

# **SOUTH AFRICAN BULL TERRIER CLUB CONSTITUTION**

## **1. INTERPRETATION**

Throughout this Constitution and in any Regulations framed under it, unless inconsistent with the context:

- a. words importing the singular shall include the plural; and
- b. words importing the masculine gender shall include the feminine gender and vice versa.

## **2. NAME**

The name of the CLUB is the South African Bull Terrier Club (hereinafter referred to as "the CLUB").

## **3. AFFILIATION WITH THE KENNEL UNION OF SOUTHERN AFRICA**

The CLUB shall be affiliated with the Kennel Union of Southern Africa (hereinafter referred to as "the KUSA") and shall observe the Constitution, Rules and Regulations of the KUSA.

## **4. HEADQUARTERS AND ADDRESS OF CLUB**

The headquarters of the CLUB shall be as determined from time to time by the Committee, but shall be in the Western Transvaal Center and the CLUB's Shows shall take place within that area.

## **5. OBJECTS**

The objects of the CLUB shall be:-

1. to promote, encourage, foster and advance the breeding, well-being of and interest in the Bull Terrier breed of dogs;
2. to observe and adhere to the Breed Standards of the Bull Terrier breed of dog as adopted from time to time by the KUSA;
3. to organise and hold shows (including match meetings) in breed, obedience, working trials, field trials and other dog activities recognised by the KUSA including training for any or all of these activities, as well as the presentation of the Supreme Bull Terrier of Southern Africa Competition and Bull Terrier Major Trophy Show held annually in terms of the KUSA Constitution Schedule 5E (15) Regulation 1.3 that is attached to this Constitution as Schedule 1;
4. to promote a better understanding of dogs and a wider knowledge of dogs and dog affairs and to promote goodwill both among people interested in dogs and towards dogs and people interested in dogs;
5. to affiliate, amalgamate or associate with any associations, societies or clubs having objects fully or in part similar to the objects of the CLUB but subject to the Constitution, Rules and Regulations of the KUSA.

## **6. POWERS**

For the better attainment of its objects, the CLUB shall be empowered:-

1. to collect, canvas for and to accept subscriptions, donations, bequests, endowments and benefits of any nature for the CLUB, from any person or body or from any source whatsoever;
2. to invest the funds and assets of the CLUB in securities nominated by the Committee;

3. subject to the approval of a two-thirds majority of members with voting rights present at a General or Special General Meeting:
  - (a) to acquire or dispose of immovable property;
  - (b) to mortgage or otherwise encumber the immovable property of the CLUB and to pledge or otherwise encumber the movable property of the CLUB;
  - (c) to create and issue debentures and to mortgage the immovable property of the CLUB to secure such debentures;
4. to offer prizes and trophies in connection with any of the CLUB's activities;
5. to arrange social functions for members and guests;
6. to design, register and issue any heraldic arms, badges or uniforms;
7. generally to perform all such acts as may be expedient or necessary to further the interests of the CLUB and objects for which it is formed;
8. buy, dispose of, rent, lease and/or hire (as lessor or lessee) movable property, goods and services required for the effective conduct of the CLUB's affairs or for the advancement of the interests of the CLUB's members;
9. to rent, lease and/or hire (as lessee or lessor) any immovable property which is deemed necessary or convenient for any of the purposes of the CLUB;
10. to accept any gift whether subject to any trust or not;
11. to print and/or publish any books, papers or leaflets that the CLUB may think desirable for the promotion of its objects;
12. to raise money at such times and in such manner as the CLUB may think fit and necessary;
13. to invest any monies of the CLUB, not immediately required for any of its objects, in such a manner as may be considered advantageous;
14. to pay Officers and Members of the CLUB for expenses incurred;
15. to institute or defend all court proceedings and/or arbitration proceedings affecting the CLUB;
16. to open and operate accounts at any registered financial institution.

#### **7. TRADING AND INCOME**

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

#### **8. TRUSTEE**

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

## **9. INDEMNITY**

All office bearers and members of the CLUB, shall be indemnified by the CLUB in respect of any legal liability incurred, while acting on behalf of the CLUB, if they acted in accordance with directions given or decisions made from time to time by the Committee or passed by the members in a General Meeting of the CLUB.

## **10. MEMBERSHIP**

Membership of the CLUB shall be open to any person who is not disqualified or suspended by the KUSA.

