



**ERASA**

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Endurance Ride Association of South Africa

Constitution

# CONSTITUTION OF THE ENDURANCE RIDE ASSOCIATION OF SOUTH AFRICA

## REGISTER OF AMENDMENTS

| Section             | Subject  | Date of amendment |
|---------------------|--|-------------------|
| 6.3                 | Senior members                                 | July 2012         |
| 6.4                 | Junior members                                 | July 2012         |
| 6.5                 | Child members                                  | July 2012         |
| 6.8.5.1             | Payment of affiliation fees                    | July 2012         |
| 6.8.6               | Indemnity                                      | July 2012         |
| 16.3                | Submission of motions                          | July 2012         |
| Annexure A          | Indemnity: members (new)                       | July 2012         |
| 2.10                | Definition of province                         | July 2013         |
| 2.14                | Definition of province                         | July 2013         |
| 8                   | Organisational structure                       | July 2013         |
| 18                  | Provinces                                      | July 2013         |
| 20                  | Establishing of new regions                    | July 2013         |
| 22                  | Establishing of new clubs                      | July 2013         |
| 2.9                 | Endurance ride year – 1 January to 31 December | July 2016         |
| 2.7                 | Composition of Council                         | July 2017         |
| 2.1 tot 2.16        | Amendment of definitions                       | July 2017         |
| 2.14                | Meeting  | July 2017         |
| 6.3                 | Senior members                                 | July 2017         |
| 9.1.1.2<br>/9.1.2.2 | Term of office of president/vice-president     | July 2017         |
| 9.2.1               | Delete international committee                 | July 2017         |
| 9.2.3.1             | National selection committee                   | July 2017         |
| 9.2.5               | Add advisory committee                         | July 2017         |
| 16.6                | Quorum annual general meeting (AGM)            | July 2017         |
| 17.5                | Quorum extraordinary general meeting (EGM)     | July 2017         |
| 18                  | Provinces                                      | July 2017         |
| 19                  | Regions  | July 2017         |
| 20                  | Clubs  | July 2017         |
| 25.1                | Dispute resolution                             | July 2017         |
| 9.1.5.3             | Term of office additional members              | July 2018         |
| 9.1.6               | Athlete representative                         | July 2018         |
| 9.2.1.3             | Development committee                          | July 2018         |
| 16.6                | Voting rights provincial presidents AGM        | July 2018         |
| 17.5                | Voting rights EGM                              | July 2018         |
| 18.3                | Voting rights provincial meetings              | July 2018         |
| 9.5 – 9.5.15        | Election procedures determined by SAEF         | July 2018         |
| 2.6                 | “Paid Up” to be included throughout            | July 2019         |
| 2.7                 | Athletes Representative added                  | July 2019         |
| 2.10                | “Provincial Body” added                        | July 2019         |

|         |  |                |
|---------|--|----------------|
| 6.9.2   | Membership "ended"   | July 2019      |
| 16.9    | New Article 16.9 added   | July 2019      |
| 17.10   | New Article 17.10 added  | July 2019      |
| 21.3    | New Article 21.3 added   | July 2019      |
| 25      | Amendment in Article 25 to change date of signature from 7 July to the November 2017 | July 2019      |
| 9.1.5   | Athlete Representative "yearly" changed to "3 (three) years"                         | July 2019      |
| 5.1     | Wording change   | September 2020 |
| 5.2     | Wording change   | September 2020 |
| 5.3     | Wording change   | September 2020 |
| 5.13    | New Article added  | September 2020 |
| 6.8.1   | Wording Changed  | September 2020 |
| 9.5     | Wording Change   | September 2020 |
| 15.6    | Wording Change   | September 2020 |
| 18.4    | Wording Change   | September 2020 |
| 19.3    | Wording Change   | September 2020 |
| 9.2.3.3 | Wording Change   | September 2020 |
| 9.2.6.5 | Wording Change   | September 2020 |
| 19.4    | New Article added – clubs to host ride annually                                      | November 2021  |

## CONSTITUTION OF THE ENDURANCE RIDE ASSOCIATION OF SOUTH AFRICA

Annexure A: Indemnity, voluntary acceptance of risk, consent to testing for banned substances and emergency veterinary and/or medical treatment (members)

### 1. NAME

The name of the Association is the **ENDURANCE RIDE ASSOCIATION OF SOUTH AFRICA (ERASA)**

### 2. DEFINITIONS

In this constitution the following words shall have the meaning as set out hereinafter, unless the context otherwise indicates. Words indicating the singular also include the plural, and any reference to a gender includes the other gender, unless the contrary appears from the context.

#### 2.1 Affiliation fees

Annual fees to be paid by members to the Association, as well as fees payable by clubs (or members of clubs) to provinces to which the said club is affiliated.

#### 2.2 Office-bearer

Any member of the Association who holds an office in the Association and/or acts as an official of the Association.

#### 2.3 Accredited club

A club that has hosted at least three consecutive official endurance rides to the satisfaction of the management of the provinces to which the klub is affiliated.

#### 2.4 Year

The term year refers to a calendar year starting on 1 January and ending on 31 December of the same year, unless indicated otherwise.

#### 2.5 Club

An endurance ride club that functions in accordance with this constitution and the provisions of the Council.

#### 2.6 Members

**Paid-up** members of the Association whose particulars appear in the members' register.

#### 2.7 Council

Members of the Association elected, nominated or appointed to the Council in accordance with the constitution of the Association. The Council of ERASA shall comprise the national president, a vice-president, four additional members elected per nomination by members, a treasurer, an Athletes Representative, a general manager (no voting rights) and nine provincial presidents and athlete representatives. Co-opted members do not have voting rights.

