

# **SAWDA**

**(South African Working Dogs Association)**

## **Constitution**



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<b>1.</b>	<b>INTRODUCTION.</b>
<b>1.1</b>	<p><b>Purpose Statement.</b></p> <p>The South African Working Dogs Association, hereafter referred to as "SAWDA", is a non-profit organization, which was established in 2001 to promote all forms of Working Dog sports for all purebred and mixed-breed dogs in South Africa. SAWDA is the umbrella body for several Affiliated Associations (see also Sections 1.5 and 5.1).</p>
<b>1.2</b>	<p><b>Definitions used in this document.</b></p> <p>SAWDA: South African Working Dogs Association.  SADAA: South African Dog Agility Association.  SAFDA: South African Fly Ball Dog Association.  SADDA: South African Dog Dancing Association.  SAWTDA: South African Working Trials Dog Association.  The Board - The Board of Directors of SAWDA.  Managing Director – The head of the SAWDA Board of Directors.  AGM – Annual General Meeting.</p>
<b>1.3</b>	<p><b>Domicilium.</b></p> <p>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</p>
<b>1.4</b>	<p><b>Area of Operation.</b></p> <p>Each Affiliated Association of SAWDA operates in the following geographic areas within the Republic of South Africa (see also Section 5.1):</p> <p>North – comprising the following Regions:</p> <p>Free State Gauteng</p> <p>South – comprising the following Regions:</p> <p>Boland South East Coast Western Province</p>
<b>1.5</b>	<p><b>Affiliated Associations of SAWDA.</b></p> <p>1.5.1 South African Dog Agility Association (SADAA)  1.5.2 South African Flyball Dog Association (SAFDA)  1.5.3 South African Dog Dancing Association (SADDA)  1.5.4 South African Working Trials Dog Association (SAWTDA)</p>
<b>1.6</b>	<p><b>Logo.</b></p>  <p>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.</p>
<b>2.</b>	<p><b>OBJECTIVES.</b></p> <p>To promote and stimulate interest in Working Dog Disciplines throughout South Africa among all dog owners.  To maintain a Register of dogs that compete in the various Working Disciplines.</p>
<b>3.</b>	<p><b>ACTIVITIES.</b></p> <p>To maintain and administer records of Dogs registered with SAWDA.  To record and collate results for all Affiliated Associations.  To peruse and approve the Constitutions of each Affiliated Association to ensure that they are consistent with the SADAA Constitution which contains all basic principles to be adhered to and which forms the blueprint for all other working discipline constitutions.  To promote the Working Dog Disciplines represented by the Affiliated Associations and to foster cooperation between them on matters of mutual concern or interest.  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 SAWDA area of jurisdiction.  To abolish any forms of fraudulent or discreditable conduct in SAWDA affairs and those of their Affiliated Associations.</p>

<b>4.</b>	<b>POWERS.</b>
<b>4.1</b>	<p><b>To attain its objectives, SAWDA shall be empowered to:</b></p> <ul style="list-style-type: none"> <li>Accept and administer fees, donations, legacies, bequests and other payments made to SAWDA for any purpose.</li> <li>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.</li> <li>Purchase, dispose of, rent, lease or hire movable property, goods and services required for the effective conduct of SAWDA's affairs, or for the advancement of the interests of SAWDA's Affiliated Associations.</li> <li>Levy Registration fees for the running of SAWDA's affairs.</li> <li>Invest available SAWDA funds in income bearing accounts.</li> <li>Institute and defend any legal proceedings.</li> <li>Delegate powers to agents to act on behalf of SAWDA and to engage any professional assistance if required.</li> <li>Generally perform all actions that may be necessary to accomplish SAWDA's objectives.</li> </ul>
<b>4.2</b>	<p><b>Disciplinary Powers.</b></p> <p>SAFDA has the right, in order to protect its objectives and to maintain its order, to take disciplinary action against Members or Clubs of Affiliated Associations that contravene the SAWDA Constitution or deviate from their own Constitutions to the extent that they bring the organization into disrepute. The Association shall receive one written warning and may be disaffiliated if the infringement is not corrected.</p> <p>If any member of the Board (including the Managing Director) is accused of an offence which causes SAWDA to fall into disrepute, or is prejudicial to the interests or objectives of SAWDA, 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 SAWDA.</p>
<b>5.</b>	<b>ORGANIZATION STRUCTURE.</b>
<b>5.1</b>	<p><b>Organization Chart.</b></p> <pre> graph TD     SAWDA[SAFDA South African Working Dogs Association] --&gt; AA[Affiliated Associations]     AA --&gt; SADA[SADA SA Dog Agility Association]     AA --&gt; SADDA[SADDA SA Dog Dancing Association]     AA --&gt; SAFDA[SAFDA SA Fly Ball Dog Association]     AA --&gt; SAWTDA[SAWTDA SA Working Trials Dog Association]     AA --&gt; Others[Others (Future)]     SADA -.-&gt; FOSA     SADDA -.-&gt; FOSA     SAFDA -.-&gt; FOSA     SAWTDA -.-&gt; FOSA     Others -.-&gt; FOSA     subgraph FOSA [For Organization Structure of Affiliated Associations, refer to their individual Constitutions]     end   </pre>
<b>5.2</b>	<p><b>Management Structure.</b></p> <p>The SAWDA Board of Directors consists of:</p> <p>A Managing Director, who should hold the position of Managing Director, Area Director or Regional Director in one of the Affiliated Associations.</p> <p>One representative from each Affiliated Association, who should hold the position of Managing Director, Area Director or Regional Director in the relevant Association.</p> <p>The Managing Director should be elected by the Board by mutual agreement and consent.</p> <p>Directors will remain on the Board until they resign, are removed by the Board in terms of Section 4.2 Disciplinary Powers, or replaced by the Affiliated Association they represent on the SAWDA Board.</p> <p>Interim Management Structure: SAFDA was formed in 2001 by the same body of people who formed SADA. At that time SADA was the only Affiliated Association and because of that situation, all SADA Board members have also served on the SAWDA Board. This arrangement will continue to operate until there are three or more Affiliated Associations. From that point onwards, only the nominated SADA representative will remain on the SAWDA Board with the nominated members of the other Affiliated Associations.</p>