There shall be four classes of membership viz.:

1] **HONORARY LIFE MEMBERS** who shall be persons nominated by the unanimous vote of the Committee and subsequently elected at the next Annual General Meeting of the CLUB by a two-thirds majority of members with voting rights. Persons nominated for honorary life membership shall be those considered worthy of special recognition for services to the CLUB or to dog affairs or for an outstanding achievement in connection with dogs. The number of Honorary Life Members shall not exceed ten (10) in number at any one time.

An Honorary Life Member shall enjoy the full privileges of membership of the CLUB, free of entrance fee and subscription and shall be entitled to vote as an ordinary member.

2] **LIFE MEMBERS** who shall be persons who have paid the applicable entrance fee and subscriptions. Life members shall be entitled to vote as ordinary members.

3] **TEN YEAR MEMBERS** who shall be entitled to vote as ordinary members.

4] **ORDINARY MEMBERS** who shall be persons who have paid the applicable entrance fee and subscription. An ordinary member shall be entitled to vote at all general meetings of the CLUB, provided he is over the age of eighteen (18) years.

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

## **11. APPLICATION FOR MEMBERSHIP**

Application for membership shall be made in writing on the form prescribed from time to time and shall be considered by the Committee at its first meeting after the receipt of the application and until acceptance by the Committee has been conveyed to the applicant he shall have no voting rights.

The Committee shall have complete and absolute discretion to accept, refuse or refer any application for membership provided that a written explanation is forwarded to the applicant in terms of the Promotion of Access to Information Act (PAIA) if such an explanation is requested.

## **12. LAPSING OF MEMBERSHIP**

Membership will lapse:

1. Upon failure to pay entry fees and initial subscriptions within thirty (30) days of the date on which they become due;
2. Upon failure to pay a renewal subscription within 60 days of the date on which it became due;
3. Upon the receipt by the Secretary of written notice or resignation, all fees, subscriptions and other monies due prior to the date of receipt of the notice of resignation shall remain due and payable;

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4. Upon the death of a member;
5. Upon the event of a member, including an honorary life member, being convicted of any offence and sentenced to imprisonment without the option of a fine or being convicted of any offence relating to cruelty towards or neglect of an animal;
6. Upon the member being disqualified, or suspended by the KUSA.

### **13. REPRIMAND, EXPULSION OR SUSPENSION OF A MEMBER**

- (a) Whenever by majority vote of all its members, the Committee is of the opinion that the behavior or conduct of a member has been harmful, prejudicial or injurious to the objects, interest, good order or character of the CLUB or of the KUSA, the Committee shall have power to:-
  1. reprimand such member in writing;
  2. suspend such member from all privileges of membership for a period not exceeding six months in cases where in the opinion of the Committee his conduct was not sufficiently serious to justify expulsion: a member who has been suspended shall not be entitled to the refund of any fee or subscriptions paid or due by him;
  3. expel such member who shall thereupon be debarred from all privileges of the CLUB.
- (b) Before deciding to reprimand, expel or suspend a member, such member shall be afforded full opportunity to explain his conduct personally to the Committee.
- (c) A member who has been suspended or expelled shall have the right to appeal against his suspension or expulsion to the members of the CLUB in a Special General Meeting. Such appeal must be lodged within 30 days of the receipt of notification of such suspension with the Chairman or Secretary who shall take immediate steps to convene the Special General Meeting. At this meeting the case against the member shall be put by one member of the Committee on behalf of the Committee and the member shall be given an equal opportunity to defend himself. To reverse the Committee's decision will require a two-thirds majority of members with voting rights present. The vote shall be taken by ballot.

### **14. SUBSCRIPTIONS**

- (a) Entrance fees and subscriptions payable by the various categories of members shall be as determined from time to time by the Committee.
- (b) Annual Subscriptions of Ordinary Members shall be payable in advance on or before the 1<sup>st</sup> day of March of each year. Any new Member, whose election takes place after the 1<sup>st</sup> day of October of any year, shall be exempt from paying subscriptions for the following financial year.

### **15. PATRON, PRESIDENT AND HONORARY VICE-PRESIDENTS**

- (a) At each Annual General Meeting the member's with voting rights may elect to invite such persons as they consider desirable to be:-
  1. Patron;
  2. President;

3. Honorary Vice-Presidents, whose number shall not exceed twelve (12) and who shall be nominated by the Committee for approval at the Annual General Meeting, after calling for written proposed nominations from the members in the notice convening the meeting.

All of these persons shall hold office at the members pleasure.

- (b) The President and Honorary Vice-Presidents may take part in any General Meeting of the CLUB and the President may also attend any meeting of the Committee and participate in the discussions thereat but these offices shall not, per se, carry any entitlement to vote.

