  
**KNYSNA  
MARATHON CLUB**  
**CONSTITUTION**

2024

**1. Name**

The name of the club shall be KNYSNA MARATHON CLUB, hereinafter referred to as 'the club'.

**2. Affiliation**

The club shall be affiliated to Athletics South Western Districts, hereinafter referred to as ASWD, in accordance with that association's constitution and shall be bound to observe and abide by the rules and regulations of ASWD and of Athletics South Africa (ASA).

**3. Objectives**

The objectives of the club shall be:

- 3.1 To promote ASWD sanctioned athletics (road running, cross country, track and field, race walking and trail running) in the Knysna district.
- 3.2 To encourage and sponsor the development of athletic talent.
- 3.3 To organize athletics events and provide athletics facilities in the Knysna district.

**4. Club Management**

**Club Committee: -**

The management of the day-to-day affairs of the club shall vest in the club management committee, hereinafter referred to as the committee, which shall consist of a Chairman, a Vice Chairman, a Club Captain, Treasurer, a Secretary, a Public Relations Officer, a Race Director and at least five other members. The latter may be given functions to perform by the committee.

**Executive Committee: -**

The Executive Committee will consist of the Chairman, Vice Chairman, Treasurer, Secretary, Race Director and Club Captain. The Executive committee will interact with ASWD and have the power to decide on all day to day matters of the Club surfacing between scheduled committee meetings and will report back to the full Committee at the first opportunity.

**4.1 Election of Committee Members**

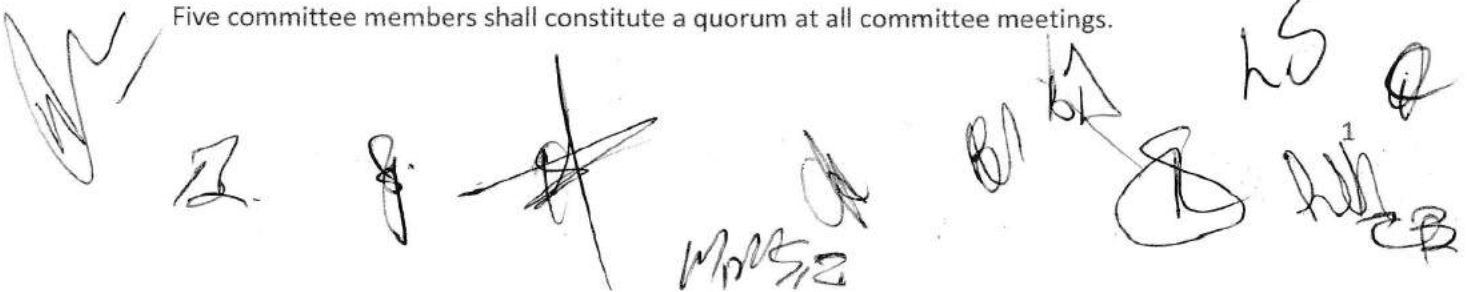
The committee shall be elected annually at the AGM as provided in clause 7.4.

**4.2 Committee Meetings**

The committee shall meet regularly (at least once every two months) for the transaction of business, or when called upon to, at least seven days before such meetings by post/ email or SMS.

**4.3 Quorum**

Five committee members shall constitute a quorum at all committee meetings.



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#### 4.4 ASWD Delegate

A delegate shall be elected by the committee to represent the club at meetings of the ASWD.

#### 4.5 Voting

All committee members present at a meeting shall be entitled to one vote each. Should there be an equal number of votes for and against any motion, the chairman shall have the casting vote.

#### 4.6 Committee Powers

4.6(a) The committee shall have the power to decide any question not provided for in this constitution, and in particular to frame such by-laws as it may deem necessary, subject always to other provisions which may be contained herein.

