

CONSTITUTION OF SOUTH AFRICAN MASTERS ATHLETICS

ARTICLE 1

Official Title:

The name of the organisation shall be SOUTH AFRICAN MASTERS ATHLETICS (hereinafter referred to as "SAMA").

ARTICLE 2

Area of Jurisdiction:

The area of jurisdiction shall be within the Republic of South Africa.

ARTICLE 3

Aims and Objects:

The aims and objects of SAMA are:

- a. to foster and cater for the full range of masters athletics activities under the labels of track and field, race-walking, cross-country, road-running, orienteering and weight pentathlon (hereinafter referred to as "Masters Athletics") for men and women of 30 years of age and over;
- b. to administer Masters Athletics in the Republic of South Africa for men and women of 30 years of age and over;
- c. to strive to secure that there shall be no hindrance to the participation of individuals in masters athletics activities by means of competitions and otherwise on racial, religious or political grounds of such persons (hereinafter referred to as "Masters Athletes");
- d. to strive to ensure that no racial, religious, political or any other kind of discrimination be allowed in Masters Athletics.

ARTICLE 4

Ways and Means of achieving Aims and Objects:

The aims and objects of SAMA may be achieved by:

- a. affiliation with the WORLD BODY OF MASTERS ATHLETICS (WMA), or any other allied or affiliated body;
- b. providing (within the means of SAMA) suitable grounds, premises, equipment and other conveniences necessary for the holding and organising of Masters Athletics meetings and competitions;
- c. the acquisition in a legal manner of such movable or immovable property as may be required to achieve the aims and objects of SAMA;
- d. entering upon such negotiations and concluding such contracts and agreements as may be lawfully undertaken by an incorporated body which are not incompatible with the aims and objects of SAMA;
- e. entering upon such negotiations and concluding such contracts and agreements as may be lawfully undertaken by an incorporated body which are not incompatible with the aims and objects of SAMA;
- f. raising funds for any purpose, which may be deemed necessary;
- g. prescribing uniform Rules and Regulations for the control and protection of Masters Athletics in the Republic of South Africa without affecting the autonomy of members;

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- h. having the right to enquire into and pronounce upon irregularities which have occurred during Masters Athletics Meetings, or in the course of the administration of Masters Athletics and have been submitted to the Association or come to its notice;
 - i. having jurisdiction in respect of the selection of Masters Athletes to represent the Republic of South Africa and to organise visits by Masters Athletes from other countries;
 - j. considering appeals lodged by registered and bona fide member Masters Athletes against any decisions of Provincial Associations and pronouncements thereon affecting any such member Masters Athletes;
 - k. pronouncing illegal any Masters Athletics meeting or competition, which disregards the Rules and Regulations of SAMA;
 - l. providing for the keeping of official lists of records of all Masters Athletics performances;
 - m. authorising and/or instituting and/or supervising and/or holding Provincial and National Masters Athletics Meetings and Competitions;
 - n. deciding upon the nature, award and protection of official colours and registering the same with the Department of Heraldry;
 - o. keeping, saving and investing the assets and funds of SAMA and to offer any share thereof as security where it may seem necessary in the programme which forms part of the aims and objects of SAMA;
 - p. doing everything else lawful to lead to the achievement of the abovementioned aims and objects, or anything in connection therewith.

ARTICLE 5

Powers of SAMA:

SAMA shall have the absolute power to enforce its aims, objects and related ideas and it is authorised to delegate these powers.

