

CONSTITUTION

OF THE

SOUTH AFRICAN

UNDERWATER SPORT

FEDERATION

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1. PREAMBLE

1.1 The aim of the South Africa Underwater Sport Federation is to co-ordinate the administration and actively promote all amateur underwater sport in the Republic of South Africa, including:

1.1.1 Underwater Hockey - SAUWHF

1.1.2 Underwater Fishing - SAUFF

1.1.3 Underwater Freediving - SAFF

1.1.2 It is, therefore, the desire of the South African Underwater Sport Federation to create and maintain such structures and relationships that will be beneficial to the advancement of all underwater sport within the Republic of South Africa.

1.1.3 As official representative, of all amateur underwater sport at the South African Sports Council and Olympic Committee (SASCOC) and Sport, Art and Culture South Africa the Federation recognises its responsibility to administer and promote all underwater sport in a non-discriminatory manner which will ensure both equal access and equal opportunity to all persons interested and involved in underwater sport in the Republic of South Africa.

1.1.4 As official CMAS (World Underwater Federation) representative in the Republic of

South Africa, the South African Underwater Sport Federation recognises its responsibility to promote and represent all CMAS approved underwater sports in South Africa. Furthermore, it is the desire of the South African Underwater Sport Federation to conform to all CMAS, SASCOC and SRSA rules, requirements, standards and procedures in order to ensure and promote good sportsmanship, competition and quality diver education and training.

2. LANGUAGE

2.1 The official language of SAUSF shall be English.

2.2 Words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neutral gender shall include any gender, except in the specification of a competition being for male or female competitors; and correction of any manifestly evident typographic errors shall be made.

3. DEFINITIONS

In this constitution, unless the context otherwise indicates:

3.1 "Affiliates" shall mean the member bodies of the Federation as intended in section 14 & 15 of this Constitution.

3.2 "Amateur" shall mean a person who does not derive all his income from any facet of the underwater sport.

3.3 "Club" shall mean a duly constituted affiliated body as intended in section 13 of this Constitution.

3.4 "CMAS" shall mean the "Confederation Mondiale Des Activites Subaquatiques" (World Underwater Federation).

3.5 " Financial statements" shall mean the financial statements of the Federation.

3.6 "Equal access" shall mean access to the services offered by the Federation by all peoples of South Africa and prohibit the Federation, its affiliates and members to unfairly discriminate, directly or indirectly, against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

3.7 "Equal opportunity" shall mean the equal opportunity of all the peoples of South Africa to participate in underwater sport and shall include special attempts and/or development programmes intended at enabling traditionally disadvantaged South Africans to participate in underwater sport.

3.8 "Executive Council" shall mean the committee as intended in section 11 of this Constitution.

3.9 "SASCOC" shall mean the South African Sport Confederation and Olympic Committee of South Africa.

3.10 "Notice" and/or "written notification" shall mean notice for any one of the Federation's meetings, by mail or where applicable by facsimile or e-mail, and shall include the "type" of meeting, date of meeting, time of meeting, venue of meeting and the agenda for the meeting. Furthermore, the start of the required notice period shall be determined by the official date of the postal service on the envelope and if notice is given by facsimile or e-mail, by the date of the facsimile or e-mail.

3.11 "Other organisations" includes business undertakings in covenant with CMAS,

not necessary duly constituted, but affiliated members of a Provincial Federation.

3.12 "Federation" shall mean a duly constituted affiliated body as intended in section 15 of this Constitution.

3.13 "Proxy" shall mean a document authorising a person to vote on behalf of another as intended in clause 21.1.3 and 21.2.3 this Constitution.

3.14 "Staff member" shall mean any person permanently or temporary employed by the Federation.

3.15 "Federation" shall mean the South African Underwater Sport Federation.

3.16 "Underwater Hockey Federation" shall mean the South African Underwater Hockey controlling body affiliated to the SAUSF.

3.17 "Underwater Fishing Federation" shall mean the South African Underwater Fishing Federation controlling body affiliated to the SAUSF.

3.18 "Underwater Freediving Federation" shall mean the South African Underwater

Freediving Federation controlling body affiliated to the SAUSF.

4. NAME AND ADDRESS

4.1 The name of this organisation shall be "The South African Underwater Sport Federation"; hereinafter referred to as the "Federation".

4.2 The Federation's permanent postal address shall be included in the byelaws of the Federation and may only be changed by a resolution of the Executive Council. The Federation's permanent physical address shall be included in the byelaws of the Federation and may only be changed by a resolution of the Executive Council.