#### 2.8 Endurance ride

A ride over a fixed distance during which the stamina and fitness of horses are tested according to the provisions and under the auspices of the Association.

- 2.9 Endurance ride year**  
An endurance ride year corresponds with a normal calendar year, namely from 1 January to 31 December of a said year.
- 2.10 Provincial Body**  
A body that functions within the geopolitical boundaries as determined by the Constitution of South Africa and whose constitution has been approved by the Council.
- 2.11 Person responsible**  
The person responsible for a horse participating in an endurance ride, and who is legally liable for all matters relating to the said horse. It shall always be the rider who participates with the specific horse in the endurance ride, but the owner of the horse (should the rider not be the owner) may, depending on circumstances, be considered with the rider as the person responsible. If the rider is younger than 18 years, his or her parent or guardian may jointly be regarded as the person responsible.
- 2.12 Association**  
The Endurance Ride Association of South Africa
- 2.13 Meeting**  
A discussion taking place according to a formal agenda, with the purpose of making decisions. Members of the meeting may be present in person, or telephonically, (preferably by means of a telephone conference), **Zoom, Skype or via any other digital method.**
- 2.14 SAEF**  
South African Equestrian Federation
- 2.15 FEI**  
*Fédération Equestre Internationale* (International Equestrian Federation)

### **3. STATUS AND JURISDICTION OF THE ASSOCIATION**

- 3.1 The Association is a voluntary non-profit association.
- 3.2 The Association has been established to achieve the objectives as set out in this constitution.
- 3.3 The Association has been vested with the powers and authority as set out in this constitution.
- 3.4 The Association is a legal entity that functions independently of its members and is the autonomous bearer of rights and obligations with perpetual succession.
- 3.5 The Association may procure, hold, trade, rent, lease, dispose of and mortgage any assets as is deemed necessary to achieve its objectives.
- 3.6 The Association is competent to deal independently with any legal matters through its authorised officials.
- 3.7 The Association shall be affiliated to any body to which affiliation is essential to achieve its objectives.
- 3.8 Members' liability to the Association's obligations is limited to the amount of a member's unpaid membership fees, outstanding affiliation fees and any other amounts due to the Association.

#### 4. AUTHORITY

The Association realises its objectives primarily within the boundaries of the Republic of South Africa and exercises its authority and powers over all members of the Association, irrespective of where they participate in rides.

#### 5. OBJECTIVES

- 5.1 To promote and manage endurance riding as an amateur sport among all population groups in South Africa, **where applicable**, under the auspices of the SAEF and the FEI.
- 5.2 To coordinate and standardise endurance rides in South Africa, **where applicable** under the auspices of the SAEF and the FEI, and to ensure strict compliance with the provisions of the constitution and rules of the Association.
- 5.3 To host endurance rides, **where applicable**, at its discretion, under the auspices of the SAEF and the FEI in accordance with the provisions of this constitution.
- 5.4 To, when required, host international rides and promote international participation in endurance rides, **where applicable**, under the auspices of the SAEF and the FEI.
- 5.5 To select teams for participation against other teams at all levels and to award appropriate colours to these teams according to the rules and regulations of the governing bodies involved **where applicable**.
- 5.6 To provide continuous training and counselling in respect of endurance rides and horsemanship in general to members and officials.
- 5.7 To ensure that horses participating in endurance rides are not exposed to conditions and circumstances that could be detrimental to their well-being.
- 5.8 To collect data about endurance rides and keep record of this information, and to promote research.
- 5.9 To generate funds to promote the objectives of the Association, and to give appropriate recognition and exposure to persons and/or organisations that make a financial contribution to the Association.
- 5.10 To give, within the framework as set out in the rules of the Association, recognition to members for exceptional achievements or for a notable contribution to the sport.
- 5.11 To promote development in endurance riding with the specific aim of involving previously disadvantaged persons in the sport (whether as riders or as officials).
- 5.12 To ensure that the constitution of ERASA is not in conflict with the constitutions of the SAEF, **where applicable**, and SASCOC or the Constitution of South Africa.
- 5.13 **To consider at each Annual General Meeting Annually, whether, or not, to affiliate the Association to the National Federation of Equestrian for the ensuing year.**

## **6. MEMBERSHIP**

6.1 The Association makes provision for five categories of membership, namely honorary members, senior members, junior members, child members and administrative members.

### **6.2 Honorary member**

An honorary member is appointed for life, is exempted from affiliation fees, has full voting rights and is eligible for any position or office. Honorary members may be nominated as follows:

6.2.1 Any person who participated as a competitor, or was the owner of a horse that competed, or officiated at the 1974, 1975, 1976 and 1977 endurance rides held at Fauresmith, South Africa, qualifies as honorary member in the founder member category.

6.2.2 The Council may nominate any person as honorary member.

### **6.3 Senior member**

A person is a senior member from the first day of the calendar year in which he or she turns 18 years of age. Senior members have a full vote, but only from the day of their eighteenth birthday, and are eligible for any position or office.

### **6.4 Junior member**

A person is a junior member from the first day of the calendar year in which he or she turns 14 years of age until the end of the calendar year in which he or she turns 17. Junior members do not have voting rights and are not eligible for governing bodies and as office-bearers and officials. \*

### **6.5 Child member**

A person is a child member from the first day of the calendar year in which he or she turns ten until the end of the calendar year in which he or she turns 13. Child members do not have voting rights and are not eligible for governing bodies and as office-bearers or officials.

