

CONSTITUTION

OF

THE

WESTERN CAPE

ENDURANCE RIDE ASSOCIATION

(hereinafter referred to as WCERA)

As adopted on 19 May 2018 and amended on 18 May 2019



WCERA Constitution as adopted 19 May 2018 and amended 18 May 2019



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Chapter 1 – Status and Interpretation

1. NAME

The name of the Association is “Western Cape Endurance Ride Association” (abbreviated as “WCERA”).

2. DEFINITIONS AND ABBREVIATIONS.

- 2.1 Affiliation Fees.** Fees that are payable to the WCERA by the members of the WCERA, as well as monies payable to the WCERA by the clubs that are affiliated to the WCERA
- 2.2 Office Bearer.** Any fully paid member of the WCERA that acts as an office bearer of the WCERA council.
- 2.3 Athlete Representative.** A person who is a member of the WCERA and who participates actively in the sport of endurance, elected to represent athletes within the geographical boundaries of the Western Cape.
- 2.4 ERASA.** Endurance Ride Association of South Africa. The National Association of Endurance Sport in South Africa.
- 2.5 FEI.** Fédération Equestre Internationale. The International body for Endurance Sport in the world.
- 2.6 Year.** Refers to a calendar year, starting 1 January and ending 31 December of that same year.
- 2.7 Club.** An Equestrian club that provides Endurance as a discipline to its members, and that functions according to this constitution, and all constitutions of associations under who’s jurisdiction it operates.
- 2.8 Members.** Participants of the sport of endurance, that are properly accepted as members in a club that is active in the endurance sport, and who are in good standing with the mentioned club and are classified according to the Member Classification as mentioned in this constitution. Members have to be in good standing with the WCERA and have to be paid up in their clubs and also WCERA.
- 2.9 Province.** Geopolitical area, as determined in the constitution of South Africa. A Province is divided into districts, as determined in the constitution of South Africa.
- 2.10 Provincial Association.** An Organization that functions within one of the geographic provincial boundaries, as determined by the constitution of South Africa, and for which the constitution is approved by, and not in violation of the constitutions of the SAEF, WCEF and ERASA. The Presidents of the different Provincial Associations will represent the participants of the relevant province on the council of the National Association of Endurance (ERASA) as well as the Provincial Federation for Equestrian, in order to ensure that decisions taken by ERASA and relevant




Provincial Federations are in accordance with the mandates of the members, as given through their club structures.

2.11 Provincial Council. The Provincial Council is the management structure of the WCERA, elected to the council by authorized voters of the WCERA, and with responsibilities as defined in section 11 of this constitution. The council shall be the President, Vice President, Secretary, Treasurer, Club Chairpersons or Authorized Club Delegates, Athlete representative, WCERA elected Ride master, WCERA elected Veterinarian, WCERA elected Timekeeper, and if applicable, one representative of SAEF Associated Members (e.g. SANESA, SANDF, SAPD). Each council member will have one vote each in terms of decisions regarding the matters pertaining to the running of the organization. Only Club Chairpersons or Authorized Club Delegates will be able to vote during elections of council members.

2.12 SAEF. South African Equestrian Federation. The National Federation under which jurisdiction all equestrian sport in South Africa falls.

2.13 SASCOC. South African Sports Confederation and Olympic Committee.

2.16 Authorized Voters. Persons who are able to vote during a meeting, with the aim of deriving a decision. Authorized voters are defined in section 12 of this constitution. When electing new council members, only Club Chairpersons or Authorized Club Delegates can vote, since council members can only be elected by persons who carry a direct mandate from club members.

2.17 Endurance Year. The Endurance Year falls with the normal calendar year, 1 January to 31 December of the relevant year.

2.18 Responsible person. The person responsible for a horse that participates in an endurance ride, and who is legally responsible for all aspects concerning the horse. It will always be the rider that participates in a ride, but the owner of the horse, if not also the rider, can be held jointly responsible, according to circumstances, with the rider as the responsible person. If the rider is younger than 18, his/her parent or guardian will be seen as the responsible person.

2.19 Meeting. A gathering and discussion group, based on a formal agenda, with the aim of taking decisions. Members of the meeting can be physically present, or telephonically. When the meeting has an election on the agenda, all members have to be present in person. Minutes must be taken and preferably a recording taken of the meeting.

2.20 Endurance Ride. A ride over a fixed distance, during which the endurance capabilities and fitness of a horse is tested, according to the criteria and rules, and under the auspices of ERASA, WCERA, WCEF, SAEF and, where applicable, the FEI.

2.21 WCEF. Western Cape Equestrian Federation.

2.22 WCPSC. Western Cape Provincial Sports Confederation. The Provincial Confederation for the Western Cape, that represents SASCOC in the Western Cape.




3. INTERPRETATION

In the interpretation of this constitution, each word or expression will carry the meaning as set out, except if it becomes clear from the context that the word or expression has a different meaning. Words that indicate singular, will also indicate plural, and male terms will also indicate female terms, depending on the context in which it is used.

Chapter 2 – The Provincial Association as an organization

4. DOMICILIUM

The Domicilium and seat of the WCERA shall be deemed the residential address of the President, or an address as decided by the WCERA council, provided it is within the boundaries of the Western Cape Province.