5. OBJECTIVES

In order to realise the aim of the Federation, as stipulated in the preamble, the Federation aspires to the following objectives:

5.1 To comply with the standards set by SASCOC in terms of our administrative functions within the federation.

5.2 To actively advance the cause of all underwater sport on a national and international basis.

5.3 To co-ordinate and promote national and international competition in all underwater sport.

5.4 To encourage high ideals, moral standards and ethics of sporting conduct.

5.5 To promote and maintain a spirit of goodwill amongst all persons and organisations involved in underwater sport.

5.6 To facilitate the process by which all persons may partake in underwater sport ensuring equal opportunity for all.

5.7 To motivate and facilitate the provision of adequate facilities for the practice and enjoyment of all underwater sport.

5.8 To actively develop and transform the sport in line with the guidelines set out by SASCOC and Sport Art and Culture in co-ordinance with the Government's official sports body.

5.9 To encourage and foster scientific and medical research into all aspects of the underwater sport.

5.10 To encourage and foster an attitude of awareness for the conservation and preservation of the underwater environment.

5.11 To act as the official representative of all underwater sport in South Africa.

5,12 To act in the interest and on behalf of CMAS in South Africa.

5.13 To set national and/or to conform to international CMAS standards, encourage and provide assistance for the training of all underwater sportsmen and woman, officials and administrators to improve their skills and qualifications.

5.14 To guide, encourage and assist Federations, Clubs and other organisations in covenant with CMAS in establishing and promoting all facets of the underwater sport.

6. POWERS OF THE FEDERATION

The Federation shall have the power:

6.1 To engage staff, acquire assets and enter into commitments for the promotion of its aim and objectives.

6.2 To enter into donor funding arrangements with companies or individuals and to solicit and accept fees, donations, bequests, contributions and subscriptions for the funds of the Federation.

6.3 To take on lease, purchase or otherwise acquire premises, equipment, vehicles, furniture and other property assets, whether movable or immovable that may be deemed necessary or convenient for any of the purposes of the Federation and in order to provide suitable equipment, accommodation and facilities.

6.4 To improve, manage, exchange, lease, mortgage, sell, dispose of, turn to account and grant options, rights privileges in respect of, or otherwise deal with, all or any part of the property and rights of the Federation.

6.5 To deposit or invest the monies and assets of the Federation not immediately required, in such securities and in such a manner as may from time to time be determined, provided that cash resources and investments will only be made with financial institutions as defined in Section 1 of the Financial (Institutions Protection of funds) Act (act 28 of 2001) or Financial Services Board Act (Act 97 of 1990) as amended or substituted from time to time.

6.6 To borrow or raise money in such a manner as the Federation shall deem fit and in particular to secure the payment of money so borrowed by means of mortgage, pledge, charge or lien upon the whole or part of the Federation's property or assets; and also, by mortgage, pledge, charge or lien to secure and guarantee the due performance by the Federation of any obligation or liability it may undertake.

6.7 To operate banking accounts and to draw, make, accept, endorse, sign, discount, execute and issue cheques, promissory notes, bills of exchange, bills of landing, warrants, debentures and other negotiable documents.

6.8 To make rules or bylaws and/or to pass resolutions that shall not be inconsistent with the terms of this Constitution.

6.9 To carry on any negotiations or operations for the purpose of directly or indirectly furthering the interest of underwater sport and to oppose any proceedings or agitation that may seem to the Federation to be detrimental to its interest and the interest of underwater sport in general.

6.10 To act as a Court of Appeal and to decide and rule upon any dispute in/or between affiliated members.

6.11 To perform any such tasks and to do all such other things as is required, incidental or conducive to the attainment of the aims and objectives of the Federation.

7. CORPORATE PERSONALITY AND LEGAL ACTION

7.1 The Federation shall have a corporate personality, identity and existence distinct from its members or office-bearers.

7.2 The Federation shall continue to exist notwithstanding changes in the composition of its membership or office-bearers.

7.3 The Federation shall be a non-profit organisation with legal personality and all income and assets of the Federation, gained from whatever source, may only be utilised for the advancement of the aim and objectives of the Federation as prescribed in this Constitution.

7.4 All assets of the Federation shall be kept or registered in the name of the Federation and no office bearer, member or staff member shall have any rights to its assets, nor liability for its obligations.

