must be voted for by a majority of those members of the executive committee present and voting at any meeting. No proxy votes shall be permitted at any executive committee meeting. In the case of urgent decisions being required, round robin resolutions may be passed by telephone, email or skype and confirmed in writing.
- 8.4.6 The president will be the chairman of all meetings, save as provided for hereunder.
- 8.4.7 The vice president shall assist the president and in the absence of the president shall act as the chairman of any meeting and be entitled to exercise a casting vote in addition to his deliberative vote.
- 8.4.8 The general secretary shall draw up an agenda for each meeting and shall place any matter on the agenda if requested to do so by any member. The agenda shall be circulated by the general secretary to all members of the executive committee three days prior to the meeting. The meeting shall not consider any matters other than those set out on the aforesaid agenda save in exceptional circumstances, in which case the general secretary shall endeavour to notify all members of the executive committee, in some way, of additional matters to be dealt with.
- 8.4.9 The general secretary shall prepare minutes recording all matters dealt with and all decisions taken at all meetings.
- 8.4.10 The general secretary shall keep all the records and other documents of the association
- 8.4.11 The treasurer shall be responsible for the control of the financial affairs of the association under the direction of the executive committee.
- 8.4.12 The treasurer shall cause full and proper records to be maintained relating to the financial running of the association and shall cause quarterly accounts to be drawn up and sent to all members of the executive committee.
- 8.4.13 The treasurer shall receive all monies paid to the association and promptly deposit in an account maintained at a registered bank in the Republic of South Africa.

8.5 DELEGATION OF POWERS

The executive committee shall be entitled to delegate any powers which it, in its sole and unfettered discretion considered should be delegated, to any sub-committee or any individuals.

8.5.1 Powers:

- a. The Executive Committee shall manage the affairs of the Association in accordance with the resolutions of members in a General Meeting. The on-going conduct and administration of the affairs of the GIHA shall be dealt with by the executive committee which shall be entitled to take any decisions, pass any resolutions or make any by-laws or regulations to achieve any of the objects of the GIHA
- b. The executive committee may take on the power and authority that it believes it needs to be able to achieve the objectives that are stated in point number 2 of this constitution. Its activities must abide by the law.
- c. The executive committee has the power and authority to raise funds or to invite and receive contributions.

- d. The executive committee does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.
- e. The executive committee has the right to make by-laws for proper management, including procedure for application, approval and termination of membership.
- f. The Association will decide on the powers and functions of office bearers.
- g. The organisation has the right to form sub-committees, in addition to the coaches forum, the referees forum or any selection committee. The decisions that sub-committees take must be given to the responsible executive committee member for feedback at the next meeting. The executive committee must decide whether to agree with them or not at its next meeting. By agreeing to decisions the management committee ratifies them.
- h. All members of the organisation have to abide by decisions that are taken by the executive committee as per majority vote.
- i. The Executive Committee must keep a register with the names and addresses of all the members

8.5.2 Election:

All members of the Executive Committee shall be members of the Association. The Executive Committee shall be elected by the members of the Association at an Annual General Meeting.

8.5.3 Vacancies:

The Executive Committee must, as soon as reasonable possible, appoint someone to fill any vacancy that reduced the number of board members to less than seven. The next General Meeting must confirm the office of any board member appointed, otherwise it will lapse.

8.5.4 Co-option:

The Executive Committee may co-opt additional voting and/ or non-voting members as it may consider appropriate. Should a co-opted voting member be appointed, they have the right to vote.

8.5.5 Resignation, Disqualification and Removal:

- a. A Executive Committee member may resign from office in writing. A Executive Committee member shall be disqualified from office upon termination of membership to the Association and becoming incapable by reason of mental illness. A member can be removed from office through a two-thirds resolution of the remaining Executive Committee members.
- b. If a member of the executive committee does not attend three executive committee meetings in a row, without having applied for and obtaining leave of absence from the executive committee, then the executive committee will find a replacement member to take that person's place.

8.6 SUPREME AUTHORITY

- 8.6.1 The supreme authority of GIHA shall be the collective membership assembled in a duly constituted general meeting.
- 8.6.2 The legislative and administrative structure of the GIHA shall consist of annual general meetings, special general meeting and executive committee meetings.