### **6.6 Administrative member**

A person who does not participate as a rider in endurance rides, but, however, officiates at rides or serves on committees (at any level). These members pay reduced affiliation fees as determined periodically by the Council.

### **6.7 Application for membership**

6.7.1 Senior members apply for membership on the prescribed membership form which has to be submitted with the prescribed fees to the management of the club of their choice in their province of domicile.

6.7.2 Junior members and child members (assisted by a parent or guardian) apply for membership on the prescribed membership form which has to be submitted with the prescribed fees to the management of the club of their choice in their province of domicile.

6.7.3 Administrative members apply for membership on the prescribed membership form which has to be submitted with the prescribed fees to the management of the club of their choice in their province of domicile.

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\* "Young riders" is not a membership category, but only a category of participation and is defined in the rules.

- 6.7.4 Applications for membership are considered by the management of the club concerned. Membership may be refused should the applicant's conduct be in breach of the Association's code of conduct.

## **6.8 Additional conditions regarding membership**

- 6.8.1 All members of the Association are subject to all the provisions of the constitution and rules of ERASA.
- 6.8.2 Membership is limited to the rider. Horses have no membership or constitutional rights.
- 6.8.3 A person may only join one club affiliated to ERASA, may serve on the management of that club only, and may only serve on the management committee of the province to which the said club is affiliated.
- 6.8.4 Affiliation to ERASA may be granted at reduced fees at the Council's discretion. Members may also be exempted from affiliation fees at the Council's discretion.
- 6.8.5 Affiliation fees payable to the Association is determined annually by the Council and is announced at the annual general meeting (AGM).
- 6.8.5.1 Members' affiliation fees due to the Association for the following year is payable on 1 December of the preceding year, shall be collected by the management of the club and paid over to the Association, and is not refundable.
- 6.8.5.2 Only paid-up members may vote at the Association's meetings and may be elected to management committees of the Association.
- 6.8.6 All members shall annually complete and sign the indemnity, voluntary acceptance of risk and consent to test for banned substances and for emergency veterinary and medical treatment (see Annexure A). With regard to junior and child members, the form shall be co-signed by a legal guardian. The signed documents shall be submitted by the club to the general manager, who shall ensure that a signed document is received for each member and shall file the said documents. Members shall only be affiliated by ERASA upon receipt of the signed form.

## **6.9 Termination of membership**

- 6.9.1 A member may at any time resign from the Association. Resignations are submitted to the member's club.
- 6.9.2 Membership may be ended by the Association (via the Council or the member's club or province):
- 6.9.2.1 when a member fails to pay outstanding fees within 60 days after a reminder had been sent per registered letter or was delivered by hand or was sent electronically to him or her by the treasurer of the club or province: or
- 6.9.2.2 as part of disciplinary action against a member.



## 7. MEMBERS' REGISTER

### 7.1 Members' register

7.1.1 The general manager of the Association keeps a register of the personal particulars (including, but not limited to, the club number, name, address, identity number, email address and telephone numbers) of each member.

7.1.2 Club secretaries shall:

7.1.2.1 submit the information of members who affiliate for twelve months annually before a date as determined by the Council, to the general manager of the Association; and

7.1.2.2 submit the information of new members immediately to the general manager of the Association.

### 7.2 Club codes and membership numbers

7.2.1 The general manager of the Association allocates a club code to each club.

7.2.2 Membership numbers are allocated to members by the general manager of the Association. This membership number is linked to the identity number of the member concerned, and shall not change during the member's affiliation to the Association. Membership numbers may not be reallocated upon the resignation or death of the member.

## 8. ORGANISATIONAL STRUCTURE OF THE ASSOCIATION

8.1 The organisational structure of the Endurance Ride Association of South Africa makes provision for:

8.1.1 a **National Council** as the highest authority of the Association. All other bodies of the Association, whether at national, provincial or club level, as well as all officials and members, are accountable to and bound by the resolutions of the AGM.

8.1.2 a council that coordinates endurance ride matters at national level, manages the sport in general, and accepts overall responsibility for the achievement of the Association's objectives. All provinces and clubs fall under the general authority of the Council.

8.1.3 a number of **provincial associations** that coordinate endurance ride matters at provincial level.

8.1.4 a number of clubs that coordinate endurance ride matters at club level.

## 9. MANAGEMENT STRUCTURE OF THE COUNCIL

The management structure of the Council shall consist of the following:

### 9.1 Council members

9.1.1 President (one vote plus casting vote)

9.1.1.1 The president is elected by secret ballot by a majority vote of the provincial presidents at the AGM.

- 9.1.1.2 The term of office of the president commences on the day of the election.
- 9.1.1.3 The president's term of office shall be three years, and he or she may serve for a maximum of two consecutive terms.
- 9.1.1.4 Should the president resign during his or her term of office, the vice-president will act as president until a new president is elected at an extraordinary general meeting (EGM).
- 9.1.1.5 During his or her term of office the president shall be responsible to lead the Association to achieve its objectives, and for liaison with other associations and/or organisations involved in the management and coordinating of endurance rides.
- 9.1.1.6 The president may not act as the chairperson or selector of the national selection committee.
- 9.1.1.7 The presidents of the various provinces, or their authorised representatives, represent the members of the province concerned on the Council, and shall see to the interests of these members without prejudice to the broader interest of the sport in general. They shall also keep the members of the province up to date with developments in the sport and inform members of council resolutions.