7.5 The income and assets of the Federation shall only be utilised to do such things which are required, incidental or conducive to the attainment of the aim and objectives of the Federation and no part of the income may be paid or transferred to any office bearer, member or staff member with the clear understanding that nothing contained herein prohibits the bona fide remuneration of any office bearer, member or staff member for any service rendered to the Federation.

7.6 The Federation shall be a body with legal rights capable of suing or defending any legal action and the authorisation to institute or defend such legal action must be gained from the President or the Honorary Secretary who respectively have the authority to represent the Federation at such legal

proceedings, but always subject to the provisions and resolutions of the Executive Council.

7A. PUBLIC BENEFIT ORGANISATION AND TAX EXEMPTION REQUIREMENTS

7A.1 The Federation shall operate on a non-profit basis and with an altruistic or philanthropic intent. Its sole or principal object shall be the carrying out of one or more public benefit activities as contemplated in the Income Tax Act, 1962, and its activities shall be for the benefit of, or accessible to, the general public or an appropriate sector thereof.

7A.2 The income and property of the Federation shall be applied solely towards the furtherance of its stated objectives and public benefit activities. No portion shall be distributed directly or indirectly to any member, office-bearer, Executive Council member or other person, except in the course of undertaking a public benefit activity or as reasonable and bona fide remuneration for services actually rendered to the Federation.

7A.3 The Federation shall have at least three (3) natural persons who are not connected persons in relation to one another, accepting fiduciary responsibility for the Federation. No single person shall directly or indirectly control the decision-making powers of the Federation.

7A.4 No remuneration shall be excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered. No fiduciary or employee shall have any personal or private economic interest in the Federation, except for reasonable remuneration for services actually rendered or reimbursement of reasonable expenses properly incurred on behalf of the Federation.

7A.5 The Federation shall not accept any donation which is revocable at the instance of the donor for reasons other than a material failure to fulfil the designated purpose and shall not accept any donation subject to conditions which could enable the donor or a connected person to derive a direct or indirect benefit, except as permitted by the Income Tax Act.

7A.6 The Federation shall not use its resources, directly or indirectly, to support, advance or oppose any political party.

7A.7 The Federation shall not knowingly become a party to, or knowingly participate in, any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of any tax, duty or levy which would otherwise have been or would have become payable.

7A.8 The Federation shall maintain proper books of account and records and prepare financial statements in accordance with applicable legislation and the requirements of the South African Revenue Service (SARS).

7A.9 A copy of every amendment to this Constitution shall be submitted to SARS as soon as the amendment has been adopted in accordance with clause 32. The Federation shall also notify SARS of changes to its registered particulars, address, office-bearers or fiduciaries, and any cessation of its activities or existence, within the applicable prescribed periods.

7A.10 No person who is disqualified from acting in a fiduciary capacity under applicable legislation, including section 30(3) of the Income Tax Act, shall be appointed or permitted to act as a fiduciary of the Federation.

7A.11 Where the Federation provides funds to any association or organisation contemplated in paragraph 10(iii) of Part I of the Ninth Schedule to the Income Tax Act, it shall take reasonable steps to ensure that such funds are used for the purpose for which they were provided.

8. PROPERTY

8.1. The Federation may own property (corporeal or incorporeal) and shall keep records of all such property.

8.2. Members or office-bearers of the Federation have no rights in the property or other assets of the Federation solely by virtue of their being members or office bearers.

9. JURISDICTION

9.1 The jurisdiction of the Federation shall extend within the boundaries of South Africa.

10. STRUCTURE OF THE FEDERATION

The Federation shall consist of:

10.1 The Executive Council

10.2 The Federations

10.3 The individual members

11. THE EXECUTIVE COUNCIL

The Executive Council shall be the governing body of the Federation and shall collectively accept fiduciary responsibility for the governance, administration, financial affairs and oversight of the Federation. It shall consist of the following office-bearers and members:

11.1 The President

11.2 The Secretary-General

11.3 The Treasurer

11.4 The Communications and Development Officer

11.5 The Director of Compliance and Integrity

11.6 The Head of Coach Education and Development

11.7 The Head of High Performance and Elite Athlete Development

11.8 The Head of Technical Officials

11.9 Roles and Responsibilities

11.9.1 Each member of the Executive Council shall be responsible for the portfolio to which they have been elected or appointed and shall perform the functions associated with that portfolio.

11.9.2 The objectives, duties and responsibilities of each portfolio shall be set out in a separate SAUSF Committee Roles and Responsibilities document, as approved by the Executive Council.