5. STATUS AND LEGAL PERSONA

- 5.1 The WCERA is a volunteer, nonprofit Association
- 5.2 The WCERA was established to further the goals as set out under Objectives in this constitution.
- 5.3 The WCERA has powers and competency areas as set out in this constitution.
- 5.4 The WCERA is a legal entity, independent of its members, and carries its responsibilities and rights independently and ad infinitum.
- 5.5 The WCERA can acquire, hold, sell, lease or rent any assets required for it to achieve its objectives as set out in this constitution.
- 5.6 The WCERA is able to enter into any legal matter independently, through its authorised office bearers.
- 5.7 The WCERA shall be affiliated to the WCEF and ERASA, and any other body for which affiliation is required in order for the WCERA to reach its objectives as set out in this constitution. The WCERA President, or authorised delegate, will serve as council member on the councils of the WCEF on provincial level, and ERASA on a national level, in order to represent the participants of the endurance sport in the Western Cape fully in both of these organisations.
- 5.8 The liability of members for the responsibilities of the WCERA is limited to the amount of the member's unpaid affiliation fees, owed affiliations fees, or any other amount owed by the member to the WCERA.
- 5.9 The constitution of the WCERA, as well as its objectives, can in no way be in conflict with that of ERASA, the WCEF, SAEF, SASCOC or the FEI. Where a conflict exists, or a discrepancy arises, the constitutions of the bodies under which jurisdiction the WCERA operates, will apply.




6. AREA OF JURISDICTION

The area of jurisdiction of the WCERA fall within the geopolitical boundaries of the Western Cape province, and is binding upon all the members that reside within these boundaries. The WCERA can exercise its power on any of its members, regardless of where the member participates in endurance riding, whether or not within the boundaries of the Western Cape, or the boundaries of South Africa.

7. OBJECTIVES

- 7.1 To co-ordinate, develop, standardise and control the sport of endurance among all inhabitants of the Western Cape province, under the auspices of ERASA, the WCEF, SAEF, and where applicable, the FEI.
- 7.2 To present international rides where possible, and to promote international participation opportunities for its members.
- 7.3 To select provincial teams for participation at national competitions, and to award appropriate colours to team members in accordance with the rules and regulations of the relevant controlling bodies, namely ERASA, WCPSC, WCEF and SAEF. Criteria for team selections have to be forwarded to the WCEF timely, as well as applications for colours for each team that is sent to participate in national competitions on behalf of the province. The WCERA is responsible to ensure that athletes selected for provincial teams, are in good standing with the WCERA, their clubs, their district federations where applicable
- 7.4 To arrange district competitions where possible, where district teams can compete against each other, in order to provide additional participation and recognition opportunities for athletes. The WCERA is to ensure that teams are correctly chosen, and that applications for colours are handled correctly with the relevant district sports councils.
- 7.5 To assist members, officials and office bearers on an ongoing basis with advice, and to arrange appropriate training opportunities in order to continue to develop riders, officials and other categories of participants in the sport.
- 7.6 To ensure that horses that participate in endurance rides are not exposed to any conditions and circumstances that would be harmful to their overall wellbeing.
- 7.9 To collect and record data and information regarding endurance riding and rides, and to encourage research regarding the running of the sport of endurance, in order to continually improve the sport and opportunities for its participants.
- 7.10 To arrange courses and training for the improvement and accreditation of members and officials on an ongoing basis
- 7.11 To raise funds for the fulfilment of the objectives of the WCERA, and to ensure that sponsors that support the WCERA get the appropriate exposure and recognition.




- 7.12 To give recognition to members who made a significant contribution to the sport, or attained an extraordinary achievement, within the framework of the rules of the WCERA as set out herein.
- 7.13 To encourage the development of previously disadvantaged participants, either as riders or officials or office bearers.

8. ORGANISATIONAL STRUCTURE OF THE ORGANISATION

The organisational structure of the WCERA allows for:

- 8.1 A number of clubs that co-ordinate endurance matters on club level, and of which the Chairpersons or Authorised Club Delegates partly make up the council of the WCERA. There is no limit on the number of clubs per district. The WCERA should endeavor to affiliate at least one club per district.

Members exercise their voting rights at club level, and in so doing provide a mandate to the Chairperson or Authorised club delegate to vote on the club's behalf, and address matters concerning the sport at council level of the WCERA or the WCEF.

The constitutions of clubs can not be in conflict with that of the WCERA, WCEF, SAEF or ERASA. Should there be a dispute or discrepancy, the constitution of the higher authority will apply. A copy of the constitution of each club has to be filed with the WCERA secretary.

- 8.2 A council that manages the WCERA in respect of strategic and operational issues. The council is the highest authority of the WCERA, and all office bearers are responsible for and bound to the decisions of this council.

9. MANAGEMENT STRUCTURE OF THE PROVINCIAL ASSOCIATION

The management structure of the WCERA consists of a council which manages the WCERA in respect of strategic as well as operational matters. The Council consists of the following members:

9.1 President

- 9.1.1 The President is elected by secret ballot, by the majority vote of Club Chairpersons at an Annual General Meeting, or a Special General Meeting.
- 9.1.2 The President has (1) one vote, and a second or casting vote in case of equality votes, in all matters, except when voting in elections where he/she will have no votes.
- 9.1.3 The term of the President starts on the day of the election.
- 9.1.4 The term of the president shall be (3) three years, and he/she can be elected for a maximum of (2) two consecutive terms.
- 9.1.5 Should the President not be able to complete his/her term, the vice-President will stand in as President until a new President can be elected at a Special General Meeting. The newly elected President will only serve for the remainder of the period, with the understanding that this person can then still serve two full terms after that.

