

**CONSTITUTION OF THE DISTANCE RIDING  
ASSOCIATION OF SOUTH AFRICA  
(DRASA)**



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**CHAPTER 1 — STATUTES & INTERPRETATION****1. CONSTITUTION, NAME AND CORPORATE PERSONALITY**

- 1.1. This is the Constitution of the body known as the "Distance Riding Association of South Africa", (hereinafter referred to as "DRASA"), which Association is the national body for Competitive Trail Riding in South Africa
- 1.2. DRASA is a voluntary association having a corporate identity separate from that of its Members and is entitled to own property, whether movable or immovable or otherwise, and is entitled to sue and be sued in its own name and, notwithstanding any change in the composition of its Members from time to time, shall have perpetual succession.
- 1.3. The provisions of this Constitution are founded upon and shall be implemented and administered in recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitution of the Republic of South Africa (1996), the rule of law and good corporate governance.
- 1.4. This Constitution of DRASA is in no way in conflict with the Constitution of the Republic of South Africa and all applicable and relevant Acts of Parliament, and to the extent that any such provisions of this Constitution are, or may be interpreted to be so, the Constitution of the Republic of South Africa and or the Act of Parliament shall prevail.
- 1.5. This Constitution shall be binding on all individuals and members of DRASA, as well as all persons serving on any of its structures and sub-structures, as well as all individuals or bodies registered with DRASA,
- 1.6. To the extent that the constitution of any member of DRASA, and/or the Provincial or District Federation Members of DRASA are in conflict with any of the provisions of this Constitution of DRASA, the provisions of the DRASA constitution shall prevail.

**2. DEFINITIONS AND ABBREVIATIONS USED**

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 2.1. "Act of Parliament" refers to all applicable and relevant legislation in force and specifically including the National Sport and Recreation Act, (Act No 110 of 1998), as amended by the National Sport and Recreation Amendment Act (Act No 18 of 2007), and further amended from time to time, known as "The Act".
- 2.2. "A.G.M." means the Annual General Meeting of Members held in accordance with the provisions of this Constitution.
- 2.3. "Annual Financial Statements" means the annual certified balance sheet, income and expenditure statement and Treasurer's report
- 2.4. "Appeal Board" means a body of appeal appointed by the Exco in terms of this Constitution.
- 2.5. "Area of Jurisdiction" means the administration of DRASA shall be the Republic of South Africa.
- 2.6. "Club" means any Equestrian club which caters for the Competitive Trail Riding Discipline in a local district or Provincial area and which is a member of the District and/or Provincial Association for CTR, and has fulfilled the specific requirements of DRASA as contained in this Constitution
- 2.7. "CTR" means Competitive Trail Riding

- 2.8. "Compliance" means that the member club or individual has fulfilled the necessary provisions of this Constitution in regard to specific requirements as contained herein and as such is regarded as being in good standing with DRASA.
- 2.9. "Council" means the national council of DRASA as constituted in terms of this constitution
- 2.10. "Constitution" means this Constitution.
- 2.11. "Constituent Members" means those Members duly accepted as such members in terms of the geopolitical demarcations known as Provincial Associations as set out in this Constitution.
- 2.12. "Day" means a calendar day.
- 2.13. "Event" means an Equestrian event held in South Africa under the auspices or with the permission of DRASA and its various Provincial Associations.
- 2.14. "Exco" means the Executive Board of DRASA, as constituted in terms of this Constitution.
- 2.15. "Headquarters" means the Headquarters of DRASA which shall be determined by the membership at any Annual General Meeting.
- 2.16. "Honorary Life Participant Members" means all those persons bestowed with this honour by the National Council of DRASA at an SGM or AGM
- 2.17. "Horse" includes all equines.
- 2.18. "Levies" means the monies levied and due by the membership to DRASA as approved and agreed to by the membership at each A.G.M. of DRASA.
- 2.19. "Member shall mean Constituent Member, or a Participant Member duly appointed and accepted as such in terms of this constitution
- 2.20. "National Sport Federation" means the national governing body of the Sport, namely SAEF being a member of SASCOG, and recognised by the Department of Sport and Recreation in the Republic of South Africa to which DRASA may or may not affiliate.
- 2.21. "Ordinary General Meeting" means a meeting of Members other than an Annual General Meeting or Special General Meeting convened in terms of this Constitution.
- 2.22. "Participant" means a person participating in the Equestrian Sport Discipline of Competitive Trail Riding, within a Club, who shall be subject to the authority of DRASA, irrespective of gender or age category. The various types of participants will include, but not be limited to, athletes/competitors, administrators, coaches, judges, grooms, officials, timekeepers, veterinarians and supporters. The Athlete together with his horse shall be regarded as one competitor.
- 2.23. "Person" means a natural or legal person, including NPO's and NGO's, who shall at all times abide by this constitution, notwithstanding any legislation applicable to such an organisation.
- 2.24. "President" means the President of DRASA, duly elected in terms of this Constitution.
- 2.25. "Province" means one of the nine (9) geopolitical areas as defined in Section 103 of the Constitution of the Republic of South Africa 1996 (as amended).
- 2.26. "Provincial CTR Association" means a body representing the various Clubs which affiliate to DRASA within a Province. This Provincial Association becomes a constituent member of the DRASA national council
- 2.27. "Rules" means the rules, regulations, procedures and by-laws of DRASA
- 2.28. "SAIDS" means the South African Institute for Drug-Free Sport.

- 2.29. "SASCOC" means the South African Sport Confederation and Olympic Committee duly recognized and approved by SRSA as the governing body of Sport in the Republic of South Africa.
- 2.30. "SAEF" means South African Equestrian Federation
- 2.31. "SGM" means Special General Meeting, a meeting of Members, other than an Ordinary or Annual General Meeting, convened for a special purpose in terms of this Constitution.
- 2.32. "SRSA", means the Department of Sport & Recreation in South Africa.
- 2.33. "Trainer" shall for the purposes of this Constitution have the same meaning as "coach" or "instructor".
- 2.34. "Treasurer" means the person elected in terms of the provisions of this constitution
- 2.35. "Vice-President" means the Vice-President of DRASA duly elected in terms of this Constitution.
- 2.36. "WADA" means the World Anti-Doping Agency.
- 2.37. "Working day" means a calendar day excluding Saturdays, Sundays and Public Holidays.
- 2.38. "Year" means a calendar year.

### **3. INTERPRETATION**

- 3.1. The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used in the interpretation hereof.
- 3.2. Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.
- 3.3. Any words importing one gender include the other.

## **CHAPTER 2 — DRASA AS AN ORGANISATION**

### **4. DOMICILE**

The domicile and seat of management of DRASA shall be deemed to be situated in the area as determined by the membership at an AGM, with the domicile being the residential address of registered office from time to time, provided that it shall always be at a place within the Republic of South Africa.

### **5. AREA OF JURISDICTION OF DRASA**

The geographical area of jurisdiction of DRASA shall be the Republic of South Africa.