11.9.3 The Executive Council may review and amend the Committee Roles and responsibilities document from time to time, provided that any amendments are consistent with this Constitution and the policies of the Federation.

11.10 At least three (3) natural persons who are not connected persons in relation to one another, as contemplated in section 30 of the Income Tax Act, shall accept fiduciary responsibility for the Federation.

11.11 No single person shall directly or indirectly control the decision-making powers of the Federation in relation to its governance and operations.

11.12 The Executive Council shall exercise its powers collectively in accordance with this Constitution. No person shall be appointed or continue to act as a fiduciary if disqualified from doing so under applicable legislation.

12. POWERS OF THE EXECUTIVE COUNCIL

12.1 The Executive Council shall have both the authority and the responsibility for the effective and efficient functioning of the Federation in general.

12.2 The Executive Council shall have the authority to perform the following functions:

12.2.1 To manage the affairs and transact business of the Federation, on behalf of the Federation, between quarterly Executive Council Meetings in such manner as it may be fit and expedient, provided the administration shall not conflict with this Constitution and the policies of the Federation.

12.2.2 To approve the budget of the Federation.

12.2.3 To act as the mouthpiece of the Federation with respect to interactions with Government, the SASCOC, CMAS and other international and national sport and recreational bodies.

12.2.4 To call and make the necessary arrangements for all Executive Council Committee meetings.

12.2.5 To prepare and make recommendations regarding amendments or changes to this Constitution.

12.2.6 To make, amend, modify or amplify the rules or policies of the Federation.

12.2.7 To exercise the powers as set out in section 12 of this Constitution.

13. CLUBS AND/OR OTHER ORGANISATIONS

13.1 Composition of Clubs and/or other Organisations

13.1.1 Individuals may organise themselves into Clubs and/or other organisations for the purpose of participating, promoting and administering underwater sport at a local level.

13.1.2 The Clubs and/or other organisations shall be structured and/or constituted in such a manner as required by the Federation they affiliate to, provided that nothing in their structures and/or constitutions shall be inconsistent with this Constitution.

13.2 Authority and functions of the Clubs and/or other Organisations

13.2.1 The Clubs and/or other organisations shall have both the authority and the responsibility for the effective and efficient promotion and administration of all facets of the underwater sport for its individual members.

13.2.2 The Clubs and/or other organisations shall be autonomous in the administration of their own affairs in accordance with the wishes of their members.

13.2.3 All Clubs and/or other organisations shall have the authority to perform the following functions:

13.2.3.1 To compile, amend and change its own Constitution provided that such Constitution shall never be inconsistent with this Constitution.

13.2.3.2 To elect such office bearers as prescribed by its own Constitution.

13.2.3.3 To manage its own financial affairs in accordance with its own Constitution and/or the wishes of its members.

13.2.3.4 To determine affiliation fees for its members and to collect such affiliation fees.

13.2.3.5 To select persons to represent the Club and/or organisation in national club competitions in terms of its own Constitution as well as the requirements and guidelines of the Executive Council Committee.

13.2.3.6 To initiate disciplinary action against its members, provided that, if found guilty, a member has the right of appeal to the Federation's Executive whose decision shall be final.

13.2.3.7 All duly constituted Clubs of the Federation shall adhere to the principle of reciprocity. Reciprocal membership shall, however, not be applicable to Clubs within the same Federation.

13.3 Legal personality of Clubs and/or other Organisations

13.3.1 The Club and/or the other organisations affiliated to any one of the Federation's Provincial Federations shall be a body with legal rights capable of suing and being sued and no member of the Club and/or other organisations nor the Federation shall have any rights to its assets, nor liability for its obligations.

14. MEMBERSHIP

The Federation shall consist of:

14.1 Registered Underwater Sports association bodies.

14.2 Office Bearers

14.2.1 The office bearers of the Federation shall be the members of the Executive Council.

14.2.2 An office bearer shall be a paid-up member of a National Federation, Club or other body duly affiliated to the Federation.

14.2.3 The positions of office shall be filled by an election process as described in section 23 of this Constitution.

14.3 Affiliated Bodies

Affiliated Bodies, who shall be known as affiliates are:

14.3.1 National Federations

14.3.2 The Clubs and/or other organisations

14.4 Honorary Life Membership

14.4.1 Honorary life membership may for distinguished service to underwater sport in South Africa, be conferred upon the recommendation of the Executive council, or any Member, on any person by a two-thirds majority vote of those present and eligible to vote at a General Assembly Meeting.

