

**CONSTITUTION OF
WESTERN PROVINCE DEEP SEA ANGLING ASSOCIATION.
(Founded 1968)**

Approved at Annual General Meeting held 24.06.2021.

The Basic Philosophy of the Sport of Deep Sea Angling.

“Game fish species (any fish species identified and accepted because of its fighting characteristics, related food and their habitat) are Economic-, Social-, Recreational- and Aesthetic Assets which must be maintained, wisely used and perpetuated.

The sport of Deep Sea Angling is an important Recreational, Competitive and Social activity, which the public must be educated and made aware of to pursue in a MANNER CONSISTENT WITH SOUND SPORTING AND CONSERVATION PRACTICES.

Sport fishing transcends all political, racial, social and ideological boundaries. An amateur Sport Angler is ever respectful of the fishery (the fish’s habitat and its environment, the management regimes and the sound and sporting practice of sport fishing”).

A. Definitions, Abbreviations and Acronyms.

“The Association”	Shall be the Western Province Deep Sea Angling Association as presently constituted notwithstanding a future change of name or area that may be designated by the relevant authorities from time to time.
“Shortened Name”	WPDSAA
“Active Angler”	Shall mean one who is active in deep-sea bill, game and bottom fishing in all aspects both in an administrative and/or physical sense.
“Council”	Shall comprise the Executive Officers and delegate nominated by each Member Club.
”Days”	Shall mean calendar days including weekends and holidays.
“Executive Officers”	Shall mean the Chairman, Vice Chairman, Secretary, Hon. Secretary, Hon. Treasurer and Safety Officer
“IGFA”	Shall mean the International Games Fish Association.
“Individual members”	Shall mean paid up members of a member club.
“Member Club”	Shall mean those Clubs that are affiliated to the Association in the region of their existence within the designated area of the Association and duly accepted by the Association.
“Notices”	Shall mean by registered post, e-mails or faxes.
“SADSAA”	Shall mean the South African Deep Sea Angling Association.
“DEFF”	Shall mean the Department of Environment, Forestry and Fisheries
“ORI”	Shall mean the Oceanographic Research Institute.

“MANCOM”	Shall mean WPDSAA Management Committee consisting of the Chairman, the Vice-Chairman, the Treasurer and the Secretary.
“SANParks”	South African National Parks
“SASCOC”	South African Sports Confederation and Olympic Committee
“PDI”	Previously Disadvantaged Individual

B. LEGAL CONFIGURATION OF THE ASSOCIATION.

Name, Headquarters and Address:

The name of the Association shall be:

THE WESTERN PROVINCE DEEP SEA ANGLING ASSOCIATION (hereinafter referred to as “the Association”)

The Headquarters and postal address of the Association shall be decided from time to time in General Meeting.

- 1 The signatories to this **Constitution**, being the Chairman and Vice Chairman of the Association by virtue of their signatures hereto, record that this Constitution has been unanimously approved and ratified by the **Annual General Meeting** which was held at Atlantic Boat Club on 24th June 2021.
- 2 The Association is liable only for its own debts and any assistance granted to any person or body whether corporate or incorporate should not render it liable for the debts of such a person or body.
- 3 The liability of the members of the Association shall not be unlimited and the members shall not be liable for the debts of the Association of whatsoever nature or howsoever incurred, save only to the extent of any unpaid membership subscriptions and any other debt incurred directly with the Association.
- 4 The Association may only sue, and/or be sued in the name of its Chairman as the representative of the Association, described as: “**THE WESTERN PROVINCE DEEP SEA ANGLING ASSOCIATION** duly represented by the Chairman of the time being i.e.: “Full Names and Surname of the Chairman” in any Court of Law in the Republic of South Africa having competent jurisdiction in respect of the Headquarters of the Association as it may be fixed from time to time pursuant to the provisions of **Clause B 2** above and all legal processes, notices and the like shall be regarded as properly served on the Association if served

personally upon the Chairman, or his duly authorized agent in writing. It is recorded that neither these persons shall be regarded in any manner as being personally liable for debts of the Association.

- 5 The Association binds itself to ensure that membership of the Individual Member thereof will be recorded in an Association Register and shall be available to any Individual Member, Member Club and **SADSAA** after approval by the **Council**.

C. OBJECTIVES.

The Objectives of the Association shall include:

- 1 To be and to function as the Governing Body of the sport of Amateur Game fish angling from craft at sea in the Western Cape Province, in the Republic of South Africa. For the purposes of this clause, a "craft" shall comply with the laws of the Republic of South Africa.
- 2 To promote, control and foster the sport of game fish angling in conformity with National and/or International rules laid down from time to time by **SADSAA, IGFA and WPDSAA** and/or other internationally accepted rules and regulations as may be directed by **Council** as herein described.
- 3 To keep accurate records of all species which will include all billfish species, gamefish species and bottom fish species caught, and/or measured and released in accordance with **SADSAA, IGFA** and **WPDSAA** rules within the Association's area of jurisdiction and to accumulate reliable piscatorial information, which shall be available to members and any others, as well as **WPDSAA's** own Provincial Records in all aspects.
- 4 To evolve guidelines of angling rules made to regulate the holding of Tournaments and the keeping of Tournament records, as well as Measure and Release of all fish species, according to IGFA, SADSAA, WPDSAA and ORI.
- 5 To organize National, Inter-Provincial and Provincial game and bottom fish angling contests at venues stipulated by the Association from time to time and to approve Interclub tournaments.
- 6 To select qualified anglers to represent **Western Province** or the Association in National, Inter-Provincial, Provincial and/or other game and bottom fish competitions.
- 7 To promote competence in handling craft, including Personal Water Craft and promote the enforcement of rules to govern the operation of craft and all requirements of safety as laid down

by the Association from time to time, as when such laws of the Republic of South Africa is published in the Government Gazette and of which members shall be obliged to observe.

