

THE KWAZULU NATAL CANOE UNION

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CONSTITUTION

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1. NAME AND BUSINESS

- 1.1 The organisation hereby constituted will be called The KwaZulu Natal Canoe Union
- 1.2 Its shortened name will be KNCU (Hereinafter referred to as the organisation)
- 1.3 **HEADQUARTERS AND ADDRESS**
This shall be at the place the current KNCU Canoeing Administrator resides or any other suitable address agreed to by the Executive Committee

2. BODY CORPORATE

The KNCU shall:

- 2.1 Exist in its own right, separately from its members.
- 2.2 Continue to exist even when its membership changes and there are different office bearers.
- 2.3 Be able to own property and other possessions.
- 2.4 Be able to sue and be sued in its own name. The Chairman of the Executive Committee is empowered to sign on behalf of the KNCU any Power of Attorney which may be required for this purpose.
- 2.5 Have the same legal powers and capacity as an individual would, which are necessary to achieve its main and supplementary objects:
 - 2.5.1 except to the extent necessarily implied by its stated objects;
 - 2.5.2 except to the extent that a juristic person is incapable of exercising such a power or having such a capacity; and
 - 2.5.3 subject to the restrictive conditions and other limitations or qualifications, as are contained in this constitution.

3. OBJECTIVES

The KNCU's main objectives are to:

- 3.1 The promotion of the interests of the sport of amateur canoeing in the Province of KwaZulu Natal and South Africa.
- 3.2 To promote and develop all disciplines of canoeing among all the people of KwaZulu Natal.
- 3.3 To control and co-ordinate the activities of canoe clubs in KwaZulu Natal as the sole governing body of the sport in the Province.
- 3.4 To represent the canoeists and canoe clubs in KwaZulu Natal at Canoeing South Africa (CSA) level.
- 3.5 To adopt the canoe racing rules of the International Canoe Federation (ICF), as interpreted by CSA in so far as the rules are consistent with this constitution provided that the Union may vary rules to suit conditions in KwaZulu Natal.

- 3.6 To organise and control KwaZulu Natal Provincial canoeing events.
- 3.7 To award Provincial colours according to the rules laid down by the Union.
- 3.8 To select and control teams to represent the Province.

These objects of the organisation shall be carried out in a non-profit manner, and with an altruistic or philanthropic intent and the activities of the organisation shall be for the benefit of or widely accessible to the general public at large. The powers of the organisation may only be executed in pursuit of the objects of the organisation.

4. DEVELOPMENT

The KNCU aims to develop all disciplines of canoeing among all people of KwaZulu Natal, and in particular the KNCU aims, either directly, or indirectly through the member clubs affiliated to the KNCU, to aid, assist, promote and develop, both financially and technically, by way of the provision of coaching services, administrator services, advisors, subsidies, equipment, loans, or by any other means that the Executive Committee may deem fit, the following classes of people: -

- 4.1 Members of previously disadvantaged communities;
- 4.2 Women;
- 4.3 Juniors;
- 4.4 Elite canoeists;
- 4.5 Any person or class of persons whomsoever that the Executive Committee deems worthy of such assistance; and further, that any requests for aid or assistance by or on behalf of the aforementioned classes of people shall be made by way of application to the Executive Committee.

5. MEMBERSHIPS AND MECHANISM OF GOVERNANCE OF KNCU

5.1 MEMBERSHIP

The Members of the KNCU shall be the Clubs affiliated to KNCU and represented by their elected Chairmen or designated representatives.

- 5.1.1 Any canoe club in KwaZulu Natal, with the minimum membership of 20, may seek affiliation to the KNCU.
- 5.1.2 The KNCU will have the right to refuse any applications for affiliation.
- 5.1.3 The KNCU may cancel or suspend any club's affiliation.

