

SADAA

(South African Dog Agility Association)

Constitution



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1 INTRODUCTION

1.1 Purpose Statement

The South African Dog Agility Association, hereafter referred to as "SADAA", is a non-profit organization which was established in 2001 to promote the sport of Dog Agility for all purebred and mixed-breed dogs in South Africa. SADAA is affiliated to the South African Working Dogs Association (SAWDA), which is the umbrella body for several Working Dog disciplines in South Africa.

This document concentrates on the organisation and running of SADAA. For information on the running of Trials, refer to the document 'Rules of the South African Dog Agility Association', hereafter referred to as the "SADAA Rules".

1.2 Definitions used in this document

SADAA: South African Dog Agility Association.

SAWDA: South African Working Dog Association.

The Board: The Board of Directors of SADAA.

Managing Director: The head of the SADAA Board of Directors.

Area Director: The Head of each Area within SADAA (North and South).

Regional Director: The Head of each Region within SADAA (See also Section 1.4).

AGM: Annual General Meeting.

1.3 Domicile

As determined from time to time by the Board. For official notices and legal purposes, the current address to be used is 37 Frans Rumpff Street, Heuwelsig, Bloemfontein. 9301.

1.4 Area of Operation

SADAA is divided into the following geographic areas within the Republic of South Africa (see also Section 5.1):

North – comprising the following Regions:

- Free State
- Gauteng

South – comprising the following Regions:

- Boland
- South East Coast
- Western Province

1.5 Logo.

The logo shall not be graphically enhanced or altered in any way by anyone utilising the logo on any letterhead, document or schedule. If the logo is changed at any stage, the changes must be approved by the Board.

1.6 Mascot

The SADAA mascot "Scamper" is depicted in the Logo and on all floating trophies, medals, badges and various clothing and promotional material. The image of the mascot shall not be graphically enhanced or altered in any way by anyone utilising the image. If the mascot is changed at any stage, the changes must be approved by the Board.

2 OBJECTIVES

- 2.1. To promote and stimulate interest in Agility throughout South Africa among all dog owners.
- 2.2. To raise the standard of Agility by providing the necessary training and facilities to improve the skills of the handlers and the quality of their dogs.
- 2.3. To maintain a high standard of officiating in Agility by providing the necessary training for Judges and Stewards.

- 2.4. To promote a spirit of Good Sportsmanship, making Agility a sport to be enjoyed by the competitors, their dogs and spectators.

3 ACTIVITIES

- 3.1. To promote the establishment of Agility Clubs.
- 3.2. To control Clubs on a Regional basis.
- 3.3. To administer the management of Trials and Demonstrations on a National, Regional and Club basis.
- 3.4. To issue permits for Club Trials and Regional Trials.
- 3.5. To approve the appointment of Judges to officiate at Club and Regional Trials.
- 3.6. To improve the standard of handlers and dogs by organizing training courses run by reputable instructors.
- 3.7. To maintain a high standard of officiating by organizing training courses run by suitably qualified instructors and monitoring judging standards on an ongoing basis.
- 3.8. To award Certificates, Titles and Trophies as described in the SADAA Rules.
- 3.9. To maintain and administer records of Clubs, Members, Trials and Results.
- 3.10. To penalize and punish by suspension, expulsion or otherwise, persons found guilty of offences or infringements defined in the SADAA Constitution and Rules.
- 3.11. To make and enter into agreements with National Governing Bodies of canine affairs in other countries of the world and Clubs, Associations and other Organizations domiciled within the SADAA area of jurisdiction.
- 3.12. To arrange participation for its members in International Competitions and Championships.
- 3.13. To abolish any forms of fraudulent or discreditable conduct in SADAA affairs.

4 POWERS

4.1 General Powers

- 4.1.1. Accept and administer fees, donations, legacies, bequests and other payments made to SADAA for any purpose.
- 4.1.2. Borrow and raise money by means of a loan or bank overdraft and in security for such loans pledge or mortgage any movable or immovable property or securities.
- 4.1.3. Appeal, advertise or solicit for any subscriptions and donations in money or property of any kind from any source.
- 4.1.4. Purchase, dispose of, rent, lease or hire movable property, goods and services required for the effective conduct of SADAA's affairs, or for the advancement of the interests of SADAA's members.
- 4.1.5. Levy fees, and other monetary contributions as may be deemed necessary from time to time for the running of SADAA's affairs.
- 4.1.6. Invest available SADAA funds in income bearing accounts.
- 4.1.7. Institute and defend any legal proceedings.
- 4.1.8. Delegate powers to agents to act on behalf of SADAA and to engage any professional assistance if required.
- 4.1.9. Generally perform all actions that may be necessary to accomplish SADAA's objectives.