- 9.1.6 The President will be charged with leading the WCERA to achieve its objectives as set out in this constitution and is also responsible for liaising with any and all other organisations that are involved in equestrian and or endurance sport.
- 9.1.7 The President shall represent the WCERA on the ERASA and WCEF councils, and will operate according to the mandate provided by the WCERA council, which in turn, will operate according to the mandate of the club members of the province.
- 9.1.8 The President cannot act as the Chairperson or selector of the Provincial Selection Committee.

9.2 Vice President

- 9.2.1 The Vice President is elected by secret ballot, by the majority vote of Club Chairpersons at an Annual General Meeting, or a Special General Meeting.
- 9.2.2 The Vice President has (1) one vote, except during elections.
- 9.2.3 The term of the Vice President starts on the day of the election.
- 9.2.4 The term of the Vice President shall be (3) three years, and he/she can be elected for a maximum of (2) two consecutive terms.
- 9.2.5 Should the Vice President be elected at a Special General Meeting, a new Vice President will be elected at a Special General Meeting, who will only serve for the remainder of the period of the exiting Vice President, and who can then thereafter serve for (2) two full terms.
- 9.2.6 Should the Vice President resign during his term; a new Vice President will be elected in accordance with clause 9.1.2.5 of this constitution.
- 9.2.7 The Vice President will be a back-up for the President, where ever the latter is unavailable, and will fulfill the duties of the President in such a case.
- 9.2.8 The Vice President serves as convener and chairperson of the provincial selection committee, but has no vote on the selection committee, and acts only as coordinator and is responsible for keeping the minutes at selection committee meetings.

9.3 Treasurer

- 9.3.1 The Treasurer is elected by secret ballot, by the majority vote of Club Chairpersons at an Annual General Meeting, or a Special General Meeting, unless the Treasurer is a paid employee of the WCERA.
- 9.3.2 The Treasurer has (1) one vote, unless the Treasurer is an employee of the WCERA, in which case the Treasurer has no vote. The Treasurer has no vote during elections.
- 9.3.3 The term of the Treasurer starts on the day of the election.
- 9.3.4 The term of the Treasurer shall be (3) three years, and he/she can be elected for a maximum of (2) two consecutive terms.
- 9.3.5 The Treasurer should have at least 5 years financial experience.
- 9.3.6 The exiting Treasurer should within a reasonable period (not longer than six weeks), hand over all aspects relating to the finances of the WCERA to the new Treasurer.
- 9.3.7 The Treasurer is the financial manager of the WCERA, and is responsible for ensuring that proper records are kept of the transactions and finances of the WCERA. The Treasurer is responsible for drawing up an annual budget (in conjunction with the Secretary and other council members), handling of tax matters, managing the monies and assets of the WCERA in accordance

to decisions of the council, keeping an asset register of the WCERA, and keeping a register of paid up members of the WCERA. The duties of the Treasurer are executed in close co-operation with the Secretary of the WCERA

9.4 Secretary

- 9.4.1 The Secretary is elected by secret ballot, by the majority vote of Club Chairpersons at an Annual General Meeting, or a Special General Meeting, unless the Treasurer is an employee of the WCERA Die
- 9.4.2 The Secretary has no vote.
- 9.4.3 The term of the Secretary starts on the day of the election.
- 9.4.4 The term of the Secretary shall be (3) three years, and he/she can be elected for a maximum of (2) two consecutive terms.
- 9.4.5 The Secretary should have at least 1 year's relevant experience.
- 9.4.6 The exiting Secretary should within a reasonable period (not longer than six weeks), hand over all aspects relating to the administration of the WCERA to the new Secretary.
- 9.4.7 The Secretary is the administrative manager of the WCERA and responsible for ensuring that all administrative tasks are carried out timeous and accurately. The Secretary shall keep minutes of meetings, will be responsible for all correspondence between the WCERA and its clubs, members and any other organisation with which the WCERA transacts, or associates with.

9.5 Club Chairperson or Authorised Club Representative.

- 9.5.1 Club Chairpersons are elected by the members of a club, and in this capacity Club Chairpersons form the council of the WCERA, together with its office bearers
- 9.5.2 A Club Chairperson has (1) one vote. Should a Club Chairperson not be able to attend a meeting, he/she can send an Authorised Representative from the club to attend the meeting on his/her behalf, with a letter of authorisation to vote on his/her behalf.
- 9.5.3 The term of the Club Chairperson on the WCERA council starts when the Club Chairperson is elected by the club members, and it ends in accordance to the specifications of office bearer terms as set out in the constitution of the club.
- 9.5.4 The Club Chairperson or Authorised Club Representative represents the rights of the endurance members of the relevant club on the WCERA council. The Chairperson has to act in accordance with the mandate provided him/her by club members, and should act in the interest of these members, without compromising the overall interest of the sport. Club Chairpersons should keep their members informed at all times of developments in the sport, and should convey council decisions to their members.