### **6. AFFILIATION**

- 6.1. DRASA may seek affiliation with bodies within equestrian, nationally or internationally, depending on the benefits it wants to secure for its members.
- 6.2. An athlete/competitor member shall mean each individual participant in the sport, who together with his horse shall make up one competitor. Such participant may apply to join DRASA by way of filling out the requisite application form which may be produced by DRASA and amended from time to time. DRASA may levy a fee against such participant member at its discretion and such a member, whether or not a fee was levied and /or paid but upon acceptance of such application shall be subject to this constitution and any rules, policies and regulations of DRASA. The aforesaid fees shall be collected directly by DRASA by way of any mechanism that it may establish for such purpose

- 6.3 Other participant members that can affiliate to DRASA, through a club and provincial structure, include, but are not limited to administrators, grooms, supporters, officials, judges, timekeepers and veterinarians. Fees will be determined from time to time, as described in clause 6.2, and benefits, rights and obligations will apply as described in clause 6.2
- 6.4 Clubs seeking CTR benefits affiliate to DRASA, but are also constituent members of CTR Provincial Associations.
- 6.5 Provincial Associations seeking CTR benefits do not affiliate to DRASA, but are constituent members thereof.

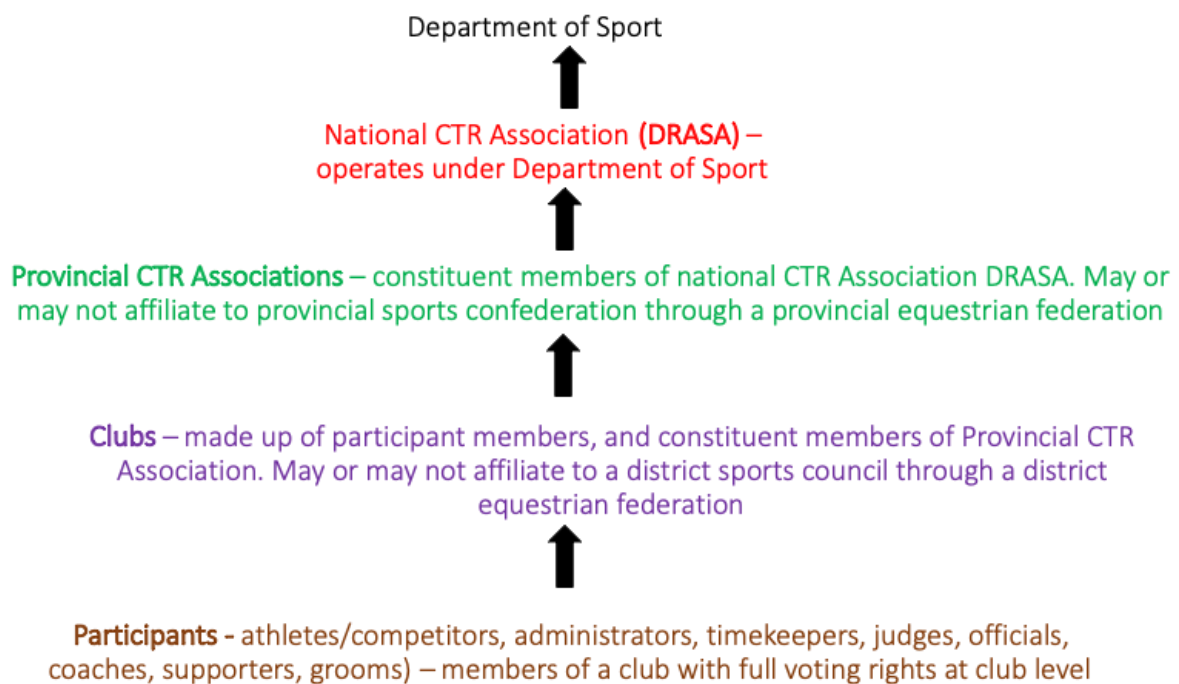
## **7. MAIN BUSINESS**

- To operate and function as the autonomous controlling body of the sport of Competitive Trail Riding within the area of its jurisdiction
- 7.1. To grow the Competitive Trail riding sport among all horse owners
  - 7.2. To encourage riders to improve horsemanship in a fun relaxed environment
  - 7.3. To encourage families to participate in the sport together
  - 7.4. To foster good horse and pace management skills in a long distance sport
  - 7.5. To expose riders who do not have a necessarily competitive breed of horse for endurance to a long distance riding sport that they can enjoy and be competitive in without doing a fast pace
  - 7.6. To promote, control and standardise CTR amongst all population groups in South Africa
  - 7.7. To present CTR rides at its discretion and in accordance with the provisions of this constitution.
  - 7.8. To actively develop, market and promote CTR as a sport, and a recreational activity in South Africa.
  - 7.9. To foster a spirit of healthy competition, sportsmanship and fair play among athletes of all races, gender and ages.
  - 7.10. To increase the number of individuals registered within Equestrian Sport, particularly among schools and previously disadvantaged communities.
  - 7.11. To represent its members and to promote and advance the interests of its members.

## **8. ORGANISATIONAL STRUCTURE OF DRASA**

- 8.1. DRASA is the National controlling body of Competitive Trail Riding Sport in South Africa, governed by the National Council and Exco according to this Constitution.
- 8.2. The members of DRASA shall be Constituent Members, being the Provincial Discipline Associations and in the case where a province does not have a Provincial Discipline Association, the Clubs in that province will be deemed the constituent member for that province, as defined in this Constitution. DRASA will also have Participant Members, who will affiliate annually, but who will vote at club level
- 8.3. Each of the Provincial DRASA Associations shall consist of duly elected Representatives, representing the various affiliated clubs situated within their respective geo-political demarcations. In the case where a province has only one club, the club will operate as a constituent member for that province, until such time as other clubs form and a provincial association can be constituted by the said clubs.
- 8.4. DRASA participant members shall have freedom of association to belong to any Club within the province in which he or she is resident, provided that he or she is eligible for membership of the Club concerned, the club is affiliated to DRASA and offers CTR and

with the understanding that any participation in the Disciplines provincial levels will be determined by the geographic locality of the Club of which he or she is a member, in terms of the geopolitical boundaries as determined from time-to-time.  
All Participants, (including but not limited to competitors, Judges, Officials, Coaches, and Administrators, supporters, grooms, veterinarians and timekeepers) will register annually on or before the 31st of January of each calendar year on the DRASA database.



## 9. OBJECTS OF DRASA

- 9.1. DRASA is the National controlling body of Competitive Trail Riding Sport in South Africa, governed by the National Council and Exco according to this Constitution.
- 9.2. To be and to operate and function as the autonomous controlling and administrative body of the sport of CTR within the area of its jurisdiction.
- 9.3. To direct, develop, promote and administer the sport of CTR within the area of its jurisdiction in accordance with sound business and financial principles.
- 9.4. To develop and participate in the sport of CTR, in such a way as to ensure the development of CTR Athletes through constructive coaching and capacity building.
- 9.5. To ensure that the encouragement, promotion, development and administration of the sport of CTR, whether same be at National or Provincial level, is carried out in accordance with the principles of non-racism, by which it is meant that race ethnicity



and nationality shall not be a basis for discriminating against or of affording privileges to any one person or group of persons

- 9.6. To promote sportsmanship and fair play at all levels of the sport, free of any interference.
- 9.7. To advance the objects of CTR and to associate itself with all such other lawfully constituted Associations and Organisations as shall be decided by DRASA, whether within or without the area of jurisdiction of DRASA and irrespective of whether or not such other Associations or Organisations be connected with the sport of CTR.
- 9.8. To uphold and enforce any code of conduct pertaining to the sport of CTR, and/or any other code of conduct decided upon by DRASA.
- 9.9. To encourage the appointment of coaches at all levels within the Equestrian community.
- 9.10. To select representative Athletes at all levels for participation in any tournaments whether same be local or international.
- 9.11. To award performance colours in terms of the criteria laid down in the Rules and Regulations of the association, be it at district, provincial or national level.
- 9.12. To recognise and accept the jurisdiction, rules and regulations of the SAIDS as well as the code of WADA and the FEI Equine Anti-Doping and Controlled Medication Regulations as may be amended from time to time.
- 9.13. To recognise and accept the impact of the holistic development of children in our sport and to be properly understand and provide the correct environment and conditions for them in order to protect their rights and in order not to risk a potential sacrifice of these rights for the purposes of early specialisation or any other reason. In this respect, we are guided, inter alia by the Children's Act, 2005 (Act No. 38 of 2005) as amended.
- 9.14. DRASA strongly supports the Promotion of Access to Information Act and gives effect to the right to access such information in order to foster a culture of transparency and accountability.
- 9.15. To promote the appointment and education of Judges and Officials.