- 8 To liaise and co-operate with all levels of government, **DEFF, SANParks, ORI, NGO's**, private enterprise and other concerned and interested bodies properly accredited by the Association for the protection and/or furthering the conserving of marine fish, their habitat and their food fish and/or sport fishing grounds.
- 9 To maintain the Association as a non-political and non-racial body, abiding by the laws of **SADSAA**, the laws of the Republic of South Africa and to preserve its amateur status and of its Member Clubs and † individual members.
- 10 To design, register and award the right to colours, badges or uniforms as required or stipulated from time to time.
- 11 To use the revenue and property of the Association from whatever source derived to further the interests and objects of the Association and for such purposes as the Association may deem necessary or desirable. The a Association's activities must be carried on in a non-profit manner.
- 12 To purchase, improve, take on lease or in exchange, hire or otherwise acquire any movable and immovable property and rights or privileges whatsoever may be deemed necessary, suitable or convenient for the implementation of the objects of the Association and to sell, let or hire, or otherwise dispose of any part of the assets of the Association for such consideration and upon such terms and conditions as the Association may from time to time deem fit. Furthermore the Association may not participate in schemes of Tax Avoidance.
- 13 To engage the services of such persons, professional individuals and/or professional Associations, companies or concerns upon such terms and conditions as may be deemed to give effect to and further the Objectives of the Association and/or to ensure the Associations rights, on condition that the Association may not pay excessive remuneration in respect of services provided to the Association.
- 14 To refrain from carrying on any business that has for its objects any acquisition or gain by individual members of the Association. In respect of surplus funds, the Association is prohibited from direct and/or indirect distribution to any person other than as provided for on the dissolution of the Association.
- 15 To affiliate to the **South African Deep Sea Angling Association**, the **International Game Fish Association** and any other national/international body, Provincial Sports Council,

Government and/or **NGO's** that may be deemed relevant or beneficial from time to time to the interest and/or objectives of the Association, and/or to further the objectives of the Association.

- 16 To maintain a comprehensive register of individual anglers of member clubs of the Association and to update such register from time to time and at least before each **Annual General Meeting** of the Association.
- 17 To encourage compliance by the members with all the requirements, which WPDSAA may stipulate from time to time in regard to the rendering of catch returns in terms of any required legislation and/or authorized program for scientific line fish research purposes.
- 18 To undertake and/or support, where relevant or necessary, any scientific and economic research and studies to determine the economic and scientific impact of the sport of game fish angling on the economy and Marine ecosystems in all aspects.
- 19 To promote the harmonious interaction in competitions and otherwise of all craft of whatsoever nature, owned or operated by the individual anglers referred to in **Clause C1 and C2**.

D. MEMBERSHIP.

- 1 The Member Clubs shall be properly constituted Western Province Boat Angling Clubs within the boundaries of the Western Cape Province, having the philosophy and objectives similar to the Association and recognize or qualify as Clubs in terms of the Rules and Regulations of **SADSAA**. All members are entitled to membership for at least one year.
- 2 The full membership of the Association shall be open to amateur Boat Angling Clubs in the Western Cape Province which have as their objects the participation of offshore /inshore deep sea game, billfish, bottom fish caught, and/or measured and released in accordance with IGFA and SADSAA rules fishing from craft at sea in the Western Cape Province in terms of the law of the land. Members are not allowed to sell, cede and or assign their membership rights or any rights towards thereof.
- 3 **An amateur boat-angling club shall be defined as one:**
 - 3.1 Which is run for no individual gain.
 - 3.2 Whose committee is elected by members and shall consist only of club members.

- 3.3 Which has at least **10 (TEN)** registered and active boats as required by law and **SADSAA** that are not registered with another club.
- 3.4 Whose ordinary membership has a minimum of **20 (TWENTY)** full paying members individual to that club.
- 3.5 Is in good financial standing with the Association.
- 3.6 Which has and retains a written constitution, that has been approved by the Association and notifies in writing all such changes from time to time and that are in line with **SADSAA's Constitution, DEFF and SASCOC's** requirements.
- 3.7 Member clubs shall abide by the rules and decisions of this Association and that of **SADSAA, DEFF and SASCOC's requirements.**
- 3.8 Prospective clubs applying for affiliation to the Association will serve a **6 (SIX)** month probationary period.
- 4 Any prospective member club applying for membership of the Association shall do so in writing to the Secretary and shall enclose a copy of its Constitution with its application as well as the following documents:
- 4.1 The names of all members affiliated to such prospective Member Club shall include, in terms of SADSAA, Government and SASCOC's § requirements the following:
SA Identity Number, First Name and Initials, Surname, Title, Membership Category, PDI Yes/No, Contactable Full Address, Contact Phone Number, Home Province, Home Club, E-Mail Address only for WPDSAA, with the names and addresses of the Chairman, Secretary, Tournaments Officers.
- 4.2 A list of all individual craft as required by SADSAA and SAMSA including the Identity Number, First Name and Initials, Surname, Title, Membership Category Contactable, Full Address, Contact Phone Number, Home Province, Home Club, E-Mail Address of the registered owner of each craft, the name and registration number of the craft and the name of the club where the craft is registered.
- 4.3 A declaration signed by the prospective member clubs Chairman, Secretary and Treasurer, stating unequivocally that both the prospective member club and all members affiliated to it subscribe and undertake to abide by the philosophy, objectives and Constitution of the Association.

4.4 All member clubs shall provide and update the information stipulated in **Clause 4.1 above** in writing to the Secretary, as well as to the Safety Officer of the Association in terms of **Clause 4.2** above of the Association not less than **30(THIRTY)** days before each **Annual General Meeting** of the Association.