4.6(b) The Chairperson will be the head of the Knysna Marathon Club. The Race Director as proposed and elected at a bi-annual SGM held during September of the second year of term, will act as head convener of the annual Knysna Forest Marathon, negotiate Knysna Forest Marathon sponsorship, sign new contracts as approved by the committee and be responsible for delivery of all contractual obligations. Signing of contracts for other races may be delegated to race conveners.

4.6(c) A Forest Secretary will be recommended by the convener and appointed by the committee and will assist in the organisation of the Forest Marathon. Remuneration for the Forest Secretary will be by the Forest convener as part of the budget process and will be ratified by the Committee annually.

#### 4.7 Forfeiture of Seat

Any committee member who is not present at three meetings without reasonable apology made to the secretary, shall forfeit his seat on the committee.

#### 4.8 Treasurer and Secretary Functions

The treasurer and secretary will be chosen for a three-year term of office. The committee reserves the right to shorten the term of service in case of non-compliance or poor performance.

The Secretary shall keep copies of all correspondence and a true record of minutes of all meetings. Such minutes shall be made available to members upon request. The Secretary shall send copies of the minutes to the committee members at least seven days before the next meeting. The Secretary shall also keep an up-to-date register of the members. The Treasurer and Secretary in conjunction with the Committee will be responsible for the day to day running of Knysna Marathon Club. The Treasurer manages all finances for the Knysna Marathon Club, including the Forest Marathon and all other events.

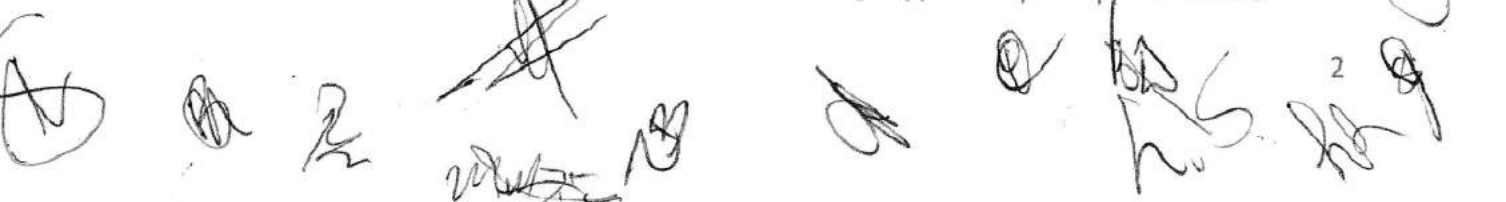
#### 4.9 Team Selection

All teams to represent the club at relay and team events shall be selected by the club captain.

#### 4.10 Assistance to Club Members

Any club member in need of financial or other assistance, related to running, may apply in writing to the committee, which shall decide in its sole discretion what form of assistance may be provided. The Committee will determine the time frame and criteria of assistance.

The Assisted Runner Program in By-law 2 is a limited, bridge opportunity to support runners.

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#### 4.11 Resignation of Committee Members

Any committee member who wishes to resign may do so by submitting a written resignation to the secretary. The committee shall appoint a replacement for such a member at its next general meeting. In the event of the chairman, race director, treasurer or secretary resigning, a special general meeting (refer to clause 8 below) shall be convened to accept and vote for a new chairman, race director, treasurer or secretary.

#### 4.12 Notice of Change in Composition of Committee

Whenever there is a change in the composition of the Committee the secretary is obliged to inform all club members of the change and the reason thereof, within 21 days of the change.

#### 4.13 Gifts

Members of the committee may not accept any gift or favours from associates of the Club valued in excess of R 100.00 unless the receipt of such a gift has been authorized at a club committee meeting and minuted as such.