## **10. POWERS OF DRASA TO CARRY OUT ITS OBJECTIVES**

- 10.1. DRASA shall have all such powers and authorities as shall be deemed necessary or desirable or conducive of achieving any and all of the objectives of DRASA. These powers and authorities shall be exercised by the National Council and/or Exco in accordance with and subject to the provisions of this Constitution. Any of these powers and authorities may be delegated to an Exco member or committee, whether a sub-committee of Exco or a standing committee in terms of this Constitution, for a specific purpose. Without in any way limiting the generality of the foregoing, the powers and authorities of DRASA shall include those set out hereinafter.
- 10.2. To acquire by purchase, exchange, lease, sub-lease, donation or otherwise movable and/or immovable property of any kind.
- 10.3. To sell, let, mortgage, dispose of, give in exchange, turn to account or otherwise deal with all or any part of the property or rights of DRASA
- 10.4. To enter into lawful contracts of any and all kinds necessary to carry out, give effect to or secure the objects of DRASA
- 10.5. From time to time, in accordance with sound business and financial principles to invest the funds of DRASA in such property or assets or other security as may be deemed advisable.

- 10.6. To employ, suspend or dismiss and remunerate employees, professional assistants and experts.
- 10.7. To establish and contribute to a pension, annuity, medical and/or other fund for the benefit of its employees and/or the dependants of such employees in accordance with the rules of such fund.
- 10.8. To arrange a pension and medical aid scheme for the benefit of and to grant pensions, allowances, gratuities and bonuses to employees of DRASA, or the dependants of such persons.
- 10.9. To support or subscribe or make donations to any charities or other institutions, clubs, societies and funds.
- 10.10. To pay all or any expenses incurred in connection with the promotion and functioning of DRASA.
- 10.11. To invite the patronage of any person or persons as it may consider advisable.
- 10.12. To insure against losses, damage, risk and liability of all kinds.
- 10.13. To draw, make, accept, endorse, execute, negotiate and issue cheques, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments and to make electronic funds transfers.
- 10.14. To initiate and transact on electronic banking platforms and applications provided by the major banks of the Republic of South Africa subject to their standard terms and conditions
- 10.15. To promote and hold an interest in any trust, company or concern, for the purpose of acquiring all or any of the property and/or undertaking any of the liabilities of DRASA.
- 10.16. To lawfully raise money to fund its ordinary operations, whether by subscription or levies, which are to be paid to DRASA as from the 5th day of January each year from its Members, inclusive of Clubs, tertiary institutions, and/or any other associations or organisations which are affiliated directly or indirectly to DRASA on behalf of the DRASA's athletes/ participants who are members of the bodies referred to above, as well as to obtain lawful funding from any other source, and to recover by legal process monies due by any of the above.
- 10.17. To solicit and accept donations, bequests, grants and contributions for the benefit of DRASA from within as well as outside the borders of the Republic of South Africa.
- 10.18. To affiliate with, contribute or subscribe to bodies with aims similar to the aims of DRASA.
- 10.19. To borrow or raise money and guarantee or otherwise secure the repayment thereof, including by means of a pledge or lien of its assets, and to invest monies upon security, both in such manner and upon such terms as it may think fit.
- 10.20. To make and pass rules, regulations and by-laws and to add to, repeal or alter such rules, regulations and by-laws, with or without penalties, for the carrying out, administration and implementation of this Constitution and the attainment of the objects of DRASA,
- 10.21. To impose fines, to suspend for a period of time pending a disciplinary process, to expel and/or implement any other disciplinary measures on its present or former Members or any Provincial or Club presently or formerly affiliated to DRASA, for any contravention or breach of the provisions of this Constitution or any rule, regulation or by-law, including those of SASCOC, SAIDS and World Anti-Doping Code and recover by legal action or otherwise such fines or compulsory contributions or damages from the body or person concerned. Without in any way limiting the generality of the foregoing,

- DRASA shall have the power to suspend or ban any athlete/participant, Judge, coach or Member or Club from participating in any championship or event.
- 10.22. To take all such action as may be required to enforce fully and effectively all obligations of whatsoever nature and howsoever arising which may be owed to DRASA by its Members, former Members or any other persons or body.
- 10.23. To associate with any State authority or any other foundation, institution, society, trust, entity or person having the same or similar objects to those of DRASA and to enter into any arrangements that may be conducive to the objects of DRASA.
- 10.24. To uphold and ensure that the principles of "no conflict of interest" are strictly complied with and practiced by all.
- 10.25. Notwithstanding anything herein contained, it is recorded that:
- 10.25.1. DRASA's income and property shall not be distributable to its Members or office bearers except as reasonable compensation for services rendered or upon dissolution in terms of this Constitution;
- 10.25.2. Members or office bearers shall have no rights in the property or other assets of DRASA solely by virtue of their being members or office bearers;
- 10.25.3. DRASA is a non-profit and public benefit organisation and will not carry on any business, under taking or trading activity; save to the extent permitted in terms of Section 30 of the Income Tax Act, 1962 as amended.
- 10.25.4. DRASA shall not have any authority to contract or bind on behalf of any Member or individual without prior written consent.
- 10.25.5. DRASA shall not be liable for any debts or other liabilities, whether of a contractual or edictal basis, incurred by any Member or individual.
- 10.25.6. DRASA's financial transactions shall be conducted by means of a banking account or banking accounts opened and maintained by the Treasurer at the direction of the National Council.

### **CHAPTER 3 — MEMBERSHIP OF DRASA**

- 11. CLASSIFICATION OF MEMBERSHIP**  
DRASA consists of two categories of members, namely:
- 12. Constituent Members** shall be those members as defined by their geopolitical areas and made up of their clubs as set out in this constitution  
The jurisdictions of Constituent Members shall be limited by the boundaries of the provinces
- 13. Participant Members** shall be the participants of the sport, including but not limited to competitors (athlete and equine in combination), administrators, officials, judges, timekeepers, grooms, supporters and veterinarians.
- 14.** Participant members shall at all times have direct representation on the National Council through their club chairperson and Provincial President.
- 15. Honorary Life Member.** Exco and Members of the National Council shall, from time to time, nominate any individual who has rendered exceptionally meritorious service or outstanding and notable service over a long period of time, to DRASA and/or in the promotion of Equestrian Sport and whom it wishes to recognise and honour as an Honorary Life Member.