## **16. MANAGEMENT**

### **A. MANAGEMENT COMMITTEE**

- a) The management and control of the CLUB shall be vested in a Committee consisting of no less than six (6), nor more than ten (10) Members all of whom shall be:
  1. Members of the club over the age of eighteen (18) years;
  2. Elected at an Annual General Meeting;
  3. Shall hold office as hereinafter provided.
- b) At its' first meeting, which shall be held within seven (7) days of the Annual General Meeting at which it was elected, the Committee shall:-
  1. From among its number, elect a Chairman and Vice-Chairman;
  2. Not necessarily from amongst its number, appoint an Honorary Secretary and an Honorary Treasurer who may be one and the same person

### **B. TERMS OF OFFICE**

- a) The Committee elected at its first Annual General Meeting held under this Constitution shall at its first meeting, determine by lot which members being one half of the total membership of the Committee shall retire from office at the end of the next ensuing Annual General Meeting. Except for the Committee members thus chosen to serve for one year only, all Committee members shall be elected to serve for a term of two years. All Committee members upon conclusion of their term of office may offer themselves for re-election provided they remain eligible otherwise.
- b) The offices of Chairman, Vice-Chairman, Honorary Secretary and Honorary Treasurer shall be held from the date of appointment thereto until the close of the next Annual General meeting.

### **C. VACANCY**

- a) A Committee Member's seat shall fall vacant if such member:
  1. dies - from the date of his death;
  2. resigns - from the date of such resignation;
  3. otherwise ceases to be a member of the CLUB - from the date his membership ceases;
  4. fails to attend three consecutive meetings of the Committee without the permission of the Committee - from the day following the date of the third meeting he has failed to attend.
- b) The Committee may appoint a member of the CLUB to fill any vacancy arising in terms of subsection (a) above and such member shall hold office for the remainder of the term of office of the Committee member he has replaced.

## **17. POWERS OF THE COMMITTEE**

- a) The Committee shall have the full power and authority to carry out all or any of the objects of the CLUB save where such powers are expressly reserved for a General Meeting.
- b) In particular but without prejudice to this general authority, the Committee shall have power and authority:-
  - 1. to make, vary and repeal regulations for the better conduct of the CLUB;
  - 2. to co-opt further persons to the Committee, who shall not have voting rights at the Committee Meetings and shall retire at the first Annual General Meeting following their co-option;
  - 3. to appoint such Sub-Committees as may be found necessary for the efficient administration of the CLUB for any special purpose and to delegate thereunto such of its powers as it may deem desirable: Sub-Committee's shall report back to the Committee.
  - 4. to supervise the investment of the funds and assets of the CLUB and the depositing of CLUB funds in any registered financial institution selected by it;
  - 5. to ensure that all cheques and other negotiable instruments shall be signed by not less than two persons, one of whom shall be the Honorary Treasurer and the other an appointed member of the Committee who may not be the spouse or close relative of the Honorary Treasurer;
  - 6. to control the sale and issue of the CLUB's arms, badges and uniforms;
  - 7. to take such disciplinary action in terms of this Constitution as may be necessary;
  - 8. to seek the view of members upon any matters by means of a questionnaire, referendum or ballot;
  - 9. to perform all acts and deeds and do all things as are consistent with this Constitution;
  - 10. to cause to be compiled and maintained a register of Club Members in which shall be entered:
    - a) the full name and address of each member;
    - b) the date of election of each member;
    - c) the class of membership to which each member belongs;
    - d) the date on which any member ceases to be a member;
    - e) particulars of each member's financial standing with the CLUB.
  - 11. to seek interpretation from the KUSA of any provision of this Constitution and any rules and regulations made thereunder.

## **18. DUTIES OF THE OFFICERS**

### **A. Chairman and Vice-Chairman**

- 1. It shall be the duty of the Chairman and Vice-Chairman to further the interests and prestige of the CLUB at all times and to ensure that the provisions of this Constitution and any regulations framed thereunder are complied with and that all decisions of the CLUB in General Meeting and of the Committee are carried into effect.

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2. The Chairman shall preside at all meetings of the CLUB and of the Committee, and in his absence the Vice-Chairman, if present, shall preside. If the Chairman and Vice-Chairman are both absent, the members present shall appoint from among their number, a member to preside at such a meeting and the person so appointed shall have and exercise the powers and functions which could have been exercised by the Chairman if present.
3. The Chairman or in his absence the Deputy Chairman shall, at the Annual General Meeting, report on the activities of the CLUB during the past year.