4.2 Disciplinary Powers

- 4.2.1. SADAA has the right, in order to protect its objectives and to maintain its order, to take disciplinary action against members or clubs contravening its Constitution and Rules.
- 4.2.2. Disciplinary actions should be dealt with at a Board meeting where a quorum exists as per Section 5.3. The meeting must be chaired by the Managing Director or an Area Director

nominated by the Managing Director. The meeting may take the form of a telephone conference.

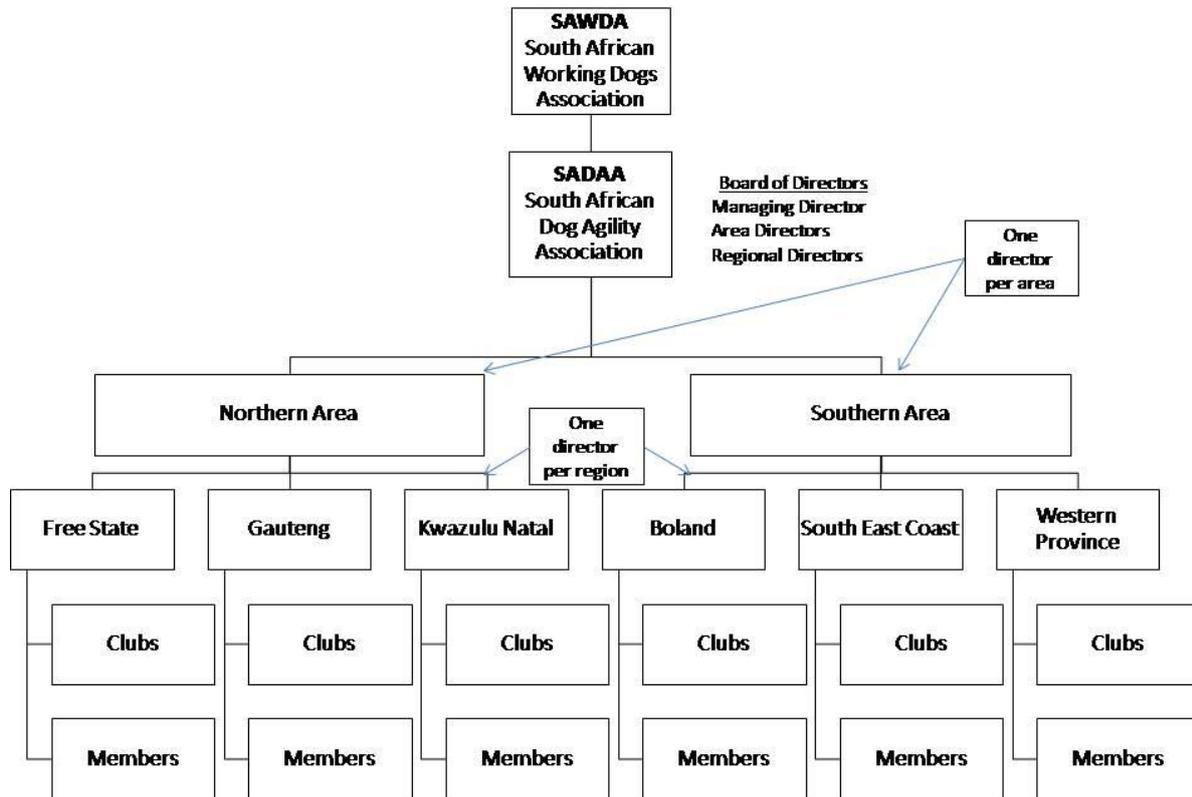
- 4.2.3. Disciplinary complaints may be lodged against Members or Clubs arising from:
 - 4.2.3.1. Misconduct at Trials, as specified in the SADAA Rules, paragraph 6.4.2.
 - 4.2.3.2. Other conducts which is contrary to the SADAA code of conduct, or which may bring SADAA into disrepute.
- 4.2.4. A complaint may be lodged by any member of SADAA. Complaints arising from misconduct at Trials must be dealt with as specified in the SADAA Rules, Paragraph 6.4.2.
- 4.2.5. Misconduct such as unseemly behaviour towards any official, harsh handling of dogs (including physical and verbal abuse), bad sportsmanship and cheating may result in the handler being punished at the trial (as per Rule 6.4.2), as well as receiving a written warning from the Regional Director.
- 4.2.6. The Board will deal with all complaints and objections and apply disciplinary measures as deemed appropriate. All complaints must be dealt with within seven days.
- 4.2.7. The Board is the only body with the power to issue notices of disciplinary warnings, suspensions and expulsions.
- 4.2.8. All complaints should be submitted to the relevant Regional Director in writing.
- 4.2.9. If a complaint is not satisfactorily dealt with by the Regional Director, a written complaint should be forwarded to the Area Director and, if necessary, the Managing Director.
- 4.2.10. Should the complaint involve the Regional Director, this should be submitted to the Area Director or Managing Director.
- 4.2.11. If any member of the Board (including the Managing Director) is accused of an offence which causes SADAA to fall into disrepute, or is prejudicial to the interests or objectives of SADAA, or is accused of bad sportsmanship, cheating, harsh handling of a dog, unseemly behaviour towards a judge or any extreme behaviour which sets a bad example to members, that Board member shall be dealt with by all of the remaining Board members. He shall be given two written warnings, and if he receives a third written warning, the Board member will lose his position on the Board and may be expelled from SADAA.
- 4.2.12. The Board should be advised of all written complaints, even if resolved internally at Regional level.