9. MEMBERSHIP

- 9.1 The following parties or entities shall be entitled to apply for or be granted membership or be elected to membership of the GIHA.

- 9.1.1 Ice hockey Clubs
- 9.1.2 In-line hockey clubs
- 9.1.3 Honorary members
- 9.1.4 Ice hockey players
- 9.1.5 Ice hockey officials
- 9.1.6 Any other person as determined by the executive committee

9.2 DURATION OF MEMBERSHIP

Save in the case of honorary members, membership of GIHA shall be on an annual basis from the 1st of January until the 31st of December in every successive calendar year.

9.3 ELIGIBILITY FOR MEMBERSHIP AND GRANTING OF MEMBERSHIP

The Executive Committee may determine the conditions and criteria for membership on the application form, which includes the timeframe for granting of membership as well as the minimum team requirements.

Applications for membership that do not comply with such conditions and criteria may be refused by the Executive Committee.

An existing ice hockey or in-line hockey club may qualify for membership of the GIHA on the basis that it shall, before the 1st of December in the preceding year:

- 9.3.1 should be within the boundaries of the Gauteng Province of South Africa
- 9.3.2 provide the GIHA with a complete copy of its current constitution or company registration documents;
- 9.3.3 provide the GIHA with a resolution duly passed in terms of its constitution resolving to apply for membership if the GIHA and undertaking to abide by the terms of this constitution and any rules, by-laws, resolution or other decisions made or taken in terms hereof;
- 9.3.4 pay the prescribed membership fees in full
- 9.3.5 provide the GIHA with the names, addresses and telephone numbers of all office bearers and the positions held by them in the club;
- 9.3.6 undertake in writing to advise the GIHA of any changes to its constitution and to furnish the GIHA with a copy of the revised constitution or company registration documents
- 9.3.7 provide the GIHA with any information required on player members and facilitating the process within the GIHA systems and procedures
- 9.3.8 to fulfil eligibility criteria as specified in the club application for membership form. The entire approval process is specified on this form.

9.4 TRANSFER OF MEMBERSHIP

Membership is not transferable

9.5 TERMINATION OF MEMBERSHIP

9.5.1 Automatic Termination of Membership:

Membership automatically terminates upon the receipt by the Association of a notification of the death of a natural member or dissolution of a juristic organisational member, and by written resignation.

9.5.2 Termination by Executive Committee:

Membership terminates if a member is removed by a resolution of the Executive Committee and confirmed by acceptance of the resolution by two-thirds of the voting members present.

9.5.3 Termination by Member:

Membership automatically terminates upon the receipt of a resignation letter or request to transfer should the member be in good standing.

9.6 REGISTERED MEMBERS

9.6.1 After considering any application by a club, the executive committee may grant membership to such entity either unconditionally or upon such terms and conditions as it may deem fit.

9.6.2 If an application for membership is approved unconditionally or, if approved of conditionally, once such conditions have been fulfilled, the name of the club shall be entered in a register of members which shall be maintained.

9.6.3 Each member shall be entitled to nominate a club delegate. Each club delegate shall have voting rights.

9.6.4 Each member shall before the first of January each year submit the following:

- A copy of the AGM minutes
- The names, addresses and contact details of all offices bearers and the positions held,
- The name of it's Club delegate

9.6.5 On receipt of the documentation in 9.5.5 the GIHA shall issue accreditation of membership to members.

9.6.6 Members of the organisation are entitled to attend its annual general meetings. At the annual general meeting members exercise their right to determine the policy of the organisation

9.7 HONORARY MEMBERS

9.7.1 The GIHA may, in terms of a resolution passed by a two-thirds majority at any general meeting, confer honorary status either for life or for such period as the meeting may determine, upon any person or persons;

9.7.2 No honorary member shall have any voting rights of any nature in relation to any matter

9.8 REGISTRATION OF PLAYERS, OFFICIALS, CLUBS, LEAGUES AND TEAMS AND PAYMENT OF FEES IN RESPECT THEREOF

9.8.1 All players and officials shall be required to be registered with GIHA, to furnish the GIHA with such information and documentation, including, where appropriate, a copy of a birth certificate and/or identity document, and to pay such fees as may be required by the GIHA.

