CONSTITUTION

OF

SOUTH AFRICAN

EQUESTRIAN FEDERATION

(hereinafter referred to as "THE FEDERATION")

As adopted on the 27th of September 2015 and

amended and adopted on the 12th of November 2016

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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 "South African Equestrian Federation" ("SAEF") (hereinafter "THE FEDERATION")

1.2. THE FEDERATION 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 to be sued in its own name and, notwithstanding any change in the composition of its Members from time to time, shall have perpetual succession. 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.

1.3. This Constitution of THE FEDERATION is in no way in conflict with the Constitution of the South African Sports Confederation and Olympic Committee ("SASCOC"), 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 provisions of the SASCOC Constitution and or the Constitution of the Republic of South Africa and or the Act of Parliament shall prevail.

1.4. This Constitution shall be binding on all individuals and members of THE FEDERATION, as well as all persons serving on any of its structures and sub-structures, as well as all individuals or bodies registered with THE FEDERATION, and the Equestrian Community as defined.

1.5. To the extent that the constitution of any member of THE FEDERATION and/or the Provincial or District Federation Members of THE FEDERATION are in conflict with any of the provisions of

this Constitution of THE FEDERATION, the provisions of THE FEDERATION's 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), also referred to 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 audited balance sheet, income and expenditure statement, Treasurer's report and Auditor's report.

2.4. "Appeal Board" means a body of appeal appointed by the Executive Board in terms of this Constitution.

2.5. "Area of Jurisdiction" means the administration of THE FEDERATION shall be the Republic of South Africa.

2.6 "Associate Members" shall be those members currently within the SAEF and shall include the Schools Association ("SANESA"), and any other Member who complies fully with the provisions of this Constitution, and who is confirmed by SASCOC as having fulfilled the criteria of *bona fide* Associate Members in terms of the SASCOC Constitution.

2.7 "Athlete/Participant" means a person competing in Equestrian Sport, in any Discipline, within any Club, (or as an individual) in a Development structure and/or a Provincial or District Structure of THE FEDERATION, who shall be subject to the authority of THE FEDERATION, irrespective of gender or age category.

2.8 "Athletes Commission" shall mean a body of persons representing Athletes/Participants competing in any form of equestrian sport, irrespective of gender or age and shall comprise of 1 (one) elected athlete within each Discipline.

2.9 "Club" means any Equestrian club which caters for any discipline of Equestrian sport in a local district or area and which is a member of the District and/or Provincial Federation and the Discipline Association or Associations, which disciplines it caters for, or whose interests are represented by such District or Provincial Federation and Discipline Association. A club has the right to decide which and how many disciplines it will cater for and must adhere to the requirements of that specific Discipline Association to be recognised as a club catering for that specific discipline.

2.10 "Coach" shall, for the purposes of this Constitution, have the same meaning as "trainer" or "instructor".

2.11 "Committee" means a committee established in terms of this Constitution.

2.12 "Compliance" means that the Member, Provincial Federation and or District, 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 THE FEDERATION.

2.13 "Constitution" means this Constitution.

2.14 "Day" means a calendar day.

2.15 "Development Structure" means any structure in which a development rider participates without any form of award save and except for the award of rosettes.

2.16 "Disciplines" shall mean those individual equestrian disciplines of individual Discipline Associations as recognised by the FEDERATION.

2.17 "Discipline Association" shall mean those individual equestrian bodies administering the various equestrian disciplines as referred to in Schedule "F" under the auspices, authority and jurisdiction of THE FEDERATION.

2.18 "Disciplinary Board" which shall mean the disciplinary body appointed by the National Council in terms of its constitution; and

2.19 "District Chairman" means duly elected chairman of a District within a Province from the body of the Clubs located in the District nominated and elected by the Clubs to attend to the development and administration of THE FEDERATION within a demarcated district within a Province.

2.20 "District Committee" means the membership of a District Body in a general meeting.

2.21 "Ethics Board" shall mean the Ethics Body appointed by the National Council in terms of the constitution.

2.22 "Event" means an Equestrian event held in South Africa under the auspices or with the permission of THE FEDERATION and its various Provincial Federations or District Federations and or relevant international body to which the Federation is affiliated (save and except for a Development event.)

2.23 "Equestrian" means Equestrian Sport of "Equestrian," whether played or participated in individually or in the presence of an opponent or opponents, involving horses, and includes the disciplines referred to in this Constitution and as defined by the International Federation.

2.24 "Equestrian friend" means friend of THE FEDERATION.

2.25 "Equestrian Community" means all Members, Athletes/Participants, Provincial Federations and or Districts, coaches, event organisers and any other participant in Equestrian Sport under the auspices of THE FEDERATION.