4.5 The Association shall incorporate the information contained in the documents referred to in **Clauses 4.1** and **4.2 above**, for which the Secretary of the Association shall maintain a Register and the Safety Officer of the Association shall maintain a Register for **Clauses 4.2 above**.

4.6 **SUSPENSION AND TERMINATION OF MEMBERSHIP**

4.6.1 Any Member which ceases to be a viable member as contemplated in this Constitution may be suspended from membership by the WPDSAA EXCO and the WPDSAA Council shall decide at its next meeting whether the membership of such member should be terminated, further suspended for a fixed or an indefinite period of time or restored.

4.6.2 The WPDSAA Council shall take its decision by simple majority of its Members, excluding the representatives of the Member concerned. The representatives of the Member concerned shall be entitled to make full representations to the WPDSAA Council prior to the voting on the resolution.

4.6.3 A decision to suspend or terminate a Member's membership shall *inter alia* take into account whether the behavior or actions of the Member concerned are in violation of the WPDSAA Constitution and the anglers code of conduct and ethics and that of his WPDSAA Affiliated clubs, whether it meets its obligations in terms of the SASCOC, SASACC and SADSAA's constitutions and the WPDSAA Constitution, whether the member has failed to pay the required fees, whether the member refuses to comply with the decisions of the WPDSAA Council, and whether the Member concerned works harmoniously with the Association and other Members towards the expansion of the sport in the Province and that the member's action is not contrary to the code of ethics of sport fishing and the code of an angler within WPDSAA.

4.7 **APPEAL COMMITTEE**

4.7.1 The MANCOM shall appoint the members of the Appeal Committee and delegate such powers to the committee to include, but not be limited by the following:

4.7.2 To assist the Association with legal advice;

- 4.7.3 To set up and continuously update a Code of Conduct for both participants and management, adopted by the WPDSAA Council;
- 4.7.4 To set up and continuously update the Dispute Procedures, adopted by WPDSAA Council;
- 4.7.5 To hear internal appeals against any decision of the Disciplinary Committee;
- 4.7.6 To hear appeals against any decision of a club or a member which concerns an ethics, disputes, disciplinary and team selection matter;
- 4.7.7 To adjudicate, mediate and arbitrate upon other legal matters.
- 4.7.8 The Appeal Committee shall consist of at least three members of which at least one must have a legal background as the legal officer.
- 4.7.9 Every member of the Appeal Committee shall have one vote each at their meetings and hearings.
- 4.7.10 Any party aggrieved by a decision of the Appeal Committee may refer the matter to SADSAA for its final determination provided the leave of the Appeal Committee is first sought and obtained within a period of **21 (twenty-one) days**. The Appeal Committee shall grant the necessary discretionary leave if the matter is of great importance to the parties concerned and the referral sought is not judged frivolous or vexatious.
- 4.7.11 In the absence of a referral to SADSAA, the decision of the Appeal Board from SASACC shall be final and binding.

4.8 RULES, REGULATIONS, PROCEDURES AND BY-LAWS

- 4.8.1 The WPDSAA EXCO shall formulate and publish the rules, regulations, procedures and by-laws in force from time to time in accordance with which the affairs of the WPDSAA will be conducted. A copy of the Rules in force at any time shall be kept by the Secretary and made available, upon request, to any Member, Body, participant/angler or other individual registered with WPDSAA. The Rules shall include, but not be limited to, the following:

- 4.8.2 The WPDSAA Selection Criteria;
- 4.8.3 The WPDSAA Code of Conduct;
- 4.8.4 The WPDSAA Dispute Resolution & Disciplinary Policy Procedures;
- 4.8.5 The WPDSAA Household Rules.
- 4.8.6 The WPDSAA Duties and Responsibilities of Executive Members.
- 4.8.7 The WPDSAA Duties and Responsibilities of Team Managers and Team Captains.
- 4.8.8 The WPDSAA Colours' Regulations in line with the SADSAA Colours' Regulations.
- 4.8.9 Substitution and amendment of the Rules will be effected by the WPDSAA Council upon approval by at least a simple majority of the members of the WPDSAA Council.
- 4.10. The Rules and Regulations may be amended by a simple majority at any General Meeting. Notice of the intention to amend (motion), rescind or add to the Rules and Regulations must be given to Members in writing, not later than **forty-five (45) days** prior to the date fixed for such meeting. The MANCOM of WPDSAA shall in turn give written notice of the intended amendment, rescission or addition to all Members, Associate Members and Executive Board members and to all the persons entitled to notice and to attend such meeting and vote there at least **thirty (30) days** prior to the date of the relevant meeting.

5 **Each Member Club shall:**

- 5.1 Maintain a constitution in writing which shall in no way conflict with this Constitution and/or that of **SADSAA's Constitution, SASACC's Constitution** and **SASCOC's** requirements and shall be approved by the Association prior to the adoption thereof by such member club.
- 5.2 Advise the secretary of the Association in writing of any amendments to its Constitution.
- 5.3 Ensure that it adopts and/or ratifies a **Constitution** which is not in conflict with this **Constitution** and/or that of **SADSAA's** and **SASCOC's** requirements.
- 5.4 Maintain at all times its good financial standing with the Association.