**16. LIMITATION OF LIABILITY AND INDEMNITY**

- 16.1. Every Member shall be jointly liable with all the other Members for all expenditure incurred in connection with DRASA insofar as third parties are concerned, provided that such liability shall be limited to the sum of any monies then due and payable by such Member to DRASA, by way of subscription or otherwise, and any special levy imposed by the National Council from time to time.
- 16.2. The President, the Vice-President, the Treasurer, all other members of Exco, all officials, servants, agents and persons (natural, corporate or otherwise) acting on behalf of DRASA, or on behalf of a Commission or Committee of DRASA or Sub-Committee of Exco, in terms of this Constitution and under original or delegated powers, shall be and they are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties for and on behalf of DRASA, from whatever cause arising, provided such person/s acted in good faith.

**17. SUSPENSION AND TERMINATION OF MEMBERSHIP**

- 17.1 Any Association which wishes to become a Constituent Member of DRASA shall apply in writing to DRASA Council to be admitted and shall furnish a copy of its constitution and all such information as DRASA Council may require, in order deciding upon its application.
- 17.2. In deciding whether or not to admit a new Association, DRASA Council shall have regard to such factors as it considers relevant including the number of clubs and CTR Athletes within the jurisdiction of the applicant, clubs run by the applicant, and whether or not the applicant and the clubs within its jurisdiction are committed to the scheme in terms of which levies are paid to DRASA
- 17.3. DRASA Council's decision to admit or refuse any application for membership shall be referred to the next meeting of the Council for ratification.
- 17.4. Constituent Members shall agree upon and define their geographic areas of jurisdiction provided that in the event of dispute and failure to reach agreement, such areas of jurisdiction shall be defined by DRASA Council.
- 17.5. The right of each existing and future Member to have one or more representative teams participate in the various national events and championships which are held or staged under the auspices of DRASA shall be determined by DRASA Council, which may vary such rights from time to time. Provincial and district competitions will be held under the auspices of DRASA, but determination of teams will fall under the jurisdiction of the provincial association
- 17.6. A Constituent member which ceases to operate a viable structure as defined in this Constitution and may ipso facto be suspended from membership and the Council shall decide at its next ordinary meeting whether the membership of such member should be terminated.

- 17.7. Any member of any classification may, at any time, tender their resignation from DRASA. Such member must give notice by not later than 30 November of each year. Any member so resigning shall continue to be liable for any monies due and owing by such member, to DRASA at the date of their resignation.

**CHAPTER 4 — DRASA COUNCIL**

**18. THE DRASA COUNCIL**

- 18.1. Subject to the terms of this Constitution the DRASA Council shall be the highest authority of DRASA and shall determine its policy, decide upon its budget and give directives to the EXCO.
- 18.2. The DRASA Council shall consist of the following persons, each with one vote unless specified otherwise:
- 12.2.1. The President,
  - 12.2.2. The Vice-President with or without a portfolio
  - 12.2.3. The Treasurer, who shall be an Ex-Officio member
  - 12.2.4. 9 (nine) members made up of a chairman of each of the provincial structures
  - 12.2.5. The Athletes Representative
  - 12.2.6. Secretary General, who shall be an Ex-Officio member
  - 12.2.7. Head DRASA judge, who shall have no vote
  - 12.2.8. Head DRASA timekeeper, who shall have no vote
  - 12.2.9. Head DRASA veterinarian, who shall have no vote
- 18.3. DRASA shall have the right to appoint, where needed, the following sub- committees, or distribute the portfolio among the members of DRASA Council.
- 12.3.1. National Judges Committee
  - 12.3.2. National Judicial Committee
  - 12.3.3. Finance Committee
  - 12.3.4. National Veterinarian Committee
  - 12.3.5. National Timekeeping Committee
- 18.4. DRASA shall have the right to appoint any other subcommittee that could assist in the achievement of DRASA’s overall goals and objectives, as may be decided by the DRASA council from time to time
- 18.5. DRASA Council may co-opt other persons as members in order to discharge specific functions provided that no co-opted member shall have a vote and provided further that although the predominant criterion for co-option shall always be merit, DRASA Council shall, as far as possible, seek to preserve a balance of men and women members.
- 18.6. Members of DRASA Council shall vote on all resolutions by a show of hands.
- 18.7. Members of DRASA Council shall decide on all matters by a simple majority vote.
- 18.8. Each member of DRASA Council shall have 1 (one) vote, and the President of any meeting of DRASA Council shall have a second or casting vote, in the event of an equality of votes, save and except at an Elective Annual General Meeting where the DRASA COUNCIL shall have no vote after item 19.4.8 of the AGM's Agenda.
- 18.9. The chairperson of any meeting of DRASA Council shall be the President, or in his or her absence the Vice President or in his or her absence such other Member of DRASA

- Council as shall have been appointed at that meeting by the Members of DRASA Council present and entitled to vote.
- 18.10. No person may serve for more than 4 (four) consecutive years as President, nor may any person serve for more than 4 (four) consecutive years as Vice-President.
  - 18.11. DRASA Council shall meet not less than twice (2 times) per annum.
  - 18.12. A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Ordinary Members in good standing.
  - 18.13. Should there is not a quorum present at the appointed time and place for any meeting of DRASA Council or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the chairperson of that meeting to have been concluded, such meeting shall stand adjourned for 30 minutes; and at such adjourned meeting those members of DRASA Council present and entitled to vote shall constitute a quorum and may transact the business of that meeting.
  - 18.14. Except where otherwise stated herein and subject to the provisions of this constitution, DRASA Council shall be vested generally with all such powers and authorities as are necessary to promote and attain the objects of DRASA and, without in any way limiting the generality of the afore-going, DRASA Council shall have all such powers and authorities as are necessary to carry out the duties and functions referred to in paragraph 18.16.
  - 18.15.
    - 18.15.1. DRASA Council shall control all major expenditure of the funds of the Association and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of the Association.
    - 18.15.2. No payment made on behalf of DRASA shall be valid unless signed by any 2 (two) of the President, the Vice-President, the Treasurer, or any other employee of DRASA who has been authorised by DRASA Council to have signing powers provided that it shall not be competent for the two signatures to be those employees of DRASA.
    - 18.15.2. DRASA Council shall be entitled to make any regulations, policies and bylaws and all such policies, by-laws or regulations necessary to promote the aims and objects of the Association and shall be binding upon members. Such regulations, policies and by-laws shall take effect as prescribed and further shall be ratified at the next OGM or AGM.
    - 18.15.3. DRASA Council may delegate the exercise of any of its powers and functions to a sub-committee of DRASA.
  - 18.16. In addition to the foregoing, DRASA Council shall:
    - 18.16.1. Undertake and perform all such duties and functions as shall be decided by the Council;
    - 18.16.2. consider and, if thought fit, approve the separate constitutions, by-laws, rules, policies and regulations of each Member, and any amendments or alterations thereto;  
Generally undertake and perform all such duties and obligations as are reasonably required to achieve the object of DRASA and to implement the policies to be followed by DRASA;
    - 18.16.3. formulate recommendations and resolutions for the consideration of the Council and to prepare the agenda for Council meetings;
    - 18.16.4. subject to the provisions of the Constitution, make, amend, vary, repeal and enforce rules, by-laws, policies and regulations;