2.26 "Exco" means the Executive Board of THE FEDERATION, as constituted in terms of this Constitution.

2.27 "FEI" means *Federation Equestre Internationale*.

2.28 "Geo-political Member" means those Members duly accepted as members and who make up the separate nine (9) Geopolitical structures as referred to in Annexure "A".

2.29 "Group 9" means the Group 9 grouping of FEI.

2.30 "Head Coach" means the person appointed from within the head coaches of each individual Discipline Association as such by the National Council, on recommendation of Exco.

2.31 "Headquarters" means the Headquarters of THE FEDERATION, which shall be determined by the membership at any elective Annual General Meeting.

2.32 "Honorary Life Members" means all those persons bestowed with this honour by the National Council.

2.33 "Horse" includes all equines.

2.34 "IF" means the International Federation/s to which THE FEDERATION is affiliated.

2.35 "Individual" means any person who is not affiliated to any club or region by virtue of their circumstances, but who accepts and is bound by the provisions of this Constitution.

2.36 "Legal, Disciplinary, Ethics and Appeals committee" shall mean a judicial body duly appointed by the Exco at a General Meeting to administer any forms of judicial process inclusive of investigations, hearings, determinations and recommendations.

2.37 "Levies" means the monies levied and due by the membership to THE FEDERATION as approved and agreed to by membership at each A.G.M. of THE FEDERATION.

2.38 "Member" is fully described in Chapter 3

2.39 "Month" means a calendar month.

2.40 "National Convention" means the meetings of all Members, Commissions and Committees at the same venue and dates to coincide with an Ordinary or Annual General Meeting of the membership of THE FEDERATION

2.41 "National Council" means the membership of THE FEDERATION in general meeting.

2.42 "National Sport Federation" means the national governing body of the Sport in membership with SASCOC, and recognised by the Department of Sport and Recreation in the Republic of South Africa.

2.43 "NPC" means the National Provincial Championships.

2.44 "Ordinary General Meeting" means a meeting of Members other than an A.G.M. or Special General Meeting convened in terms of this Constitution.

2.45 "Ordinary Members" means those Members duly accepted as members in terms as set out in this Constitution, and fully described in Section 3

2.46 "Patrons" shall mean a person duly appointed as such in terms of this Constitution.

2.47 "Person" means a natural or legal person, including NPO's and NGO's, who shall at all times abide by this constitution not withstanding any legislation applicable to such an organisation.

2.48 "President" means the President of THE FEDERATION, duly elected in terms of this Constitution.

2.49 "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).

2.50 "Provincial Federation" means a body representing the various Clubs and or Districts within a Province, consisting of duly elected representatives, in line with the requirements of the Department of Sport and Recreation, and the Sport Confederation in that Province, which, within a Province, are associated with each other for the

development and administration of equestrian sport in that Province, including the specific purpose of liaison and communication with the Equestrian Sporting disciplines of that Province, the Department of Sport and Recreation, and the Sport Confederation in that Province.

2.51 "Provincial Federation Council" means the membership of the Provincial Federation in general meeting.

2.52 "Registered individuals" mean the athletes/participants, officials, coaches, managers, administrators and friends/workers registered with THE FEDERATION and elected by the Clubs to attend to the development and administration of THE FEDERATION within a demarcated district within a Province.

2.53 "Rules" means the rules, regulations, procedures and by-laws in force from time to time in accordance with which the affairs of THE FEDERATION will be conducted.

2.54 "SAIDS" means the South African Institute for Drug-Free Sport.

2.55 "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.

2.56 "SCHOOLS" means South African National Equestrian Schools Association ("SANESA")

2.57 "Secretary General" means the person either elected as such by the National Council or employed by the Executive who shall not have a vote in any matter whatsoever.

2.58 "South African Equestrian Federation" (THE FEDERATION) means the body constituted in terms of this Constitution, which is the recognised member of SASCOC as the organisation responsible for Equestrian Sport in the Republic of South Africa.

2.59 "Special General Meeting" means a meeting of Members, other than an Ordinary or Annual General Meeting, convened for a special purpose in terms of this Constitution.

2.60 "SRSA", means the Department of Sport & Recreation in South Africa.

2.61 "Trainer" shall for the purposes of this Constitution have the same meaning as "coach" or "instructor".

2.62 "Treasurer" means the person elected by the National Council or employed by the National Executive in terms of the provisions of this Constitution and who shall have a minimum of five (5) years financial experience.