#### 9.1.2 Vice-president (one vote)

- 9.1.2.1 The vice-president is elected by secret ballot by a majority vote of the provincial presidents at the AGM.
- 9.1.2.2 The term of office of the vice-president commences on the day of the election.
- 9.1.2.3 The term of office of the vice-president is three years, and he or she may serve for a maximum of two consecutive terms.
- 9.1.2.4 Should the vice-president be elected as president during an EGM, a new vice-president shall be elected who shall serve only for the remainder of the term of the outgoing vice-president: provided that this person may still be elected for two full terms thereafter.
- 9.1.2.5 Should the vice-president resign during his or her term of office, a new vice-president shall be elected as determined in clause 9.1.2.4 of the constitution.
- 9.1.2.6 The vice-president acts on behalf of the president when the latter is not available.
- 9.1.2.7 The vice-president acts as chairperson of the national selection committee, but has no vote regarding the selection of any rider and acts as coordinator only, and is responsible for keeping the minutes of all selection meetings.

#### 9.1.3 Treasurer (one vote)

- 9.1.3.1 Should the treasurer not receive any remuneration, he or she shall be elected at the AGM according to the nomination process by the nine provincial presidents. The treasurer shall have at least five years' financial experience.

9.1.3.2 The term of office of the treasurer commences on the first day after appointment and shall be for a period of three years. He or she may be elected for a second term. The outgoing treasurer shall hand over all matters pertaining to the post to the incoming treasurer within a reasonable period of time (not longer than six weeks).

9.1.3.3 The treasurer is the financial manager of the Association and has the overall responsibility to ensure that the books and accounts of the Association are kept, the budget is compiled annually in collaboration with the general manager and other council members, tax matters are dealt with, the finances of the Association are managed in accordance with council and management committee resolutions, and an asset register is kept in which all assets of the Association are recorded. These tasks are executed in close collaboration with the general manager of the Association.

9.1.4 Four additional members (one vote each)

9.1.4.1 Each year additional members are elected by secret ballot by a majority vote of the members at the AGM.

9.1.4.2 The term of office of these additional members commences immediately after election.

9.1.4.3 Additional members serve for a term of three years with no limit to the number of terms. Should an additional member be elected at the AGM to another position during his or her term, a new additional member shall be elected who will then serve only for the remainder of the outgoing additional member's term.

9.1.4.4 Should an additional member resign during his or her term of office, the Council may co-opt any member of the Association to the vacant post. The co-opted member shall serve without voting rights for the remainder of that term.

9.1.4.5 Additional members do not have specific portfolios but may be appointed by the Council as chairpersons of standing and/or ad hoc committees.

9.1.5 Athlete representative (one vote)

A person who is a member of ERASA and participate actively in endurance rides, and who is elected every 3 (three) years at the AGM to represent the athletes who participate in endurance riding within the geographic borders of the RSA.

9.1.6 Member of associated members (one vote)

**9.2 Standing committees**

The Council shall issue a clear mandate to each committee, and the committee concerned shall execute assignments within the provisions of this mandate. Chairpersons of standing committees report to the Council and may be invited to attend council meetings (without a vote) as deemed necessary by the Council.

### 9.2.1 Development committee

9.2.1.1 The development committee is made up of a representative from each of the nine provinces and the chairperson of this committee is elected from its own ranks.

9.2.1.2 The development committee shall compile the development strategy, submit it to the Council for approval, and implement the approved plan. This strategy aims at involving previously disadvantaged persons in the sport (whether as riders or office-bearers) and to raise funds specifically for this purpose.

9.2.1.3 The chairperson of the development committee shall act as spokesperson (transformation and development officer) of ERASA at the federations ERASA is affiliated to.

### 9.2.2 National selection committee

9.2.2.1 The vice-president of the Association is the convener of the selection committee and has no vote during selection. The convener only has a casting vote should the votes be divided equally. The committee (with the exception of the general manager each member of the committee has full voting rights) furthermore consists of:

- one representative from each province (as appointed by the province concerned, and not necessarily the same person who represents the province on the Council)
- the team manager of the team concerned
- the coach of the team concerned (if a coach has been appointed)
- the team veterinarian of the team concerned (if a team veterinarian has been appointed)
- the general manager who acts as secretary (without voting rights) of the committee.

9.2.2.2 The national selection committee manages the selection of all SA national teams and SA development and federation teams.

### 9.2.3 Veterinarian endurance ride interest group (without voting rights on the Council)

9.2.3.1 The veterinarian endurance ride interest group is a grouping of which all accredited veterinarians of the Association are members.

9.2.3.2 This group is managed by a committee (elected by group members) whose chairperson serves as council veterinarian and reports to the Council on behalf of the group. The appointment shall be confirmed by the Council. The term of office of the council veterinarian commences on the day after the council meeting at which the appointment has been confirmed and extends for a period as determined by the veterinarian endurance ride interest group.

9.2.3.3 The group's responsibilities are determined by the Council. These include all matters relating to veterinary science (including veterinary rules and rules regarding the use of veterinarians as officials, amendments of which shall be approved by the Council), the use of banned substances, the coordinating of training of veterinarians with regard to endurance riding and the welfare of horses. The group shall comply with the

requirements as determined by the FEI regarding banned substances and other substances, as well as veterinarian conduct.