5.2 GOVERNANCE

- 5.2.1 The Executive Committee will oversee the organisation. The Executive committee will be made up of the following members. They are the Board of governance of the KNCU:
- 5.2.1.1 Chairperson
 - 5.2.1.2 Vice-Chairperson
 - 5.2.1.3 Executive Secretary
 - 5.2.1.4 Executive Treasurer
 - 5.2.1.5 KwaZulu Natal Canoeing Development Officer
 - 5.2.1.6 KwaZulu Natal Canoeing Administrator
 - 5.2.1.7 KwaZulu Natal Canoeing Safety Officer
 - 5.2.1.8 And any other sub-committee Chairman the Executive Committee wishes to co-opt onto the committee. At least three of the Executive Committee shall not be 'connected persons' in relation to each other (as defined in the Income Tax Act), and no single person shall directly or indirectly control the decision-making powers of the organisation.
- 5.2.2 The Discipline Sub-Committees will oversee the operation of the main canoeing disciplines of the KNCU. Each sub-committee will consist of a Sub-Committee Chairperson who will co-opt up to 3 sub-committee members as needed.
- 5.2.2.1 Marathon Sub-Committee
 - 5.2.2.2 Sprint
 - 5.2.2.3 Surf-Ski
 - 5.2.2.4 Canoe Polo
 - 5.2.2.5 Slalom
 - 5.2.2.6 Wild Water
 - 5.2.2.7 Schools
- 5.3 **Nominations** for the above positions shall be submitted to the Executive Secretary a minimum of one day before the AGM with the signature of the nominee signifying acceptance.
- 5.4 **Term of office:** The Executive Committee and Sub-Committee Chairmen will serve for a period of **one** year which has been agreed to by the general membership at an AGM. They can, however, stand for re-election for another term in office again and again after that, for so long as their services are needed and they are ready to give their services.
- 5.5 **Vacancies:** The Executive Committee must, as soon as reasonably possible, appoint someone to fill any vacancy that reduced the number of Executive Committee members or Sub-Committee Chairpersons.
- 5.6 **Resignation:** An Executive Committee member or Sub-Committee Chairperson may resign from office in writing.
- 5.7 **Disqualification or Removal:** If an Executive Committee member or Sub-Committee Chairperson does not attend three meetings in a row, without having applied for and obtaining leave of absence from the Executive Committee, then the Executive Committee will find a new member to take that person's place.

5.8 An Honorary Auditor shall be elected annually at the AGM.

6. POWERS OF KNCU

- 6.1 The Executive Committee shall carry out the powers on behalf of the KNCU and they shall manage the affairs of the organisation in accordance with the resolutions of the Members as shall be taken from time to time at General Meetings of the KNCU.
- 6.2 The Executive Committee is responsible for making decisions, and acting on such decisions, which it believes it needs to make in order to achieve the objectives of the organisation as stated in point number 2 of this constitution. However, such decisions and their activities may not be against the resolutions of the members or be against the law of the Republic of South Africa.
- 6.3 The Executive Committee shall have the general powers and authority to do everything necessary to carry out the objects of the organisation and to, *inter alia*:-
- 6.3.1 raise funds or to invite and receive contributions;
 - 6.3.2 buy, hire or exchange for any property that it needs to achieve its objectives; and
 - 6.3.3 make by-laws for proper governance and management of the organisation.
- 6.4 If the Executive Committee thinks it is necessary, then it can decide to set up one or more further sub-committees
- 6.5 The Executive Committee may delegate any of its powers or functions to a sub-committee provided that:-
- 6.5.1 such delegation and conditions are reflected in the minutes for a meeting
 - 6.5.2 at least one Executive Committee member serves in the sub-committee.
 - 6.5.3 there are three or more people on a sub-committee.
 - 6.5.4 the sub-committee must regularly report back to the Executive Committee on its activities.
- 6.6 The Executive Committee must in advance approve all expenditure incurred by the sub-committee, and may revoke the delegation or amend the conditions of the delegation.

7. MEETINGS

- 7.1 All meetings of the KNCU can be conducted either on a face to face basis or using a virtual meeting platform.**
- 7.2 Annual General Meetings (AGM)**
- 7.2.1 Representatives of the members of the KNCU should attend its annual general meetings.
 - 7.2.2 The purpose of an Annual General Meeting (AGM) is to:
 - 7.2.2.1 Report back to Members from the Executive Committee on the achievements and work of over the year;
 - 7.2.2.2 Make any changes to the constitution; and
 - 7.2.2.3 Enable Members to decide on the policies of the organisation.