- 18.16.5 conduct disciplinary proceedings in respect of any infringement of this constitution or the by-laws, policies, rules or regulations or any agreement between any participant and DRASA or the rules of the sport and to impose sanctions whether by way of fines, or suspension or banning/ exclusion from participating in any championships, event or event held or being conducted under the auspices of DRASA or the activities of DRASA or by way of withdrawing monies for which any person would otherwise be eligible. For the purposes of this Constitution, all events and championships of whatsoever nature organised and/or run by Members of DRASA shall be deemed to be under the auspices of DRASA;
- 18.16.6. Impose and collect levies, subscriptions, dues and imposts;
- 18.16.7. Arrange, control, regulate and promote national events, championships and any other forms of competition;
- 18.16.8. Employ any person upon such terms and conditions as shall be decided and, when considered necessary or desirable, terminate the employment of any such person;
- 18.16.9. Decide upon and resolve any dispute between any Members, and/or Club, and/or persons who are members of such clubs;
- 18.16.10. Subject to 12 above, determine the area/s or jurisdiction of Members and vary or alter such areas from time to time when necessary
- 18.16.11. Co-opt any person to DRASA Council as may be required to achieve the objects of DRASA or fulfil any purpose incidental thereto;
- 18.16.12. form sub-committees, consisting of one or more persons, for any purpose incidental to the objects and powers of DRASA and, subject to the constitution, by-laws, policies, rules and regulations, delegate such of its powers to such sub-committees as may be required;
- 18.16.13. appoint special advisers and consultants, for any purposes, and terminate such appointment/s;
- 18.16.14. Accept or reject any application for membership subject to ratification by the Council;
- 18.16.15. open accounts with any recognised commercial banking or financial institution and invest any funds of DRASA and pay any such funds to any person (natural, corporate or otherwise) who has a valid claim for payment against DRASA;
- 18.16.16. Ensure that full and proper books of accounts are kept in accordance with sound accounting principles;
- 18.16.17. ensure that the said books of account and all records of DRASA's finances and assets are duly certified each year as soon as is practicable after the financial year end of DRASA which shall be 31 December of each year and that annual financial statements are prepared;
- 18.16.18. deal with any question or issue arising out of or relating to or incidental to non-racialism;
- 18.16.19. Deal with any question or issue arising out of or relating to or incidental to non-sexism or discrimination on any grounds as referred to in this Constitution;
- 18.16.20. Actively manage Development and Transformation and to address any question or issue or matter concerning or incidental to development and

- transformation including budgeting for and expenditure on development and transformation;
- 18.16.21. Approve the employment and termination of employment of staff by DRASA including all matters incidental thereto and the review from time to time of all existing contracts of employment of staff and all matters incidental thereto;
- 18.16.22. Decide any question, issue or matter relating to logo's emblems, colours, or anthems for DRASA;
- 18.16.23. make recommendations on any question or issue relating to the affiliation to, or disaffiliation from, any macro or other body;
- 18.16.24. decide any question or issue relating to the use of DRASA facilities and/or other facilities incidental thereto and/or the standard thereof;
- 18.17. DRASA Council's jurisdiction shall not be limited to dealing with such matters as are referred to it but shall include the power and capacity to be proactive and initiate such enquiries and/or take such steps as DRASA Council seems fit.
- 18.18. It is recognised that it is desirable for all provincial bodies themselves to negotiate and achieve unified provincial bodies. Notwithstanding this, DRASA Council shall have the right and power to be proactive and to take such steps as it may to facilitate unity as may seem fit to ensure that any difficulties or problems in the way of unity in any province shall be overcome.
- 18.19. Any member of DRASA Council who, without having first obtained leave of absence from DRASA Council, shall otherwise than in circumstances beyond his or her control, not attend 3 (three) consecutive meetings of DRASA Council, of which meetings due notice has been given, shall be deemed to have resigned from DRASA Council.
- 18.20. No member of DRASA Council shall be entitled to any remuneration, but all members of DRASA Council shall be entitled to be refunded any disbursement incurred by any such member in fulfilling any duties or functions as shall be approved in advance by the DRASA Council.
- 18.21. Any Member, of any classification, shall be entitled to have a representative attend and speak at any meeting of DRASA Council; provided such Member shall have submitted written notification to the President of such intention and the full details of any matter such member is desirous of raising at such Meeting, not less than 10 (ten) calendar days prior to the date of such meeting.



## DRASA Council

| Office Bearers   | President              | Vice President    | Treasurer       | Secretary General |
|--|------------------------|-------------------|-----------------|-------------------|
| Constituent Members<br>(representing Participating Members)        | Western Cape           | Eastern Cape      | Northern Cape   | Free State        |
|  | Mpumalanga             | Kwazulu Natal     | North West      | Gauteng Limpopo   |
| Athlete Representative<br>(representing Competitors)               | Athlete Representative |                   |                 |                   |
| Technical Representatives<br>(representing technical competencies) | Head Judge             | Head Veterinarian | Head Timekeeper |                   |

### 19. ANNUAL GENERAL MEETING ("AGM")

- 19.1. An AGM shall be held once in every year provided that not more than fifteen months shall elapse between one AGM and the next.
- 19.2. The EXCO shall decide the date, time and place on which each AGM shall be held, provided that unless there is good reason to the contrary, it shall be held at a venue to be determined by the EXCO or at such other place as EXCO may determine and that the AGM is held in within 3 (three) months from the end of the financial year.
- 19.3. The following persons shall be entitled to attend and speak at the AGM:
  - 19.3.1. All members of DRASA Council
  - 19.3.2. Not more than 1 (one) representative of each ordinary Member, 1 (one) Representative of the Athletes Representative
  - 19.3.4. All Honorary Life Members
  - 19.3.5. Any other person who may be invited by DRASA Council to do so.
- 19.4. The business to be transacted at an AGM shall be:
  - 19.4.1. To read the notice convening the Meeting
  - 19.4.2. To confirm the Minutes of the previous AGM and SGM's and to consider Any matters arising therefrom
  - 19.4.3. To receive and consider the Annual Report of the President, for the period since the date of the previous AGM
  - 19.4.4. To adopt with or without modification, the certified annual financial statements for the period since the date of the previous AGM, provided that if not so adopted, the Annual Financial Statements shall stand for consideration and adoption, with or without modification, or rejection by

- the Council at an SGM, OGM or by the DRASA Council as per the decision of the AGM
- 19.4.5. To consider and to adopt with or without modification, or to reject any recommendations of DRASA Council
  - 19.4.6. To consider all nominations by DRASA Council of persons to be Honorary Life Members and to accept or to reject any such recommendation or nomination
  - 19.4.7. To elect the DRASA Council, An independent electoral officer needs to be appointed for each election; this person will receive nominations and oversee the election process.
  - 19.4.8. To discuss and consider any matter of which 15 (fifteen) days written Notice has been given.
- 19.5. Notice of each AGM shall be sent to all the Members, Members of DRASA Council and Honorary Life Members not less than 30 (thirty) calendar days prior to the date of the AGM.
- 19.6. Not less than 15 (fifteen) calendar days prior to the date of any AGM, copies of the Agenda for the AGM and the Annual Financial Statements for the financial year preceding the date of the AGM shall be disseminated to all Members and Honorary Life Members by post, and/or by hand, and /or by fax, and/or by electronic mail.