## **B Honorary Secretary**

It shall be the duty of the Honorary Secretary:-

[1] to attend all General Meetings of the CLUB and all meetings of the Committee and to maintain a correct record of the proceedings and decisions taken thereat; in the event of the Honorary Secretary being unable to be present at any meeting he shall ensure that the minute books, correspondence, etc., required at the meeting are handed to the Chairman or some member of the Committee prior to the meeting; in such event the meeting shall nominate one of its members to act as Secretary at the meeting;

[2] subject to the control of the Committee, to receive and conduct the correspondence of the CLUB;

[3] to ensure that all notices required by this Constitution are properly given;

[4] on relinquishment of his Office, to hand all books and records to his successor.

## **C Honorary Treasurer**

It shall be the duty of the Honorary Treasurer:-

[1] to attend all General Meetings of the CLUB and all meetings of the Committee; in the event of the Treasurer being unable to be present at any meeting, he shall ensure that the financial books and any financial statement or report required at the meeting are handed to the Chairman or a member of the Committee prior to the meeting; in such event it shall be the duty of the Honorary Secretary to inform the Honorary Treasurer of all decisions relating to financial matters taken at the meeting;

[2] to maintain up-to-date, proper books of account reflecting the CLUB's financial transactions and to reflect adequately the financial position of the CLUB;

[3] subject to the control of the Committee, to administer the finances of the CLUB;

[4] to collect and bank expeditiously all monies owing to the CLUB and to disburse monies due by the CLUB without undue delay;

[5] to keep the Committee informed at all times on the general financial position of the CLUB;

[6] to prepare a report on the financial transactions of the past financial year for presentation at the Annual General Meeting;

[7] on relinquishment of his Office, to hand all books and records to his successor.

**D Auditor**

[1] At each Annual General Meeting an auditor who may not necessarily be a member, but shall have adequate experience to discharge his duties, shall be elected and he shall audit the books of account, verify the assets of the CLUB, audit the annual accounts and balance sheet and report thereon prior to the Annual General meeting.

[2] No member of the Committee shall be eligible for appointment as auditor.

**E Other Officers**

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

**19 FINANCE AND ACCOUNTS**

- (a) The financial year of the CLUB shall be the twelve (12) calendar months ending 28/29<sup>th</sup> February annually to allow among others, the inclusion of the Major Trophy Show's annual financial report.
- (b) No persons other than a person acting within the limits of any authority conferred upon him by this Constitution, or by the Committee shall have the authority to give receipt for money, or otherwise to enter into a contract or arrangement having the effect of imposing any liability on the CLUB or in any other way pledge the credit of the CLUB.
- (c) The books of account to be kept by the Treasurer in terms of Section 18C of this Constitution shall be open at all times to the inspection of any member of the Committee.

**20. MEETINGS**

**A. The Annual General Meeting**

[1] The Annual General Meeting shall be held not later than three (3) months after the close of the CLUB's financial year on a date and at a time and place to be determined by the Committee.

[2] Notice stating the date, time and place of the Annual General Meeting and calling for proposals, including any to amend the Constitution, shall be posted to all members not less than 60 days before the date of such meeting.

[3] It shall be competent for any member to request that an item or proposal, including any to amend, alter or add to the Constitution, be placed on the Agenda provided that such request is in the hands of the Honorary Secretary not later than 30 days prior to the date of the meeting and provided that such item or proposal is duly seconded by another member.

[4] The Agenda for such meeting, which shall include the following items, shall be posted to all members not less than 14 days before the date of such meeting:-

Notice convening the meeting;

Minutes of the previous Annual General Meeting and of any Special General

Meeting held since then;

Matters arising from the foregoing Minutes;

Chairman's Report for the year;

Honorary Treasurer's report and audited Balance Sheet and Income and Expenditure Account for the year;

Matters submitted by the Committee;

Matters submitted by the Members;

Election of Officers and Committee including the appointment of an Auditor.

Only matters which appear on the Agenda may be discussed.

**B. Special General Meetings**

1. Special General Meetings shall be called:-

a) by direction of the Committee;

b) when required to consider any matter in terms of this Constitution;

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

2. Notice stating the date, time and place of such meeting and setting out the business to be transacted thereat shall be posted to each member not less than 14 days prior to the date of such meeting.

3. A Special General Meeting required or requisitioned in terms of subsection (1)(b) or (c) above, shall be convened within six (6) weeks of the receipt by the Honorary Secretary of such requisition or of the information making such Special Meeting necessary.