9.8.2 All clubs shall be required to be registered with the GIHA. A copy of the club registration shall be lodged with the GIHA as prescribed in the application process.

9.8.3 All leagues and Teams shall be registered with the GIHA before a game is played.

9.8.4 Records of all games played shall be lodged with the GIHA.

9.9 CERTAIN PROHIBITIONS ON REGISTERED PLAYERS, CLUBS

- 9.9.1 No players shall be permitted to play ice hockey or in-line hockey for any club which is a member of the GIHA unless he has been registered with the GIHAF.
- 9.9.2 No club shall be permitted to play ice hockey or inline hockey unless such club is registered with GIHA.

10. MEETINGS

10.1 ANNUAL GENERAL MEETINGS

- 10.1.1 Whether or not an election is to be held that year, an annual general meeting of the association shall be held within six months of the Association's financial year-end. Written notice must be given to all members stating the date, time, place and business of the AGM, which business must include:

- (b) Election of the chairperson, if necessary, as described above
- (c) The Chairperson's report
- (d) The presentation of the Association's Annual Financial Statements
- (e) The election of Executive Committee members,
- (f) The appointment of Accounting Officer, and
- (g) Other appropriate matters.

- 10.1.2 A quorum of two-thirds of voting members shall be required to be present.

- 10.1.3 Save as otherwise provided for herein votes may be cast for or against any resolution or decision on the same basis, mutatis mutandis as provided for in relation to the election of elected members of the executive committee

- 10.1.4 The president, or in his absence, the vice president, shall chair the annual general meeting. If neither is present, the meeting shall elect a chairperson by simple majority as its first item of business. The chairperson shall decide any dispute in relation to any matter or procedure.

- 10.1.5 Before any substantive matters are dealt with at any annual general meeting the following steps shall be taken:

- Signature of the attendance register by all person's present;
- Acceptance of the credentials of all member's representatives;
- Confirmation that a quorum is present.

- 10.1.6 The purpose of the annual general meeting shall be to conduct the following business which will be heard in the following order:

- 10.1.6.1 Election of the chairperson, if necessary, as descried above;
- 10.1.6.2 Confirmation of the minutes of the previous annual general meeting and any matters arising there from;
- 10.1.6.3 Presentation of a report in relation to the previous year by the president
- 10.1.6.4 Presentation of reports by the accounting officer or the treasurer and acceptance of the balance sheet, income and expenditure statement in the accounting officer's report
- 10.1.6.5 The election of members to the executive committee, if the annual general meeting is one at which such members are to be selected.

10.1.6.6 Any general matters

10.2 SPECIAL GENERAL MEETING

- 10.2.1 A special general meeting may be requested by electronic written notice thereof being given by any member of the executive committee, which is seconded by another member of the executive committee, stipulating the business for which the meeting is called.
- 10.2.2 The general secretary shall prepare an agenda for such meeting which shall be circulate, together with a copy of the notice calling for the general meeting to all members of the executive committee and shall promptly give notice thereafter as prescribed hereunder of the date on which the executive committee decides that such meeting should be held.
- 10.2.3 The quorum and other procedures prescribed for annual general meetings shall mutatis mutandis apply to special general meetings.
- 10.2.4 Voting shall take place on the same basis as in any annual general meeting.
- 10.2.5 Skype or other forms of electronic conferencing may be used for special general meetings.

10.3 NOTICE OF MEETINGS

- 10.3.1 Written notice of all meetings of the executive committee shall be given in writing by the general secretary to every member of the executive committee not later than three days prior to the holding thereof, stating the date, time and place of such meeting and the matters on the agenda.
- 10.3.2 Written notice of any annual general meeting shall be given in writing by the general secretary to every member of the executive committee and not less than twenty-one days before the date of such meeting stating the date, time and place of such meeting and the matters on the agenda.
- 10.3.3 Written notice of any special general meeting shall be given in writing by the general secretary to every member of the executive committee not less than fourteen days before the date such meeting stating the date, time and place of such meeting and the matters on the agenda.