2.63 "Veterinary Commission" means the association formed as the representative body of all Equine Veterinary Practitioners involved in Equine Sport, to provide the necessary guidelines to ensure the welfare of the horse, taking into account the unique requirements of each discipline.

2.64 "Vice-President" means the Vice-President of THE FEDERATION, duly elected in terms of this Constitution.

2.65 "WADA" means the World Anti-Doping Agency.

2.66 "Working day" means a calendar day excluding Saturdays, Sundays and Public Holidays.

2.67 "Year" means a calendar year.

2.68 "ZSC" means the Zone 6 Confederation.

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 – THE FEDERATION AS AN ORGANISATION

4 DOMICILE

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

5 AREA OF JURISDICTION OF THE FEDERATION

5.1 The geographical area of jurisdiction of THE FEDERATION shall be the Republic of South Africa.

6 AFFILIATION

6.1 THE FEDERATION shall be a full member of SASCOC in terms of the provisions of clause 7.2 below.

7 MAIN BUSINESS

7.1 The main business of THE FEDERATION is to act as the national controlling body of Equestrian Sport in South Africa.

7.2 THE FEDERATION currently holds membership and shall annually seek readmission to SASCOC, as well as seeking and holding membership of the *Federation Equestre Internationale* "FEI" and with any other International Federation "IF" Equestrian body, in respect of each of the various Disciplines, as set out in Schedule "F", as the recognised national federation and only controlling body for Equestrian Sport in South Africa and shall administer and enforce the rules and regulations of the FEI and IF for Equestrian Sport in South Africa in terms of the FEI and IF's Rules and Regulations.

7.3 No Member shall be entitled to establish or maintain contact with any IF without the approval of the FEDERATION and or knowledge of the FEDERATION.

7.4 THE FEDERATION may affiliate with any other body or sporting code with compatible aims with a view to enhancing the interests and status of Equestrian Sport and THE FEDERATION within South Africa.

8 ORGANISATIONAL STRUCTURE OF THE FEDERATION

8.1 THE FEDERATION is the National controlling body of Equestrian Sport in South Africa, governed by the National Council and Exco according to this Constitution.

8.2 The members of THE FEDERATION shall be Ordinary Members, Associate Members, Athletes Commission and other non-voting Members as defined in this Constitution.

8.3 **Each Geo-political Ordinary Member**, being the Provincial Federations, shall be obliged to have a Provincial structure which caters for all the disciplines, which structure must ensure that all disciplines are fully operative in the 9 Geo-political Provinces within a period of 3 years from the date of this Constitution, failing which the non-compliant discipline's respective Discipline Association's membership, in terms of this provision, shall be reported to the National Council, who may suspend any such Discipline Association for non-compliance as well as referring such matter to the judicial body who shall act in terms of its mandate.

8.4 **Each of the Provincial Federations** shall consist of duly elected Representatives, representing the various active clubs, alternatively the active Districts and Provincial Associate Members situated within their respective geo-political demarcations as set out in Schedule "B". The Provincial Federation's President shall not be allowed to hold any other elected position in Equestrian within the Province.

8.5 Each of the District Representatives shall be duly elected from the body of the Clubs affiliated to the District, as per the Geo-political demarcations as set out in Schedule "B".

8.6 Clubs practicing equestrian sport within the geographical area of the Provincial Federations shall each be governed by its District Committee according to its own constitution, the provisions of which must comply and mirror with the provisions of this Constitution. To the extent that the Constitutions of Clubs, Districts and Provincial Federations, may not be in conflict with this constitution and should there be a conflict THE FEDERATION's, Constitution shall prevail. This will be "*mutatis mutandis*" applicable to all Discipline Associations.

8.7 THE FEDERATION's athletes/participant shall have freedom of association to belong to any Club within the district in which he or she is resident, provided that he or she is eligible for membership of the Club concerned and with the understanding that any participation in the Federation's provincial and or district 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 Athletes/Participants. Judges, Officials, Coaches, Administrators and friends of THE FEDERATION will register annually on or before the 31st of January of each calendar year on THE FEDERATION's database. Any member/individual must first register with THE FEDERATION before it shall register with a Discipline Association. No club or member may register an individual without obtaining THE FEDERATION's membership number.

8.8 Only the SAEF President, Vice President and Treasurer will not be allowed to hold more than one portfolio within the various member structures of THE FEDERATION without prior approval from Exco which may be withdrawn at any time.

9 OBJECTS OF THE FEDERATION

The objects of THE FEDERATION are:

9.1 To be and to operate and function as the autonomous controlling and administrative body of Equestrian sport within the area of the jurisdiction of THE FEDERATION.