ARTICLE 6

Members and Membership:

- a. "Member" shall imply a member of SAMA and shall be defined as being a duly constituted Provincial Association of Masters Athletes or masters athletes recognised by SAMA in terms of the aims and objectives of SAMA as embraced in this Constitution, duly affiliated to SAMA and grouped into a specific and approved area of control as provided for in 6.b.(ii) hereunder.
- b. The requirements for affiliation by members and the areas of control are:
 - (i) Affiliation shall imply that a member as defined in Clause a. of Article 6 has been admitted as a member of SAMA in support of which the member shall have furnished SAMA with a copy of its Constitution, duly approved by SAMA, that the annual fee/s prescribed for affiliation have been paid and that the member complies with the "Rules and Regulations", as approved from time to time for the efficient and proper management of the affairs of Masters Athletics.
 - (ii) Areas of Control shall be determined on the basis of accepted provincial athletic boundaries, as designated by Athletics South Africa (ASA):

Athletics Gauteng North; Athletics North West North *; Athletics Vaal Triangle; Boland Athletics*; Border Athletics; Central Gauteng Athletics; Central North West Athletics; Eastern Province Athletics; Free State Athletics; Griqualand West Athletics*; Kwazulu Natal Athletics; Mpumalanga Athletics; North West Cape Athletics*; South Western Districts Athletics; Transkei Athletics; Western Province Athletics and Limpopo Athletics*. (* No Masters organization as yet.).

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- (iii) Boundaries of control shall be changed only in the event where members concerned have agreed mutually thereto subject, however, to the final approval thereof being granted by SAMA in writing. Furthermore, boundaries of control shall be defined in the Constitution of member provinces ("members").

c. Responsibilities and Status of Members:

- (i) Members as defined in sub-clause a. of Article 6, being affiliated by SAMA shall be responsible directly to SAMA with autonomy in their respective areas of control for the fulfillment of the objectives of SAMA as embraced in this Constitution.
- (ii) Furthermore, as an Addendum to this Constitution, "Rules and Regulations: setting out in more detail the various requirements and responsibilities for the proper and efficient administration of the affairs of Masters Athletics shall apply and be adhered to.

ARTICLE 7

Constitution of SAMA Executive Committee and Procedure for the Election of Office Bearers:

a. The SAMA Executive Committee will consist of the following:

- (i) President;
- (ii) Vice-President;
- (iii) Secretary;
- (iv) Treasurer / Registrar;
- (v) Publicity / PRO / Fund Raising and Sponsorship Executive;
- (vi) Statistician / Records Executive, and;
- (vii) Ex Officio Executive Committee Members representing each of the member provinces of SAMA whose seats on the Executive Committee shall not be subject to nomination and election of the SAMA General Meeting as provided for in b. of this Article 7, and whose nomination to the Executive Committee shall at all times be the exclusive domain of the members' Provincial Committees who shall have the right and power to withdraw and replace any nomination made and also to appoint outside representatives to this office from time to time by way of written proxy.
- (viii) Past President that will be effective for a maximum of two years only in the capacity of knowledge transfer with full voting rights.
- (ix) The posts above from (i) to (vi) shall be only be validated by nominations that clearly demonstrate the nominees good standing with their home province, SAMA and their ability to serve on the EXCO. The serving EXCO will have full and final powers (by majority vote if required) to assess the nominees abilities.

b. Procedure for the Nomination and Election of Office Bearers (excluding provincial representatives of members as provided for in a. (vii) of this Article 7):

- (i) Every Masters Athlete in good standing and registered with his/her member Provincial Association shall have the right, through his/her member Provincial Association to make nominations for office bearers and through their member Provincial Association, to vote for candidates so nominated or as decided upon by a majority of votes within the member Provincial Association/s.
- (ii) Provincial Associations, being members of SAMA shall then have a vote based on one vote for every 50 (FIFTY) registered Masters Athletes (as registered with SAMA) in good standing, with a maximum of 5 (FIVE) votes per Provincial Association (or member as defined in Clause a. of Article 6).
- (iii) The term of office shall be 2 (TWO) years extending from the date of election, which date shall be on the Friday evening of the weekend of the South African Masters Athletics Champion ships following upon the immediate past World Masters Athletics ("WMA") Championships and for which purpose an Annual General Meeting shall be convened as provided for in terms of Clause b.(i) of Article 9. However, notwithstanding anything to the contrary herein or elsewhere contained or implied, the term of office of any member of the Executive Committee shall be a maximum of 5 (FIVE) consecutive 2 (TWO) years terms after which such member shall no longer be eligible for a 6th (SIXTH) consecutive term of office.
- (iv) The election of office bearers shall be the function of the Provincial Associations as provided for in sub-clauses (i) and (ii) of clause b. of Article 7 at a meeting of duly nominated representatives of Provincial Associations, at the Annual General Meeting of SAMA following each World

Masters Athletics Championships. The candidates so elected shall then be announced at the Annual General Meeting and the members elected shall take office immediately after the presentation and adoption of the Annual Report by the President and of the Annual Financial Statements and Report by the Treasurer/Registrar.