10.4 PROCEDURES AT MEETINGS

The Executive Committee may regulate its meetings and proceedings as it finds fit, subject to the following:

- 10.4.1. The Chairperson shall chair all meetings of the Executive Committee.
- 10.4.2. Meetings of the Executive Committee may be conducted face-to-face or electronically which would allow Executive Committee members to be present and participate through electronic means.
- 10.4.3 If the Chairperson is not present within fifteen minutes of the appointed time of the meeting, the Vice-Chairperson shall chair such meeting. In both their absence, the Board members present at the meeting shall elect a chairperson for that meeting.
- 10.4.4 The Chairperson shall convene a meeting of the Executive Committee at least bi-annually and at the written request of any two members of the Executive Committee.
- 10.4.5 The quorum for a meeting of the Executive Committee shall be two thirds of the serving Executive Committee members.
- 10.4.6 If no quorum is not present within fifteen minutes of the appointed time of the meeting, the meeting must be adjourned to another date, within fourteen days thereafter. Notice, as provided for under the constitution, must be given to all members of the Association of such adjournment.

- 10.4.7 If no quorum is present at the reconvened meeting within fifteen minutes of the appointed time, the members present, or represented by proxy, shall deem to constitute a quorum for that meeting
- 10.4.8 Questions arising shall be decided by a majority of votes by means of a show of hands or by ballot. A vote by ballot can be demanded by not less than one third the members present, or represented by proxy.
- 10.4.9 Each member present shall be entitled to one (1) vote.
- 10.4.10 Except where this constitution requires a higher threshold, questions arising shall be decided by a majority of votes. Should there be an equality of votes the Chairperson shall have a casting or second vote.
- 10.4.11 Any matters of procedure which are disputed shall be decided on by the chairman of the meeting.
- 10.4.12 Proper minutes and attendance records must be kept of all meetings of the Executive Committee. The chairperson for the meeting shall sign the minutes which shall be available at all times for inspection or copying by any member of the Association on three days' notice to the Secretary or the Vice-Chairperson.
- 10.4.13 Minutes will be taken at every meeting to record the executive committee's decisions. The minutes of each meeting will be given to executive committee members at least seven days before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the executive committee, and shall thereafter be signed by the chairperson.
- 10.4.14 A resolution signed by all members of the Executive Committee shall be as valid as if passed at a duly convened meeting of the Executive Committee.
- 10.4.15 When necessary, the executive committee will vote on issues. If the votes are equal on an issue, then the chairperson has either a second or a deciding vote.
- 10.4.16 The chairperson, or two members of the committee, can call a special meeting if they want to. However, they must let the other executive committee members know the date of the proposed meeting not less than 14 days before it is due to take place. They must also state which issues will be discussed at the meeting.
- 10.4.17 The Executive Committee may appoint employees upon such lawful terms and conditions as it may deem necessary.
- 10.4.18 Where the executive committee deems it necessary, they can decide to set up one or more sub-committees. There must be at least three people on a sub-committee. The sub-committee must report back to the management committee on its activities regularly.

10.5 POWERS OF THE GENERAL MEETINGS

The members in a properly convened General Meeting of the Association is the highest decision-making structure of the Association as set out in this Constitution. The members in General Meeting may review, approve or amend any decision taken by the Executive Committee but no such resolution of the Association shall nullify any earlier resolution taken by the Executive Committee in accordance with the provisions of this Constitution.

11. FINANCES AND REPORTS

- 11.1 Members of the executive committee shall not be entitled to any remuneration or other fees whatsoever in respect of any services rendered by them in their capacity as members of the

committee, but any reasonable expenses bona fide incurred in carrying out their functions on behalf of GIHA, may be reimbursed at the discretion of the committee.