- 7.2.3 The AGM must be held once every year within 15 months of the previous AGM, and within 4 months of the end of the financial year.
- 7.2.4 The KNCU shall deal with the following business, amongst others, at its AGM:
 - 7.2.4.1 Agree to the items to be discussed on the agenda.
 - 7.2.4.2 Draw up an attendance and apologies register and ratify each club's membership.
 - 7.2.4.3 Read and confirm the previous meeting's minutes with matters arising.
 - 7.2.4.4 Chairperson's report.
 - 7.2.4.5 Treasurer's report.
 - 7.2.4.6 Administrators Report
 - 7.2.4.7 Safety Officers Report
 - 7.2.4.8 Development Officers Report
 - 7.2.4.9 Safety Officers Report
 - 7.2.4.10 Sub-Committee Chairmen's reports
 - 7.2.4.11 Changes to the constitution that members may want to make.
 - 7.2.4.12 Elect new office bearers
 - 7.2.4.13 Ratification of the annual budget and fees
 - 7.2.4.14 General.
 - 7.2.4.15 Close the meeting.

7.3 Special General Meetings

- 7.3.1 The Special General Meeting (SGM) or any other special meeting is held outside of the normal or regular meetings.
- 7.3.2 Special meetings may be called when the Executive Committee needs the mandate or guidance of the Members of the organisation to take up issues that require urgent attention and cannot wait until the next regular AGM or ordinary meeting
- 7.3.3 Special General Meetings must also be held within 30 days of receipt of written application clearly stating the reason for such a meeting and signed by the Chairman or his deputy of at least two member clubs. These meetings shall be open to all members and no business other than that stated in the application shall be transacted at that meeting.

7.4 General Meetings

- 7.4.1 General Members meetings are conducted in order to keep the members up to date on the current affairs of the KNCU, as well as allow members to raise any issues they may have with the KNCU. These are held at least once in every two calendar months of a year and are also attended by the Executive Committee and Sub-Committee Chairmen.
- 7.4.2 The meetings of the Executive Committee will be held at least once a month or when a need arises from time to time to conduct the business of the Executive Committee and may be attended by the Sub-Committee Chairmen.

7.5 Notices of Meetings

- 7.5.1 The Chairperson of the Executive Committee shall convene meetings. The Secretary must let all Executive Committee members know the date of a proposed Executive Committee meeting within a reasonable time, but not less than seven (7) days, before it is due to take place.

- 7.5.2 However, when convening an AGM, or a Special General Meeting, all Members of the organisation must be informed of the meeting no less than fourteen (14) days before such a meeting.
- 7.5.3 Notices for all meetings provided for in this constitution must be given to relevant Members in writing, either personally, by post or electronic communication or whichever manner it is convenient, to the address or other similar particulars provided by the Members.
- 7.5.4 The notices for all meetings must indicate the reasons for the meeting and the matters that will be discussed in the meeting.
- 7.5.5 For confirmation of delivery, all notices sent to Members at the latest known contact details shall be deemed to have been duly served on Members, unless it can be proven otherwise.
- 7.5.6 All Members present in person at any meeting shall be deemed to have received notice of such meeting.

7.6 Quorums

- 7.6.1 Apart from the requirements of clause 7.6.2 and 7.6.3 , the quorums for all General Meetings of the organisation shall be at least one third(1/3) of Members represented, and that those present represent a simple majority(**50% + 1**) of the registered paddlers of the Members of the KNCU calculated at the previous 31st of March.
- 7.6.2 Quorums for Executive Meetings shall be at least half (1/2) of the members of the Executive Committee as elected at the previous AGM
- 7.6.3 For the purpose of considering changes to this constitution, or the dissolution of the organisation, then a two thirds ($\frac{2}{3}$) of the Members shall be present at a meeting to make a quorum before a decision to change the constitution is taken.
- 7.6.4 All meetings of the organisation must reach a quorum before they can start.
- 7.6.5 If, however a quorum is not present within fifteen minutes of the appointed time of the meeting, the meeting must be adjourned or postponed to another date, within fourteen days thereafter.
- 7.6.6 If no quorum is present at the reconvened meeting within fifteen minutes of the appointed time, the members present shall be regarded to make up a quorum for that meeting and the meeting will continue as if a quorum is present.