#### 9.2.4 Ride masters group (without voting rights on the Council)

9.2.4.1 The ride masters group is a grouping of whom all accredited ride masters of the Association are members.

9.2.4.2 The group is managed by a committee (elected by the members of this group) whose chairperson serves as council ride master and reports to the Council on behalf of the group. The Council shall confirm this appointment. The term of office of the council ride master commences on the day after the council meeting at which the appointment is confirmed, and extends for a period as determined by the ride masters group.

9.2.4.3 The group's responsibilities are determined by the Council. These include the revision of rules concerning rides, riders, horses and officials (excluding veterinarians) for approval by the Council, the coordinating of training of officials and members in general and inspection of courses and routes.

#### 9.2.5 Advisory committee

9.2.5.1 The chairperson of the advisory committee is a member of the ERASA council and is appointed by this council. The chairperson also serves as international liaison for horses and riders for international participation. The team managers of the national teams serve on the advisory committee. Members from the various provinces may also be elected to the advisory committee.

9.2.5.2 The advisory committee handles the identifying of rider-horse combinations according to predetermined criteria, and the compilation of a list of horses and riders according to a specific ranking. This applies for all international, national and provincial development teams. The advisory committee may periodically submit recommendations to the benefit of the endurance ride sport for consideration to the council of ERASA.

9.2.5.3 The national selection committee selects the teams after the advisory committee's recommendations have been considered.

#### 9.2.6 Legal committee

9.2.6.1 The Council appoints the members of the legal committee (legal, disciplinary and ethical aspects and appeals) and delegates all authority to this committee to include, but not exclude:

9.2.6.1.1 to assist the Council with all legal aspects, including investigations and hearings.

9.2.6.1.2 to compile a code of conduct for both members and the Council, as approved by the national committee, and to update it continuously.

9.2.6.1.3 to compile and update the grievance procedures as approved by the national committee.

- 9.2.6.1.4 to hear all internal appeals by any member, provincial association or any other committee of ERASA.
- 9.2.6.1.5 to hear any matter that falls under the authority of the legal committee, as well as relevant rulings in terms of their authority, in any dispute and/or disciplinary case of any nature, including decisions regarding national selection.
- 9.2.6.1.6 to **abjudicate**, mediate and arbitrate with regard to legal aspects.
- 9.2.6.1.7 to require a deposit for any matter referred to the legal committee by a subcommittee or provincial association or individual, which amount shall be determined periodically by the legal committee, and be approved by the Council.
- 9.2.6.2 The legal committee shall be made up of three members, of whom at least one shall have a legal background. The chairperson of this committee shall be appointed by the committee members.
- 9.2.6.3 Each committee member shall have one vote during meetings and hearings.
- 9.2.6.4 The committee may co-opt members periodically to assist with a specific legal matter or dispute.
- 9.2.6.5 Any party who has a grievance with regard to a decision of the legal committee may appeal to the **Council of ERASA**, whose decision shall be final: provided that a request to appeal should first be received within 21 days from the legal committee. The legal committee shall grant the necessary discretionary appeal should the case be of the utmost importance to the parties concerned and the reference not be based on frivolousness or vexatiousness.  
In the absence of leave to appeal, the decision of the legal committee shall be final and binding.

### 9.3 **Ad hoc committees**

These committees are appointed according to requirements and circumstances. The Council shall issue a clear mandate to each ad hoc committee and the committee concerned shall execute assignments within the provisions of this mandate. Chairpersons of ad hoc committee's report to the Council and may be invited to attend council meetings (without voting rights) as required by the Council.

### 9.4 **Secretariat**

These are officials and/or consultants appointed as required by the Council, with duties contained in job descriptions as approved and issued by the Council.

9.5 The election of the president, vice-president, treasurer and other members of the management committee shall take place according to electoral procedures as determined by the SAEF, **where applicable**.

9.5.1 Elections for the elective positions that shall be for a term of three years, shall take place at the AGM. These elections will be attended to by the electoral officer appointed by the outgoing management committee, and he or she shall be a member of the national SAEF executive committee.

9.5.2 Each member is entitled to nominate one individual for election to each of the vacancies.

- 9.5.3 Each nomination shall be in writing, and such nomination shall be signed and seconded by the nominator, the chairperson or vice-chairperson. The nomination shall be signed by the nominee to indicate that he or she accepts the nomination.
- 9.5.4 The same person may be nominated for more than one office/post. The nomination for any alternative post is on condition that he or she is not elected to the first post for which he or she has been nominated.
- 9.5.5 The general manager shall notify the members in writing of the date of the AGM and election not less than 60 days before such meeting and provide the following information:
- 9.5.5.1 The date and venue.
- 9.5.5.2 The name of the appointed electoral officer.
- 9.5.5.3 An extract of the provisions of the constitution that is relevant to the election.
- 9.5.6 All written nominations shall be submitted to the electoral officer not less than 30 days before the date of the election.
- 9.5.7 The electoral officer publishes a list of the nominations received not less than 25 days before the election date, with any comments the electoral officer deems necessary in respect of the nominations with regard to the validity, or otherwise, of such written nominations.
- 9.5.8 Should no nominations be received for the election of the president, the current president shall remain in service until the first meeting of the new management committee after the AGM, at which the members elected to the new management committee shall elect an individual from their ranks as the president. Furthermore, the vacant post on the management committee resulting from this appointment shall be filled from the ranks of an unsuccessful nominee during the election of the national council. The same applies mutatis mutandis should there be no nominations for the positions of vice-president and treasurer or should there be a position which could not be filled during the elections.
- 9.5.9 Should more than one nomination be received for any of the positions of president, vice-president and treasurer, such positions are elected separately by secret ballot in the aforesaid order.
- 9.5.10 The nominee successfully elected by means of a majority vote, shall be appointed to the post. The unsuccessful nominee shall not be carried forward to other positions unless he or she has been duly nominated for those positions.
- 9.5.11 Election shall be by a majority of the votes.
- 9.5.12 Each person who votes, must exercise a vote for one of the nominated candidates.
- 9.5.13 Any elected member of the management committee shall fill the post for a period of three years (until the date of the next election), unless he or she resigns or is discharged from office on account of a principle of untrustworthiness approved by the provincial council with a majority of at least two thirds, or die, or become permanently unfit before his or her term ends.