9.6 Athlete Representative

- 9.6.1 The Athlete Representative is elected by secret ballot, by the majority vote of Club Chairpersons at an Annual General Meeting, or a Special General Meeting.
- 9.6.2 The Athlete Representative has one (1) vote.
- 9.6.3 The term of the Athlete Representative starts on the day of the election.

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- 9.6.4 The term of the Athlete Representative shall be (3) three years, and he/she can be elected for a maximum of (2) two consecutive terms.

9.7 Associated Member

Associated Members jointly will have a seat on council, where applicable (example: SANESA, SA Correctional Services), provided that they conform to the specifications of an associated member according to the constitutions of WCEF, ERASA and the SAEF. Associated members jointly have one (1) vote.

9.8 Ride master

- 9.8.1 Any member of the Western Cape Ride Masters Group can be elected by the Club Chairpersons to the council of the WCERA, in order to act on behalf of the interests of the Western Cape Ride Masters Group on provincial level.
- 9.9.2 The WCERA Ride master is elected annually for a period of 12 months.
- 9.9.3 In light of the technical nature of the position, and the limitation in terms of number of eligible persons, there shall be no limit on the number of terms of the WCERA Ride master.
- 9.9.4 The WCERA Ride master acts as head of the Ride masters in the Western Cape, and is also the provincial liaison between the WCERA and the ERASA Ride masters Groups.
- 9.9.5 Any matter concerning Ride masters in the Western Cape, has to be referred first to the WCERA Ride master, before it can be referred to the WCERA council for evaluation and decision, or escalated to a higher body.
- 9.9.6 The WCERA Ride master has no vote on the WCERA council.

9.9 Veterinarian

- 9.9.1 Any member of the Western Cape Veterinarian Group can be elected by the Club Chairpersons to the council of the WCERA, in order to act on behalf of the interests of the Western Cape Veterinarian Group on provincial level.
- 9.9.2 The WCERA Veterinarian is elected annually for a period of 12 months.
- 9.9.3 In light of the technical nature of the position, and the limitation in terms of number of eligible persons, there shall be no limit on the number of terms of the WCERA Veterinarian.
- 9.9.4 The WCERA Veterinarian acts as head of the Veterinarian in the Western Cape, and is also the provincial liaison between the WCERA and the ERASA Veterinarian Groups.
- 9.9.5 Any matter concerning Veterinarians in the Western Cape, has to be referred first to the WCERA Veterinarian, before it can be referred to the WCERA council for evaluation and decision, or escalated to a higher body.
- 9.9.6 The WCERA Veterinarian has no vote on the WCERA council.

9.10 Timekeeper

- 9.10.1 Any member of the Western Cape Timekeepers Group can be elected by the Club Chairpersons to the council of the WCERA, in order to act on behalf of the interests of the Western Cape Timekeepers Group on provincial level.
- 9.10.2 The WCERA Timekeeper is elected annually for a period of 12 months.




- 9.10.3 In light of the technical nature of the position, and the limitation in terms of number of eligible persons, there shall be no limit on the number of terms of the WCERA Timekeeper.
- 9.10.4 The WCERA Timekeeper acts as head of the Timekeepers in the Western Cape, and is also the provincial liaison between the WCERA and the ERASA Timekeeper Groups.
- 9.10.5 Any matter concerning Timekeepers in the Western Cape, has to be referred first to the WCERA Timekeepers, before it can be referred to the WCERA council for evaluation and decision, or escalated to a higher body.
- 9.10.6 The WCERA Timekeeper has no vote on the WCERA council.

9.11 Co-opted council members

- 9.11.1 Any member of the WCERA can be co-opted by the WCERA council, according to need and circumstances, for a period of time.
- 9.11.2 A co-opted member has no vote, but can participate actively in discussions, and can make suggestions and recommendations concerning any matter on council level.

10. COMMITTEES

The WCERA council shall appoint standing committees, each with a specific and clear mandate, and the committee has to execute its responsibilities within these mandates. Chairpersons of standing committees report back to the council, and can be invited to attend council meetings, as deemed necessary by the council.

10.1 Provincial Selection Committee

- 10.1.1 The Vice President of the WCERA is the convener of the Provincial Selection Committee, but has no vote during selection of teams. The convener does have a casting vote in the case of equality of votes though.
- 10.1.2 The committee consists of:
 - 10.1.2.1 One representative of each club (as appointed by the relevant club), and not necessary the same person who represents the club at council level, each with (1) one vote.
 - 10.1.2.2 The WCERA team manager as appointed by the WCERA, with (1) one vote.
 - 10.1.2.3 The coach of the relevant team, if appointed, with (1) one vote.
 - 10.1.2.4 The team veterinarian, with (1) one vote.
 - 10.1.2.5 The WCERA Secretary, no vote.
- 10.1.3 The Provincial Selection Committee is responsible for the selection of all provincial teams, provincial development teams, Federation teams.
- 10.1.4 The Provincial Selection Committee is responsible to ensure that the WCERA Secretary sends the provincial team criteria to the WCEF annually and to make sure that it is lodged with the WCERA timeously and correctly.
- 10.1.5 The Provincial Selection Committee shall ensure that the WCERA Secretary lodges any applications for provincial colours, or WCEF Federation colours timeously and accurately with the WCEF and the WCPSC.