14.4.2 An honorary life member shall, for the duration of that person's natural life, enjoy all privileges and be subject to all responsibilities of a member of the Federation as set out in this Constitution.

14.4.3 In the case of grave misconduct on the part of an Honorary Life Member, the Federation reserves the right to cancel the Honorary Life Membership of such a member. The cancellation shall proceed upon the recommendation of the Executive Council, who shall have the responsibility to motivate their decision, and a resolution passed by a two third majority vote of those present and eligible to vote at an Executive Council Meeting.

15. AFFILIATIONS

15.1 Only such bodies as prescribed in clause 14.3 of this Constitution shall be eligible for affiliation to the Federation.

15.2 Individual affiliation is governed by the procedures in clause 14.1, supra.

15.3 All affiliated bodies:

15.3.1 Shall forward a copy of its Constitution and a list of its policies as amended from time to time to the Executive Council of the Federation. Such Constitution shall not be inconsistent with this Constitution.

15.3.2 Shall be provided with a copy of this Constitution and the policies and shall be bound thereby.

15.3.3 Shall submit a detailed list of their officials for submission to the Annual Executive Council Meeting.

15.3.4 Shall submit a detailed list of the body's officials, members, colours and emblems if requested so by the Executive Council Committee.

15.3.5 Shall implicitly recognise each other's autonomy and acknowledge the given discipline or specific domain or fraternity within the jurisdiction of the Federation.

15.3.6 Shall pay an annual affiliation fee which shall be bi-annually approved by the Bi-Annual Executive Council Committee Meeting.

15.3.7 In the event of any affiliated body or individual member having acted to the detriment of the Federation it shall be within the power of the Federation to suspend the affiliation of any such affiliated body or individual member, by a two-thirds majority vote of those present and eligible to vote at an Executive Council Meeting of the Federation. Written notification of such action shall be forwarded to that affiliated body and/or individual member within thirty (30) days of the meeting at which such decision was reached. Such member body and/or individual member shall have the right to lodge an appeal to the Executive Council Committee within thirty (30) days of the date of such written notification. The decision of the Executive Council, taken at a duly constituted Executive Council Committee, shall, however, be final.

16. THE ANNUAL GENERAL MEETING

16.1 The Annual General Meeting of the Federation shall be held in March each year, at a time and place determined by the Executive Council.

16.2 The business of the Annual General Meeting shall be:

16.2.1 To read and confirm the minutes of the previous Annual General Meeting.

16.2.2 To read and confirm the minutes of any Special Executive Council Meeting.

16.2.3 To consider matters arising from the minutes of the meetings above.

16.2.4. To receive the President's report.

16.2.5 To receive the Treasurer's Report and combined budget for the next financial year.

16.2.6 To amend, modify or amplify the policies of the Federation.

16.2.7 To discuss and finalise possible constitutional changes for submission to the Executive Council Committee.

16.2.8 To appoint auditors for the ensuing year.

16.2.9 To consider any other general business.

16.2 The order of business of any one Annual General Meeting may be altered or amended by a simple majority vote of those present and eligible to vote at an Annual General Meeting.

17. THE ORDINARY EXECUTIVE COUNCIL MEETING

An Ordinary Executive Council Meeting shall be convened:

17.1 By the Executive Council Committee as and when it may be deemed expedient provided that it shall meet on a quarterly basis.

17.2 The business of the Ordinary Executive Council meeting shall be anything which is necessary to manage the affairs and transact the business of the Federation, on behalf of the Federation, in such a manner as it may be fit and expedient, provided the administration shall not be in conflict with this Constitution and the policies of the Federation.

18. THE SPECIAL EXECUTIVE COUNCIL MEETING

18.1 A Special Executive Council Meeting shall be convened by the Executive Council Committee as and when it may be deemed expedient.

18.2 The business of the Special General Executive Council Meeting shall be proceeded within the order as per agenda for such meeting and only that business for which such meeting is called, shall be discussed.

19. NOTICE AND MEETING PROCEEDINGS

19.1 At least thirty (30) days' notice of any general, ordinary or special meeting shall be forwarded to all member bodies of the Federation together with the agenda and related documentation.

19.2 The statement of the financial affairs of the Federation and a copy of the annual reports shall form part of the notice of the Annual General Meeting.

19.3 The duly audited statement of the financial affairs of the Federation shall be tabled at the Annual General Meeting.

19.4 The President of the Federation shall chair the meetings. In the absence of the President, the Honorary Secretary-General shall chair the meetings.

