

MILNERTON SQUASH CLUB CONSTITUTION

February 2025

1. NAME

The name of the Club shall be MILNERTON SQUASH CLUB (M.S.C.) hereinafter referred to as "the Club".

2. DEFINITIONS

Words not defined in the Club rules shall, unless the context indicates otherwise, bear the meanings assigned to them in the constitution. Unless inconsistent with the context, all words and expressions imparting the masculine gender shall include the feminine, words signifying the singular number shall include the plural and vice-versa and the following meanings assigned to them, namely:

"Annual General Meeting" shall mean the meeting of the members of this Club, held no later than two months after the close of the Club's financial year, on a date and at a time and place determined by the Committee.

"Auditor" shall mean a person, who is not necessarily a member of the Club, but shall hold adequate experience to audit the annual accounts, verify the assets of the Club and report thereon prior to the Annual General Meeting.

"Committee" shall mean the Executive Committee of the Club as constituted in terms of clause six (6) hereof.

"Meeting" shall mean a meeting of the Executive Committee of the Club.

"Member" shall mean an individual who is a fully paid up member of the Club in terms of clause five (5) hereof.

"Notice" shall mean a written notice given to or by the Chairman of the Club, sent by prepaid post or e-mail or fax to the latest address of which the Chairman has had notice.

"Temporary Member" shall mean a visitor to the Club who shall be so considered for such period as he is at the Club or participates in the activities of the Club.

3. OBJECTIVES OF THE CLUB

The overall objective of the Club is to promote, organize and provide facilities for the game of squash.

- 3.1 To raise funds by means of membership fees, or otherwise, for the continued existence and furtherance of the objectives of the Club.
- 3.2 To apply the funds of the Club to the promotion of the affairs of the Club.
- 3.3 To co-operate with and to co-ordinate the Clubs activities with those of any body, authority or association necessary to achieve the Clubs objectives.

4. AFFILIATION

The Club shall be affiliated to Western Province Squash and Milnerton Sports Club and shall observe the Constitution, Rules and Regulations of these bodies.

5. MEMBERSHIP

Membership to the Club shall be open, subject to the approval of the Committee.

5.1 The following categories of membership shall exist:

5.1.1 *Single Member*

Shall be an individual over the age of eighteen years old who shall be able to partake in the Western Province League and have no restrictions to usage of the Club facilities.

5.1.2 *Family Member*

Shall consist of a husband, wife and children who qualify as junior members.

5.1.3 *Junior Member*

Shall be an individual who is under the age of eighteen years old.

5.1.4 *Honorary Life Member*

Shall be a person proposed by the Committee and elected at an Annual General Meeting or Special General Meeting, in recognition of services rendered to or interest shown in the Club.

5.1.5 *Social Member*

Shall be an individual member who shall not be able to partake in the Western Province League and shall furthermore be restricted to usage of the courts out of peak periods.

5.1.6 *Social Non-Playing Member*

Shall be an individual member who shall not be a playing member but merely be making use of the Club facilities for social reasons.

5.2 A candidate shall not be a member of the Club until his/her application has been vetted and approved, however, the candidate who has complied with all the required provisions may, at the discretion of the Committee, immediately enjoy the privileges of such membership, pending full acceptance to the Club.

5.3 The liability of the members of the Club shall be limited to the amount of unpaid membership fees.

5.4 The Committee shall, where it considers it to be in the interest of the Club, be entitled to:

5.5.1 Refuse an application for membership.

5.5.2 Suspend the membership of any member.

5.5.3 Take any disciplinary measures as may in the circumstances be deemed appropriate.

5.6 SUSPENSION AND EXPULSION

A member who breaks or disregards any of the rules or code of conduct, or who refuses or neglects to conform to any resolution duly passed by the Committee, or who shall be found to have been guilty of conduct, *whether in or out of the Club's premises*, unbecoming of a member, or whose conduct, in the opinion of the Committee, is injurious to the good name, character and interests of the Club, may be, suspended for

such a period as may be determined by the Committee, or may be expelled from the Club. The decision of the Committee shall be final and binding upon such a member.

- 5.6.1 The committee will meet within a week of an incident or complaint to deliberate and decide on appropriate action before a member is suspended or expelled. The member shall then be given the opportunity to state his/her case, verbally or in writing, to the Committee. The member shall be granted leave to cross-examine any witness and to lead evidence in his/her defence. A record shall be kept of all such proceedings.
- 5.6.2 The Committee shall grant a suspended member a hearing within one month of the date of suspension.
- 5.6.3 A suspended member shall be notified in writing of his/her suspension giving the exact reason for this suspension.
- 5.6.4 The Committee shall send written notice of expulsion to the offending member.

6. COMMITTEE

The ownership, control and administration of the Club shall be vested in the Committee.

6.1 POWERS OF THE COMMITTEE

The Committee shall be empowered to make decisions and act in all matters pertaining to the welfare of the Club and to do all things consistent with the aims and objectives of the Club, or the provisions of the constitution. The Committee shall be constituted as follows:

- a) Chairman
- b) Vice-Chairman
- c) Treasurer
- d) Events Manager
- e) League Captain
- f) Maintenance Manager
- g) Any other members as may be co-opted by the Committee.