	<p>The following administrative functions may be filled by members of the Board, or members of the Affiliated Associations or other persons co-opted by the Board:</p> <ul style="list-style-type: none"> <li>Registrations Administrator.</li> <li>Constitution Administrator.</li> <li>Website Administrator.</li> <li>Treasurer.</li> </ul>
<b>5.3</b>	<p><b>Functions of the Board:</b></p> <p>To do all dog registrations, and record and collate results for all the Affiliated Associations.</p> <p>To ensure that the Constitutions of the Affiliated Associations are consistent with the SADAA Constitution, which as the forerunner will be regarded as the blueprint for all future Constitutions that fall under SAWDA.</p> <p>To act generally as an executive body by administering the affairs of SAWDA, transacting business for SAWDA and doing everything necessary to achieve the objectives of SAWDA, except for those matters, which according to the Constitution, must be dealt with at the Annual General Meeting.</p> <p>To appoint and delegate any of its functions to any sub-committee that has been formed to perform a specific function.</p> <p>To outsource any function as is deemed necessary and practical eg. registration of dogs and recording of results are to be handled by SA Studbook.</p> <p>To meet to discuss matters of mutual concern or interest to the Affiliated Associations. The Board may schedule and conduct their meetings as they think fit. 50% of the Board, which must include the Managing Director, shall constitute a quorum and questions arising at a meeting shall be decided by a majority of votes. The Managing Director shall have the deciding vote in the case of a deadlock. Meetings may also be conducted via teleconferencing facilities.</p> <p>To keep proper minutes, records and accounts, showing all receipts and expenditure.</p> <p>To keep a record of Clubs suspended or expelled by any of the Affiliated Associations.</p> <p>To enforce, amend and add to the SAWDA Constitution in accordance with the powers conferred by this Constitution.</p> <p>To oversee any further functions allied to and as described in the Objectives and Activities section of this Constitution (Sections 2 and 3).</p>
<b>5.4</b>	<p><b>CLUBS.</b></p> <p>Clubs that affiliate to any of the Affiliated Associations automatically become affiliated to SAWDA.</p> <p>Clubs that are expelled or suspended by any of the Affiliated Associations automatically fall into the same category under SAWDA.</p>
<b>6.</b>	<p><b>REGISTRATIONS and FEES.</b></p>
<b>6.1</b>	<p><b>Registration of Dogs.</b></p> <p>All dogs competing under any of the Affiliated Associations must be registered with SAWDA.</p> <p>A once-off fee is payable for each dog registered with SAWDA.</p> <p>A unique 6-digit reference code will be linked to the Registration Numbers of all dogs. This code will be based on the applicant's name. For a once-off charge, the applicant will be allowed to select his / her own unique "Kennel Name" instead, which will be linked to all dogs registered in the applicant's name.</p> <p>Applications for registration must be submitted to the relevant Regional Director of one of the Affiliated Associations. Applications must be submitted on the SAWDA Application Form and be accompanied by the relevant fees and pedigree certificates from other canine bodies, if applicable.</p> <p>The Board shall have the power to refuse any application for registration without assigning any reasons.</p> <p>Dog Registration fees and "Kennel Name" registration fees will be reviewed each year by the Board and any changes will be approved at the Annual General Meeting if necessary.</p>
<b>6.2</b>	<p><b>Affiliation Fees.</b></p> <p>An Annual Affiliation Fee of R220.00 shall be payable to SAWDA by all Affiliated Associations.</p>
<b>7.</b>	<p><b>FINANCES.</b></p> <p>The Bank Account of SAWDA shall be as follows:</p> <p>Standard Bank</p> <p>Savings account number 346663040</p> <p>It shall be in the name of South African Working Dogs Association.</p> <p>The following persons shall have signing power to operate the Bank Account:</p> <p>Two signatories approved by the Board of Directors.</p> <p>Two signatures shall be required to conduct any transactions related to the operation of the account, including the closing and transferring of the account, and day-to-day withdrawals and payments from the account.</p> <p>The signatories may be changed by the Board at any time.</p> <p>The opening, closing and transferring of any bank account must be approved by the Board.</p> <p>SAWDA'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 SAWDA Board and signed by the Managing Director.</p>