19.5. Minutes of all proceedings of the Executive Council and of all Annual General

Meetings, Special Executive Council and Ordinary Executive Council Meetings of the Federation shall be kept and maintained.

19.6 The qualifications of the delegates, the voting powers and the quorum of all meetings shall be as laid down in this Constitution.

19.7 Observers and or representatives of the media may be admitted to meetings of the General Assembly and the Executive Council of the Federation, though only at the invitation of the Executive Council.

20. QUORUMS

20.1 Executive Council Meetings

20.1.1 The quorum at Executive Council Meetings shall be sixty-six (66) percent.

20.2 Annual General Meeting

20.2.1 A quorum shall consist of the representative of not less 66% of National Federation's representatives as well as at least 2 members of the Executive Council.

20.2.2 If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall be adjourned for half an hour after which the members present by representation shall be a quorum provided at least 3 members of the Executive Council are present are present and at least 1 National Federation is represented.

21. VOTING

21.1 Voting at Executive Council Meetings shall proceed as follows:

21.1.1 Decisions by consensus should first be sought before a vote is called for.

21.1.2 The Executive Council members shall have one (1) vote each.

21.1.3 Proxy votes shall also be allowed, provided that:

21.1.3.1 The person holding the proxy has a written letter of authorisation from the Executive Council member he represents, which shall state that that specific person has been given the proxy.

21.1.3.2 The person holding the proxy shall provide the letter of authorisation to the Executive Council Committee members, if requested to do so.

21.1.4 All business except where otherwise stipulated in this Constitution shall be decided on a simple majority vote of those present and eligible to vote, and in case of equality of votes the chairperson shall have a casting vote.

21.1.5 Decisions shall normally be ascertained by a show of hands unless a ballot is requested by any delegate present. The chairperson shall declare such results of the vote and the decision shall be recorded in the minutes.

21.2 Voting at The Annual General Meeting shall proceed as follows:

21.2.1 Decisions by consensus should first be sought before a vote is called for.

21.2.2 The Executive Council members shall have one (1) vote each.

21.2.3 Each person representing a National Federation shall have one (1) vote in their capacity as the Federation Representative.

21.2.3 Proxy votes shall also be allowed, provided that:

21.2.3.1 The person holding the proxy has a written letter of authorisation from their National Federation, which shall state that that specific person has been given the proxy.

21.2.3.2 The person holding the proxy shall provide the letter of authorisation to the Executive Council Committee members, if requested to do so.

21.2.4 All business except where otherwise stipulated in this Constitution shall be decided on a simple majority vote of those present and eligible to vote, and in case of equality of votes the chairperson shall have a casting vote.

22.2.5 Decisions shall normally be ascertained by a show of hands unless a ballot is requested by any delegate present. The chairperson shall declare such results of the vote and the decision shall be recorded in the minutes.

22.1.6 Any delegate under suspension or any affiliated Federation that has failed to discharge its liabilities in regard of affiliation fees will not be entitled to vote.

23. ELECTION OF OFFICE BEARERS

23.1 Elections for all positions on the Executive Council, as listed in Clause 11 of this Constitution, shall be held every four (4) years at the Annual General Meeting of the Federation. All elected office-bearers shall serve a term of four (4) years, commencing upon their election and continuing until the conclusion of the next election, unless they resign, are removed from office or otherwise cease to hold office in accordance with this Constitution. All positions shall be open for election at the same Annual General Meeting.

23.2 Nominations in writing, together with motivations for the Executive Council positions listed in Clause 11 of this Constitution, supported by the written acceptance of the nominee, shall be submitted to the Honorary Secretary-General of the Federation not later than thirty-five (35) days before the start of the Annual General Meeting. A list of nominations accepted in writing by the nominees, together with their motivations, shall be forwarded to all members not later than thirty (30) days before the start of the Annual General Meeting. Nominations may only be submitted by member Federations.

23.4 Filling of Vacancies Between Elections

Should a vacancy arise in any elected position on the Executive Council between scheduled elections, the Executive Council may appoint an eligible person to fill the vacancy for the remainder of the existing four (4) year term.

Such appointment shall be subject to the authority of the Executive Council and the provisions of this Constitution. The appointment shall not create a new four (4) year term, nor shall it alter the scheduled election cycle. The position shall be open for election at the next scheduled election of the Executive Council.

23.3 All serving office-bearers shall be eligible for re-election to the positions they currently hold, or may be nominated for another Executive Council position, provided that the nomination and acceptance requirements in Clause 23.2 are met.23.4. The Executive Council shall have the power to add to its number by co-opting Members from its members.