- (v) The designated representative of each provincial member shall be appointed and/or removed in writing by notice addressed by the Secretary and/or Chairman and/or President of the provincial member to the Secretary of SAMA.

ARTICLE 8

Powers and Duties of the Executive Committee:

- a. The Executive Committee shall, in pursuance of the objectives of SAMA (Article 3) be vested with the powers and duties to administer the affairs of Masters Athletics in accordance with the ways and means of achieving the objectives as set out in Article 4 and the sub-clauses thereof.
- b. In addition, the following further powers shall vest in the Executive Committee:
- (i) to consider any violation or infringement of the Constitution and/or the Rules or Regulations of SAMA;
 - (ii) to do everything that is desirable for the affairs of SAMA in keeping with its accepted aims and objectives and subject to the conditions of the Constitution and its Rules and Regulations;
 - (iii) to convene and Annual General Meeting of SAMA once every year and to submit and Annual Report to the Annual General Meeting;
 - (iv) to maintain a Secretariat consisting of full and/or part-time salaried persons to carry out and perform such functions as may be determined;
 - (v) to control the executive affairs of SAMA and to consider a financial statement at every Executive Meeting;
 - (vi) to borrow or lend money, to obtain and dispose of immovable property, to invest money and to borrow and obtain money against security of the assets of SAMA;
 - (vii) to open current and/or saving accounts for SAMA and to draw, receive and endorse cheques, bills of exchange and I.O.U.'s in connection with the financial business of SAMA;
 - (viii) to pay out any honorarium upon which a decision of the Executive has been taken;
 - (ix) to agree to the settlement of the travel and subsistence expenses of any person when justified by circumstances;
 - (x) to submit to the Annual General Meeting an Audited Financial Report and an Income and Balance Sheet for the previous year;
 - (xi) all disbursements of funds shall be authorised and signed by the President or (in his absence) the Vice-president and the Secretary or Treasurer;
 - (xii) for decision-making purposes, the President (or Vice-president) and 3 (THREE) members of the Executive shall constitute a quorum provided, however, that for this purpose, any member of the Executive holding more than one office shall nevertheless rank as one member regardless of the number of offices held;
 - (xiii) to decide on the dates and venues for any Executive Committee Meetings of SAMA and to co-ordinate dates and venues for track and field, cross-country, race-walking, road-running, orienteering and weight pentathlon competitions within the jurisdiction of SAMA;
 - (xiv) whereas, the organisation of ordinary and Provincial Masters Athletics Meetings shall be the responsibility of the Provincial Associations, it shall be the prerogative of the Executive Committee to organise the South African Masters Championships and International Meetings both within the Republic of South Africa or abroad, with the power of delegation as well as for the raising of funds to finance any such events;
 - (xv) to nominate sponsored Masters Athletes for international participation or for the award of colours based on accepted norms and qualifications;
 - (xvi) to appoint sub-committees on an ad-hoc basis to deal with specific matters;
 - (xvii) any member of the Executive who absents himself from committee meetings twice in succession without valid reason shall be liable to automatic disqualification. The same would apply to any committee member who absents himself from a total of more than 5 (FIVE) committee meetings irrespective of the reason for absence;
 - (xviii) the Executive Committee shall meet as often as necessary but at least 8 (EIGHT) times per calendar year;
 - (xix) to appoint an honorary life Vice President of SAMA from time to time for meritorious services rendered, who may be co-opted onto the Executive Committee of SAMA by the Executive Committee.