7.7 Procedures at Meetings

- 7.7.1 The Executive Committee may regulate its meetings and proceedings as it deems fit, subject to the following:
 - 7.7.1.1 That the Chairperson shall chair all meetings of the organisation, including those of the Executive Committee.
 - 7.7.1.2 That, if the Chairperson is not present, the Vice-Chairperson shall chair such meeting. In the event both are absent, the Executive Committee members present at the meeting shall elect a chairperson for that meeting.

7.8 Making decisions in meetings

- 7.8.1 The names of Member Clubs delegates shall be nominated at each General Meeting.
- 7.8.2 Member Clubs will be entitled to vote by proxy.
- 7.8.3 Each Member Club shall be entitled to 1 vote and 1 further vote for every 10 members registered on the previous 31st March. provided that the total number of votes allocated to a Club shall be limited to the number which is equivalent to 40% of the sum of all votes allocated to members.
- 7.8.4 Where possible, the decisions of the organisation shall be taken by consensus. However, when there is no consensus, then delegates will discuss options for a while and then call for a vote.
- 7.8.5 Voting may be by a show of hands but may be conducted by secret ballot if so requested by the delegates.
- 7.8.6 Decisions concerning changes to this constitution, or of dissolution and closing down of the organisation, shall only be dealt with in terms of clauses 10 and 15 of this constitution.
- 7.8.7 For all other matters, votes shall be counted and the majority votes on an issues shall be regarded as the decision of the meeting
- 7.8.8 However, if opposing votes are equal on an issue, then the chairperson in that meeting has either a second or a deciding vote.
- No
- 7.8.9 All Members must abide by the majority decision

7.9 Records of meetings

- 7.9.1 Proper minutes and attendance records must be kept for all meetings of the KNCU.
- 7.9.2 The minutes shall be confirmed as a true record of proceedings by the next meeting of the Executive Committee, or of Members as the case may be, and shall thereafter be signed by the chairperson.
- 7.9.3 Minutes shall thereafter be kept safely and always be on hand for members to consult.
- 7.10 Any meetings of the KNCU may be held electronically on platforms such as Skype or Zoom if necessary.
- 7.11 **MOTION OF NO CONFIDENCE**
A motion of no confidence may be voted on at any meeting.

8. INCOME AND PROPERTY

- 8.1 The organisation will keep a record of everything it owns.

- 8.2 The organisation may not give or dispose any of its funds, assets or property, directly or indirectly to any person (otherwise than in the course of carrying out a public benefit activity) or to its Members or the Executive Committee or Sub-Committee members. The only time it can do this is when it pays for work that an Office Bearers or Member has done for the organisation. The payment cannot be excessive but must be a reasonable amount for the work that has been done having regard to what is generally considered reasonable in the sector.
- 8.3 The Executive Committee or a member of the organisation can only get money back from the organisation for expenses that she or he has paid for or on behalf of the organisation, and for which authorisation has been granted.
- 8.4 The Executive Committee or members of the organisation do not have rights over any funds, assets or property that belongs to the organisation. All of the funds of the organisation shall be used solely in pursuit of its objects and no person shall be economically benefitted in a way which is not consistent with the objects of the organisation.
- 8.5 The organisation shall be prohibited from using its resources directly or indirectly to support, advance or oppose any political party.