23.5 Continuity and handover

Outgoing office-bearers shall, where reasonably possible, assist with the handover of their respective portfolios to newly elected office-bearers, including the transfer of relevant records, documents, information and outstanding matters, to promote continuity in the administration of the Federation.

24. DUTIES OF OFFICE BEARERS

24.1 Office bearers shall perform such duties as per custom pertaining to their office and be particularly responsible for the duties as may be allocated to them from time to time by an Executive Council Meeting.

24.2 The President of the Federation shall:

24.2.1 Be the official representative of the Federation with authority to act whenever necessary, but always within the limitations of the provisions of this Constitution.

24.2.2 When present, be chairperson of all General Assembly and Executive Council meetings and shall sign confirmed minutes of such meetings.

24.2.3 Be responsible for the public relations and for the general overall management of the Federation.

24.3 The Honorary Secretary-General shall:

24.3.1 Exercise the power and perform the duties of the president when the latter is not

available.

24.3.2 Compile the agenda for and take minutes, or have minutes taken at all General Assembly and Executive Council meetings.

24.3.3 Is responsible for the administration and records of the Federation.

24.4 The Honorary Treasurer shall:

24.4.1 Keep true and proper accounts for the finances of the Federation in conformity with the requirements of the auditors.

24.4.2 Prepare the annual budget of income and expenditure for consideration at the Annual Executive Council Meeting and advise the Executive Council on all matters of finance.

24.4.3 Prepare the combined bi-annual budget of income and expenditure for consideration at the General Assembly Meeting.

24.5. The Communications and Development Officer shall:

24.5.1 Strengthen Communication Channels and Member Engagement by facilitating interactive feedback mechanisms to understand the needs and challenges of the federations.

24.5.2 Support Federation Growth and Development by assisting federations in developing recruitment and retention strategies to increase participation at all levels of underwater sports.

24.5.3 Elevate Awareness and Advocacy for Underwater Sports through collaboration with SASCOC to ensure compliance with its requirements while advocating for greater recognition and support for underwater sports.

24.5 Any Executive Council member may be removed from office for serious negligence or misconduct by a Special Executive Council Meeting convened for this purpose.

24.6 The Director of Compliance and Integrity shall:

24.6.1 Monitor the Federation's compliance with its Constitution, policies, applicable legislation and governance requirements.

24.6.2 Promote good governance, ethical conduct, transparency and accountability throughout the Federation.

24.6.3 Monitor compliance with conflict-of-interest requirements and recommend appropriate corrective measures where necessary.

24.6.4 Oversee the Federation's governance, integrity and safeguarding requirements, in conjunction with the relevant structures and policies.

24.7 The Head of Coach Education and Development shall:

24.7.1 Develop and coordinate coach education and development programmes across the underwater sport disciplines.

24.7.2 Promote recognised coaching standards, qualifications and accreditation.

24.7.3 Facilitate coaching courses, workshops, seminars and continuing professional development opportunities.

24.7.4 Liaise with affiliated Federations and relevant international bodies on coach development.

24.8 The Head of High Performance and Elite Athlete Development shall:

24.8.1 Develop and oversee high-performance pathways for athletes progressing from grassroots and junior participation to elite and national representation.

24.8.2 Work with affiliated Federations and National Coaches to identify and develop talented athletes.

24.8.3 Promote structured national training programmes, performance standards and athlete monitoring.

24.8.4 Support the preparation and development of athletes competing at international level.

24.9 The Head of Technical Officials shall:

24.9.1 Coordinate the development, training and accreditation of technical officials across the underwater sport disciplines.

24.9.2 Promote consistent standards and the correct application of international and national competition rules.

24.9.3 Facilitate opportunities for practical experience and the ongoing development of referees, judges and other technical officials.

24.9.4 Liaise with affiliated Federations and relevant international bodies regarding technical official development and accreditation.

25. FINANCE

25.1 An account in the name of the Federation shall be opened at a financial institution chosen by the Honorary Treasurer and approved by the Executive Council.

25.2 All monies received on behalf of the Federation shall be paid into an account of the Federation at that financial institution.

25.3 All accounts, invoices/bills and other negotiable instruments shall be signed by any two (2) members of the Executive Council from the three (3) who shall be designated to have signing powers on the accounts.

25.4 True accounts shall be kept by the Executive Council of the sums of money received and expended by the Federation and of the matters to which such receipts and expenditure refer and of the assets and liabilities of the Federation.