9.2 To direct, develop, and administer Equestrian sport within the area of its jurisdiction in accordance with the principles of good corporate governance and sound financial management and in line with the Transformation Charter.

9.3 To actively develop, market and promote Equestrian as a sport, and a recreational activity in South Africa.

9.4 To foster a spirit of healthy competition, sportsmanship and fair play among athletes of all races, gender and ages.

9.5 To protect the horse from all forms of cruelty or neglect or from any malpractice committed in the course of its training or use in Equestrian Sport.

9.6 To uphold and enforce the rules of THE FEDERATION as prescribed by the IF from time to time and to encourage and promote the highest standard of sporting behaviour in connection with Equestrian Sport.

9.7 To assist at all levels with the organisation and administration of THE FEDERATION.

9.8 To regulate and approve national championships for all athletes irrespective of age, gender or physical ability through the various equestrian bodies.

9.9 To facilitate the involvement of South African athletes and teams in international tournaments and championships and to promote the achievement of IF titles.

9.10 To develop South Africa as the foremost Equestrian nation in Africa.

9.11 To create, build and maintain communities of THE FEDERATION's athletes/participants in the form of THE FEDERATION's Clubs, Provincial and or District Bodies and Discipline Associations and to encourage the active involvement of volunteers in the

administration and management of the Equestrian Sport throughout all of the structures of the sport.

9.12 To increase the number of individuals registered within Equestrian Sport, particularly among schools and previously disadvantaged communities.

9.13 To actively develop Equestrian Sport and build human capacity in accordance with the Long Term Equestrian Development Plan (LTEDP) adopted by THE FEDERATION.

9.14 To encourage the qualification of individuals as officials, coaches, and event organisers.

9.15 To encourage the appointment of coaches at all levels within the private and public spheres in South Africa.

9.16 To further the Federation's sport education in South Africa and, where possible, to make funds available for Equestrian Sport's literature and studies.

9.17 To represent its members and to promote and advance the interests of its members.

9.18 To uphold and enforce any code of conduct pertaining to Equestrian Sport as approved by the IF and/or any other code of conduct decided upon by THE FEDERATION.

9.19 To refer all disciplinary matters and grievances to the relevant judicial body, and to resolve disputes between members or individuals involved in Equestrian Sport in South Africa.

9.20 To participate in the management activities of the IF and or any other international Federation body and the African Confederation and to ensure that THE FEDERATION is represented at these levels.

9.21 To annually re-apply to be a member of SASCOC and to abide by their Constitution, Rules and Regulations, as well as to affiliate to IF and/or any other national or international sports body as the National Council upon the recommendation of the Exco may decide

and to cooperate with SASCOC, in particular as regards the participation of Equestrian Sport's athletes/participants in all Multi-Code Games and Events.

9.22 To ensure due process with the selection of athletes at all levels for participation in any tournaments whether same be local or international and in accordance with the constitution of the FEDERATION and SASCOC.

9.23 To award Federation colours and recommend to SASCOC the awarding of international colours in terms of the criteria laid down in the Rules and Regulations and in terms of SASCOC's Colours Policy.

9.24 To advance the objectives of THE FEDERATION and to associate itself with all such other lawfully constituted Associations and Organisations, as shall be decided by Exco, whether within or without the area of jurisdiction of THE FEDERATION and irrespective of whether or not such other Associations or Organisations are connected with Equestrian Sport.

9.25 To recognise and accept the jurisdiction, rules and regulations of SAIDS, as well as the code of WADA relating to anti-doping and the promotion of drug-free sport.

9.26 To perform its functions in a non-discriminatory and democratic way, striving at all times to provide equal rights and fair opportunities to all THE FEDERATION's athletes/participants, administrators, managers, officials, coaches and event organisers throughout South Africa.

9.27 To seek ways to grow the access to and participation in Equestrian Sport.

9.28 To ensure that the encouragement, promotion, development and administration of Equestrian Sport, whether same be at National, Provincial, District or Local level, is carried out in accordance with the principles of non-racism, non-sexism, 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 other than in pursuit of the transformation agenda . Such principles are more fully set out in the First Schedule of the Rules and Regulations of THE FEDERATION.

9.29 To establish and maintain at all times a membership and athlete data base for all Equestrians at the various levels of THE FEDERATION.

10 POWERS OF THE FEDERATION TO CARRY OUT ITS OBJECTS

10.1 THE FEDERATION shall have all such powers and authorities as shall be deemed necessary or desirable or conducive of achieving any and all of the objects of THE FEDERATION. 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 and the Act. 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 THE FEDERATION 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 Equestrian Sport.