- 5.5 Advise the Secretary of the Association in writing of all changes in the appointment of office bearers of such member clubs within **30(THIRTY)days** of such change occurring.
- 5.6 Maintain accurate minutes of regular meetings, which shall be made available to the Association on request.
- 5.7 Attend at least **2 (TWO)** meetings *per annum*.
- 5.8 See to it that their members comply with Bag Limits, our fishing ethos, "Fishing for the future," and code of conduct for sport fishing in all aspects.
- 5.9 See that their members be ambassadors for Western Province and SADSAA in all tournaments where they represent Western Province or their club or fish recreationally.
- 5.10 Encourage their members to voluntarily record all their social outing fish catches on any approved Western Province program for scientific purposes and to uphold South African recreational fishing regulations.
- 5.11 Encourage the adoption of measure and release, tag and release, record and release and other programs designed to improve the management of our fishing resources and the utilizing thereof responsibly for the benefit of generations to come.
- 5.12 Respect each member within our sport.
- 5.13 Appoint Sporting Coaches within the ambits of SADSAA, SASCOCS and Government requirements within their clubs to promote a culture of winning and sportsmanship.

E. MANAGEMENT OF THE ASSOCIATION.

- 1 The Council shall comprise of the Executive, emanating from at least **2 (TWO)** clubs in the Offices of: Chairman, Vice-chairman, Hon. Secretary, Hon. Treasurer, Tournament officer, Radio & Safety Officer, Records Officers, Resource Management Officer, Pro, Development Officer and a WPDSAA Senior Angling Coach in terms of SADSAA, Government and SASCOCS's requirements, plus the Chairman of each Member Club or his duly appointed nominee.
- 2 The Council shall administer and manage the affairs of the Association and have the power to delegate any function to any Sub-Committee.
- 3 The Council will not meet less than **5(FIVE)** times in **a calendar year**, provided that not more than eight weeks lapse between any two meetings inclusive of the **AGM**.

4 The **Executive Officers** shall be elected at the Annual **General Meeting** of the Association at which time the names of delegates from each Member club shall be recorded. All delegates shall be anglers in good standing of the Member Clubs nominating them.

5 **The Executive Officers of the Association shall be:**

The Chairman,
 The Vice-Chairman
 Honoree Secretary
 Honoree Treasurer
 Tournament Officer
 Radio & Safety Officer
 Records Officer
 Environmental Officer
 Development Officer
 Public Relations Officer
 Senior Angling Coach

A **MANAGEMENT COMMITTEE**

A1 The WPDSAA EXCO will appoint a Management Committee ("MANCOM"), comprising of the following WPDSAA:

- The Chairman, the Vice-Chairman, the Treasurer and the Secretary.

A2 The MANCOM shall meet as often as is necessary, in the view of the Chairman, to effectively discharge its duties. These meetings may take place in person or by any electronic means or by tele-conference.

A3 The Chairman, or in his or her absence, the Vice-Chairman nominated by the Chairman, shall chair any MANCOM meeting.

A4 The MANCOM will function as the decision-making body around policy matters and shall be empowered to take decisions and to immediately undertake any action required by given events as stipulated in the Roles & Responsibilities of Board Members, Commissions and Committee Members contained in the Rules and Regulations of WPDSAA for ratification during a WPDSAA Council Meeting.

A5 The WPDSAA EXCO, subject to ratification by the WPDSAA Council, shall appoint an independent Disciplinary Committee and The WPDSAA EXCO shall delegate to it the power to deal with all disciplinary matters not resolved at the WPDSAA level. The Disciplinary Committee shall receive complaints for investigation and disciplinary action

on referral from the Association or its member clubs or Athlete Representative, the WPDSAA EXCO, but not from any individual in his or her personal capacity.

- A6 The Chairman may call on any member of WPDSA EXCO to attend a MANCOM meeting.
- A7 MANCOM shall control all expenditure of the funds of the Association and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of the Association.
- A8 The minutes of the MANCOM meetings must be distributed to all members of the WPDSAA EXCO and WPDSAA Council within **30 (thirty) working days** after the date of the relevant meeting.

6 **The Chairman** shall:

- 6.1 Preside as Chairman of all **Executive Council, Special and Annual General Meetings** and shall have no vote, save a casting vote when necessary to break a deadlock.
- 6.2 Present a written report to the **Annual General Meeting**.
- 6.3 Not be an Officer bearer of any member club or any other Club or Association or body affiliated to **SADSAA**.
- 6.4 Conduct, institute or defend legal proceedings on behalf of the Association and be empowered to take evidence on commission of an urgent nature, subject to ratification by the **Council**.
- 6.5 Be empowered to make all announcements, press releases and other communications with the press, media and other bodies, organizations on behalf of the Association, subject to his right to delegate, the writing to the parties referred to in this clause
- 6.6 Shall not serve in such capacity for more than **3 (THREE) years** consecutively. This period can only be extended in the event of a **90 % (ninety percent)** vote in favour.

7. **The Vice Chairman** shall:

- 7.1 In the absence of the Chairman, preside alternatively as the Chairman of all **Council** and **Annual general Meetings** and shall then assume the functions of the Chairman as defined.

7.2 When attending **Council** and **Annual General Meetings** in his capacity as Vice Chairman, have no vote save as set out in **Clause 6 above**.

8. **The Honoree Secretary** shall:

Incorporate the information contained in the documents referred to in **Clauses 4.1 and 4.2** above in a Register.

8.1 Keep minutes of all the proceedings of all **Executive Committee, Council, Special General** and **Annual General Meetings** and send copies thereof to all Member clubs within seven days of such meetings.

8.2 Keep and maintain all secretarial and administrative records as may be necessary and as determined by the **Council** from time to time.

8.3 Maintain a register as referred to in **Clause C16**.

8.4 Shall have no vote at any regular **Council Meetings**, but shall have the rights to speak on all matters and motions tabled.

9. **The Honoree Treasurer** shall:

9.1 Be responsible for the collection of and due and proper administration of all monies and funds of the Association.

9.2 Give effect to and be guardian of the approved budget.

9.3 Be responsible for their maintenance and updating of books of account and other documents of the Association, including those relating to all Investments of the Association of whatever nature.