- 10.1.6 The Provincial Selection Committee shall ensure that all clothing and gear used at provincial competitions are manufactured with the correct Western Province emblem and colours, by an approved WCEF supplier.

10.2 Legal and Disciplinary Committee

- 10.2.1 The WCERA Council shall appoint the members of the Legal and Disciplinary Committee annually, to investigate legal matters, disputes, disciplinary issues, ethical matters and appeals.
- 10.2.2 The Legal Committee handles matters referred to it by the WCERA Council.
- 10.2.3 The Legal Committee decides by majority vote whether a matter has merits, and if so, the matter will be investigated by the said committee. Each member of the committee has (1) one vote.
- 10.2.4 The Legal Committee reports the results of their investigation with recommendations to the WCERA council.
- 10.2.5 The Legal Committee consists of at least (3) three members, of which one member shall have a legal background. The Chairperson of the committee must be a member of the WCERA council. The rest of the members on this committee will be elected or co-opted by the WCERA council.
- 10.2.6 The Legal Committee is responsible for the drafting and updating of a provincial grievance procedure, which should be available to members at all times.
- 10.2.7 The Legal Committee can co-opt supporting members from time to time for a specific legal matter or dispute.

10.3 Ad hoc Committees.

Ad Hoc Committees can be nominated according to need and circumstances. The Council will provide a clear and specific mandate to the relevant committee, which will fulfil its duties within the specifications of its mandate. Chairpersons of Ad hoc Committees can be invited by the council to attend council meetings (without a vote), as deemed necessary by the council.

11. RESPONSIBILITIES OF THE WCERA COUNCIL

- 11.1 The WCERA Council reports to the Annual General Meeting
- 11.2 The WCERA Council is responsible for the achievement of the objectives of the WCERA, as set out in section 7 of this constitution, on provincial, district and club level.
- 11.3 The WCERA council is responsible for (but not limited to):
- 11.3.1 Matters of a strategic and operational nature
 - 11.3.2 The adherence to rules for the running of the sport as defined by ERASA and where applicable, the FEI.
 - 11.3.4 Approving the annual budget
 - 11.3.5 Ensuring that Committees of the Council act within their respective mandates
 - 11.3.6 Administrative matters relating to the management of the WCERA and the sport of endurance in the Western Cape
 - 11.3.7 Approval of the spending of funds. Approval has to be minuted accurately for each instance.
- 11.4 Decisions of the Council are effective immediately, and are taken in the context of:
- 11.4.1 Budget, as approved by Council
 - 11.4.2 Broad strategy of the WCERA, as defined from time to time by the WCERA Council.

12. ELECTIONS OF MANAGEMENT STRUCTURE, TERMS AND AUTHORISED VOTERS

(THIS SECTION IS BASED ON THE SAEF ELECTION DIRECTIVE OF 22 FEBRUARY 2018).

All elections shall be conducted according to the SAEF Elections Directive, as amended by the SAEF from time to time. This Directive determines the notice period for elections, electoral officers and the nomination process as follows:

12.1 Clubs

- 12.1.1 Every member in GOOD STANDING with a club where he/she is registered may nominate a candidate for any position in the club.
- 12.1.2 Any member (over the age of 18) of a club may be nominated for any position on the said committee. Should a member be nominated for more than 1 position, the understanding is that should he/she not be elected for the highest position nominated for, such a member continues down the line for election of a position/s nominated for. Should such a member be elected in the higher position all other nominated positions fall away.
- 12.1.3 All nomination forms must be signed by the nominator, seconder and nominee.

Nomination process timelines are as follows:

- 12.1.4 NO LESS than 60 (Sixty) days before the election date, the Secretary shall:
 - 12.1.4.1 Send notification to every club member and EXCO informing them of the date, time and venue of elections meeting.
 - 12.1.4.2 Advise them who the appointed electoral officer will be. (This must be a member of the SAEF Provincial Federation, District Federation or a member of the applicable Discipline Association)
 - 12.1.4.3 Call for the nominations for each of the positions to be filled during the elections. Correctly signed and completed nomination forms must be returned to the appointed electoral officer and the SAEF Secretary General no later than 30 (Thirty) days from receipt of nomination forms.
- 12.1.5 NO LESS than 25 (Twenty-Five) days before elections the electoral officer shall return all received nomination forms, after verification, to the Club Secretary for distribution amongst members who the candidates for elections are.
- 12.1.6 All members of the club may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total club membership shall be present.
- 12.1.7 It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive. ONLY MEMBERS MAY VOTE.
- 12.1.8 Majority votes recorded shall establish the elected person.