### 5. Membership

#### 5.1 Classes of Membership

The following classes of membership may be conferred or applied for:

- **Honorary Life Membership:** This is conferred on club members who have been elected as honorary life members for outstanding services to the club, and it entitles them to all of the privileges of Local members without the liability to pay subscriptions.
- **Life Membership:** This is available to Local Members who have paid the life membership fee, which shall be determined from time to time by the committee.
- **Local Membership:** This is available to all persons who have paid the annual membership fee, which shall be determined from time to time by the committee and qualify to be as a local member in terms of point 14.7 The number of Local members shall at all times exceed the minimum number prescribed by ASA and/ or ASWD. Local members will have full KMC benefits and voting rights at the AGM and SGM. Local member numbers will be used to determine the Quorum at the AGM and SGM.
- **Junior Membership:** This applies to persons who have not attained the age of 20 years on the 31 December in the year that they apply for membership (in line with ASWD) and qualify for Local Membership in terms of point 14.7 The membership fees for such persons shall be determined by the committee. Junior Members under the age of 18 will not be eligible to vote or form part of the quorum at club meetings.

All of the above-mentioned classes are collectively referred to as 'club members' herein taking note of restrictions where applicable.

#### 5.2 Applications for Membership

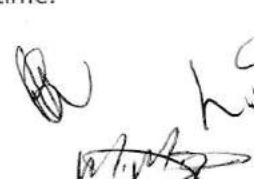
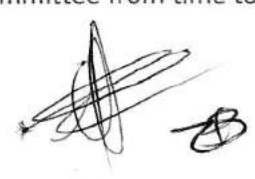
Applicants for membership shall be required to:

5.2(a) Complete and sign the form provided by Athletics South Africa for application as an athlete, if they wish to become licensed runners.

5.2(b) Make payment of their membership subscriptions as determined by the committee.

#### 5.3 Subscriptions

The annual membership subscription shall be determined at the annual general meeting as recommended by the committee from time to time.



## 5.4 Payment of Subscriptions

5.4(a) All subscriptions for the current members shall be payable in advance at the beginning of the year. Any club member who has not paid his or her subscription by the end of March will no longer be regarded as a member.

5.4(b) New club members shall be required to pay subscriptions upon application for membership.

5.4(c) No subscription shall be refundable, under any circumstances, except if a subscription is unsuccessful.

5.4(d) The payment of subscriptions shall be deemed to indicate an acceptance and acknowledgement of the rules and bylaws contained in this constitution.

5.4(e) The liability of a club member shall not exceed the subscription paid or due subject to provisions noted under item 15.5.d.

5.4(f) ASWD has introduced an annual IPICO timing chip for use at SWD events. The initial fee for this chip, as determined by ASWD, will be added to the annual subscription fee on joining the Knysna Marathon Club for the first time. The chip must be returned when the annual license is renewed, and a replacement chip valid for the year will be provided.

## 5.5 Termination, Suspension and expulsion

5.5(a) All Memberships of the KMC will expire automatically at the end of each administrative year of ASA and ASWD, currently each calendar year.

5.5(b) A Member of the KMC may request to terminate his or her Membership by submitting a letter of termination to the secretary, who will issue a written confirmation of his or her Good Standing, signed by the Chairman to such Member within one (1) month, provided the Member is in good standing with the club.

5.5(c) Any Member of the club, who has transgressed any of the Rules and Regulations of the club or who, by his or her actions brings the club or the sport of athletics in general into disrepute, may be suspended or expelled in accordance with the procedure outlined in the Disciplinary Code

5.5(d) Allegations of misconduct by a member of the club must be submitted to the secretary in writing for investigation and further action in accordance with the procedure outlined in the Disciplinary Code

5.5(e) A Member who has been suspended or expelled from the club may lodge an appeal with the secretary.

5.5(f) A Member who has been suspended from the club will not be in Good Standing.

5.5(g) The secretary shall immediately advise ASWD of the suspension or expulsion of a club member and the outcome of any appeal.

## 6. Club Colours

6.1 The Official club Clothing shall be as approved by ASWD:

Vest Lime Green with Black lettering "Knysna Marathon Club" with Loerie and black and white trim.