4.3 Penalties

- 4.3.1. The severity of disciplinary penalties will vary according to the nature of the misconduct. Under normal circumstances the Board will follow the following sequence of actions:
 - Warning.
 - Final warning.
 - Suspension from all SADAA activities for a period determined by the Board.
 - Permanent expulsion from SADAA.
- 4.3.2. If an incident of misconduct is deemed to be of such a serious nature, the Board may decide to suspend or expel the offender without prior warnings.
- 4.3.3. Should Clubs fail to pay the money due to SADAA in respect of affiliation fees, trial permit fees and levies that Club will not be permitted to hold any further trials until such time as payment has been made.
- 4.3.4. If such club fails to pay outstanding fees by the start of the next financial year, its affiliation to SADAA will lapse.

5 ORGANIZATION STRUCTURE.

5.1 Organization Chart.



5.2 Management Structure

5.2.1. The SADAA Board of Directors consists of:

Managing Director

Two Area Directors (North and South)

Regional Director from each Region

A SADAA member fulfilling any other position necessary for the smooth running of SADAA.

5.2.2. The Board should elect the Managing Director by mutual agreement and consent. The Managing Director should also hold the position of Area Director and/or Regional Director on the SADAA Board. Should the Managing Director wish to relinquish the Area Director and/or Regional Director positions for reasons acceptable to the Board (e.g. in order to reduce the workload), he/she may retain either or both the Area Director and Managing Director positions, subject to Board approval.

5.2.3. Directors will remain on the Board until they resign or are removed by the Board in terms of Section 4.2.

5.2.4. The SADAA representative on the SAWDA Board may be the Managing Director, an Area Director or a Regional Director. The Board should nominate this representative. Should this representative resign or be replaced on the SADAA Board, this should be immediately communicated to SAWDA and he should be removed from that Board.

5.2.5. The following administrative functions may be filled by members of the Board, or other SADAA members co-opted by the Board:

Membership Administrator (Individual Members and Clubs)

Constitution and Rules Administrator

Trials Administrator

Results, Statistics and Titles Administrator
Website Administrator
Treasurer
Judges' Administrator (including training of judges)
Overseas Affiliation Co-ordinators

5.3 Functions of the Board

- 5.3.1. To regulate and make arrangements for the promotion and organisation of Trials, demonstrations and other events in meeting SADAA's objectives and the appointment of officials and the assignment of their duties.
- 5.3.2. To act generally as an executive body by administering the affairs of SADAA, transacting business for SADAA and doing everything necessary to achieve the objectives of SADAA, except for those matters, which according to the Constitution, must be dealt with at the AGM.
- 5.3.3. To appoint and delegate any of its functions to any sub-committee that has been formed to perform a specific function.
- 5.3.4. The Board may schedule and conduct their meetings as they think fit and determine the quorum necessary for the transaction of business. Four members of the total Board shall constitute a quorum and questions arising at a meeting shall be decided by a majority of votes. In the case of a tie in the voting, the MD shall have the deciding vote. Meetings may also be conducted via teleconferencing facilities.
- 5.3.5. To keep proper minutes, records and accounts, showing all receipts and expenditure. To keep a record of suspended or expelled members and clubs, with particulars of the disqualifications.
- 5.3.6. To enforce, amend and add to the SADAA Constitution and Rules in accordance with the powers conferred by this Constitution.
- 5.3.7. To oversee any further functions allied to and as described in the Objectives and Activities section of this Constitution (Sections 2 and 3).