9.5.14 No member of the management committee shall represent any member of any classification at any meeting of the Council or the management committee.

9.5.15 No member of the executive council shall have any conflict of interest.

## **10. MANAGEMENT COMMITTEE**

10.1 The management committee shall consist of a minimum of seven council members, being:

- President
- Vice-president
- Four elected additional council members as elected at the AGM
- Treasurer
- Athlete representative
- Member of the veterinarian committee (without voting right)
- General manager (secretary) (without voting right)

10.2 Any member/members of the Association may be co-opted to the management committee according to requirements and circumstances, but without voting rights.

## **11. RESPONSIBILITIES OF THE COUNCIL**

11.1 The Council answers to the members **of the Association**.

11.2 The Council is overall responsible for the achievement of the Association's objectives (as set out in section 5 of this constitution) at national, regional and club level.

11.3 The Council primarily deals with (but not limited to):

11.3.1 matters of a strategic nature;

11.3.2 determination of rules for the administration of the sport which shall be submitted to the national meeting for approval;

11.3.3 matters referred by the management committee to the full Council;

11.3.4 approval of the annual budget;

11.3.5 approval of the management committee's resolutions;

11.3.6 ensuring the committees function within their mandates.



## **12. RESPONSIBILITIES OF THE MANAGEMENT COMMITTEE**

- 12.1 The management committee makes operating decisions and reports to the Council.
- 12.2 The management committee shall deal with the following aspects:
- 12.2.1 administrative matters regarding the management of the Association and the endurance ride sport;
  - 12.2.1 matters requiring urgent attention and which cannot be postponed until the next council meeting;
  - 12.2.3 matters that do not require the attention of the full Council;
  - 12.2.4 approval of the spending of funds (all authorisations are to be minuted accurately); and
  - 12.2.5 approval of the rules regarding the disciplinary code and procedures, and rules regarding recognition and awards (for approval by the Council).
- 12.3 Where the management committee is of the opinion that a specific matter requires the attention of the full Council, such matter is referred to the Council.
- 12.4 Resolutions of the management committee take effect immediately, and shall be taken in the context of the:
- budget as approved by the Council; and
  - broader strategy of the Association as determined periodically by the Council.
- 12.5 The management committee shall answer to the Council regarding all its decisions. The Council may disregard the resolutions of the management committee **specific** if:
- they were not taken within the context of the constitution and rules of the Association.
  - the provisions of 12.4 were not adhered to; and
  - additional information comes to light that places the matter in another perspective.

## **13. COUNCIL AND MANAGEMENT COMMITTEE MEETINGS**

- 13.1 The Council meets regularly but at least twice per year in order to ensure proper management and administration of the Association.
- 13.2 The management committee shall meet with regular intervals between full council meetings.
- 13.3 Notices and agendas of council and management meetings shall reach members at least 14 days before the date of the meeting.
- 13.4 The quorum for an ordinary council meeting shall consist of at least 50% of the members plus one. The quorum for management committee meetings is at least 50% plus one of the permanent members.
- 13.5 At all council and management committee meetings all members of the Council who are present shall have speaking voice and voting rights. No votes by proxy shall be allowed.

- 13.6 Should the voting result in a tie, the chairperson of the meeting shall have the casting vote.
- 13.7 The general manager of ERASA acts as secretary at all council and management committee meetings, and keeps the minutes of every meeting. Minutes are submitted at the following meeting for ratification. After ratification the minutes shall be signed by the chairperson of the meeting. Minutes shall reach members of the meeting within 21 days after the said meeting. The minutes of the management committee meetings shall also be distributed within the same period to council members for their cognisance.
- 13.8 At least 50% plus one council member may, in consultation with the president, request a meeting of the management committee.
- 13.9 When urgent decisions regarding single matters have to be taken, it may be done by getting the opinion of each council member or management committee member on an individual basis or via email. Skype or a similar platform may also be used should the recordings be stored.
- 13.9.1 Where opinions are called for, it shall for record purposes be sent in writing (whether by means of a copy or a printed copy of an email) to the general manager. All input/opinions will then be distributed to all council or management committee members before a final decision (on the basis of the votes of all council or management committee members) is taken.
- 13.9.2 Matters may also be put to the vote immediately by having each council or management committee member record his or her vote on the matter.
- 13.10 The general manager shall keep a register in which all decisions are recorded. This register shall be submitted at the next management committee or council meeting (according to the level of decision-making) for ratification.

#### **14. SPECIAL COUNCIL MEETINGS**

- 14.1 A special council meeting may be convened on request (submitted in writing to the general manager of the Council) of at least 50% plus one of the members of the Council.
- 14.2 Notice of this meeting and the agenda shall be distributed to all members of the Council at least 14 days before the meeting.
- 14.3 The quorum for a special council meeting is 50% plus one member with voting rights. Should only this minimum requirement be met, only this matter or matters for which the meeting has been convened may be discussed.
- 14.4 Only matters listed on the agenda of a special council meeting shall be discussed.