10.4 To enter into lawful contracts of any and all kinds necessary to carry out, give effect to or secure the objects of Equestrian Sport.

10.5 From time to time, in accordance with sound business and financial principles to invest the funds of THE FEDERATION 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 THE FEDERATION, 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 THE FEDERATION.

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 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 THE FEDERATION.

10.15 To institute, conduct, defend, compound or abandon any legal proceedings by and against THE FEDERATION or its officers or otherwise concerning the affairs of THE FEDERATION, or the action of its Members, including the employment of attorneys and/or advocates and also compound and allow time for payment or satisfaction of any debts due or any claims or demands made by or against THE FEDERATION.

10.16 To finance litigation and other legal costs, either in the name of THE FEDERATION or by way of the imposition of a special levy on its Members when approved by the Membership.

10.17 To lawfully raise money to fund its ordinary operations, whether by subscription or levies, which are to be paid to THE FEDERATION as from the 1st 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 THE FEDERATION on behalf of the Federation'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.

10.18 To solicit and accept donations, bequests, grants and contributions for the benefit of THE FEDERATION from within as well as outside the borders of the Republic of South Africa.

10.19 To affiliate with, contribute or subscribe to bodies with aims similar to the aims of THE FEDERATION.

10.20 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.

10.21 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 THE FEDERATION.

10.22 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 Discipline, Provincial or District body, or Club presently or formerly affiliated to THE FEDERATION, and any member of the Equestrian Community, including but not limited to athlete/participant, official, committee member, coach, team manager and event organiser connected or concerned with Equestrian Sport and arising out of such party having been found guilty by the relevant judicial structure

of any contravention or breach of the provisions of this Constitution or any rule, regulation or by-law, including the Code of Conduct of THE FEDERATION in force at the relevant time, and 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, THE FEDERATION shall have the power to suspend or ban any athlete/participant, Member or Club from participating in any championship or event.

10.23 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 THE FEDERATION by its Members, former Members or any other persons or body.

10.24 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 THE FEDERATION and to enter into any arrangements that may be conducive to the objects of THE FEDERATION.

10.25 To uphold and ensure that the principles of "no conflict of interest" are strictly complied with and practiced by all.

10.26 Notwithstanding anything herein contained, it is recorded that:

10.26.1 THE FEDERATION'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;

10.26.2 Members or office bearers shall have no rights in the property or other assets of THE FEDERATION solely by virtue of their being members or office bearers;

10.26.3 THE FEDERATION is a non-profit and public benefit organisation and will not carry on any business, undertaking or trading activity, save to the extent

permitted in terms of Section 30 the Income Tax Act, 1962 as amended, as provided for more fully in terms of Schedule "E".

10.26.4 THE FEDERATION shall not have any authority to contract or bind on behalf of any Member or individual without prior written consent.

10.26.5 THE FEDERATION shall not be liable for any debts or other liabilities, whether of a contractual or edictal basis, incurred by any Member or individual.

10.26.6 THE FEDERATION'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.

10.26.7 THE FEDERATION shall ensure that members comply with the rules and regulations of their respective International and National Associations, and shall further observe and comply strictly with the rules of corporate governance, but shall not in any way be entitled to interfere with the internal policies, day to day running of such member, save and except where the member is found not to have observed and comply with the principles of corporate governance.

CHAPTER 3 – MEMBERSHIP OF THE FEDERATION

11 CLASSIFICATION OF MEMBERSHIP

11.1 THE FEDERATION consists of three categories of members, namely:

11.1.1 **Ordinary Members** shall be the Discipline Associations as indicated in Schedule "F", and geopolitical members, i.e. the Provinces indicated in Schedule "A", who together shall ensure that they shall be obliged to promote, develop, transform and participate in the Equestrian Sport as a whole under the guidance and control of THE FEDERATION, as well to ensure the development and transformation of their administrators, athletes/participants and technical personnel through constructive coaching and capacity building under the guidance and control of THE FEDERATION.

11.1.2 **Associate Member(s)** shall be the, various Associations as per Schedule "G" and any other member who complies fully with the provisions of this Constitution, and who is confirmed by SASCOC as having fulfilled the criteria of *bona fide* Associate Members in terms of the SASCOC Constitution.

11.1.3 **Athletes Commission** means a body of representative of active athletes/ participants known as the Athletes' Commission, and established from individual athletes actively participating in Equestrian Sport of the Federation, as defined in this Constitution.

11.2 The right of each existing and future Member or Equestrian body to have one or more representative teams participate in the various events and championships which are held or staged under the auspices of THE FEDERATION as determined by Exco, which may vary such rights from time to time. It is specifically recorded that the functions and duties of the Associate Members will be governed by

the Constitution of such Members, and the same shall not be in conflict with the Federation's Constitution.