9. FINANCES AND REPORTS

- 9.1 **Bank Account:** The Executive Committee must open a bank account in the name of the KNCU with a registered Bank.
- 9.2 **Signing:** Cheques and other documents requiring signature on behalf of the organisation shall be signed by at least two persons authorised by the Executive Committee. Whenever funds are taken out of the bank account, the withdrawal or cheque shall be signed or electronically released by at least two persons authorised by the Executive Committee.
- 9.3 **Financial year-end:** The financial year end of the Organisation shall be end of **March** each year.
- 9.4 **Financial Report:** The Executive Committee must ensure that proper records and books of account which reflect the affairs of the KNCU are kept, and within six months of its financial year a report is compiled by an independent registered Auditor, as appointed at the previous AGM, stating whether or not the financial statements of the organisation are consistent with its accounting policies and practices of the KNCU.
- 9.5 The Treasurer is responsible for making sure that the money of the KNCU is safe and is accounted for.
- 9.6 The organisation shall be entitled to accept revocable and conditional donations provided that:
- 9.6.1 the organisation may only accept revocable donations where the reason for the revocation is:
- 9.6.1.1 a material failure to conform to the designated purposes and conditions of the donation; or

- 9.6.1.2 any misrepresentation with regard to the tax deductibility thereof in terms of section 18A of the Income Tax Act.
- 9.6.2 a donor (other than a donor which is an approved public benefit organisation or an institution or body which is exempt from tax in terms of section 10(1)(cA)(i) of the Income Tax Act, which has as its sole or principal object the carrying on of any public benefit activity) may not impose conditions which could enable the donor or any connected person in relation to the donor to derive some direct or indirect benefit from the application of the donation.
- 9.7 The Treasurer shall be responsible for the presentation of an annual budget for ratification at the AGM each year.
- 9.8 The Treasurer must also make monthly reports to the Executive Committee on the finances of the KNCU, which should include all incomes, expenditures and balances that remain according to accounting practices of the KNCU. The organisation shall comply with any reporting requirements of the Commissioner of the South African Revenue Services.
- 9.9 If the KNCU has funds that can be invested, the funds shall be prudently invested. The KNCU can go to different banks to seek advice on the best way to look after its funds.
- 9.10 The KNCU will not knowingly be a party to, or will not knowingly permit, itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for the transaction, operation or scheme, would have been or would have become payable by any person under the Income Tax Act or any other Act administered by the Commissioner for SARS .
- 9.11 The KNCU shall collect from member clubs and forward to CSA such dues, subscriptions or levies as CSA may require the KNCU to contribute in terms of the CSA constitution.
- 9.12 **AFFILIATION FEES AND LEVIES**
- 9.12.1 Affiliation fees or levies, as determined at a General meeting prior to 31st of March each year and ratified at the AGM, shall be payable on or after 1st April each year.
- 9.12.2 Individual Paddlers will pay their affiliation fees to KNCU and CSA by purchasing the applicable license via the CSA Online Registration system. The fees for the licence thus purchased will be those in force on the day of purchase and the licence will remain valid for one (1) calendar year from the date of purchase. The licence will be activated by the administrator of the Member Club dependent upon the paddlers good standing with his/her club.
- 9.12.3 Only paddlers with active licences may enter and take part in events organized under the auspices of KNCU or any other CSA affiliated entity.
- 9.12.4 Race levies for events organized under the auspices of KNCU , as determined at a General meeting prior to 31st of March each year and ratified at the AGM, shall be based on the entry per paddle per day or any other basis as decided by KNCU and are payable within 21 days of the event.

10. AMENDMENTS TO THE CONSTITUTION

- 10.1 The constitution can only be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds ($\frac{2}{3}$) and representing at least sixty seven percent (67%) of the registered paddlers, of the Members who are at the AGM or SGM. Members must vote at this meeting to change the constitution.
- 10.2 For the purpose of considering changes to this constitution, a two thirds ($\frac{2}{3}$) and representing at least sixty seven percent (67%) of the registered paddlers, of the members shall be present at a meeting to make a quorum before a decision to change the constitution is taken. Any AGM may vote upon such a motion, if the details of the changes are set out in the notice referred to in clause 7 of this constitution
- 10.3 As provided for in clause 6, written notices must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 10.4 No amendments may be made which would cause the KNCU to close down or stop functioning or die away.
- 10.5 Copies of the amendments shall, if the organisation is exempted from payment of normal tax or authorised to issue receipts under s18A of the Income Tax Act, be sent for their records to the Commissioner for the South African Revenue Services or his authorised representative;
- 10.6 Copies of the amendments shall, if the organisation is registered as a non-profit organisation, be sent to the Directorate of Non-Profit Organisations.