Pants Black or black with Loerie design

Tracksuit Lime green top with Badge Knysna Loerie with lettering "Knysna Marathon Club" and black pants.

6.2 Club colours must be worn during Official events where Knysna Marathon Club is being represented as per the rules of ASA as well as during Podium proceedings of official events where Knysna Marathon Club is being represented.

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## 7. Annual General Meetings

### 7.1 Notice to Convene

Each annual general meeting of the club (AGM) shall be convened by notice in writing from the secretary of the club and not less than 21 days' notice shall be given thereof. The notice convening the meeting shall be displayed at the clubhouse and sent by post / email or SMS to each club-member specifying the matters of business which are proposed to be transacted at the AGM, which must be held not later than the end of November each year.

The following reports must be attached:

- The projected annual financial statements and the previous years' auditors prepared financials,
  - The Chairman's report,
  - Forest Marathon Feedback report,
  - The treasurer's report,
- The proposed budget for the coming year, prepared by the treasurer.

Should the final Audited financials be R50 000 or more, lower than the projected combined profit presented at the AGM an SGM must be called to evaluate the under-performance and re-adjust the proposed budget if necessary for the year ahead before the end of March.

### 7.2 Motions for the AGM

All notices of motion for inclusion in the AGM must be handed to the secretary not later than two weeks before such meeting.

### 7.3 Agenda for the AGM

The agenda for the AGM shall be:

- Reading of the notice convening the meeting
- Chairmans welcome to the club members
- Reading and confirmation of the minutes of the previous AGM
- Reading and confirming any minutes of any special general meetings
- Confirmation of any proposals adopted by any special general meetings during the year
- Receiving the chairman's report
- Receiving the Forest Feedback report
- Receiving the Club Captains report
- Consideration and adoption, with or without modification, of the financial statements, budget and treasurer's report
- Confirmation of the targeted level of reserve funds as recommended by the committee
- Checking numbers entitled to vote
- Considering and voting on any proposed motions, new rules or amendments thereto, or amendments to this constitution
- Confirmation of any by-laws made by the committee during the year
- Election of office bearers
- Appointment of auditors to hold office until the next AGM
- General business, at the Chairman's discretion
- Prize giving, unless the committee shall have resolved to hold the prize giving on a separate occasion.

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## 7.4 Election of Office Bearers

### (a) Office Bearers

– The following office bearers shall be elected by the AGM:

- Chairperson
- Vice Chairperson
- Treasurer (Every third year of term)
- Secretary (Every third year of term)
- Club Captain
- Public Relations Officer
- At least five additional committee members

Notes: 1) Clubhouse manager and Development officer to be appointed by the Committee at its first meeting.

2) Should the committee or club members feel that either the treasurer, secretary or Race Director are not fulfilling their respective duties the committee and/or the club members have the right to call a special general meeting to propose a motion to remove the person from his/her position forthwith. Thereafter another SGM will need to be convened to vote for the filling of the vacancy so created.

### (b) Nominations

Each Local Member wishing to stand for election shall be proposed and seconded on the prescribed form in the time frame set out in the Notice to convene. No junior or new member (6 months or less) may serve on the committee. All Nominations received in the prescribed manner will be scrutinized by the honorary members who will have the right to interview Nominees to ascertain their suitability for serving on the committee. Any three Honorary members in agreement will have the right to veto a nomination if it is deemed to be in the best interest of the club.

## 7.5 Quorum at AGM

Twenty five percent of the Local members who are in good standing, shall constitute a quorum for the transaction of business. Should the required quorum not be attained, the meeting shall be postponed to the same time and day of the following week, and thereupon those present shall be deemed to constitute a quorum.

## 7.6 Voting at the AGM

All Local members who are in good standing, shall be entitled to vote at an AGM. Should there be an equal number of votes for and against a motion, the chairman shall have the casting vote.