ARTICLE 9

General Meetings:

- a. The Annual General Meeting shall constitute the supreme authority of SAMA.
- b. The Annual General Meeting shall be held once every year provided that:
 - (i) for the purpose of the election of office bearers, the date of the Annual General Meeting shall be determined in accordance with Clause b. (iii) of Article 7.
 - (ii) otherwise, the Annual General Meeting shall be determined to take place on the Friday evening of the weekend during which the Annual South African Masters Athletics Championships are held or failing the holding of such Championships in any year, on a date to be determined by the Executive Committee within 90 (NINETY) days calculated from the 31st March of each year, being the financial year end of SAMA.
- c. A Special General Meeting shall be called by the Executive Committee when it so decides, or upon receipt of a written request therefore signed on behalf of 3 (THREE) member Associations and such a Special General Meeting shall be called within 60 (SIXTY) days after receipt of the said request.

ARTICLE 10

Notice of General Meeting:

- a.
 - (i) Affiliated members shall receive 60 (SIXTY) days written notice of the date and venue of the Annual General Meeting.
 - (iii) All notices of motions to be dealt with at the Annual General Meeting are to reach the Secretary not less than 45 (FORTY-FIVE) days before such meeting.
 - (iv) The secretary shall notify affiliated members of the Agenda 30 (THIRTY) days before the Annual General Meeting.

ARTICLE 11

Representations at General Meetings and the Power to Vote:

- a. Whereas the election of office bearers has been provided separately as embraced in Clause b. (i) and (ii) of Article 7, an Annual General Meeting or Special General Meeting shall be open to all athletes in good standing and registered with their respective Provincial Associations provided also that such Provincial Associations are affiliated to and in good standing with SAMA.
- b. Such athletes present at an Annual General Meeting or at a Special General Meeting shall be entitled to participate in the business of such General Meetings and to vote on motions to be dealt with and provided for in the Agenda.
- c. Clauses a. and b. of Article 11 shall imply that an Annual General Meeting constitutes the supreme authority of SAMA and that in respect of the election of office bearers, athletes in good standing shall have the right through their Provincial Associations to nominate and to vote for candidates of their choice.
- d. In order to substantiate the bona fides of athletes to vote as set out in Clause b. of Article 11, it shall be the responsibility of the Treasurer/Registrar to satisfy the meeting that any Masters Athlete present at the meeting and voting thereat is competent to do so as a fully paid-up member in good standing as otherwise the vote of any such member not in good standing and fully paid-up shall be disallowed.
- e. A quorum at an Annual General or a Special General Meeting shall be:
 - 5 (FIVE) members of the Executive Committee;
 - 2 (TWO) members each from at least 5 (FIVE) of the duly affiliated Provincial Associations, and;
 - 30 (THIRTY) Masters Athletes in good standing and eligible to vote as provided for in Clause d. of Article 11.

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- f. Provided that a quorum is constituted, motions presented at an Annual General Meeting or a Special General Meeting shall be carried by a simple majority of those present and eligible to vote at such meetings.
- g. If a quorum is not constituted 30 (THIRTY) minutes after the official starting time at the venue of which notice of the meeting was given, the meeting shall then proceed regardless of whether a quorum be present and the members present may legally proceed with the meeting as if a quorum were present.

ARTICLE 12

Procedure at General Meetings:

- a. At General Meetings, the President shall preside, or in his absence, the Vice-president and if both are absent, the most senior committee member ranking in the sequence set out in Article 7.a. will preside and chair the meeting.
- b. The agenda of the Annual General Meeting shall be disposed of in the following order:
- (i) Scrutiny of delegates' credentials
 - (ii) Reading of the notice convening the meeting
 - (iii) Reading and adoption of the minutes of the previous Annual General Meeting and of any previous Special General Meeting
 - (iv) Submission, discussion and adoption of the Annual Report
 - (v) Submission of audited statements of the previous year
 - (vi) Dealing with motions or with any matters proposed and of which due notice has been given
 - (vii) Announcing the names of the Executive Committee as elected for the ensuing period
- c. The Agenda for a Special Meeting shall be disposed of in the following order:
- (i) Scrutiny of delegates' credentials
 - (ii) Reading of the notice convening the meeting
 - (iii) Dealing with motions or any matters of which due notice has been given
- d. No motions or amendments on the Agenda of General Meetings may be withdrawn without the approval of the meeting. If the original proposer of a motion is absent at the meeting, any other person present and entitled to attend and vote shall be empowered to introduce the motion, in which case he / she shall, for all practical purposes, be vested with the rights and duties of the original proposer.