25.5 The financial year of the Federation shall end on 28 February of each and every year. The accounts and vouchers of the Federation shall be examined and the corrections of the balance sheet certified by the auditors appointed at the Annual General Meeting of the Federation.

25.6 The combined audited financial statements of the Federation, together with a combined budget for the next financial year shall be tabled by the Honorary Treasurer at the Annual General Meeting of the Federation.

25.7 Affiliation fees due to the Federation by affiliated members shall be payable by 31 January of each and every year.

25.8 The Federation shall keep accounting records and supporting documents sufficient to explain its transactions and financial position. Such records shall be retained for at least five (5) years, or for any longer period prescribed by applicable legislation.

25.9 The Federation shall submit all tax returns, reports and information required by SARS within the prescribed periods and shall keep its registered details and information concerning its office-bearers and fiduciaries up to date.

26.8 No money and/or property of the Federation may be given, advanced, ceded, lent or hypothecated to any person or body whatsoever except by resolution of the Executive Council.

27. APPEAL BOARD

27.1 The Executive Council shall act as or appoint an appeal board upon any dispute between two (2) or more affiliated members at the written request for any one of the disputants.

27.2 The appeal board shall have the power to vary or reverse the decision under appeal, and the appeal board's decision shall be final.

27.3 The Executive Council shall act as or appoint a mediator and facilitator in all disputes on the written request of one of the disputants and shall attempt to resolve any conflict by consensus.

28. AFFILIATION TO OTHER BODIES

28.1 The Federation affiliates to all such organisations as resolved by a simple majority vote at any Executive Council Meeting.

29. CODE OF ETHICS

29.1 No member of the Federation shall use any banned substance or performance enhancing drugs.

29.2 All members shall avail themselves if called upon to undergo any tests. If found guilty of an offence by the relevant Committee and/or Commission the member may be suspended for a period not exceeding five (5) years.

30. EMBLEM AND COLOURS

30.1 The Federation's emblem and colours shall be included in the policies of the Federation and may only be changed by a resolution of the General Assembly.

31. OFFICIAL REPRESENTATIVE OF THE FEDERATION

31.1 The President of the Federation shall act as the official representative of the Federation. No member or affiliate may claim to be the official representative of the Federation without the consent of the President of the Federation.

32. AMENDMENTS

32.1 Additions or alternations to this Constitution may be adopted only at a duly constituted Executive Council Meeting specially convened for that purpose, on a motion supported by at least thirty (30) percent of, save not less than two (2) affiliated members of the Federation, provided that notice of such motion in writing is received by the Honorary Secretary-General of the Federation for inclusion in the agenda of an Executive Council Meeting. Such motion shall be received at least fourteen (14) days before the prescribed notice period of that Executive Council Meeting or Special Executive Council meeting.

33. DISSOLUTION

33.1 The Federation retains the right to dissolve itself of its own resolution taken at a duly constituted Executive Council Committee Meeting or a Special Executive Council Committee Meeting specially convened for this purpose, provided:

33.1.1 That sixty (60) days' notice is given to all members of the Federation.

33.1.2 That the motion is adopted by a two-thirds majority of the votes of delegates present and entitled to vote at such a meeting.

33.2 Upon adoption of the resolution to dissolve, steps are taken immediately to wind up the Federation in terms of the Companies Act 2008 (Act No. 71 of 2008) and Non-Profit Organisations Act, 1997 as amended or substituted and where applicable.

33.3 Upon dissolution and after all debts and liabilities have been settled, the remaining assets of the Federation shall not be distributed to any member, office-bearer, Executive Council member or other person. The remaining assets shall be transferred to one or more of the following:

33.3.1 A public benefit organisation which has been approved in terms of section 30 of the Income Tax Act, 1962;

33.3.2 An institution, board or body which is exempt from income tax in terms of section 10(1)(cA)(i) of the Income Tax Act and whose sole or principal object is the carrying on of one or more public benefit activities;

33.3.3 The government of the Republic of South Africa in the national, provincial or local sphere, as contemplated in section 10(1)(a) of the Income Tax Act; or

33.3.4 The National Finance Housing Corporation contemplated in section 10(1)(t)(xvii) of the Income Tax Act, provided that the assets are used solely for the purposes of carrying on one or more public benefit activities.





J H B ENGELBRECHT	**S A de Kock**	**L C Stephen**
President	**Treasurer**	**Secretary- General**