9.4. Prepare statements and accounts, which shall be audited in accordance with sound accounting practice, copies whereof shall be circulated by the Secretary to all member clubs no less than **30 (THIRTY) days** prior to the date of the **Annual General Meeting** for ratification at the **Annual General Meeting**.

9.10 Deposit all monies belonging to and received by the Association in a Banking account nominated by the **Council** from time to time for the credit of the Association.

9.11 Have no vote at any regular **Council Meeting**, but shall have the right to speak on all matters and motions tabled.

9.12 **It shall be the responsibility of the Treasurer to:**

9.12.1 Ensure that all payments made by the Association are made by cheque signed on behalf of the Association by the Treasurer and either one of the Chairman or Vice-Chairman, and shall be drawn on the aforementioned banking account of the Association

9.12.2 Ensure that all the assets (including trophies) of the Association are properly insured in accordance with the directives of the Council.

9.12.3 Keep proper books of account reflecting all transactions of the Association.

9.12.4 Hold all property, funds and other assets in the name of the Association and keep a Property Register.

9.12.5 Serve notice by registered post on any member club, which is **30 (THIRTY)** calendar days in arrear with its subscriptions and levies.

10. The Tournament Officer, Radio and Safety Officer, Records Officer, Resource Management Officer, PRO and Development Officer and Senior Angling Coach shall:

10.1 Have no vote and any **Council Meeting** but shall have the right to speak on all matters and motions tabled.

11. A Member Club shall:

11.1 Be represented at all council and annual general meetings of the Association

11.2 Be allowed to participate in Council deliberations and to vote on all Council matters.

12. Special powers of the Council:

Without in any way derogating from the general powers of the Council, the following powers shall be exercisable by Council:

12.1 To discipline any member club or any individual angler of such member club which or who as the case may be, has in its opinion, been guilty of misconduct warranting such action. Which power

shall include the right to suspend for such time as it deems fit, such member club or individual angler or to cancel temporarily or permanently the membership of such member club or individual angler.

- 12.2 To deal in whatever fashion it considers necessary, with any member club or individual angler who, in its sole discretion has not conformed strictly to the philosophy, objectives and rules of the Association or has conducted itself, himself or herself in a manner, which the council considers to be detrimental to, or not in the best interest of the Association.
- 12.3 To exercise the powers granted to it, subject to the holding of a **Disciplinary Hearing** prior to any action being taken, the date and place and method of the hearing being as determined by the Chairman from time to time.
- 12.4 To accept or reject the budget as tabled and to approve or direct income and expenditure as it deems fit and to fix honoraria of officials, with the Associations activities to be carried on in a non-profit manner.
- 12.5 To deal with the affiliation to and membership of the Association.
- 12.6 To engage for any purpose whatsoever the services of such persons, professional individuals and/or professional Associations, companies and concerns upon such terms and conditions as may be expedient, but may not pay excessive remuneration in respect of services provided to the Association.
- 12.7 To accept, amend and ratify the tournament calendar submitted by the **Tournament Committee**, which after ratification, shall be binding for the ensuing year upon both the Association and all member clubs.
- 12.8 To accept debate and, where appropriate, approve recommendations from Environmental Officer pertaining to resource management.
- 12.9 To lease or hire or purchase movable and immovable property in the name of the Association where it shall appear to be in the best interest of the Association and upon such terms, as it may deem expedient.

Without in any way derogating from the general powers of the Council, the following powers shall be exercisable by the Council but only at a Special General Meeting:

13 To receive, table and consider any proposed alteration, amendment addition or deletion to the constitution it being recorded that no change to this **Constitution** shall be of any force or affect unless adopted by no less than **2/3rds (TWO/THIRDS)** of the member club delegates present and entitled to vote. The Council takes to submit to the Commissioner of Revenue a copy of any amendment to the constitution.

General Powers of the Council:

- 14.1 To safeguard and protect the beliefs and the **Constitution** of the Association and to carry out the Objects of the **Constitution** and/or further the Objectives of the Constitution, to ensure compliance with the Rules of the Association.
- 14.2 To manage and control the affairs of the Association and to deal with all matter, as it deems fit and expedient.
- 14.3 To delegate in writing to any Sub-Committee below mentioned such of its powers and obligations, as it deems necessary and expedient from time to time to convene meetings.

Tournament Committee:

Tournament Committee will comprise:

The Western Province Tournament Officer, the Records Officer, the Tournament Officers of all Members Clubs participating in either the Inshore or Offshore Leagues.

The functions and responsibilities of the Tournament Committee will include the following:

1. All **WPDSAA** angling activities shall fall under jurisdiction of the **Tournament Committee** of the Association
2. It shall compile scoring systems and competition rules and regulations and specify bill fish, game fish and bottom fish eligible for every competition and, where applicable, the measure and release of fish species, and the scoring system and the line classes, which shall apply of every such fishing discipline.
3. It shall annually compile a Tournament Calendar for submission to and approval by the **Council**, which Tournament Calendar shall be submitted to the Council for approval by the 31st of August of each year for submission and approval to the National Body in October of each year. Any member club shall hold no other Provincial or other competitions (except in-house club competitions) unless included in such Tournament Calendar.