11.3 In matters of mutual interest, THE FEDERATION and any Member or Members may, if the need arises, enter into a written agreement covering specific issues for the benefit of the Sport and its participants.

11.4 The National Council shall fix the subscriptions and registration fees of clubs and athletes.

12 ORDINARY MEMBERS

12.1 Ordinary Members shall be the Discipline Associations as indicated in Schedule "F", and geopolitical members, i.e. the Provinces indicated in Schedule "A", who together shall ensure that they shall be obliged to promote, develop, transform and participate in the Equestrian Sport as a whole under the guidance and control of THE FEDERATION, as well to ensure the development and transformation of their administrators, athletes/participants and technical personnel through constructive coaching and capacity building under the guidance and control of THE FEDERATION.

12.2 The jurisdictions of Ordinary Members shall be limited, in the instance of the Discipline Association Members, to the boundaries of their specific discipline they presently represent, and in the instance of the Provincial Federations, the geo-political demarcations of the Provinces they presently represent.

12.3 The constitution of every Ordinary Member shall be in accordance with this constitution.

12.4 **Discipline Association Members** shall each establish themselves in terms of the geo-political demarcations for the administration of their specific discipline, and shall have their discipline structures at each club, District and Provincial level as per the geo-political demarcations in Schedule B. The National Council of each of the Discipline Association Members shall then consist of each respective duly elected discipline Provincial Presidents, National

President, Vice President, Treasurer, and Secretary, and any co-opted member of Council who shall not have a vote, of each respective discipline

12.5 **Provincial Federation Members** shall comprise of the Presidents of each of the active clubs or alternatively the active district, with their own District committee established in each geo-political district, as currently set out in schedule B, which may change from time to time in terms of an act of parliament, and which must be fully aligned with the geo-political boundaries of such Districts and a representative from the various Discipline Associations active in a Province.

12.6 The constitution of every Ordinary Member shall substantially comply with the requirements contained in Schedule "D".

12.7 Every Ordinary Member shall upon request, submit:

12.7.1 evidence of the democratic election of its own office bearers and the office bearers of the Provincial and district Bodies falling within its area of jurisdiction; and

12.7.2 proof of the number of active athletes/participants, officials, recreation and development riders, friends and all other individuals within the Province or within each District falling within its area of jurisdiction

12.7.3 a list of members and their contact numbers and all other data on their data base including addresses of their members and individuals.

13 THE ATHLETES COMMISSION

13.1 Shall be any duly elected person representing all current athletes participating in any form of Equestrian Sport under the auspices of the Federation, whether same be from a National, Provincial or District level.

13.2 Such commission shall be bound by the terms of this Constitution specifically but not limited to due regard of the elective provisions of this Constitution,

14 ASSOCIATE MEMBERS

14.1 Associate Members shall be the Schools Association (SANESA), and all other members referred to in Annexure "G" as well as any other member who complies fully with the provisions of this Constitution, and who is confirmed by SASCOC as having fulfilled the criteria of *bona fide* Associate Members in terms of the SASCOC Constitution.

15 HONORARY LIFE MEMBERS

15.1 Exco and Members of 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 THE FEDERATION and/or in the promotion of Equestrian Sport and whom it wishes to recognise and honour as an Honorary Life Member.

15.2 Such nomination shall be presented to the National Council for adoption at the next A.G.M. and, if adopted by the National Council, such person shall become an Honorary Life Member and shall enjoy the rights and privileges namely to attend the A.G.M. with the right to speak in invited to do so by the President, but with no right of vote, and to be a special guest of THE FEDERATION or the organisers of any event or championship held under the auspices of THE FEDERATION.

15.3 Any past president of THE FEDERATION or its predecessor bodies may become an Honorary Life Member of THE FEDERATION if so nominated and such nomination is adopted at an A.G.M. of the National Council.

15.4 The names of all Honorary Life Members of THE FEDERATION shall be continuously displayed on the website of THE FEDERATION.

16 PATRONS

16.1 Exco may from time to time nominate, for a period not exceeding four (4) years, any person whom Exco considers to be fit and desirable to be a Patron of THE FEDERATION which nomination shall be presented for acceptance at the next A.G.M. and, if appointed by the National Council, such person shall become a Patron of THE FEDERATION for the time period nominated.

16.2 A person may be considered fit and desirable if he or she is a person of distinction or high profile with undeniable integrity and one who may lend his or her influential support to protect the interests and champion the cause of Equestrian Sport.