**20. SPECIAL GENERAL MEETINGS ("SGM's")**

- 20.1. An SGM of Members shall be convened:
- 20.1.1. By resolution of DRASA Council, or
  - 20.1.2. By resolution of the EXCO, or
  - 20.1.3. Upon the written requisition of not less than 50% (fifty per centum) plus 1 (one) Constituent Members, in good standing, addressed to the President and delivered to the National Office provided that such written requisition shall state the exclusive purpose for which the SGM is to be called and the text of the motion to be put to the meeting.
- 20.2. Within 14 (fourteen) calendar days after receipt of the resolution or requisition the President shall send written notification to all Members, which notice shall specify the time, date and place of the SGM, which time, date and place shall have been determined by EXCO provided that the date shall not be less than 21 (twenty-one) calendar days and not more than 7 (seven) calendar days after the date of posting dissemination of the notification, together with written notification of the purpose of and measures to be transacted at the SGM and the text of motions to be put to and considered by the meeting.
- 20.3. No business other than that stated in the notification shall be transacted at the SGM.
- 20.4. Only the persons referred to in 19.3 as in an AGM shall be entitled to attend and speak at the SGM's.

**21. ORDINARY GENERAL MEETINGS ("OGM's")**

- 21.1. An OGM of Members shall be convened:
- 21.1.1. By resolution of DRASA Council, or
  - 21.1.2. By resolution of the EXCO

- 21.2. An OGM of the Council shall be held on such date and at such place as the EXCO shall determine provided that unless there are good reasons to the contrary.
- 21.3. The following persons shall be eligible to attend and speak at meetings of the Council:
- 21.3.1. All the persons referred to in clause 19.3 save those referred to in sub-clauses 21.4.
- 21.4. Notwithstanding anything to the contrary herein, no Honorary Life Member shall be entitled to attend or speak at the OGM but may do so upon the invitation of DRASA Council.
- 21.5. Notice of any OGM of the Council shall be sent not less than 21 (twenty-one) calendar days before the date of such meeting which notice shall be accompanied by a proposed agenda as recommended by EXCO.
- 21.6. The text of any motion which any Member wishes to be put to and considered by any OGM shall be received not less than 15 (fifteen) calendar days prior to the date of such meeting by the National Office who shall disseminate it by post and /or by hand, and/or by fax, and/or by electronic mail, together with the final agenda to all Ordinary Members, Special Member and Associate Members, not less than 10 calendar days prior to such date.
- 21.7. The business to be transacted at the OGM shall be:
- 21.7.1. To read the notice convening the meeting;
- 21.7.2. To table and confirm, with or without amendments, or to reject the minutes of the previous OGM as the case may be, as well as the minutes of any SGM held in the interim, and to consider any matters arising here from;
- 21.7.3. To consider and to adopt, with or without modification, or to reject, any Resolution of which due notice has been given;
- 21.7.4. To consider and to adopt with or without modification or to reject the budget for the ensuing year: this shall have been prepared by the Treasurer and considered and recommended to the DRASA Council by the EXCO;
- 21.7.5. no resolution which has the effect of creating, amending or repealing a by-law, policy, regulation or standing rule, shall be binding unless the notice thereof has been given in terms of 21.5 hereof or such resolution has been ratified at the next EXCO meeting.
- 22. GENERAL PROVISIONS RELATING TO AGM's, OGM's AND SGM's.**
- 22.1. The following provisions shall apply to all AGM's, OGM's and SGM's.
- 22.1.1. AGM's, OGM's and SGM's shall, subject to the terms of this constitution, be held at such time and place as shall be decided by DRASA Council or the EXCO.
- 22.1.2. The chairperson of any AGM, OGM, or SGM shall be the President or in his or her absence the Vice-President, or in his or her absence such other person as shall be elected for that purpose by the Members or the representative of the Members present at the Meeting and entitled to vote.
- 22.1.3. Each member of DRASA Council shall have 1 (one) vote and the Chairperson of any meeting shall have 1 (one) vote second or casting vote, only in the event of an equality of votes.

- 22.1.4. A quorum shall consist of 50% (fifty per centum) plus 1 (one) of the Ordinary Members in good standing.
- 22.1.5. If a quorum shall not be present at the place of the meeting within 30 (thirty) minutes after the time set for commencement of the meeting, or if the Member is not present during the meeting, until the proceedings have been duly declared to have been concluded so by the Chairman, the meeting if convened upon the requisition of Ordinary Members, shall be dissolved; in any other case, it shall stand adjourned by 30 minutes, and at such adjourned meeting the Ordinary, Special and Associate Members that are present or their representatives that are present and entitled to vote, shall constitute a quorum and may transact the business of that meeting.
- 22.1.6. Voting shall be on a show of hands unless a poll be demanded by Members or representatives of Members, of not less than 40% (forty per centum) of Members and representatives, entitled to vote, and in such event, the poll shall be conducted in such manner as the Chairperson of the meeting shall decide.
- 22.1.7. Attendance via digital means such as Skype or Video Call will be allowed, in order to minimise travel costs to members

#### **CHAPTER 5 — DRASA EXECUTIVE COMMITTEE ("EXCO")**

##### **23. EXCO**

- 23.1. The DRASA Council will appoint an Executive Committee at an AGM, SGM or OGM, comprising of:
  - 23.1.1. Office Bearers namely The President, Vice President, Treasurer and Secretary General
  - 23.1.2. The Athletes Representative
  - 23.1.2. Between One (1) and Three (3) representatives from the Constituent Members of DRASA Council duly elected by Council. The Constituent Members shall elect a Representative in the ratio of 1 Representative to represent 3 Provinces.
- 23.2. The EXCO shall meet at least 10 (ten) times a year.
- 23.3. The EXCO with the support of the Judicial Committee will function as the decision-making body around policy matters and shall be empowered to take decisions and to immediately undertake any action required of the Rules and Regulations of DRASA.
- 23.4. The EXCO shall appoint an independent Judicial Committee to deal with all disciplinary matters relating to the Membership and/or their individual members.
- 23.5. The President may call on any member of DRASA Council to attend an EXCO Meeting.
- 23.6. The minutes of the EXCO Meetings must be distributed to all members of DRASA Council.
- 23.7. The membership and representation of any sub-committee shall be decided and approved by DRASA Council.
- 23.8. Each sub-committee shall, subject to the provisions of this Constitution and to the policies, by-laws, rules and regulations of DRASA, perform such duties and functions as are delegated to it by DRASA Council.