4. It shall at all times endeavor to promote tournament sponsorship as well as National, Provincial and Inter-Provincial participation.
5. It shall ensure that all league competition catch data be recorded and be available as a limited data set for submission to legitimate marine research institutions approved by the Association from time to time to satisfy the Association's Philosophy and Objectives 3, 4, 8, 17 and 18.
6. It shall arrange all necessary licenses and all necessary exemptions to any bag limit regulations required by the relevant legislation in consultation with our WPDSAA EO whom will liaise with **DEFF, the Recreational Fishing Forum, SANParks and/or ORI.**

Selection Committee:

1. Shall be a fully autonomous subcommittee of the Association comprising of **6 (SIX)** experienced anglers but **who have competed in a representative capacity at Provincial and National level.**
2. Shall be elected at the **Annual General Meeting** of the Association as described in **Clause E4 above** providing that no more than **2 (TWO)** may emanate from any one member club
3. Any **4 (FOUR)** of the **6 (SIX)** elected members shall form a **quorum.** Shall at the first opportunity after the **Annual General Meeting** elect one of their members to act as the official **Convener of the Committee.**
4. Any selector serving on the committee mentioned in **Clause 1 above** who has nominated himself/herself or if any of his/her relatives has nominated, must excuse himself / herself from all deliberations of the meeting where the team is selected.
5. The **Convener of the Selection Committee** will be **Ex Officio** at any official meeting of the Association and will have the right to talk on all matters tabled but will have no vote.
6. **The duties and responsibilities of the Selection Committee will include:**
Compilation and updating of the nomination form to form part of the byelaws of this **Constitution** after approval by Council.
7. **Selection of the Association and Western Province Teams:**
Selection shall be strictly on merit based on a system approved by **Council** taking into account past performance and general fishing ability as well as character and conduct of the nominated

angler to ensure that the angler will be a worthy representative of Western Province Deep Sea Angling and the Association.

8. The verification of nominations received for National Colours and is responsible for the grading of such anglers abilities as required for National selection.
9. Attend executive and council meetings when necessary to table and discuss issues which impact on their duties and make themselves available to assist in any way possible to maintain and elevate ethics, standards and understanding of deep sea angling and the role of **WPDSAA** therein.
10. Members of the selection committee may not divulge any names of nominees or any content of deliberations at the selection meetings nor may they enter into discussion or correspondence with any nominees.
11. The Chairman of the Association will announce teams and sign nomination forms for **SADSAA** and **Protea Teams** in accordance with the **SADSAA Requirements** and **SADSAA Selection Convener**.

Financial Committee:

The Financial Committee will comprise:

The Hon Treasurer, the Chairman and the Vice-Chairman

1. The financial committee will be responsible for an annual budget and other financial advice which is to be presented at the **Annual General Meeting** and shall also assist the Treasurer in fulfilling those other obligations imposed upon him elsewhere in this Constitution.
2. The financial Committee shall be responsible for the administration of any Tournament fund subject at all times to the ratification by **EXCO** with **90% (ninety percent)** approval of the member clubs.
3. The financial year of the Association shall expire on the **31st December** each year

Auditor:

1. The auditor shall have access to all books, records, monies, funds, property and assets whatsoever of the Association.
2. The Auditor shall be obliged to report in writing to the **Council** at the **Annual General Meeting**.

3. The Auditor shall not be an office bearer of the Association nor an office bearer or Committee Member of any Association affiliated to the **South African Deep Sea Angling Association**.

Safety Committee:

The Safety Committee shall comprise:

The Western Province Safety Officer and one selected Safety Officer nominated by each member club.

The duties and responsibilities of the Safety Committee will include:

1. Ensure adherence to the standards for the skippers' examinations as set by the National Body, the **South African Deep Sea Angling Association and Government**.
2. Issuing and recording skipper's tickets.
3. Ensure the maintenance of standards of boat safety.
4. Notwithstanding anything to the contrary elsewhere contained, the **Safety Committee** shall pass and accept all craft whose safety requirements comply with the required legislation of the Republic of South Africa, notwithstanding the fact that they may differ from those referred to previously.

Environmental Officer:

The duties of the Environmental Officer will be:

1. Representing the Association on any bodies set up to manage fisheries, conserve fish habitats, act against pollution and drafting recommendations for the betterment of the resources of anglers for the consideration of the **Council** from time to time.
2. Liaise in particular with SADSAA, DEFF, the Recreational Fishing Forum, SANParks, NGO's and/or ORI and other Research Institutes.
3. In addition, the Environment Officer shall be charged with the responsibility of maintaining and updating a comprehensive list of competition catch returns for the purposes of submitting a limited data set thereof on a regular basis to the Association's approved legitimate marine line fish Research Institutions.

Records Officer:

It is the responsibility and duty of the Records Officer to maintain and submit **All World (IGFA), All Africa), SADSAA** and **Measure and Release** record claims of all species of fish to the National Records Officer and to return all approved record certificates to the Council.

Shall hold and update the Western Province Records and inform its members of Western Province records.

Public Relations Officer:

The Public Relations Officer will be elected by the **Council** and will work under direct instruction of the Chairman and/or the Executive Committee, as directed by the **Council**.

Senior Angling Coach:**The duties of the Senior Angling Coach will be:**

- 1 To follow and implement the guidelines from SADSAA, SASCOC and Government within the Association to appoint assistant coaches within Western Province and liaise with the Development Officer on Development and coaching and workshops within Western Province and meet with selected teams to enhance them in the specific facet they will be fishing.
- 2 To set-up a basic coaching manual for all facets of angling within Western Province.
- 3 Instruct selected teams on the fishing facet they have been selected for and back ground on the Tournament venue to create a winning ethos.
- 4 To liaise with the SADSAA National Coaches and/or coaches.

The Development Officer**The duties of the Develop Officer will be:**

- 1 The Development of angling in all aspects within Western Province, clubs and among our members and non-members in terms of SADSAA's, SASCOC's and Government requirements where possible.
- 2 To set up a standard development course within Western Province for all clubs and members to follow within reason.

- 3 To host development courses and workshops within Western Province and to attend member clubs courses and workshops and render support where possible if so required.
- 4 Liaise with the SADSAA Development Officer, the SADSAA National Coaches and Western Province Senior Coaches.
- 5 To keep proper record of the Development courses and camps held by our member clubs.