6.2 TERMS OF OFFICE

The elected Committee shall hold office from the close of the Annual General Meeting at which it is elected, until the close of the second annual General Meeting after election.

6.3 VACANCY OF SEAT

6.3.1 A Committee members seat shall fall vacant under the following circumstances:

- a) Death – from the date of death;
- b) Resignation – from date of resignation;
- c) Termination of membership of Club – from date of termination;
- d) Failure to attend three consecutive Committee meetings without permission of the Committee – from the day following the third meeting he has failed to attend.

6.3.2 The Committee may appoint a member of the Club to fill any vacancy arising in terms of subsection 6.3.1 and such member shall hold office for the remainder of the term of office of the Committee member he has replaced.

7. FINANCIAL ARRANGEMENTS AND ACCOUNTS

- 7.1 The Club shall not engage in any activity or transaction, which has as its object the financial gain of any person or persons other than the Club.
- 7.2 The income and property of the Club shall be used solely for the pursuit of the Club's objectives.
- 7.3 Members of the Committee shall not be entitled to any remuneration or other fee in respect of services rendered in their capacity as members of the said Committee, but may be refunded for any out of pocket expenses.
- 7.4 Members of the Committee shall be and are indemnified by the Club against all proceedings, costs and expenses incurred in connection with the Club, provided that these do not arise due to their negligence, dishonesty or fraud.
- 7.5 The Committee shall cause to be kept such accounts, entries, registers and records as are necessary for the proper workings of the Club.
- 7.6 The books of account shall be made up at the end of the financial year and in the event of the person keeping the books not being an auditor, shall be audited by an auditor appointed by the Committee upon requirement.
- 7.7 Financial Statements including a Balance Sheet shall be submitted to the members at the annual General Meeting.
- 7.8 The Club shall maintain a banking account with a registered commercial bank or building society.
- 7.9 All monies received shall be deposited to the credit of the Clubs account and all payments shall be made by cheque under the signatures of the persons authorized by the Committee to sign cheques drawn on the Club's account.

8. TRUSTEE

The Chairman of the Club during his/her period of office, or in his/her absence the Vice-Chairman, or any Committee member who, as by resolution of the Committee, may be acting as chairman, shall be the trustee of the Club. All movable and immovable property of the Club shall be vested in the trustee who shall be entitled to sue and accept service in the name of the Club. The trustee shall at all times act in accordance with such directions as given or decisions made from time to time by the Committee or passed by the members in a general meeting of the Club when dealing with legal issues or handling the property of the Club.

9. ANNUAL GENERAL MEETING

Notice of the Annual General Meeting of the Club is to be posted at least twenty-one (21) days prior to such a meeting taking place. The notice shall state clearly the date, time and place of the meeting.

10. SPECIAL GENERAL MEETING

- 10.1 Special General Meetings shall be called under the following circumstances:
 - 10.1.1 By direction of the Committee;
 - 10.1.2 When required to consider any matter in terms of the Clubs constitution;
 - 10.1.3 Upon requisition signed by no less than ten members stating clearly and in detail the purpose for the meeting.

- 10.2 Notice stating the date, time and place of such a meeting and detailing the business to be transacted shall be mailed to each member no less than thirty (30) days prior to the date of such meeting.
- 10.3 A Special General Meeting required or requisitioned in terms of subsection 10.01 shall take place no longer than six weeks after the receipt of the requisition by the Chairman or the receipt of information making such a Special General Meeting necessary.
- 10.4 The Special General Meeting shall only deal with the business as laid out in the notice convening such meeting.

11. QUORUMS AT MEETINGS

- 11.1 Except where elsewhere provided, the quorum at any:
 - 11.1.1 Annual or Special General Meeting shall be twenty (20) members with voting rights.
 - 11.1.2 Committee meeting shall be one half of the full Committee.
- 11.2 If, at the expiration of twenty minutes after the scheduled time of commencement of the meeting, a quorum is not present, the meeting shall:
 - 11.2.1 If it is a Special General Meeting called on the requisition of members – be abandoned.
 - 11.2.2 In all other cases be adjourned to the same day, time and place, one week later and at such an adjourned meeting, those members with voting rights present shall constitute a quorum and shall proceed with the business of the meeting.

12. FINANCIAL YEAR

The financial year shall be from the 1st January to the 31st December.

13. SUBSCRIPTION FEES

The annual subscription fee shall be due on the 1st January of each year. Subscriptions will, however be accepted up to the 1st March each year, thereafter membership shall be suspended. Subscriptions paid after the 1st March shall be subject to a penalty as determined by the Committee. Any member who has not paid subscriptions by 1 March shall automatically forfeit his/her membership and will have to re-apply for membership. Subscription and entrance fees shall be determined by the Committee and approved at the Annual General Meeting.

14. AMENDMENTS TO THE CONSTITUTION

- 14.1 The constitution may only be varied, altered, amended or modified by resolution of a majority two-thirds vote of the members present at an Annual General Meeting or Special General Meeting.
- 14.2 Proposals for alteration, amendment or addition to the constitution may be submitted by the Committee or by a requisition signed by no less than ten (10) members addressed to the Chairman.

The terms and conditions as laid out for Annual General Meetings or Special General Meetings shall apply.