ARTICLE 13

Voting Procedure at General Meetings:

Voting shall be by way of a show of hands in all matters calling for a Resolution, or by secret ballot if 2 (TWO) delegates so demand before voting is proceeded with, or if the President so determines. If the voting results in a tie, the President or failing him the Chairman of the meeting, shall, in addition to his ordinary vote, have a casting vote as well. However, no such casting vote shall apply in the case of the election of office bearers to the Executive Committee of SAMA.

ARTICLE 14

Irresoluble Dispute:

- a. In the event of a dispute or difference arising at any time between an affiliated Province or Association on the one hand and SAMA on the other hand as to the construction or interpretation of the Constitution, the abandonment or breach of the Constitution, the decision of a Disciplinary or Appeal Committee or as to any other matter or thing arising in connection with the administration of Masters Athletics within the Republic of South Africa, such dispute or difference shall be and is hereby referred to the arbitration and final decision of an Arbitrator to be agreed upon by the parties concerned or, failing agreement, by a person nominated by the President or Senior Executive Officer of the National Sports Congress.
- b. The award of such Arbitrator shall be final and binding upon the parties. The arbitrator shall have the power to open up, review and revise any opinion, decision, requisition or notice and to determine all

matters in dispute which are submitted to him. Upon every or any such reference, the costs of and incidental to the reference and award shall be in the discretion of the Arbitrator who may determine the amount thereof and shall direct by whom and to whom and in what manner the same shall be borne and paid. The Arbitrator's award in connection with costs shall be final and binding on the parties affected thereby.

ARTICLE 15

Head Office:

The Head Office of the Association will be situated on the Witwatersrand or wheresoever else the Executive Committee of SAMA may decide from time to time.

ARTICLE 16

Life Members:

- a. There shall be not more than 10 (TEN) life members.
- b. Nominations along with a citation recording the services rendered to Masters Athletics shall be required to be submitted to the Executive Committee for consideration 60 (SIXTY) days before the Annual General Meeting.
- c. The Executive Committee shall be empowered to decide on the election of life members with due regard to the merits of the citation presented for the candidate proposed and measured against the merits of previously submitted citations for life memberships previously created if such a yardstick is available and if not, purely on the merits of the citation of the candidate proposed.
- d. The name(s) of the successful candidate(s) shall be announced at the Annual General Meeting.

ARTICLE 17

Official Colours and Emblem:

- a. SAMA's national colours shall be green and gold, the trunks and blazer being green and the vest being gold. Furthermore, the specific colour shades shall be determined by the executive Committee, from time to time.
- b. The National Emblem of SAMA shall be as officially accepted and registered with the Bureau of Heraldics and with an appropriate inscription as to the name and/or nature of SAMA.

ARTICLE 18

The Award of National Colours:

- a. Once Masters Athletics, as a sport, will have been affiliated to the National Sports Congress and therefore entitled to make recommendations to the National Colours Board for the award of National Colours, be they represented by the Protea or any other emblem, SAMA shall:
 - (i) in the first instance be bound by the requirements for the award of National Colours as laid down by the National Colours Board or such other body as may be the custodian in control of the award of National Colours at the time, and;
 - (ii) recommendations for awards shall be the responsibility of the Executive Committee of SAMA.
- b. Notwithstanding the provisions of Clause a. (i) and (ii) of Article 18, norms and standards of performance for consideration for awards shall be embodied in the Rules and Regulations which should form part of this Constitution.