12.2 WCERA Council

- 12.2.1 Every member in GOOD STANDING with a club in the Western Cape Province, WCERA and ERASA may nominate a candidate for any position on the WCERA Council. These nominations must be sent via their applicable club and signed as per item 12.2.5. below. Only one person per position may be nominated per club.
- 12.2.2 All nomination forms must be signed by the nominator, seconder and nominee.
- 12.2.3 Such nominated person can be nominated for more than one position. Should a person be elected for the highest position nominated for, all other nomination for positions for such person will fall away.
- 12.2.4 Should he/she not be elected for the highest position nominated for, then the election for such a member continues down the line of nominated positions.
- 12.2.5 All nomination forms must be signed off by either the Club Chairperson, Vice Chairperson or Secretary in the nomination and seconding signature position. The nominee must also sign the form accepting the nomination

Nomination process timelines are as follows:

- 12.2.6 NO LESS than 60 (Sixty) days before the election date the Secretary shall:
- 12.2.6.1 Send notification to every member (CLUBS who must distribute to all club members) and COUNCIL informing them of the date, time and venue of the elections meeting.
- 12.2.6.2 Advise them who the appointed electoral officer will be. (This must be a member of the SAEF Provincial Federation EXCO)
- 12.2.6.3 Call for the nominations for each of the positions to be filled during the elections. Correctly signed and completed nomination forms must be returned to the appointed electoral officer no later than 30 (Thirty) days from receipt of nomination forms.
- 12.2.7 NO LESS than 25 (Twenty-Five) days before elections the electoral officer shall return all received nominations forms after verification to the Secretary for distribution amongst members who the candidates for elections are.
- 12.2.8 Only Club Chairpersons (or their duly authorised delegate) may cast a vote on the Election Day with the understanding that a quorum of 50% plus one of total clubs shall be present.
- 12.2.9 It is to be noted that the outgoing Executive has no voting rights at elections neither do they have voting rights to vote for a vacant position on the Executive.
- 12.2.10 Majority votes recorded shall establish the elected person.

12.3 General

- 12.3.1 Council members (except Club Chairpersons) are elected for a term of (3) three years
- 12.3.2 Elected office bearer or officials cannot serve for more than (2) two consecutive terms.
- 12.3.3 Any nominated candidate must be in GOOD STANDING with a club in the Western Cape Province, WCERA and ERASA.

- 12.3.4 Only Club Chairpersons may vote during Council Member elections. In the event of a club chair not being able to attend, a Club Chair may authorize by letter, a club member to vote on his/her behalf.

13. MEETINGS

13.1 Council meetings

- 13.1.1 The Council meets regularly but at least twice per year in order to ensure proper management and administration of the WCERA.
- 13.1.2 Notices of Council meetings must reach Council members at least thirty (30) days prior to the meetings, and the agendas at least (14) fourteen days prior to the meetings.
- 13.1.3 The quorum of ordinary Council meetings consists of at least 50% of Council members plus one.
- 13.1.4 All members present at Council meetings can comment and vote. No proxies are allowed.
- 13.1.5 In the event of an equality of votes, the chairperson of the meeting has a casting vote.
- 13.1.6 The secretary of the WCERA keeps minutes of all meetings. Minutes to be circulated within twenty-one (21) days of the meeting to all Council members for digital approval. The minutes to be approved at the next meeting and signed by the President and Secretary, where after they are filed. Resolutions to be documented and filed separately for ease of reference.
- 13.1.7 At least 50% plus one Council member can request a Council meeting.
- 13.1.8 For decisions on urgent matters a SGM must be called in line with clause 13.1.7 as well as with clause 13.3.2

13.2 Annual General Meeting (AGM)

- 13.2.1 An Annual General Meeting is convened at least once a year by the WCERA Council to discuss matters of general interest, approval of reports and taking relevant decisions.
- 13.2.2 Notice of the AGM is given in writing by the Secretary to all members of the WCERA at least thirty (30) days before the date of the meeting.
- 13.2.3 Points on the agenda and motions for discussion at the AGM can be submitted by members and clubs subject to the following:
- 13.2.3.1 These must reach the Secretary at least fifteen (15) days before the meeting in writing.
- 13.2.3.2 All members' motions first to be submitted to club management for approval prior to submission by the club to the Secretary for inclusion in the agenda of the AGM.
- 13.2.3.3 Should a motion be rejected on club level; an appeal can be lodged with the President of the WCERA for arbitration.
- 13.2.4 The President (in his absence, the Vice President) of the Association chairs the AGM. In the absence of both, the meeting elects a chairman from the members present.

- 13.2.5 The Secretary takes minutes of the meeting. The minutes must be circulated within 21 days to all the Council members for digital approval. The minutes to be presented to the next AGM for ratification, thereafter, signed by the President and the Secretary, and filed. All motions and resolutions are listed and filed separately.
- 13.2.6 During the AGM the council has full voting powers and only Club Chairpersons can vote on behalf of their members. A quorum will comprise of 50% plus one of all Council members eligible to vote. Proxies are not allowed. All members of the WCERA may attend the AGM and participate in discussion, without voting, since member's voting rights are exercised via their Club Chairperson's vote.
- 13.2.7 Should a quorum not be present by the time that the meeting must commence, the meeting will adjourn for a maximum of sixty minutes (one hour). If there is still is no quorum a new date will be set within seven days and not later than 15 days from the original meeting date and members present will then form a quorum.
- 13.2.8 Decisions taken during an AGM to be circulated by the Secretary to all WCERA members within 30 days after the meeting.