11. COMMUNICATION

- 11.1 The KNCU will only communicate with Member clubs and not with individual paddlers
- 11.2 Any individual paddler wishing to communicate with the KNCU must do so through his/her club and vice versa.

12. SUSPENSION AND PENALTIES

- 12.1 The Executive Committee may suspend any Member Club, Individual Paddler or Officer bearer as the case may be for: -
 - 12.1.1 Failing to comply with any of the provisions of this constitution.
 - 12.1.2 Practicing or counselling any conduct which reflects adversely on the good name of the KNCU or any of its members or officials.
 - 12.1.3 Any breach of the canoe racing rules defined in paragraph 3.5 of this constitution
- 12.2 The penalty or suspension of a Member Club shall mean the forfeiture of affiliation

during the period of such suspension. KNCU Office bearers who are members of clubs so suspended shall not be affected by such suspension.

- 12.3 The penalty or suspension of an individual paddler or official in his personal capacity shall mean that he shall forfeit, either completely or partially as shall be decided, all rights and privileges as a paddler of an affiliated member club during the period of suspension. In the case of complete suspension a paddler or official shall forfeit all rights of member club membership during the period of such suspension. Partial suspension shall prevent such paddler or official's participation in canoeing events controlled by the KNCU or any member of CSA, but shall not otherwise interfere with his rights and obligations as an individual club paddler.
- 12.4 Every decision in terms of this clause shall be conveyed in writing to the suspended Member Club and/or Individual Paddler or official
- 12.5 In the case of individual paddlers or officials the member club of which such paddlers and/or officials are members shall also be advised of the decision and it shall be incumbent upon such member clubs to give effect thereto immediately and to confirm in writing to the secretary of the KNCU that such has been done. A member club failing to give effect to such decision may itself be dealt with by the KNCU as having failed to comply with the requirements of this constitution.
- 12.6 Appeals against suspension must be submitted to the KNCU in writing.
- 12.7 Any member club or individual paddler or official shall have the right to appeal to CSA through the KNCU

13. COLOURS

- 13.1 **RACING** - both men and women: -
Black shorts with a black and/or white shirt or vest of approved design.
- 13.2 **UNIFORM** - both men and women: -
Black blazer with colours badge on left breast pocket with badge of approved design.
- 4.3 A badge of approved design may be worn on racing shirts (or vests), tracksuits or blazers.
- 4.4 The Union may fly an ensign on appropriate occasions.

14. COLOURS AWARDS

- 14.1 The Executive Committee shall have the sole right to award KwaZulu Natal colours for canoeing or service to canoeing.
- 14.2 The following minimum standards must have been attained before the recommendation for the award of colours is made to the Executive Committee. Any member club may make such a recommendation. The Executive Committee may reject such a recommendation without reason.

14.2.1 **MINIMUM QUALIFICATIONS** are as follows: -

14.2.1.1 He or she must be a Bona Fide paddler member of a KwaZulu Natal Member Club.

14.2.1.2 He or she* must have accumulated at least 9 points which can be obtained as follows: -

- Having gained South African Colours, 9 points
- Having represented South Africa without gaining SA colours. 6 points
- Having won a South African championship event, 9 points
- Having come second in a South African championship event, 4.5 points
- Having come third in a South African championship events, 3 points
- Having come first in a KwaZulu Natal championship event, 4.5 points
- Having come second in a KwaZulu Natal championship event, 3 points
- Having represented KwaZulu Natal in a selected team 3 points *

*These points are only awarded if the paddler is selected for the KwaZulu Natal Team or attended the KwaZulu Natal trial for the event concerned and took part in the event for which the team was selected

14.3 **JUNIOR and Under 23 COLOURS** - Colours may be awarded to the Under 23 category and juniors in Under 18, Under 16 and Under 14 age categories on the same basis as above clauses 14.1 and 14.2 except that minimum qualification shall be based on under 23, junior (under 18), (under 16) and (under 14) results. The word "Under 23" Junior", "Under 16" and "under 14" shall appear below the senior colours badge, otherwise the uniform will be the same as for seniors.