ARTICLE 19

Financial Matters:

- a. Membership/affiliation fees payable to SAMA by the affiliated provinces or Associations shall be determined at the Annual General Meeting of SAMA from time to time for every member (Masters Athlete) registered with each provincial member of SAMA.
- b. Affiliation and membership fees shall be due and payable by not later than the 1st day of February of each year.
- c. If the affiliation fees and membership fees have not been paid before this date, such Association or affiliated Province may be suspended from membership of SAMA.
- d. In the event of an affiliated Province or Association ceasing to exist or abandoning its activities, in the absence of that affiliated Province or Association determining what is to be done with its possessions, books, records and assets, the Executive Committee of SAMA shall determine what is to be done with them and shall then be entitled in pursuance of such decision, to deal with that Association's or affiliated Province's possessions, books, records and assets in accordance with such decision.

ARTICLE 20

Expulsion of Members:

An affiliated Province or Association, as well as any individual member thereof, who, by means of the payment of his / her affiliation and / or membership fee is a member of SAMA may be expelled only by a THREE/FIFTHS majority or greater vote taken at a Special General Meeting called especially to consider the recommended expulsion.

ARTICLE 21

Rules and Regulations:

- a. In addition to the provisions of the Constitution, SAMA shall issue such regulations as may be needed for the smooth running of its affairs.
- b. Such regulations may be issued or amended only by:
 - (i) an Annual General Meeting, or;
 - (ii) a Special General Meeting called for this purpose, or;
 - (iii) the Executive Committee, if empowered thereto by the Annual General Meeting.
- c. Any amendment to the regulations shall be entered in the minutes of the particular meeting at which such amendments have been passed. If the minutes have been duly circulated, as provided for in the Constitution, this shall be deemed sufficient notice of such amendments.
- d. No regulation may be in conflict with the Constitution of SAMA.
- e. All members, Associations or bodies affiliated to SAMA shall:
 - (i) be obliged to observe and accept the regulations of SAMA;
 - (ii) furnish any information required by SAMA in connection with any matters falling within the province of members' activities;
 - (iii) refrain from introducing any incompatible amendments or additions to the regulations of SAMA.
- f. The rules of the World Body WMA shall be the rules applicable to all meetings held under the auspices of SAMA, if and where applicable.

ARTICLE 22

Interpretation of Rules and Regulations:

- a. Decisions of the Executive Committee concerning the validity of any clauses of the rules in terms of which athletics is administered, shall be final and binding.

- b. The Executive Committee shall be empowered to refer any matter arising from any rule in terms of which athletics is administered, to the President, whose decision shall be final and binding.
- c. Doubts concerning interpretations, the definitions of an amateur or any matter not provided for shall be submitted in writing to the Secretary of SAMA by the Secretary of the member Association, to be investigated and commented upon by the Constitutional and Regulations Sub-Committee as appointed by the Executive Committee from time to time, so that it may appear on the Agenda of the next meeting and the decision of that Committee shall be final and binding.

ARTICLE 23

Appeals:

- a. Appeals against the decision of any club or member Association in connection with the rules shall, in the first instance, be submitted to the Executive of the member being either the Provincial Association or SAMA, as the case may be.
- b. If satisfaction is not obtained and/or if there is any uncertainty about the decision, an appeal may be directed via the member whether the member be the provincial member of any registered member athlete, to the Executive Committee. However, the time for the noting of any such appeal shall be not later than 21 (TWENTY-ONE) days from the date of the decision or ruling appealed against and notice of any such appeal shall be given in writing, delivered to the Secretary of SAMA. It shall be in the sole and absolute discretion of the Executive of SAMA to consider hearing any appeal, which is not noted timeously and the Executive Committee of SAMA shall have the right, in its sole and absolute discretion, to condone the late noting of any appeal if it sees fit to do so.
- c. The decision of the Executive Committee shall be final and binding.
- d. A fee of R100,00 (ONE HUNDRED RAND) shall be paid to the Secretary of SAMA for every appeal noted and prosecuted and if the appeal is upheld by the SAMA Executive Committee, the fee shall be refunded, but not otherwise.