#### **15. FINANCES AND ASSETS OF THE COUNCIL**

- 15.1 Members of the Association have no claim to any assets in the Association's possession.
- 15.2 The Council generates income by means of affiliation fees, donations, sponsors and so forth.
- 15.3 The Council's finances are applied solely for the promotion of the Association's objectives.

- 15.4 Should services be rendered at a fee, a realistic and market-related fee shall be paid for the said services. Members may furthermore only receive money in return for expenses incurred by them on behalf of the Association (with prior approval).
- 15.5 Bookkeeping of the Council's financial matters takes place promptly and accurately, and is subjected to annual revision. An accountant's report is submitted annually to the AGM for cognisance and decision-making.
- 15.6 The Association's financial statements and reports shall be submitted annually to the Directorate, Non-profit Organisations (Department of Social Development) within six months after the end of the Association's financial year. If applicable applications for membership as well as financial statements to be submitted annually to the SAEF.
- 15.7 A tax return shall be submitted annually to the Receiver of Revenue by the stipulated due date.
- 15.8 Signing authority with a view to the payment of funds is vested in the treasurer, the general manager, the president and the vice-president. At least two signatures shall appear on all payout documents.
- 15.9 The financial year of the Council runs from 1 January to 31 December.
- 15.10 Should the Association have funds that may be invested, such funds shall only be invested with registered financial services providers (as listed in section 1 of the Financial Institutions Act, 1984), or in stock that is listed on a licensed stock exchange (as set out in the Stock Exchange Control Act, 1985).

## **16. ANNUAL GENERAL MEETING**

- 16.1 An AGM (general meeting of members) is held at least once a year to discuss matters of general interest, to approve reports and to take appropriate decisions.
- 16.2 Notice of the AGM is given in writing by the general manager to all members of the Association at least 30 days before the date of the meeting.
- 16.3 Matters to be included in the agenda and motions for discussion at the AGM may be submitted by members, clubs, provinces or the Council, subject to the following:
  - 16.3.1 Submissions shall reach the general manager annually by 31 May.
  - 16.3.2 All motions by members shall first be submitted for approval to the club and provincial managements before the said is submitted to the general manager to be included in the agenda for the AGM. Motions initiated by clubs are likewise submitted to provincial managements for approval and further action.
  - 16.3.3 Should a motion be rejected at club or provincial level, it may be referred on appeal to the president of ERASA for arbitration.
  - 16.3.4 Motions rejected by the AGM may not be included in the agenda of the next AGM.
- 16.4 The president (in his or her absence the vice-president) of the Association chairs AGMs. Should both be absent, the meeting elects a chairperson from its ranks.

- 16.5 The general manager takes the minutes of the meeting and submits it for ratification at the following meeting.
- 16.6 During the AGM only the provincial presidents may cast a vote for the election of vacant positions. The same applies for the EGM. A quorum shall consist of at least 50% plus one of the voters. Proxy voting is not allowed. All members of the Association may attend the AGM and participate in discussions, but without the right to cast a vote.
- 16.7 Should a quorum not be present by the time the meeting is supposed to commence, the meeting shall adjourn for no longer than one hour. Should a quorum still not be present after an hour, the meeting may continue.
- 16.8 The general manager shall distribute all resolutions passed at an AGM within 30 days after the meeting to all members.
- 16.9 In the event of a tie of votes, the ERASA President will have a right to vote, and can bring a casting vote except when vacant positions are to be filled.

#### **17. EXTRAORDINARY GENERAL MEETING**

- 17.1 An EGM may be convened when 50% plus one voter request such meeting by means of a written request to the general manager.
- 17.2 The general manager sends out the notice and agenda of the EGM within 14 days after the request has been received, and at least 30 days prior to the meeting, to all members of the Association.
- 17.3 The Council may at its discretion convene an EGM in the manner as set out in 17.2.
- 17.4 Should a member accidentally not receive notice of a meeting, it shall have no effect on the validity of the meeting.
- 17.5 During an EGM all voters may cast their vote. A quorum shall consist of at least 50% plus one of the voters. All ERASA members may attend the EGM but without the right to vote.
- 17.6 Should a quorum not be present by the time the meeting is supposed to commence, the meeting will adjourn for not more than one hour. Should a quorum still not be present after one hour, the meeting will adjourn. A new date will be determined within seven days; not later than 15 days after the date of the original meeting and members present shall constitute a quorum.
- 17.7 Proxy voting is not allowed at EGMs.
- 17.8 Voting takes place by means of a ballot unless the meeting unanimously decide otherwise.
- 17.9 Only the matter/matters for which the meeting has been convened shall be discussed.
- 17.10 In the event of a tie of votes, the ERASA President will have a right to vote, and can bring a casting vote except when vacant positions are to be filled.

## **18. PROVINCES**

- 18.1 A province functions within the geopolitical boundaries of the said province as determined by the Constitution of South Africa. There is no limit to the number of clubs that may be affiliated to a province. The minimum number of clubs per province is two.
- 18.2 Provinces are managed by club chairpersons within the province concerned.
- 18.3 During provincial meetings voters may exercise their right to vote. In the absence of established regions, the club chairpersons may vote.
- 18.4 The constitution of a province may not contradict the constitution of ERASA, and should a dispute arise in this regard, the constitution of ERASA shall apply. A copy of each province's constitution shall be kept on file by the general manager.