- 11.2 The Executive Committee must ensure that proper records and books of account which fairly reflect the affairs of the Organisation are kept, and within six months of its financial year a report is compiled by an independent practicing accounting officer registered with a controlling body stating whether or not the financial statements of the Organisation are consistent with its accounting records, the accounting policies are appropriate and have been appropriately applied with in preparing the financial statements and the Organisation has complied with the financial provisions of this constitution.
- 11.3 The financial affairs of GIHA and any local lease, insofar as they may be administered at any time by the GIHA, shall be kept separate, and recorded in separate books of account
- 11.4 The treasurer shall be responsible for the control of the financial affairs of the organisation under the direction of the executive committee.
- 11.5 The treasurer shall cause full and proper records to be maintained relating to the financial running of the organisation and shall cause quarterly accounts to be drawn up and sent to all members of the executive committee.
- 11.6 Bank Account:
- The Executive Committee must open a bank account in the name of the Organisation as the correct registered legal entity with a registered South African Bank.
- 11.7 Signing:
- Cheques and other documents requiring signature on behalf of the Organisation shall be signed by at least two persons authorised by the Executive Committee.
- 11.8 Financial year-end:
- The financial year end of the Organisation shall end on 31 December each year.
- 11.9 Independent Review/Accounting Officer:
- 11.9.1 The executive committee shall annually appoint an independent reviewer/accounting officer who shall be reappointed for each year thereafter unless:
- 11.9.2 he is not qualified for reappointment; or
- 11.9.3 a resolution is adopted at any general meeting appointing another independent reviewer/ accounting officer or expressly deciding that he should not be reappointed;
- 11.9.4 he gives GIHA notice in writing of his unwillingness to be reappointed;
- 11.9.5 Where no independent reviewer /accounting officer is appointed or reappointed the executive committee shall as soon as possible after any annual general meeting appoint a person to fill the vacancy;
- 11.9.6 the independent reviewer /accounting officer of GIHA shall have the right of access at all times to all books, accounts and supporting vouchers of any kind or nature of GIHA and shall be entitled to require from such members or officials of GIHA such information as he requires or is necessary for the performance of his duties;

- 11.10 the annual financial statements of the financial affairs of GIHA shall be submitted at every annual general meeting in addition to the treasurer's report.
- 11.11 the annual financial statements and all supporting accounts and vouchers shall be made available to members of the executive committee not less than ten days prior to the holding of every annual general meeting.
- 11.12 All monies received by GIHA shall promptly be deposited to the credit of the GIHA. All payments shall be made by cheque or EFT only under signature of the authorised signatories. Each cheque must be signed by the treasurer and at least one other member of the executive committee. No cash cheques may be made out.
- 11.13 The organisation's accounting records and reports must be ready and handed to the Director of Non-profit Organisations within six months after the financial year end.
- 11.14 If the organisation has funds that can be invested, the funds may only be invested with registered financial institutions. These institutions are listed in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984. Or the organisation can get securities that are listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985. The organisation can approach a financial services provider to seek advice on the best way to look after its funds.
- 11.15 The general secretary shall keep all the records and other documents of the association.

12. AMENDMENTS

- 12.1 This Constitution may be amended by resolution passed by a two-thirds majority at any annual general meeting or special general meeting.
- 12.2 Prior notice of any proposed amendments to the Constitution shall be furnished in writing to the general secretary of the GIHA signed on behalf of a proposer and a seconder both of which shall be members and setting out precisely the reasons for the proposed amendment.
- 12.3 Such proposed amendments to the Constitution shall be furnished to the general secretary and circulated to all members of the executive committee not less than thirty one days before the relevant annual general meeting or special general meeting failing which the amendments may not be considered at any such meeting.

13. DISSOLUTION

- 13.1 The organisation may be wound up at any time if agreed by at least two-thirds of the members present and voting at any general meeting.
- 13.2 Upon the dissolution of the Organisation, after all debts and commitments have been paid, any remaining assets shall not be paid to or distributed amongst members, but shall be transferred by donation to some other non-profit organisation which the Executive Committee (and failing which the members in General Meeting) considers appropriate and which has objectives the same or similar to the objectives of the Organisation, and should the Organisation be exempt from the payment of any taxes and duties;
- a. Any similar public benefit organization which has been approved in terms of section 30 of the Income Tax Act,
 - b. Any institution, board or body which is exempt from tax under the provisions of section 10 (1)(cA)(i) of the Income Tax Act, which has its sole or principal object the carrying on of any public benefit activity,

c. Any department of state or administration in the national or provincial or local sphere of government of the Republic.

14. INDEMNITY

- 14.1 Subject to the provisions of any relevant law, members, office-bearers or appointed delegates of the Organisation shall be indemnified by the Organisation for all acts done by them in good faith on its behalf.
- 14.2 Subject to the provisions of any relevant law, no member of the Organisation or appointed delegates shall be liable for the acts, receipts, neglects or defaults of any other member or office bearer, or for any loss, damage or expense suffered by the Organisation, which occurs in the execution of the duties of his or her office, unless it arises as a result of his or her dishonesty, or failure to exercise the degree of care, diligence and skill required by law.