	<p>A Treasurer shall be appointed by the Board (in terms of Section 5.2), and shall be responsible and accountable for the following:</p> <p>Any income and expenditure made on SAWDA's behalf and as requested by any member of the Board.</p> <p>Producing financial statements as requested on a periodical basis by the Board.</p> <p>Producing and presenting the accounts of income and expenditure and the balance sheet at the AGM.</p> <p>The collection of annual affiliation fees due to SAWDA by the affiliated Associations.</p> <p>All tax matters and dealings with the South African Revenue Services with respect to tax exemption application.</p>
	<p>Any fee in respect of registrations shall be deposited into the above account by the relevant Regional Director of an Affiliated Association. The Regional Director will notify the Treasurer as to the nature and amount of the deposit.</p>
	<p>In the event of SAWDA 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 SAWDA debts.</p>
	<p>As a non-profit organization, all of SAWDA'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 SAWDA director or Board member except in return for services actually rendered to SAWDA or for the supply of goods to SAWDA.</p>
<b>8.</b>	<b>LEGAL STATUS and INDEMNITY.</b>
<b>8.1</b>	<p><b>SAWDA as a Legal Entity.</b></p> <p>SAWDA 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.</p>
	<p>As SAWDA 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 SAWDA or any of its members with the loss of any of the freedoms guaranteed therein. SAWDA may also particularly choose to institute proceedings if it or any of its Affiliated Associations 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.</p>
	<p>SAWDA cannot be sued for any damages or injuries caused by equipment at any club affiliated to any of the Affiliated Associations. 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 the Affiliated Associations must ensure that appropriately worded notices of indemnity are placed at all entrances to venues.</p>
<b>8.2</b>	<b>Compliance with the South African Constitution.</b>
	<p>In order to comply with both Paragraph 32 of the Bill of Rights (Access of Information) and Promotion of Access 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 SAWDA website.</p>
<b>9.</b>	<b>MEETINGS.</b>
<b>9.1</b>	<p><b>Annual General Meeting (AGM).</b></p> <p>An AGM will be held each year in order to enable the members of Boards of each Affiliated Association or representatives thereof to attend and to participate.</p> <p>As SAWDA's Board is appointed and not elected, no elections of these officials will take place at the AGM.</p> <p>An agenda must be compiled by the Board, who will request submissions from the members of Boards of each Affiliated Association or representatives thereof. The agenda must be distributed at least 2 weeks before the meeting.</p>
	<p>The objectives of the AGM are:</p> <p>To discuss the financial standing of SAWDA and to set new fees for the year if necessary.</p> <p>To discuss matters, which, according to the Constitution can only be resolved at the AGM.</p> <p>To provide members of Boards of each Affiliated Association or representatives thereof with a forum for communicating directly with the Board on matters concerning the Constitution and make any changes as agreed on by majority vote. In the case of a tie in the voting, the MD shall have the deciding vote.</p>
<b>9.2</b>	<b>Disciplinary Meetings.</b>
	<p>Disciplinary Meetings can be convened by the Managing Director or any other Board member on receipt of any valid written complaint or proof of an offence committed by any other member of the Board, including the Managing Director. The matter will be dealt with as per Section 4.2 (Disciplinary Powers).</p> <p>If any Affiliated Association deviates from its own or the SAWDA Constitution (as per Section 4.2), the Managing Director of that Association will be its representative at the Disciplinary Meeting and may not vote. The matter will be dealt with as per Section 4.2 (Disciplinary Powers).</p>
<b>9.3</b>	<b>Other Meetings.</b>
	<p>Board Meetings may be convened to discuss changes to the SAWDA Constitution, or to discuss any other general matter pertaining to its objectives, activities, powers and functions as described herein. These meetings may also take the form of telephone conferences.</p>