ARTICLE 24

Amendments to the Constitution:

- a. The Constitution may be amended only at an Annual General Meeting, or at a Special General Meeting called for that specific purpose.
- b. Notice of any proposed amendments shall appear on the Agenda in accordance with the procedure laid down.
- c. The notice shall specify which clauses of the Constitution it is proposed to amend, and shall indicate clearly what should be omitted from or added to it.
- d. The Constitution can be amended only by a TWO-THIRDS majority of the votes recorded at a meeting properly constituted.
- e. Any amendment to the Constitution takes immediate effect unless the contrary is decided.

ARTICLE 25

Functions of the Registrar:

- a. The Registrar shall call for satisfactory proof of age from each member athlete affiliated to any of the Provincial Associations as provided for in Article 6 and shall have the power, if not satisfied with any tendered proof of age of any individual member athlete, to restrict and bar the participation of such individual member athlete from any competition run either under the aegis of SAMA or any of the member Provincial Associations affiliated to SAMA until such time as proof of age to the satisfaction of the Registrar will have been furnished by such individual member athlete or his associated member provincial body.

- b. Upon satisfactory proof of age, the Registrar shall keep and maintain a record of the full names, latest address and date of birth of each individual member athlete which shall, unless the contrary be provide, constitute irrefutable proof of the age of every individual member athlete whose particulars are so recorded by the Registrar.
- c. Such book/s containing the records of the ages and other particulars of individual member athletes shall at all reasonable times be available and accessible to all members of the Association including all individual member athletes.
- d. The acceptance of proof of the age of any individual member athlete by the Registrar shall at all times be in the sole and absolute discretion of this party, save and except that until the contrary be shown, the Registrar shall be obliged to accept as correct the date of birth and/or age of any individual member athlete as reflected in that individual member athlete's birth certificate or a certified copy thereof as tendered, provided, however, that such birth certificate was issued not later than 6 (SIX) months after birth and provided further that dates of birth as contained in ID. Books or passports shall not satisfy this requirement. Alternatively, in the event of any individual member athlete not being in possession of a birth certificate and therefore being unable to tender a birth certificate or a certified copy thereof, the Registrar shall then exercise his discretion to admit a date of birth by reference to:
- (i) a certificate signed by any individual member athlete's employer or personnel officer recording:
 - (aa) the date upon which the individual member athlete first took up employment with the employer or any of the employer's associated companies;
 - (bb) the details of the individual member athlete's age as first given to the employer and as extracted from the employer's records as at the time of such initial employment aforementioned;
 - (cc) details of any previous employers as reflected in the employers' records, and;
 - (dd) an undertaking by the employer to make available to the Registrar, aforementioned records in the possession of the employer relative to the individual member athlete, and/or;
 - (ii) a certified copy of the individual member's scholastic record recording such member's birth date therein, and/or;
 - (iii) Passports and Identification Documents which shall constitute prima facie proof of the age of any individual member athlete if tendered together with a certificate from the individual member athlete's employer or the personnel officer thereof as provided for in (i) of Article 25.d. or the individual member's scholastic record as provided for in (ii) of this Article 25.d., and if consistent therewith.
- e. The Statistician, in conjunction with the record of the Registrar relative to the ages of individual Masters Athletes, shall keep written records relative to all South African Masters Athletics records and claims therefore as lodged with the Statistician from time to time by members and the Statistician shall make such records available and accessible to members at all reasonable times.

ARTICLE 26

Disciplinary:

- a. SAMA shall, irrespective of the powers vested in its member provinces pursuant to their Constitutions and Rules and Regulations, have the power to summon before it any of its members (provinces) or individual members thereof and to investigate the circumstances and activities surrounding any event, act or omission which the Executive of SAMA resolves, brings or tends to bring SAMA, any of its members (provinces) or the individual members thereof into disrepute or to reflect adversely on SAMA or any Province or individual member thereof.
- b. In so conducting its investigation, SAMA shall, after summoning the individual member or Province concerned, have the power to discipline any such member found to have brought SAMA or any member

thereof into disrepute or to have reflected adversely on SAMA or any member thereof, without just and/or reasonable cause.