**24. POWERS OF EXCO**

- 24.1. Exco shall perform inter alia the following functions:
  - 24.1.1. The administrative functions of DRASA shall be the responsibility of Exco. In addition, Exco shall deal with any matters referred to it by the DRASA Council and shall report to the National Council;
  - 24.1.2. Exco shall decide on the executive structures and administrative procedures of DRASA as may be required from time to time;
  - 24.3.3. Exco controls and oversees the work of its own management committee, as well as the work of all Commissions and Technical Committees and has to ratify all their decisions.
- 24.2. Members of Exco shall vote on all resolutions by a show of hands.
- 24.3. Members of Exco shall decide on all matters by a simple majority vote.
- 24.4. Each member of Exco shall have 1 (one) vote and the Chairperson of any meeting of Exco shall have a second or casting vote, save and except at an elective annual general meeting where the executive shall not be entitled to vote on electoral matters, in the event of an equality of votes.
- 24.5. The chairperson of any meeting of Exco shall be the President, or in his or her absence the Vice President or in his /her absence such other Member of Exco as shall have been appointed at that meeting by the Members of Exco present and entitled to vote.
- 24.6. Exco shall meet not less than once monthly in addition to meeting at the time of each of the two bi-annual general meetings of the National Council.
- 24.5. A quorum of members of Exco shall consist of a minimum of 50% plus 1-members of Exco being present, and if there is not a quorum present at the appointed time and place for any meeting of Exco or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the chairperson of that meeting to have been concluded, such meeting shall stand adjourned for 30 minutes; and at such adjourned meeting those members of Exco present and entitled to vote shall constitute a quorum and may transact the business of that meeting.
- 24.6. Any member of Exco who, without having first obtained leave of absence from Exco, shall otherwise than in circumstances beyond his or her control, not attend 3 (three) consecutive meetings of Exco, of which meetings due notice has been given, shall be deemed to have resigned from Exco and such vacancy shall be filled in terms of the election procedures.
- 24.7. No member of Exco shall be entitled to any remuneration, but all members of Exco shall be entitled to be refunded any disbursement incurred by any such member in fulfilling any duties or functions as shall be approved by Exco.
- 24.8. Digital attendance of meetings via Skype or Voice call will be allowed
- 24.9. The Secretary General shall:
  - 24.9.1. Send to all Members, and to all members of Exco:
    - 24.9.1.1. Written notification of all meetings of Exco and the proposed Agenda within the stipulated time period prior to the date of the proposed meeting;
    - 24.9.1.2. Copies of the minutes and resolutions of all meetings of Exco, within 15 (fifteen) working days after the date of the relevant meeting;
  - 24.9.2. Send to all Members, and to all members of Exco:

- 24.9.2.1. Written notification of all meetings of the National Council and the proposed Agenda, in the stipulated time period prior to the date of the proposed meeting;
- 24.9.2.2. Copies of the minutes and resolutions of all meetings of the National Council, within 15 (fifteen) working days after the date of the relevant meeting.
- 24.10. Any Member, of any classification, shall be entitled to have a representative attend and speak, but not vote at any meeting of Exco; provided such Member shall have submitted written notification to the Secretary of such intention and the full details of any matter such member is desirous of raising at such Meeting, not less than 5 (five) working days prior to the date of such meeting.
- 25. ELECTION OF THE PRESIDENT, VICE-PRESIDENT, TREASURER, AND THE OTHER MEMBERS OF EXCO AND COUNCIL**
- 25.1. There shall be elections for the elected positions on Exco for a term of four (4) years to be held at a meeting of the National Council. The elections shall be conducted by the Electoral Officer, who shall be appointed by the outgoing Exco.
- 25.2. Each Member shall be entitled to nominate 1 (one) person for election as President, 1 (one) person for election as Vice-President, 1 (one) person for election as Treasurer, 1 (one) person for election as Secretary General, and 1(one) person for election for each portfolio, and 1(one) person for election of Athlete Representative.
- 25.3. Each Constituent member appoints one representative to serve on its respective structure on the DRASA Council.
- 25.4. Should provinces not have a Provincial Association in place to act as Constituent Member for that province, the clubs of that province elect a representative to act on behalf of that Province
- 25.5. Each nomination shall be in writing, shall be seconded by any Member and shall be signed by the nominee to indicate his or her acceptance of the nomination.
- 25.6. It shall be permissible for the same person to be nominated for more than one office/position. The nomination for any alternative post is conditional upon him or her not being elected to the first post for which he or she is nominated.
- 25.7. All such written nominations shall be received by the National Office not less than 15 (fifteen) calendar days prior to the date of the next AGM.
- 25.8. If no nominations are received for the election of the President or the Vice-President, or both, the President or the Vice-President, shall continue in office, if available, until the next AGM; failing which at the first meeting of DRASA Council after that AGM, the members of DRASA Council shall elect a person to act at the President or the Vice-President, or both until a President or Vice-President, as the case may be, is duly elected at a General Meeting of the Council.
- 25.9. The retiring President, the retiring Vice-President and the retiring Treasurer shall be eligible for re-election without nomination, provided the EXCO shall have received written notification from such persons of their willingness to continue in office, if re-elected.
- 25.10. If there is more than one nomination for any of the office bearer posts then such posts shall be elected separately by ballot, such elections to be held in the sequence aforesaid.

- 25.11. Each person who votes shall record a vote for not more and not less than the number of vacancies.
- 25.12. All members of DRASA Council shall hold office until the next AGM, subject to the provisions of clause 25.4.

## **CHAPTER 6 — GENERAL**

### **26. COLOURS**

- 26.1. The colours of DRASA Shall be red and white (with minimum black)

### **27. EMBLEM**

- 27.1 The emblem shall as per figure below.



### **28. BADGE**

- 28.1. The badge shall have the emblem with the words DRASA embroidered in at the bottom.

### **29. AWARD OF COLOURS**

- 29.1. Guidelines and criteria for the awarding of colours shall be stipulated in the bylaws of DRASA

### **30. RULES, REGULATIONS, PROCEDURES AND BY-LAWS**

- 30.1. Exco shall formulate and publish the rules, regulations, procedures and by-laws and grievance policies and procedures (the Rules) from time to time in accordance with which the affairs of DRASA will be conducted. A copy of the Rules in force at any time shall be kept by the Secretary and made available, upon request, to any Member, individual, Body, athlete/participant, Committee or other individual registered with DRASA.
- 30.20 Rules, regulations and by-laws may only be modified annually at an AGM or by majority vote of Exco if deemed necessary and is subject to ratification by Council within one month.
- 30.2. DRASA shall adopt the codes of conduct as envisaged from time to time by the IOC (International Olympic Committee) in relation to WADA or SAIDS.

- 30.3. It is specifically provided that any party referred to in this Constitution shall not be entitled to approach any court of law on any matter whatsoever, until such party has exhausted all internal remedies within this Constitution.

**31. FINANCE**

- 31.1. The financial year of DRASA is the 12 (twelve) month period commencing on 1 January in one year and ending on 31 December of the same year.
- 31.2. The Finance Committee shall be chaired by the Treasurer
- 31.3. The Finance Committee shall cause to be prepared an annual budget for the ensuing year to be presented and approved at the ordinary general meeting of the National Council each year.
- 31.4. It shall be a requirement of membership for all Constituent Members to submit to the Finance Committee a copy of their financial statements within 3 (three) months from the end of their respective year-ends and the Treasurer shall report to the National Council on compliance with this requirement and such matters pursuant thereto that may be relevant to the Members of the National Council.