5.4 CLUBS

- 5.4.1. Clubs must be affiliated to SADAA and accept the terms of the SADAA Constitution and Rules. Such affiliation is subject to the approval of the Board. By affiliating with SADAA, Clubs automatically fall under the umbrella body SAWDA and are also bound by the terms of the SAWDA Constitution.
- 5.4.2. If a Club fails to operate in the interests of SADAA the Board shall be empowered to suspend or terminate the Club's affiliation. (See also Section 4.2).
- 5.4.3. Clubs shall pay an annual affiliation fee as determined by the Board. The renewal thereof will be payable annually on 1 July. Any change to the affiliation fee must be approved at the AGM.
- 5.4.4. If a Club suspends or expels any member for discreditable conduct or for any other reason, it must report the matter in writing to the relevant Regional Director within seven (7) days. The Club may also be required to supply further particulars to the Board.
- 5.4.5. Clubs are permitted to hold SADAA agility trials and are required to obtain a permit prior to holding each trial. A fee is payable for every trial permit applied for. In the case of Club Trials, the permit must be applied for at least 2 weeks prior to the proposed date of the trial, and in the case of Regional Trials, the permit must be applied for at least 2 months prior to the events. Following every trial the Club shall pay a levy for each dog entered at the trial as well as the permit levy. Clubs should make all payments payable to SADAA and hand these to their Regional Director. (See also SADAA Rules, Section 6).
- 5.4.6. Annual Affiliation fees, fees for holding Trials and Entry levies will be reviewed each year by the Board and any changes will be approved at the AGM.
- 5.4.7. Clubs may be requested to submit annual financial statements (for the period 1 March to end February) to the SADAA Treasurer by no later than 31 March each year in order to fulfil the taxation exemption requirements as per Section 6 of this Constitution. These financial statements are purely for tax exemption application purposes should they be required, and the Treasurer should not make these available to the members, and they should not form part of the SADAA financial statements as presented at the AGM.

5.5 MEMBERSHIP and FEES.

- 5.5.1. Any person being an owner, breeder or trainer of a working dog/s or any other person interested in furthering the objects of SADAA shall be eligible for membership of SADAA.
- 5.5.2. All applications for membership must be lodged with the relevant Regional Director and be accompanied by the relevant fee or pro rata part thereof for the current year.
- 5.5.3. All SADAA members are bound by the terms of the SADAA Constitution and Rules. SADAA members automatically fall under the umbrella body SAWDA and are also bound by the terms of the SAWDA Constitution.
- 5.5.4. The members of the Board shall not be liable to pay any fees. The Treasurer and Administration Manager shall not be liable to pay any fees. Each year they should complete a membership form to sign indemnity and to acknowledge that the Rules and Constitution shall be adhered to.
- 5.5.5. Judges must be members of SADAA, unless invited and approved by the Board.
- 5.5.6. Honorary lifetime membership may be conferred upon persons who in the opinion of the Board have served SADAA in such a manner to be worthy of that status. Each year they should complete a membership form to sign indemnity and to acknowledge that the Rules and Constitution shall be adhered to.
- 5.5.7. The Board shall have the power to refuse any application for membership without assigning any reasons.
- 5.5.8. Annual Membership fees and Club affiliation fees will be reviewed each year by the Board and any changes will be approved at the AGM.
- 5.5.9. Fees for renewal of membership are due on 1 July of each year. Membership runs from 1 July to 30 June. New members who join during this period will pay a pro rata fee up to 30 June.
- 5.5.10. If renewal fees are unpaid on 30 June of the relevant year, the member will be considered to have refused payment and will be removed from the list of members.
- 5.5.11. Membership fees must accompany all applications for membership. Fees will be refundable if membership is not accepted.
- 5.5.12. All dogs must be registered with SAWDA and the appropriate one-off fee must be made payable to SAWDA. (See also the SAWDA Constitution Section 5.5).
- 5.5.13. All fees should be handed to the relevant Regional Director.
- 5.5.14. Non-members of SADAA may not enter a dog, handle a member's dog or judge at a SADAA trial, although they may compete in a non-qualifying fun event held at a SADAA trial.

6 FINANCES.

- 6.1. The Bank Account of SADAA shall be as follows:
 - Standard Bank
 - Current account no. 003398846
 - It shall be in the name of South African Dog Agility Association.
- 6.2. The following persons shall have signing power to operate the Bank Account:
 - Both the Treasurer and the Managing Director, jointly.
- 6.3. The signatories may be changed by the Board at any time.
- 6.4. The opening, closing and transferring of any bank account must be approved by the Board. SADAA's bankers shall be obliged to carry out instructions with regard to closing or transferring of accounts, which shall be in the form of a letter from the SADAA Board and signed by the Managing Director.
- 6.5. A Treasurer shall be appointed by the Board (in terms of Section 5.2), and shall be responsible and accountable for the following:
 - 6.6.1. Any income and expenditure made on SADAA's behalf and as requested by any member of the Board.
 - 6.6.2. Producing financial statements as requested on a periodical basis by the Board.