14.4 **SUB-VETERAN, VETERAN, SUB-MASTERS, MASTERS, SUB GRAND MASTERS, GRAND MASTERS, SUB GREAT GRAND MASTERS and GREAT GRAND MASTERS COLOURS** - Colours will be awarded to sub-veterans, veterans, sub-masters, masters, sub-grand masters, grand masters, sub-great grand masters and great grand masters as per the above clauses 14.1 and 14.2 except that minimum qualification shall be based on the relevant age group results. The badge shall be the same as for senior colours except the word "Sub-Veteran", "Veteran", "Sub-Master", "Master", "Sub-Grand Masters", "Grand Master", "Sub-Great Grand Masters" or "Great Grand Masters" shall appear below the senior colours badge, otherwise the uniform will be the same as for seniors.

14.5 **CANOE POLO AND SURFSKI COLOURS** - Colours may be awarded for Canoe Polo and Surf Ski on the same basis of the above clauses 14.1 to 14.5. The words "Canoe Polo" or "Surf Ski" will replace the word "Canoeing" below the blazer badge.

14.6 **COLOURS FOR SERVICE** - Colours for service to the sport may be awarded by the Executive Committee at its discretion, to suitable nominees who have served the sport for at least 10 years. The uniform shall be the same as the senior colours except the words "Honoris Causa" shall appear below the blazer badge, otherwise the uniform will be the same as for seniors.

- 14.7 **COLOURS FOR CANOEING ADMINISTRATION** - The Executive Committee may, at its discretion, make an award to suitable nominees who have served the sport in an administrative capacity at Provincial level, for at least 5 years. The uniform shall be the same as the senior colours except the words "Canoeing Administration" shall appear below the blazer badge.
- 14.8 Notwithstanding 14.3, above, the Executive Committee shall have the right to amend the points awarded should this be considered necessary.

15. INDEMNITY

- 15.1 Every member of the Committee, Chairperson, officer and every other person (whether an officer of the organisation or not) employed by the organisation shall be indemnified out of the funds of the organisation against all liability incurred by them in their capacities, in defending any proceedings, whether civil or criminal, in which judgment is given in their favour, or in which they are acquitted.
- 15.2 No member, officer or employee of the organisation shall be liable for
- 15.2.1 loss or expense incurred by the company through the insufficiency or deficiency of any security in or upon which any of the moneys of the organization are invested.
 - 15.2.2 any loss or damage arising from the bankruptcy, insolvency or delictual acts of any persons with whom monies, securities or effects shall be deposited.
 - 15.2.3 any loss or damage occasioned by any error of judgment or oversight on his/her part; or
 - 15.2.4 any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his/her office, or in relation thereto,

unless the same happened through their own negligence, default, breach of duty or wilful misconduct or wilful breach of trust.

16. **DISSOLUTION / CLOSING DOWN**


- 16.1 The KNCU may dissolve or close down if at least two thirds ($\frac{2}{3}$) of the Member Clubs present representing 75% of the registered members as at the previous 31st March and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down.
- 16.2 In the event of dissolution of the KNCU, after the liabilities of the Union have been liquidated, all funds, floating trophies and other assets shall be made over to Canoeing South Africa, provided that continues to exist and satisfies the requirements set out in this clause or to another organisation nominated by the members in South Africa which .
- 16.3 is non-profit.
- 16.4 has objects similar to the organisation's main object; and

if the organisation is exempt from income tax, donations tax and estate duty, under the relevant laws of the country, are public benefit organisations which have been approved in terms of section 30 of the Income Tax Act, and are required to use those assets solely for purposes of carrying on one or more public benefit activities

This constitution was approved and accepted by members of

KWAZULU NATAL CANOE UNION

At an Annual General Meeting held on 29th June 2020



Chairperson



Administrator