4. Only business stated in the notice convening the meeting may be transacted (discussed) at any Special General Meeting.

**C Committee Meetings**

[1] The Committee shall meet for the dispatch of business as often as is necessary but not less than once every two months, provided that the Secretary shall convene a meeting of the Committee immediately on receipt of a written request signed by at least five (5) members of the Committee and setting out in full the purpose of the meeting.

[2] Not less than seven (7) days notice of all meetings of the Committee shall be given.

**D Non-receipt of Notices**

The non-receipt by a member of a notice convening any meeting of the CLUB or Committee shall not vitiate the proceedings of such meeting.

## 21 QUORUMS AT MEETINGS

- (a) Except where elsewhere provided, the quorum at any:
  - [1] Annual or Special General Meeting shall be one and a half times the size of the full Committee, all members with full voting rights;
  - [2] Committee Meeting shall be not less than five (5) or fifty per cent (50%) plus one (1) of the full Committee, whichever the greater.
- (b) If at the expiration of 20 minutes after the scheduled time of commencement of the meeting a quorum is not present, the meeting shall:
  - [1] if it is a Special General Meeting called on the requisition of members - be abandoned;
  - [2] in all other cases be adjourned to a date, time and place which the Chairman, in his absolute discretion, may deem fit, and no further notice shall be necessary; at such adjourned meeting those members with voting rights present shall constitute a quorum and shall proceed with the business of the meeting.

## 22. VOTING

- (a) At all General Meetings of the CLUB every member vested with a vote in terms of Section 10 shall be entitled to one vote. Matters before such meetings shall be decided by a simple majority of the votes of those present and voting except where a specific majority is required in terms of this Constitution or unless three or more voting members demand that such voting be conducted by ballot. If a ballot is so demanded it shall be by secret vote. The result of the ballot shall be deemed to be a decision of the meeting at which the ballot was requested.
- (b) At Committee meetings each Committee member shall have one vote. Matters before the Committee shall be decided upon by a simple majority of the votes of those present and voting except where a specific majority is required in terms of this Constitution.
- (c) At all meetings of the CLUB or the CLUB Committee, the Chairman of the Meeting shall, in the event of an equal number of votes cast for and against a motion, have a casting vote in addition to his deliberative vote.

## 23. AMENDMENTS OF THE CONSTITUTION

- (a) No alteration, amendment or addition to this Constitution shall:-
  - (1) be made except at an Annual or Special General Meeting properly convened and then only if not less than two-thirds of the members with voting rights who are present, vote in favor thereof;
  - (2) become effective until it has been approved by the Federal Council of the KUSA.
- (b) A proposal to alter, amend or add to this Constitution may be submitted only:-
  - (1) by the Committee; or
  - (2) by a requisition signed by not less than ten members addressed to the Secretary.

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

#### **24. DISSOLUTION OF THE CLUB**

- (a) Subject to the provision of Article 9(4) of the Constitution of the KUSA, any proposal to dissolve the CLUB shall only be considered at a Special General Meeting convened for the purpose, and then only in terms of this section.
- (b) No proposal to dissolve the CLUB shall be considered unless there are present not less than two-thirds of the members with voting rights of the CLUB at the time of such proposal, of whom not less than three-quarters vote in favor of such proposal.
- (c) Immediately a decision to dissolve the CLUB has been carefully taken in terms of this section, the Committee shall forthwith liquidate the affairs of the CLUB and if there is any surplus of assets on realisation, such surplus shall be disposed of to another body or bodies of similar interest in the manner prescribed by the Special General Meeting at which the decision to dissolve the CLUB was taken. Should there be no effective membership or Committee, the Federal Council of KUSA shall appoint a person to liquidate the CLUB's affairs and the Federal Council shall determine the allocation of any surplus assets.
- (d) A proposal to merge with any other CLUB affiliated to the Kennel Union of Southern Africa shall be dealt with in the same manner as a proposal to dissolve the CLUB and the terms of such merger shall be approved at the Special General Meeting convened to consider the proposal to merge.
- (e) Any trophies in the possession of the CLUB being dissolved shall be disposed of at the direction of the Federal Council of the KUSA. (NOTE: it is the policy of the Federal Council to dispose of trophies in the above circumstances in collaboration with wishes of the Donors where these can be obtained.)

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Drafted by Andre Strydom  
April 2010  
Approved unanimously, SABTC AGM, May 2010.  
Approved with minor alterations by DOGS PC, October 2010.  
Approved with further alterations by the KUSA Exco, January 2011.  
Effective since the KUSA Exco approval.