## 8. Special General Meetings

The committee or a group of the Local members constituting 20% (twenty percent) of the local membership shall have the power at all times to call a special general meeting (SGM) to deal with any urgent business for which the meeting was called. For such a meeting fourteen days' notice shall be given by post/ email or SMS. The quorum for an SGM shall be a minimum of twelve members who have paid their current subscriptions. If a quorum is not attained, the meeting shall be postponed until the same day and time the following week and those present shall be deemed to constitute a quorum. A majority shall be required for any resolution to be adopted. Any resolution so adopted shall be in force until it is confirmed or overturned by the next AGM.

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## 9. Finances

The committee is not permitted to overspend on the total club budget as approved at the AGM by more than 10% without obtaining permission by way of an SGM.

9.1 The treasurer shall keep a proper set of books, electronic or manual, which shall be kept up to date at all times.

9.2 The committee may authorize the treasurer to perform electronic transactions up to specified limits, for any such payment, a document authorizing such a transaction shall be drawn up and signed jointly by any two authorized signatories.

9.3 The treasurer shall receive all monies due to the club and shall deposit such monies into the club's account with such financial institutions as the committee may from time to time decide.

9.4 The appointed auditors shall compile the annual financial statements in accordance with generally accepted accounting practice from the books and records supplied to them by the treasurer.

9.5 The club's financial year shall run from 01 January to 31 December each year.

9.6 Any income received by the club, and any profits made by the club on races organized by the club shall be applied as follows, in order:

9.6(a) The normal day to day expenses of the club.

9.6(b) To increase the reserves to a reasonable level, and maintain the reserves at a level to be determined by the committee.

9.6(c) To provide for sponsorship for Local club members whose primary residence is in Knysna.

9.6(d) Capital expenditure as required.

9.6(e) Community support.

9.7 The treasurer shall produce a report to every committee meeting containing detailed movement in every bank account and cash since the last meeting as well as an income statement for the year to date compared to the budget authorized at the AGM. This report shall be made available to members on request.

## 10. Race Convener

10.1 The committee shall appoint race conveners at least 6 months before the date of a race, preferably before the AWSO fixture list application form submission and in the case of the Forest Marathon, as per 4.6(b)

10.2 The convener will accept overall responsibility to organize all aspects of the race.

10.3 At every committee meeting subsequent to his/ her appointment, the convener will issue a progress report and at the first meeting after the race, issue a retrospective report on the race, together with a financial summary of the result of the race, with the assistance of the treasurer.

10.4 The convener must keep an event plan with all events details including contacts, dates and events relating to the organization of the race.

## 11. Complaints

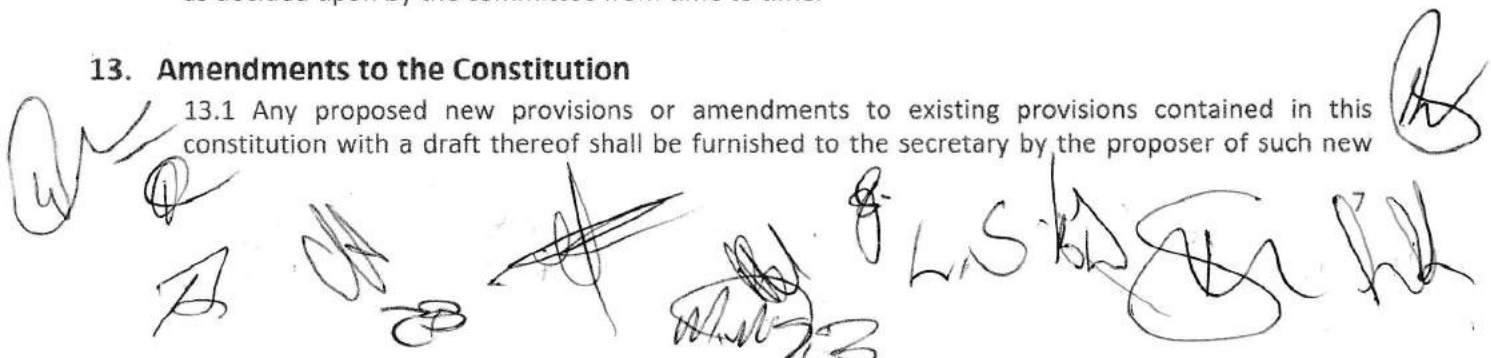
Complaints shall only be dealt with by the committee if made to them in writing.