15. CONFLICTING INTERESTS

Any actual, potential or perceived conflict of interest on the part of any member of the Executive Committee, on a matter pertaining to the Association, must be disclosed in writing to the Executive Committee which shall record such conflict of interest in the minutes of the Board meeting. Such member may be requested by the Executive Committee to state his / her position in the matter or to respond to pertinent questions, but shall not vote or use his / her influence on the matter and shall not be counted for purposes of determining a quorum for the meeting where the voting takes place.

16. CONFIDENTIALITY

All matters pertaining to litigation, security measures, contractual negotiations, employment matters and any other matters deemed confidential by the Executive Committee, must be treated as confidential and only the actual decisions may be disclosed to the general public.

17. DISPUTE RESOLUTION

All members, players and officials shall resolve disputes by:

- 17.1 Firstly by consensus or voting.
- 17.2 Secondly by mediation through GIHA structures. President to have final judgement.
- 17.3 Thirdly by arbitration by SAIHF. The arbitrator's decision shall be final and binding to all parties involved

18. AUTHORITY OF THE INTERNATIONAL ICE HOCKEY FEDERATION (the IIHF)

All leagues, clubs, teams and persons under the jurisdiction of or under contract of the South African Ice Hockey Federation, where such contracted body or person shall include any person or persons, organisations or leagues authorised to organise ice hockey games, are as regards all international matters subject to the Statutes, Bylaws, Regulations, Official Playing Rules and related decisions of the IIHF and undertake not to involve any third party whatsoever in the resolution of any dispute arising therefrom excepting where having exhausted the appeal procedures within the IIHF, in which case, such dispute may be submitted only to the jurisdiction of the Court of Arbitration for Sports (CAS) in Lausanne, Switzerland whose decision shall be final and binding to all parties involved. The Anti-Doping Bylaws and Regulations of the IIHF, specifically including but not limited to adherence to the WADA Code, shall apply to the South Africa Ice Hockey Federation and the Gauteng Ice Hockey Association.

This constitution was approved and accepted by members of Gauteng Ice Hockey Association

At a special meeting held on 25 March 2017

NAME	POSITION	SIGNATURE
	President	
	Vice President A	
	Vice President B	
	Treasurer	
	Women in Sport	
	Club Delegate – Sabres	
	Club Delegate – Vipers	
	Club Delegate – Capitals	
	Club Delegate – Ice Hawks	
	Club Delegate – Warriors	
	Club Delegate – Grizzlies	

SCHEDULE A

REQUIREMENTS FOR APPROVAL AS PUBLIC BENEFIT ORGANISATIONS

As provided for in Clause 5 of this Constitution, The Organisation intends to apply to the Commissioner for SARS for approval as a Public Benefit Organisation in terms of Section 30 of the Income Tax Act. Upon approval the Organisation shall:

1. Be required to have at least three persons, who are not connected persons in relation to each other, to accept the fiduciary responsibility of the organisation.
2. Ensure that no single person directly or indirectly controls the decision making powers relating to the Organisation.
3. Is prohibited from distributing any of its funds to any person (otherwise than in the course of undertaking any public benefit activity) and is required to utilise its funds solely for the object for which it has been established.
4. Be prohibited from accepting any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A; provided that a donor may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation.
5. Ensure that it is not knowingly a party to, and does not knowingly permit itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy, which, but for such transaction, operation or scheme, would have been or would have become payable by any person under the Act or any other Act administered by the Commissioner.
6. Submit to the Commissioner a copy of any amendment to this constitution.
7. Not pay any remuneration to any employee, office bearer, member or other person, which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered.
8. Comply with such reporting requirements as may be determined by the Commissioner.
9. Take reasonable steps to ensure that the funds which it may provide to any organisation of persons as contemplated in paragraph 10(iii) of Part 1 of the Ninth Schedule of the Act are utilised for the purpose for which they are provided.
10. Has not and will not use its resources directly or indirectly to support, advance or oppose any political party.