**32. CONFLICT OF INTEREST**

- 32.1. A Conflict of Interest is defined as any personal, professional or financial relationship, including relationships of family members that could influence or be perceived to influence objectivity when representing or conducting business or other dealings for or on behalf of DRASA or its members or other persons or bodies over which DRASA enjoys jurisdiction, or that detracts from their ability to perform their duties with integrity, and in an independent and purposeful manner.
- 32.2. In the context of the provisions of this Constitution, a distinction is made between the situation of a "Potential Conflict of Interest" and the case of a "Conflict of Interest". Only Conflicts of Interest are prohibited.
- 32.3. A situation of a "Potential Conflict of interest" arises when the opinion or decision of a person, acting alone or within an organisation, in the framework of the relevant activities, may be reasonably be considered as liable to be influenced by relations that the aforementioned person has, has had or is on the point of having with another person or organisation that would be affected by the person's opinion or decision.
- 32.4. A case of "Conflict of Interest" is constituted when any person who, having abstained from declaring a situation of a potential conflict of interests, expresses an opinion or takes a decision in the circumstances. This conduct is prohibited.
- 32.5. In assessing the situations, direct or indirect interests must be taken into account. This also includes the interests of a third person (for instance a parent, spouse, life partner, business partner, relation or dependent).
- 32.6. When performing an activity for DRASA or being elected or appointed, persons bound by this Constitution shall disclose any personal interest that could be linked to their prospective activities.
- 32.7. A Conflict of Interest may be deemed so severe by the majority of the members of the Executive that such a person shall be deemed not eligible to be elected or appointed to serve on any structure of DRASA
- 32.8. Persons bound by this Constitution shall avoid any situation that could lead to Conflict of Interest.



- 32.9. Faced with a situation of a potential conflict of interests, the person concerned must declare the potential conflict proactively, and prior to engagements relating to it refrain from participating in associated engagements, expressing an opinion, from making or participating in making a decision, or accepting any form of benefit whatsoever. It is required that the person concerned be rescued from proceedings prior to the matter being dealt with.
- 32.10. Should such person fail to disclose such a personal interest; or in the case of a potential conflict of interest fail to recuse himself from any related proceedings and or accept any benefit as aforesaid; or should there be a dispute or objection concerning any Conflict of Interest, this shall immediately be disclosed or reported to the responsible individual at the organisation for which the person performs his or her duties, for appropriate measures. This includes instances in which the person becomes aware of the potential conflict of interest, or becomes aware of a conflict of interest after the decision has been taken, or the matter discussed.

**33. DISPUTE RESOLUTION**

- 33.1. Any dispute arising out of, or in connection with, the enforceability of this Constitution, or the application and interpretation of the provisions thereof, or any dispute between DRASA and another national sports federation, or any dispute between Members of DRASA, or any dispute between members of Exco, or between Exco and a Member, or between Exco or an Exco member and an individual (but excluding disputes concerning an Ethics, Grievances or Selection matter) shall be referred to the DRASA Judicial Committee.
- 33.2. Should the aggrieved person not be satisfied with the outcome of the matter as decided By the Judicial Committee, the person is entitled to escalate the matter to the Department of Sport, or anybody they deem appropriate, for independent arbitration of the matter.
- 33.3. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.
- 33.4. Recourse to the High Court or Magistrates Courts by a party to dispute shall be limited to instances of an alleged violation of the provisions of this Constitution or an alleged disregard for the principles of natural justice or for purposes of obtaining urgent interdictory relief. In all other instances any disputes to be decided according to the dispute resolution processes provided for in this Constitution.

**34. NOTIFICATION**

- 34.1. For the purposes of this Constitution, all notifications by DRASA to any person or any Member, or Honorary Life Member shall, unless delivered by hand, be effective from the date of dissemination by post, and/or by hand, and/or by fax, and/or by electronic mail to the last known postal or fax or e-mail address, as the case may be, of the addressee, by any official of DRASA, but all notifications to DRASA by any person (natural, corporate or otherwise) or any Member or Honorary Life Member shall only be effective from the date of receipt thereof by the Secretary. In no respects shall any postal authority be, or be deemed to be the agent of DRASA

**35. ALTERATION OR VARIATION OF THIS CONSTITUTION**

35.1 This Constitution may be altered or varied, at any time, by the voting Members at a General Meeting, upon a majority vote of not less than two-thirds of the total votes available to all Members at that time, regardless if the Members are represented at such Meeting or not, provided that not less than 30 (thirty) days written notification of such Meeting, together with a copy of the proposed amendments have been given to all Members.

## **36. DISSOLUTION OR WINDING UP OF DRASA**

36.1. DRASA may be dissolved or wound-up, at any time, by the Members in General Meeting, upon a majority vote of not less than 75% (seventy five per centum) of the total votes available to all Members at that time, regardless if the Members are represented at such Meeting or not, provided that not less than 10 (ten) working days written notification of such Meeting and of any resolution aimed at dissolving or winding-up DRASA shall have been given to all Members.

36.2. Upon dissolution or winding up of DRASA, all the property and assets of DRASA, after payment of all monies owing to any third parties, shall be transferred free of compensation to any other public benefit, Association/s or Organisation/s having objects similar to DRASA, and which has been approved in terms of section 30 of the Income Tax act at the discretion of the Members.

36.3 Should there not be a body with similar objectives to DRASA, assets are to be Distributed to Constituent Members in good standing, which will be free to distribute to Clubs and Participant Members.

## **37. PRIVACY, DIGNITY AND REPUTATION OF DRASA**

37.1. With reference to the Constitution of the Republic of South Africa, 1996, DRASA acknowledges, respects and supports the rights of freedom of thought, belief, opinion and expression, without however derogating from DRASA's own entrenched rights to privacy (which includes its dignity and reputation) and to freedom of association. DRASA is aware of the reasonable and justifiable limitation on all the aforesaid rights in terms of section 36 of said national Constitution and what is to follow, is to be read in the context of the said national Constitution.

37.2. No person bound by DRASA's Constitution may perform any act that brings Equestrian Sport, DRASA, or any of its members, officials or office bearers into disrepute or which injures them in their dignity; or which has the potential of doing so; or which has the effect or is calculated to have the effect of doing do.

37.3. In particular, but without affecting the generality of the a foregoing, such acts include the uttering, authoring or publishing of statements, articles or comments, verbally or in writing, or by way of social media or any other medium or method of communication whatsoever, and which are threatening, derogatory, obscene, indecent, seditious, offensive, pornographic, abusive, disparaging, racist, discriminatory, menacing, inflammatory, blasphemous, or defamatory.

37.4. "Social media" includes but is not restricted to Facebook, LinkedIn, Twitter, Wikipedia, Flickr, MySpace, Tumblr, Pinterest, Google+ and YouTube, internet postings, blogs and wikis, or any other like medium which may be created in the future.

37.5. Persons bound by this Constitution who author or publish statements, articles or comments, must make it clear that they are speaking on their own behalf and not on behalf of DRASA, and that their views do not represent those of the aforesaid bodies.

- 37.6. Persons bound by this Constitution may not use any of DRASA's logos, brand names, slogans or other trademarks without written permission from the Executive.
- 37.7. Persons bound by this Constitution may not divulge any of DRASA's confidential or proprietary information without the prior written permission of DRASA.
- 37.8. DRASA may require any person bound by this Constitution to remove postings, comments or any other submissions made using social media that are deemed to constitute a breach of the above provisions. Failure to comply with such a request may in itself result in disciplinary action.
- 37.9. Failure to comply with the above provisions will render such persons liable to disciplinary action by DRASA, in addition to any other civil rights DRASA may have such as claiming damages for defamation.
- 37.10. DRASA's right not to associate with any person, which includes banning any person, is expressly reserved.

This Constitution was unanimously accepted by the membership present to the Annual General Meeting held via Zoom on 18<sup>th</sup> May 2020

President

Vice President