13.3 Special General Meeting (SGM)

- 13.3.1 A Special General Meeting can be called by management when requested by 50% plus one member eligible to vote, by way of a request to the Secretary of WCERA.
- 13.3.2 The Secretary circulates the notice of the SGM and the agenda to all members of WCERA within five (5) days, after the request has been received. The SGM shall take place no later than fourteen (14) days from the date of notification
- 13.3.3 A member cannot declare a meeting to be invalid, should he/she erroneously not have received a notification of the meeting.
- 13.3.4 During an SGM all members eligible to vote can vote. A quorum will comprise of 50% plus one of all members eligible to vote. All WCERA members may attend the SGM, but without voting rights.
- 13.3.5 Should a quorum not be present by the time that the meeting must commence, the meeting will adjourn for a maximum of sixty minutes (one hour). If there still is no quorum a new date will be set within seven days and not later than 15 days from the original meeting date and members present will then form a quorum.
- 13.3.6 No proxies will be allowed at any SGM.
- 13.3.7 Voting takes place by way of a poll unless the meeting unanimously decides otherwise.
- 13.3.8 Only the matter(s) for which the meeting was convened may be discussed.




14. FUNDS AND ASSETS OF THE WCERA

- 14.1 Members of the Association have no claim to any assets of the Association.
- 14.2 The Council generates funds by way of affiliation fees, donations sponsorships and others.
- 14.3 The Treasurer must annually prepare a budget setting out the expenses of the WCERA, and affiliation fees must be determined annually based on the annual budget and the amount of donations and sponsorships that can be relied upon.
- 14.4 The Treasurer must prepare annual financial statements annually reflecting the financial position of WCERA and the statements must be audited by an auditor or accredited accountant.
- 14.5 The Treasurer must keep strict record of income and expenditure of the WCERA.
- 14.6 All approved payments can only be made by the authorization of two (2) council members with signature rights.

Chapter 3 – Membership

15. CLASSIFICATION OF MEMBERS

The Association provides for five (5) categories of membership namely:

- 15.1 **Honorary Members.** Honorary members are appointed for life, exempted from affiliation fees have full voting rights at Club level and are eligible for any position or office. Honorary members can be divided onto two categories:
- 15.1.1 Any person who participated as a competitor, the owner of a participating horse, or acted as an official during the 1974, 1975, 1976 and 1977 endurance races held at Fauresmith, South Africa, qualifies as an honorary member in the founding member category.
- 15.1.2 Any person so nominated by the WCERA Council.
- 15.2 **Senior members.** A person is a senior member from the first day of the calendar year in which he/she turns eighteen (18) years old. Senior members have full voting rights on Club level but only from the day of his/her eighteenth birthday and is eligible from his/her eighteenth birthday for any position or office.
- 15.3 **Junior members.** A person is a junior member from the first day of the calendar year in which he/she turns fourteen (14) years old till the end of the calendar year in which he/she turns seventeen (17) years old. Junior members have no voting rights on Club level and are not eligible for management or as office bearers or officials.
- 15.4 **Child members.** A person is a child member from the first day of the calendar year in which he/she turns ten (10) years old till the end of the calendar year in which he/she turns thirteen (13) years old. Child members have no voting rights on Club level and are not eligible for management or as office bearers or officials.
- 15.5 **Administrative members.** Persons who do not participate as riders in endurance races, but who serve as officials at races or serve as members of management (at any level). These members pay a reduced affiliation fee as determined from time to time by the WCERA Council.

16. APPLICATION FOR MEMBERSHIP

WCERA Constitution as adopted 19 May 2018 and amended 18 May 2019

- 16.1 Members apply for membership of the WCERA at the Club of his/her choice in the province where his/her domicile is, on the prescribed Club membership form, which must be submitted to the Club management together with the prescribed fees. Membership of the WCERA is automatically granted as soon as the member affiliates with the National body of the endurance riding sport.
- 16.2 Applications for membership are considered by the relevant Club management. Membership can be denied by the relevant Club management on the grounds that the conduct of the applicant does not conform to the codes of conduct of the endurance sport or equestrian sport in general.

17. REGULATIONS WITH REGARD TO MEMBERSHIP

- 17.1 All members of the Association are subject to all the regulations of the Constitution and Rules of their Club, the WCERA, WCEF, SAEF and ERASA as amended from time to time. All members must annually be registered members of the SAEF and ERASA.
- 17.2 Membership is limited to the rider. Horses have no membership or constitutional rights.
- 17.3 A person may only join one club that is affiliated to ERASA and only in the Province he resides, to be able to qualify for National or Provincial Colours.
- 17.4 Affiliation to WCERA can be granted at a reduced fee at the discretion of the Council. Members can also, at the discretion of the Council, be exempted from the payment of affiliation fees.
- 17.5 Affiliation fees payable to the WCERA are determined annually by the Council and announced at the AGM.
- 17.6 Members' affiliation fees to the WCERA for the following year are payable on 1 December of the preceding year must be collected by the Club management and paid over to the Association before 31 December of the preceding year and are not refundable.
- 17.7 Only paid-up members of WCERA may be elected to management of the WCERA.
- 17.8 All members must annually complete and sign the "Indemnity, voluntary acceptance of risk and agreement to testing for prohibited substances as well as emergency veterinary and medical treatment" (see addendum A). This form must be co-signed by a legal guardian for junior and child members. The signed documents must be submitted by the Club to the Secretary. The Secretary must ensure that a signed document is received for every member and must be filed for future reference. A member will only be affiliated to ERASA on receipt of the signed form.