Annual General Meeting.

The Council shall convene the Annual General Meeting of the Association on or before the 30th June each year.

1. Notice of the **Annual General Meeting** shall be served in writing to all member clubs not less than **30 (THIRTY) days** prior to such meeting.
2. Nominations for Office Bearers and Selection Committee must be received by the Secretary of the Association in writing not less than **21 (TWENTY ONE) days** prior to the date of the **Annual General Meeting**.
3. The following Office bearers shall be elected at the **Annual General Meeting**.
 The Chairman
 The Vice Chairman
 Honoree Secretary
 Honoree Treasurer
 Safety Officer
 Public Relations Officer
 Tournament Officer
 Records Officer
 Environmental Officer
 Development Officer
 Senior Angling Coach
4. An Auditor may be appointed at an **Annual General Meeting** who shall remain in office until the next **Annual General Meeting**.
5. All votes for any position shall be by show of hands unless a specific request by at least two delegates is made, in which event a secret ballot will be held.

Special General Meeting

A **Special General Meeting** of the Association shall be convened at any time by the **Council** or by written requisition served on the Secretary of at least **3 (THREE) member clubs'**, which requisition shall set out clearly the object/s for which the meeting is called.

Notwithstanding anything to the contrary contained elsewhere in this **Constitution**, no alteration, amendment or addition or deletion to this **Constitution** shall be made except at a **Special General Meeting** called specifically for that purpose. **30 (THIRTY) calendar days'** notice shall be given to all member clubs and members of Committees together with full details and motivation of any proposed amendment. No such alteration or amendment shall be adopted unless **2/3rds (TWO THIRDS)** of all those present and entitled to vote at such a meeting shall vote for its adoption.

Committees:

Each Committee shall deliberate on matters pertaining to its discipline on behalf of its Committee but all Executive decisions of any Committee shall be subject to ratification or rejection by the **Council** in ordinary meeting.

1. No member of any committee may make any statement to the media on matters concerning the Association or its functions or related matters.
2. No person other than a member of the Committee may attend Committee meetings except as a result of an invitation by the Committee. All decisions shall be considered by all members of the Committee and signed in submission to the **Council Committees** and shall communicate directly with the Council and not with or through Member Clubs.

Meetings:

Notice of Ordinary meetings shall be given at least **7 (SEVEN) days** prior to the Meeting to all Member Clubs and parties concerned.

1. Items for the Agendas of the meetings referred to in the above clause shall be posted to reach the Secretary not later than **10 (TEN) days** before the date of each meeting, save that only Member Clubs, Committees and Committee members can submit items for inclusion by the Secretary on any Agenda.

2. The Secretary shall post copies of the Agenda for meetings to Member Clubs, Committees and Committee members as the case may be, not less than **7 (SEVEN) days** before the date of the meeting.
3. *No person shall be entitled to act as delegate for more than one member club and no Executive Member of the Association shall be entitled to act as a delegate for any member club.*
4. At any **Special General Meeting** or **Annual General Meeting**, delegates representing **2/3 (TWO THIRDS)** of the member clubs shall form a **quorum**. In the event of a **quorum** not being present at any meeting, such meeting shall stand adjourned to a date, time and place as may be agreed (and failing agreement on the **14th day** after the date of the adjourned meeting) and such delegates as then attend shall be deemed to form the necessary **quorum**.
5. At any **Council Meeting**, delegates representing **1/3rd (ONE THIRD)** of the Member Clubs shall form a **quorum** to enable the Council to carry out its duties and management of Western Province day to day business.
6. All individual anglers of member clubs shall have the right to attend all **Special General Meetings** and **Annual General Meetings** and shall have the right of observer status only and only accredited delegates shall have the right to propose and second any motion and to vote. No proxies will be allowed under any circumstances. An official letter from each club appointing its accredited delegates must be handed to the Secretary immediately prior to the commencement of the **Special General Meeting** and **Annual General Meeting. s**
7. At each **Council** and **Annual General Meeting**, the Minutes of the previous **Council** or **Annual General Meeting** shall be read and confirmed.
8. At all meetings, Minutes of the previous meetings may by resolution be taken as read.
9. In the event of the office of the Secretary or Treasurer becoming vacant, the **Council** shall appoint a successor/s who shall hold office until the next **Annual General Meeting**.
11. The provisions of **Clause** shall **mutatis mutandis** apply to all meetings of the **Council** and any **Special General Meeting**.
12. The vote of the majority shall at all times bind the minority.
13. **“The Procedures of Meetings”** by **Van Zyl Hattingh** shall govern the conduct, procedure and parliament of meetings.

14. No delegate of a member club may speak or vote in the proceedings of any meeting or Committee in the event of a member club which he/she represents being under suspension.
15. The voting shall be as follows:
 - One vote per fully paid up member club.

Indemnity

Executive Officers members of the **Council**, Committee Members, Tournament Officers, Auditor and Hon. Officers shall respectively be indemnified by the Association against all liabilities incurred by them in the execution of their duties, save for those acts of omission or commission where personal liabilities attached in law.

Subscriptions and Levies

Amounts payable by each member club shall be as follows:

- Annual Subscriptions-as determined by the council
- The **Council** shall determine individual levy of each registered member of each member club.

It shall be the responsibility of each member club to collect all funds and pay all monies due to the Association by **30th April** of each year but not later than **14 (FOURTEEN) days** prior to the **Annual General Meeting**.

The amount of fees falling due and payable on the **1st January** of each year shall be based on the membership of each Member Club at that date.