16.3 Patrons shall enjoy the same rights and privileges, as are enjoyed by Honorary Life Members, together with such further rights and privileges as are decided upon by Exco from time to time.

17 LIMITATION OF LIABILITY AND INDEMNITY

17.1 Every Member shall be jointly liable with all the other Members for all expenditure incurred in connection with THE FEDERATION, 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 THE FEDERATION, by way of subscription or otherwise, and any special levy imposed by the National Council from time to time.

17.2 The Patrons, the President, the Vice-President, the Treasurer, the Secretary General, all other of Exco, all officials, servants, agents and persons (natural, corporate or otherwise) acting on behalf of THE FEDERATION, or on behalf of a Commission or Committee of THE FEDERATION 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 THE FEDERATION,

from whatever cause arising, provided such person/s acted in good faith.

18 SUSPENSION AND TERMINATION OF MEMBERSHIP

18.1 Any Member of any classification which ceases to operate a viable structure as contemplated in this Constitution may be suspended from membership by recommendation of the Exco to the National Council (general membership) who shall decide at its next meeting whether the membership of such member should be terminated (for a period of time) further suspended for a fixed or an indefinite period of time, or restored.

18.2 The National Council shall take its decision by at least a two-third majority of its Members, excluding the representatives of the Member concerned. The representatives of the Member concerned shall be entitled to make full representations to the National Council prior to the voting on the resolution.

18.3 A decision to suspend or terminate a Member's membership shall *inter alia* take into account whether the structures of the Member concerned are viable, whether it meets its obligations in terms of its own constitution and this Constitution, whether it has failed to pay its required fees, whether it refuses to comply with the decisions of the National Council, whether it has sufficient resolve for the development of Equestrian Sport in its area, whether its office bearers are individually registered with THE FEDERATION and whether the Member concerned works harmoniously with THE FEDERATION and other Members towards the expansion of Equestrian Sport in South Africa.

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

CHAPTER 4 – NATIONAL COUNCIL

19 THE NATIONAL COUNCIL

19.1 Subject to the terms of this Constitution, the National Council shall be the highest authority of THE FEDERATION and shall determine its policy, decide upon its budget and give directives to Exco.

19.2 There shall be a minimum of 30 percent (30%) females amongst the members of Council.

19.3 The National Council shall meet twice annually. The first such meeting shall be an Ordinary General Meeting (O.G.M) of the National Council, to be held not later than July of each year, and the second meeting shall be the Annual General Meeting (A.G.M.) to be held not earlier than October of each year.

19.4 The O.G.M and the A.G.M. of the National Council shall be held on such date and time and at such place as Exco shall determine.

19.5 Subject to the express provisions of this Constitution and its policy, rules and procedures in force from time to time, the National Council shall have full powers in the management and direction of the business affairs of THE FEDERATION and, save as may be expressly provided in this Constitution, may exercise all such powers of THE FEDERATION and do all such acts on behalf of THE FEDERATION, as may be exercised and done by THE FEDERATION itself.

19.6 Without limiting the generality of the above, the National Council shall have the following specific functions and powers:

19.6.1 To determine the policy of Equestrian Sport, as well as to comply with the provisions of the Transformation Charter, for the execution of which the Exco shall be responsible.

19.6.2 To ratify the rules, by-laws and regulations formulated by Exco;

19.6.3 To fix conditions and fees for membership of THE FEDERATION and to establish criteria for the classification of athletes.

19.6.4 To elect a four (4) year term, a President, Vice President, Treasurer and Members of the Executive Committee ("Exco").

19.7 The following persons shall be eligible to attend and speak at meetings of the National Council, other than the A.G.M. and a S.G.M.:

19.7.1 All members of Exco;

19.7.2 Not more than 1 (one) representative of each of the Ordinary Members, 1 (one) representative of the Athletes Commission, and 1 (one) representative of each Associate Member;

19.7.3 The Patrons;

19.7.4 All Honorary Life Members;

19.7.5 Invited individuals shall include the Auditor and a representative of SASCOC;

19.7.6 The Chairperson of the Judicial body.

19.8 Notice of any O.G.M. of the National Council shall be sent to all Members not less than 30 (Thirty) days before the date of such meeting which notice shall be accompanied by a proposed agenda as recommended by Exco.

19.9 The full motion which any Member wishes to be put to and considered by any O.G.M. shall be received not less than 15 (Fifteen) days prior to the date of such meeting by the General Secretary 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 who may attend.