- 6.6.3. Producing and presenting the accounts of income and expenditure and the balance sheet at the AGM.
- 6.6.4. The payment of SADAA's annual affiliation fees to SAWDA.
- 6.6.5. All tax matters and dealings with the South African Revenue Services with respect to tax exemption applications.
- 6.6. Any fee in respect of club affiliation, membership, trial permits and levies shall be deposited into the above account by the appropriate Regional Director. The Regional Director will notify the Treasurer as to the nature and amount of the deposit.
- 6.7. In the event of SADAA being dissolved, any net surplus funds (i.e. after settlement of all debts and liabilities) shall be distributed to the last constituted Board, who will in turn distribute the funds as they deem appropriate. No Board member is liable for any payment in respect of any SADAA debts.
- 6.8. As a non-profit organization, all of SADAA's funds shall be used directly for and solely towards the promotion of its objectives and activities. No part shall be paid to, lent to, or transferred to (directly or indirectly) any SADAA member or Board member except in return for services actually rendered to SADAA or for the supply of goods to SADAA.
- 6.9. The Treasurer will ensure that SADAA is registered with South African Revenue Services for taxation purposes as the law may require, and the Treasurer should apply for tax exemption on an annual basis as may be permitted. This exemption application should include both SADAA and its affiliated clubs (refer to Section 5.4 for club requirements).

7 LEGAL STATUS and INDEMNITY

7.1 SADAA as a Legal Entity.

- 7.1.1. SADAA has legal personality, and is empowered to defend any legal actions taken against it, to institute legal proceedings, and to appoint legal representatives as the Board deems fit.
- 7.1.2. As SADAA is structured and run in a manner consistent with the word and spirit of the Constitution of the Republic of South Africa, it may particularly choose to act against any person or body which threatens SADAA or any of its members with the loss of any of the freedoms guaranteed therein. SADAA may also particularly choose to institute proceedings if it or any of its members are threatened in violation of, or their civil liberties are confined in violation of any of the Monopolies or Competition Acts as enshrined in South African law. The Board may appoint agents to act on its behalf in these matters.
- 7.1.3. All members (new and renewing), judges, honorary members and the Board, shall sign a membership application form on an annual basis agreeing that they will be responsible for their own actions and those of their dogs in respect of any damages or injuries caused at any SADAA trial. SADAA cannot be sued for any damages or injuries caused by the negligence of any of its members and/or their dogs.
- 7.1.4. SADAA cannot be sued for any damages or injuries caused by equipment at any of their affiliated clubs. Clubs are entirely responsible for safety in this regard. It is suggested that either appropriate public liability insurance be purchased to cover any such eventualities, or appropriately worded notices of indemnity be placed at all entrances to venues.

7.2 Compliance with the South African Constitution.

In order to comply with both Paragraph 32 of the Bill of Rights (Access of Information) and Promotion of Access to Information Act (PAIA) 2000, a Section 51 Manual has been lodged with the SA Human Rights Commission and is freely available on request or via the SADAA website (www.sadaa.co.za).

8 MEETINGS

8.1 Annual General Meeting (AGM).

- 8.1.1. An AGM will be held each year in order to enable SADAA members to attend and to encourage their participation.
- 8.1.2. As SADAA's Board is appointed and not elected, no elections of these officials will take place at the AGM.
- 8.1.3. An Agenda must be compiled by the Board, who will request submissions from members. All items to be discussed at the AGM must appear on the Agenda. The Agenda must be distributed at least 2 weeks before the meeting and should also be posted on the SADAA website for perusal by members.
- 8.1.4. The objectives of the AGM are:
 - 8.1.4.1. To discuss the financial standing of SADAA and to set new fees for the year if necessary.
 - 8.1.4.2. To discuss matters, which according to the Constitution can only be resolved at the AGM.
 - 8.1.4.3. To provide members with a forum for communicating directly with the Board on matters concerning the Rules and the Constitution.
- 8.1.5. In the event of voting taking place to resolve any matter, it shall be decided by a majority of votes. In the case of a tie in the voting, the MD shall have the deciding vote.

8.2 Disciplinary Meetings.

Disciplinary meetings will be convened by the Managing Director, on receipt of a valid written complaint as per Section 4.2.

8.3 Other Meetings.

Board Meetings may be convened to discuss changes to the SADAA Constitution and Rules. These may also take the form of telephone conferences/email communication.