Date of Correspondence

The post mark of a Government Post Office or dated facsimile or e-mail message shall be taken at all times as the date on which all communications, notices or such like are sent or have been sent either by or to the Association.

Boundaries of Province

The boundaries of the Province controlled by this Association shall be determined by the **South African Deep Sea Angling Association** from time to time.

Amateur Status

The amateur law as defined by the **South African Deep Sea Angling Association** shall be binding on the Association and the member clubs thereof.

Interpretation

Should any doubt arise as to the interpretation of any of the **Constitution** Articles, Rules and Regulations or Contest and Angling Rules of the Association, the interpretation placed thereon by the council shall be final and binding. The English version will apply in court of Law.

Representation and Negotiations

No representations or negotiations with any public authority or body or any persons, shall be made or carried on behalf of the Association without authority of a **Council Meeting** or **Annual General Meeting** and accordingly nothing of that nature shall be done by any Member Club or any officer or member thereof, except under specific authority of a resolution of a **Council** or **Annual General Meeting**.

Foreign Tours

No tour within the area of jurisdiction of **SADSAA** by any anglers from outside the area of jurisdiction of **SADSAA** shall be arranged or organized by any member club or individual angler without the prior written consent of the **Council**.

No individual angler of any member club may participate in or nominate for any Tournament or competition outside the area of jurisdiction of **SADSAA**, save with the prior written approval of the **Council**.

Any member club or individual angler who contravenes the provisions of the preceding clauses under the heading "**Foreign Tours**" shall be deemed to be guilty of misconduct and liable to disciplinary action pursuant to the provisions as set out under "**Special Powers of the Council**".

Arbitration

Any dispute (other than a dispute in respect of which urgent relief may be obtained from a court of competent jurisdiction), which may arise with regard to:

- The application, interpretation, implementation or enforcement of this constitution or
- Whether any part thereof is void or voidable, or
- Any dispute between members of the Association *inter se*, or between any member of the Association and **SADSAA Council**, or between any members of the Association and the **National Sports Council** shall be referred to an **Accredited Arbitration and/or Mediation Body** for resolution through mediation and expedited arbitration in terms of the prevailing

Rules and Procedures for the Resolution of Disputes in Sport. The Parties record that in the event of arbitration there shall be no right of appeal as provided for in **Article 22** of the aforesaid rules, and that such resolution shall be final and binding upon the parties.

4. **DISPUTE RESOLUTION**

- 41.1 Any dispute arising out of, or in connection with, the enforceability of this Constitution, or the application and interpretation of the provisions thereof, or any dispute between the ASSOCIATION/UNION and its Member or Members of its Members or any dispute between Members of the ASSOCIATION/UNION, or any dispute between members of EXCO, or between EXCO and a Member, or between EXCO or an EXCO member and an individual (but excluding disputes concerning an Ethics, Grievances or Selection matter) shall to SASACC. Should the matter not be resolved, it will be referred to SRSA or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration in terms of the procedure for the resolution of disputes in sport only after all internal resolution processes has been depleted or utilized.
- 41.2 In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.
- 41.3 In recognition of the desire to resolve all disputes in the sporting fraternity as amicably and effectively as possible, it is required of all Members of the ASSOCIATION/UNION to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as the above provisions of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided for.
- 41.4 Recourse to the High Courts or Magistrates Courts by a party to any ASSOCIATION/UNION-related dispute shall be limited to instances of an alleged violation of the provisions of this Constitution or an alleged disregard for the principles of natural justice or for purposes of obtaining urgent interdictory relief. In all other instances any disputes fall to be decided according to the dispute resolution processes provided for in this Constitution and the by-laws of this Constitution.
- 41.5 Process of Dispute Resolution and disciplinary matters is contained in the by-laws to this Constitution.

Dissolution

In the event of the Association being wound up or resolved for whatsoever reason, and/or by a resolution passed at a duly constituted special general meeting in terms of this constitution by no less than **75 % (SEVENTY FIVE PERCENT)** of the members present and entitled to vote, provided that at least **2 (TWO) calendar months'** notice of such meeting shall be given to members specifying the object of the meeting.

The **Special General Meeting** by a simple majority vote shall:

- (1) Appoint **1 (ONE)** or more persons who shall be responsible for the dissolution of the **Association (WESTERN PROVINCE DEEP SEA ANGLING ASSOCIATION)**.
- (2) then all the assets of the Association of whatsoever nature and whosoever, shall be distributed in terms of the requirements of the **Commissioner of Revenue** and/or the **Income Tax (As Amended)**, to transfer the said assets of the Association of whatsoever nature and whosoever to any other recreational, and/or sporting body and/or to a public benefit organization as defined by the **Income Tax (As Amended)**.

Colours and Badges

The Association shall design, adopt, register and issue any badges or uniforms as required from time to time.

Western Province Deep Sea Angling

Western Province Deep Sea Angling colours will be awarded at **Councils** discretion to Executive Officers after serving two full terms of office, in recognition of their work

Use of Association's Name

The use of the name of the Association by any member or person whatsoever in any manner, which may in any matter whatsoever involve the Association in any possible unpleasant or contentious matter, is strictly prohibited.

Receiver of Revenue:

The **Council** undertakes to submit to the **Commissioner of Revenue** a copy of any amendment to the **Constitution of Western Province Deep Sea Angling**.

All Other Matters

It is recorded that any other matter not specifically provided for in this **Constitution**, nothing whatever accepted, shall be resolved by the **Council** at a **Special general Meeting** convened specifically for that purpose.

Updated and retyped June 2021 as per resolutions of the Annual General Meeting held 24.06.2021.



MIKE PULCELLA
CHAIRMAN WPDSAA



DEREK MULLER
HON. TREASURER WPDSAA

LEE WIID
VICE CHAIRMAN WPDSAA

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