## **19. CLUBS**

- 19.1 Clubs shall be managed by a management committee that shall be responsible for achieving the Association's objectives at local level.
- 19.2 At club level all members may exercise their right to vote in order to give a mandate to the club's chairperson for voting at provincial level.
- 19.3 The constitution of a club may not be contradictory to the constitution of ERASA or the constitution of the province to which the club is affiliated. Should a dispute arise in this regard, the constitution of the higher organisational structure shall apply. A copy of the constitution of each club shall be kept on file by the provincial secretary concerned.
- 19.4 Clubs to host at least one ride a year.

## **20. ESTABLISHING OF NEW CLUBS**

- 20.1 New clubs may be established by ten members, whether persons who are members of other existing clubs or new members.
- 20.2 The establishment of a new club may not result in the decline of an existing club.
- 20.3 The new club applies for approval and affiliation at the management of the province that is active in the said province. The new club's proposed constitution shall be part of the application documents.
- 20.4 The provincial management considers the application within one month after it has been received and makes a decision. The final decision rests with the provincial management concerned. The provincial management then informs the Council in writing of its decision.
- 20.5 Should the province reject the application, the applicants shall be informed in writing of the reasons for the rejection. If the applicants can comply with the additional requirements set by the province concerned, the application may be resubmitted for approval.

## **21. AMENDMENT OF CONSTITUTION**

- 21.1 Any amendments to this constitution require a two-thirds majority vote at an AGM or an EGM convened for this purpose.
- 21.2 Any proposals to amend the constitution shall be circulated in writing to all members of the Association at least 30 days before the meeting at which the amendments are to be discussed.
- 21.3 Any amendments to the Constitution will come into effect within 30 days of the date of the meeting where such amendments were approved.

## **22. AMENDMENT OF RULES**

- 22.1 The Council shall be responsible for the amendment and adjusting of the rules of the Association as determined by circumstances.
  - 22.1.1 Rules shall be approved by the Council. A rule may also be referred for comments to an ad hoc committee of the Council, which comments shall reach the Council by a set due date. The Council shall consider the comments and thereafter finalise the rules.
  - 22.1.2 In cases where the new rule and/or the amendment of the rule is essential in the interest of the health and/or safety of the rider and/or horse, as well as in cases where the new rule and/or the amendment of the rule concerns only administrative aspects and/or procedures that do not have a direct impact on participation in rides, the Council may approve such rule and/or the amendment of such rule without it first being referred to a standing or ad hoc committee.
- 22.2 The Council may also approve and implement trial rules. These are rules that are first applied for a period of time, as determined by the Council, at endurance rides on a trial basis and which may then, at the conclusion of the trial period:
  - 22.2.1 be accepted as new rules;
  - 22.2.2 be adjusted for further trial use or acceptance; and/or
  - 22.2.3 be scrapped.
- 22.3 New rules, amendments to rules and trial rules may be approved only on the basis of a two-thirds majority resolution at a council meeting.
  - 22.3.1 Where rules or trial rules are introduced and/or amended in the interest of the safety and/or welfare of rider and/or horse, such rules or trial rules come into effect 14 days after the general manager has given notice thereof to all members.
  - 22.3.2 All new rules, trial rules and rule amendments come into effect 60 days after it has been announced to all members of the Association.
  - 22.3.3 For both sections 22.3.1 and 22.3.2 a notice addressed to all club managements shall be deemed as a notice to all members of the Associations.
- 22.4 Any member may also propose new rules and/or amendment of rules. This may be done:
  - 22.4.1 by means of a motion at the AGM that shall be accepted with a majority of votes by the voters; and/or

## 23. DISPUTE RESOLUTION

- 23.1 Should a dispute arise from the interpretation, application or enforcement of the provisions of the constitution:
- 23.1.1 all parties concerned shall submit their opinion in writing to the general manager.
  - 23.1.2 the said dispute shall be referred to the legal committee.
  - 23.1.3 both parties shall abide by the findings of the legal committee.
  - 23.1.4 both parties may refer the dispute to the SAEF as determined in clause 9.2.6 in its entirety with subdivisions (legal committee).

## 24. DISSOLUTION OF THE ASSOCIATION

- 24.1 The Association dissolves when a two-thirds majority of its members pass a resolution to dissolve the Association at an AGM or an EGM convened specifically for this purpose.
- 24.2 The general manager shall inform all members of the Association in writing of the dissolution meeting at least 30 days prior to the meeting.
- 24.3 Those present at the meeting constitute a quorum. The general manager shall inform the provincial and club secretaries of the dissolution resolution within seven days of the meeting.
- 24.4 The Association may only dissolve when all its financial and/or other obligations have been fulfilled in full to members, clubs, regions and provinces, the Council or any other party that could have a legal claim against the Association.
- 24.5 After dissolution, and after the Association has met all its obligations, the Association shall transfer all its remaining assets to another non-profit association or institution that has the same objectives as the Association, as nominated by a majority of the members present at the dissolution meeting.

## 25. TRUE VERSION OF THE CONSTITUTION

- 25.1 This is the constitution of the Endurance Ride Association of South Africa, and amendments to this constitution are only possible if they are submitted and approved in accordance with section 21.
- 25.2 The approved constitution is held in book form (hard copy) with the general manager.

Approved by the AGM of the Endurance Ride Association of South Africa as held on the 6 November 2021 and signed on this 19 November 2021

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
VICE-PRESIDENT

NOVEMBER 2021