- c. The nature and extent of SAMA's disciplinary powers in terms of b. above shall be, in the case of a member found guilty of bringing SAMA or any member thereof into disrepute or to have reflected adversely on SAMA or any member thereof without just and/or reasonable cause:
- (i) to ensure the offending member;
 - (ii) to impose a period of suspension with the alternative of a maximum fine not exceeding R1000,00;
 - (iii) to suspend the offending member from membership of SAMA and thereby barring such member from all SAMA related activities for the duration of the suspension;
 - (iv) to expel the member from SAMA and all its affiliated activities;
 - (v) to rule on any dispute between any of its members.
- d. Any rulings of SAMA relative to (c) above shall be conveyed, in writing, to member provinces who shall be obliged to respect and observe such rulings as if the rulings were the rulings of the Province receiving such written ruling.
- e. the procedure for any such disciplinary proceedings and/or hearings shall be as follows:
- (i) The Executive Committee shall appoint a Disciplinary Committee to sit, hear evidence on the alleged offence, and rule thereon as provided for in this Article. Such Disciplinary Committee shall be comprised of 3 (THREE) members of the Executive Committee, one of whom shall be either the President or the Vice-President and another of whom shall be one of the member provinces as appointed by the Executive Committee, provided, however, that such person shall not be a member of the same Province as the member summoned to appear plus a third member appointed by the SAMA Executive.
 - (ii) Once the Disciplinary Sub-Committee will have been constituted by the Executive Committee, the most senior member of that Sub-Committee shall preside over it as the Chairman and he shall advise the Secretary of SAMA of the date and venue for the hearing which shall, in any event, be not less than 14 (FOURTEEN) days after notice to appear before the Disciplinary Sub-Committee will have been given in writing by registered post to the member concerned, advising the member concerned of the hearing, the charge/s to be answered and inviting the member to attend the hearing to answer the charges with or without witnesses.
 - (iii) The Secretary of SAMA shall thereupon ensure that proper notice as contemplated in (ii) above is duly conveyed by him/her to the member.
 - (iv) In the event that the member summoned as provided for in (iii) above fails to attend the disciplinary hearing pursuant to the notice thereof on the date, time and venue provided therefore, such member shall then be in default of attendance and it shall then be the function of the Disciplinary Committee to proceed with such hearing if it is able to do so, with such evidence as is available to it.
- f. The a foregoing powers as set out in a., b., c., d., and e. above shall, notwithstanding anything to the contrary herein or elsewhere contained or implied, only be invoked by SAMA if and when the affected member province having jurisdiction fails or is unable timeously to address, deal with and resolve the problem, dispute or issue if it is possible for the problem, dispute or issue to be dealt with domestically. Where, however, the problem, dispute or issue is itself of a domestic nature which tends to hold the member province or its powers or functions up to ridicule or which suggests that the functions of its Executive are ultra vires, the resolution of the problem shall then be and become the exclusive function of SAMA in terms of these a foregoing disciplinary powers.

ARTICLE 27

Affiliation to Athletics South Africa ("ASA"):

- a. It shall be the function of SAMA, as soon as it is expedient to do so, to affiliate to ASA either by way of a formal affiliation or alternatively as and by means of becoming an associated body and to co-operate with ASA in all matters of common interest particularly insofar as Masters Athletics is concerned.
- b. It shall also be the function of SAMA to encourage all its member provinces to form similar affiliations and/or associations with their respective senior provincial bodies, which, in turn, are affiliated, to ASA.
- c. In the event that there be any conflict between any provision contained in the Constitution and Rules and Regulations of ASA and those of SAMA, then the corresponding provisions of the SAMA Constitution and the SAMA Rules and Regulations shall take precedence over the conflicting provisions contained in the Constitution and Rules and Regulations of ASA at least until such time as the Executive Committee of SAMA resolves otherwise at an Executive Committee Meeting and such resolution is duly minuted.