## 12. Club Liquor License

The Club does not hold a liquor License. Beer and wine stock will be kept in the clubhouse for consumption by members and guests over the age of 18. Payment for stock will be voluntary at a price determined by the stock manager. Stock will be replenished with cash on hand acquired from these donations. Any over collection will not constitute to club profit and will be donated to a Charity as decided upon by the committee from time to time.

## 13. Amendments to the Constitution

13.1 Any proposed new provisions or amendments to existing provisions contained in this constitution with a draft thereof shall be furnished to the secretary by the proposer of such new

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provision or amendments. The proposer may be the committee or a group of Local members constituting 20% (twenty percent) of the Local membership.

13.2 The secretary must convene an SGM to consider same by giving fourteen days' notice of such meeting to each Local member including a copy of the proposal. Such provisions or amendments must also put to the AGM provided sections 13.1 has been adhered to.

13.3 Any such new provisions or amendments to existing provisions shall only become operative if a two thirds majority of those Local members present and entitled to vote shall vote in favour thereof. The quorum for such meeting shall be one third of local members.

13.4 Should any alteration to the constitution come into effect, the secretary Shall immediately advise ASWD for record purposes.

## 14. Sponsorship Policy

### 14.1 Aims and Objectives

The aims and objectives of this policy are:

- To encourage participation by club members in road running events
- To encourage and reward excellence of performance amongst club members.
- To develop and promote road running, cross country, track and field, and race walking amongst junior athletes.

### 14.2 Funds Allocated for Sponsorship

The amount of funds allocated for sponsorship will depend on the financial situation of the club and must be determined at the AGM as recommended by the committee in the annual budget as well as the amount to be spent on each element of the sponsorship.

### 14.3 Sponsorship Formulae

The elements of the sponsorship policy are as follows, in order of priority:

14.3(a) Junior scholarship: The utilization of these funds Shall be at the discretion of the committee as advised by the club captain and the committee member attending to youth development.

14.3(b) Transport to road races: A transport levy will be paid to car owners transporting Local Members taking part in official road races in the South Western District (Tsitsikamma to Swellendam) at a rate per kilometre as published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / 2023 / Fixing of rate per kilometre in respect of motor vehicles.

### 14.4 Merit:

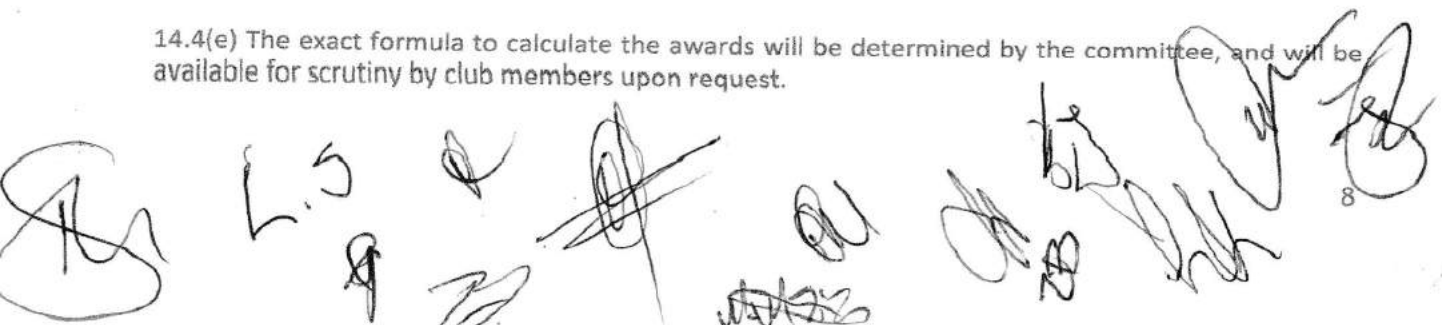
14.4(a) These awards will be based on performance, and frequency of participation in official ASWD races, Two Oceans, Comrades and ASA Championships when the runner specifically represents Knysna Marathon Club or his/ her Province.