18. TERMINATION OF MEMBERSHIP




- 18.1 A member can at any time resign from WCERA. Resignation occurs via the Club to which the member belongs.
- 18.2 Membership can be revoked by the WCERA, via the Council or the member's Club, on the grounds of:
- 18.2.1 When a member fails to pay outstanding fees within sixty (60) days after a reminder by the Treasurer of the Club, by way of a registered letter, hand delivered or electronically handed to him/her.
- 18.2.2 As the result of a disciplinary action against a member by WCERA, ERASA or SAEF.

19. REGISTER OF MEMBERS

- 19.1 The WCERA keeps a register of personal information (included but not limited to, the club number, name, physical address, ID number, email address and telephone number) of each member. The WCERA Treasurer keeps record of which members are in good standing regarding their membership fees.
- 19.2 The Club Secretaries are obliged to:
- 19.2.1 Provide the information of members affiliating annually, to the secretary of the WCERA by a date specified by the Council.
- 19.2.2 Immediately provide the information of new members to the secretary of the WCERA.
- 19.2.3 Member numbers are allocated by ERASA and is linked to the ID number of the member. This number remains the same during the members affiliation to ERASA and may not be re-allocated if the member leaves the WCERA.

CHAPTER 4 - GENERAL

20. FOUNDING OF NEW CLUBS

- 20.1 New clubs can be established by ten (10) or more fully paid members.
- 20.2 The establishment of a new club may not cause an existing club to "dwindle".
- 20.3 The new club applies in writing for approval and affiliation to the Council of the WCERA. The club's existing constitution or proposed constitution must be included in the application.
- 20.4 The WCERA Council will consider the club's request within thirty (30) days after the receiving of the application and make a decision. The final decision is made by WCERA Council. The Secretary of the WCERA notifies ERASA in writing of their decision after which ERASA will list the club on their data base.
- 20.5 Should the WCERA not approve the application, the applicant will be notified in writing of the reasons. The applicant may submit a revised application.

21. AMENDMENTS OF RULES

WCERA Constitution as adopted 19 May 2018 and amended 18 May 2019

Rules of the Endurance Riding Sport is determined by FEI (International Competitions) and ERASA (National Competitions) and as altered by them from time to time. The WCERA has no authority to make any rule changes and is primarily a body in the Western Cape to assure the adherence to the rules under all circumstances.

22. RESOLVING OF CONSTITUTIONAL DISPUTES

In the case of a dispute resulting from the interpretation, application of enforceability of the provisions of this Constitution:

- 22.1 Any dispute must be submitted in writing to the secretary of WCERA
- 22.2 The dispute may be referred to the Legal and Disciplinary Committee for investigation and recommendation to the WCERA council.
- 22.3 WCERA council rules on the dispute and informs all parties involved of the decision. Any party whose rights are affected by the decision may appeal to ERASA or WCEF. Depending on the nature of the dispute as per the outlines in Schedule A "Provincial Structure and their duties" and Schedule F "Disciplinary Association and Ordinary Members and their duties" of the SAEF Constitution will determine whether the dispute will be referred to ERASA or WCEF.

23. DISSOLUTION OF THE WCERA

The WCERA dissolve when it is decided by two thirds (2/3) majority of eligible voters of WCERA at a Special General Meeting, scheduled specifically for this purpose.

- 23.1 The Secretary will notify all members of the WCERA of the dissolution meeting, at least thirty (30) days prior to the meeting.
- 23.2 Two thirds of voting members form a quorum.
- 23.3 The Secretary will notify the Club Secretaries of the dissolution meeting not later than 7 days after the meeting.
- 23.4 The WCERA can dissolve only once all its responsibilities have been met, financially or otherwise, towards its Members, Clubs, Regions, Province, the Council or any other party that could have a legal claim against the WCERA.
- 23.5 After dissolution, and after the WCERA have met all its responsibilities, the total of WCERA'S assets will be transferred to ERASA to be kept in Trust for a maximum of 3 years, for possible revival.

24. AMENDMENTS TO CONSTITUTION



WCERA Constitution as adopted 19 May 2018 and amended 18 May 2019



- 24.1 Any amendments to this constitution require a two third majority at an Annual General Meeting or a Special General Meeting which has been called for this purpose.
- 24.2 Any suggestions to the amendments of this constitution must be circulated to the members of the WCERA at least thirty (30) days prior to the meeting, where the amendment will be discussed, and the amended constitution accepted

This is the constitution of the WCERA and amendments to this constitution may only be implemented if the procedure in Section 24 of this constitution was followed.

The approved and signed constitution is kept in hard copy with the Secretary of the WCERA.

Approved by the members of the Western Cape Endurance Ride Association at the meeting held on 19 May 2018, at Torpedo Farm Rawsonville.

and signed on 12 June 2018

Approved amendments by the members of the Western Cape Endurance Ride Association at the meeting held on 18 May 2019, at Torpedo Farm Rawsonville.

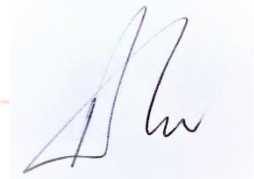
and signed on 22 May 2019

Signed on behalf of the WCERA.





WCERA



PRESIDENT

VICE-PRESIDENT

APPENDICES

Appendix A - ERASA Indemnity Form

Appendix B - Geopolitical borders of the Western Cape Districts.