14.4(b) A similar award will be made for junior runners.

14.4(c) A similar award will be made based on the weekly time trials.

14.4(d) The male and female runners of the year will be selected by the committee, and will be based on the data supplied from the merit system, and as recommended by the club captain.

14.4(e) The exact formula to calculate the awards will be determined by the committee, and will be available for scrutiny by club members upon request.





14.5 Sponsorship for Comrades Marathon and Two Oceans Marathon:

14.5(a) The club will make a contribution to the cost of participation in these races.

14.5(b) Each Local Club member who enters these races and whose primary residence is in Knysna will be entitled to a proportionate share of the amount budgeted for the race as determined at the AGM. This maximum does not apply to funds obtained by the club from external source.

14.5(c) If any member decides to waive his / her benefit, the usage of such saved benefits will be determined by the committee, unless specifically instructed by the member.

14.5(d) If a member has entered the race but cannot take part in the race for any reason, he/ she will not be entitled to this benefit and any expense incurred by the club for a specific member at the request of a member will be redeemable from the member

14.5(e) In order to qualify for sponsorship local members must meet the criteria as set out in By-Law 7.

14.5(f) No further sponsorship will be provided should a member have 4 consecutive failed attempts at a specific event.

14.6 Discretion of Club Committee

Should it not be possible to adhere to the guidelines set out in this policy due to unusual or unforeseen circumstances or expenditure, the club committee shall enjoy a right to vary or deviate from the allocation of funds set out herein. The committee shall however be bound to attempt to enforce the contents of this policy as closely as possible and shall report any deviation of 10% (ten percent) or more from the allocated budget to the next annual general meeting.

14.7 Local Membership Criteria

Local Membership is available to athletes ordinarily resident in Athletics South Western Districts (ASWD). Athletics South Africa Domicilium Rule 13 to 17 refers.

**15. Dissolution**

On dissolution, the remaining assets of the club may ONLY be transferred to

15.1 any other recreational club which is approved by the Commissioner under section 30A of the Income tax Act, No. 58 of 1962, as amended, or


15.2 A Public Benefit Organization formed, incorporated or established in the Republic as a company incorporated under section 21 of Companies Act, or as a trust or an association of persons and, which has been approved by the Commissioner as a PBO under section 30(3) of the Act.

Constitution accepted at **AGM** in Knysna on 17 November 2023 and signed by the committee

Consisting of:



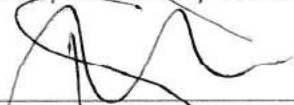
Race Director: Wayne Kidd



Chairperson: Barry Danvers



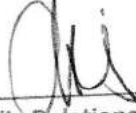
Vice Chairperson: Peter Szeili

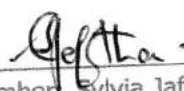



Treasurer: Lehane Scholtz



  
Club Captain: Melikahya Msizi

  
Public Relations Officer: Corinne Goldenhuys


  
Member: Sylvia Jaftha

  
Member: Brandon Kampher

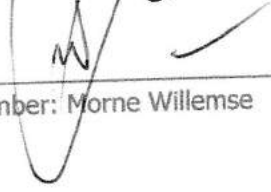
  
Member: Hannelie Kampher

  
Secretary: Zoleka Gutas

  
Club House Manager: Leon Scholtz

  
Member : Baily Neill

  
Member: Heinrich Filander

  
Member: Morne Willemse