19.10 The business to be transacted at the O.G.M. shall be:

19.10.1 to read the notice convening the meeting;

19.10.2 to read and confirm, with or without amendments, or to reject the minutes of the previous O.G.M., as well as the minutes of any S.G.M. held in the interim, and to consider any matters arising therefrom;

19.10.3 to consider and to adopt, with or without modification, or to reject, any Resolution of which due notice has been given;

19.10.4 to consider and to adopt, with or without modification, or to reject, the budget for the ensuing year which shall have been prepared by the Treasurer and considered and recommended by Exco.

19.11 No resolution which has the effect of creating, amending or repealing a by-law, regulation or standing rule shall be binding unless the notice thereof has been given in terms of clause 20 hereof or such resolution has been ratified at the next National Council meeting.

20 ANNUAL GENERAL MEETING ("A.G.M.")

20.1 An A.G.M. shall be held once in every year, the A.G.M. shall be held no later than 3 (three) months from the end of the financial year and not more than fifteen (15) months after the date of the previous A.G.M.

20.2 Exco shall decide the date, time and place on which each A.G.M. shall be held.

20.3 The following persons shall be entitled to attend and speak at the A.G.M:

20.3.1 All members of Exco;

20.3.2 Not more than 1 (one) representatives of each of the Ordinary Members and the Athletes Committee, and 1 (one) representative of each Associate Member;

20.3.3 The Patrons;

20.3.4 All Honorary Life Members;

20.3.5 Invited individuals shall include the Auditor of the Federation;

20.3.6 A representative of any Committee of THE FEDERATION if that Committee is invited for a specific purpose by the Executive to address the Council;

20.3.7 The Chairperson of each of THE FEDERATION'S–Sub Committees;

20.3.8 A representative of SASCOC;

20.3.9 Any equestrian participant who is duly registered with a Discipline Association and the FEDERATION may attend as an observer with no voice.

20.3.10 The Chairperson of the Judicial body.

20.4 The business to be transacted at an A.G.M. shall be:

20.4.1 To read the notice convening the Meeting;

20.4.2 To read and confirm the Minutes of the previous A.G.M, S.G.M. and General meetings, and to consider any matters arising therefrom;

20.4.3 To receive and consider the Annual Report of the President, for the period since the date of the previous A.G.M.;

20.4.4 To receive and consider the report of the Treasurer and to adopt with or without modification, the audited Annual Financial Statements for the period since the date of the previous A.G.M., provided that if not so adopted the Annual Financial Statements shall stand for consideration and adoption, with or without modification, or rejection by the National Council at its following

meeting or by the Exco in terms of the decision of the A.G.M.;

20.4.5 To appoint the auditors of THE FEDERATION to hold office until the next A.G.M.;

20.4.6 To receive and consider the reports of Committees regarding their activities for the year;

20.4.7 To receive and consider the reports of the Judicial body;

20.4.8 To consider and to adopt with or without modification, or to reject any recommendations of Exco;

20.4.9 To consider all nominations by Exco of persons to be Patrons or Honorary Life Members and to accept or to reject any such nomination;

20.4.10 To discuss and consider any further matters of which 20 (twenty) days written notice has been given.

20.5 Notice of each A.G.M. shall be sent to all the Members, Exco members, Patrons and Honorary Life Members not less than **30** days prior to the date of the A.G.M.

20.6 Not less than 14 (fourteen) days prior to the date of any A.G.M., copies of the Agenda for that A.G.M. and the Annual Financial Statements for the financial year preceding the date of the A.G.M. shall be disseminated to all Members, Exco members, Patrons and Honorary Life Members by post, and/or by hand, and/or by fax, and/or by electronic mail.

21 SPECIAL GENERAL MEETINGS ("S.G.M.'s")

21.1 An S.G.M. of Members shall be convened:

21.1.1 By resolution of Exco, or

21.1.2 Upon the written requisition of not less than 50% plus one of all Members, addressed and sent to the Secretary General, which written requisition shall state the

exclusive purpose for which the S.G.M. is to be called and the text of the motion to be put to the meeting.

21.2 Within 14 (fourteen) days after receipt of the resolution or requisition, the General Secretary shall send written notification to all Members, which notice shall specify the date, time and place of the S.G.M., (which date, time and place shall have been determined by Exco) provided that the date shall not be more than 21 (twenty-one) days and not less than 7 (seven) days after the date of posting the notice, together with written notification of the purpose of and measures to be transacted at the S.G.M. and the text of the motions to be put to and considered by the meeting.

21.3 No business other than that stated in the notification shall be transacted at the S.G.M.

21.4 Only the persons referred to in clause 20.3 shall be entitled to attend and speak at S.G.M.'s.

22 REPRESENTATION AND VOTING RIGHTS

22.1 Each Ordinary Member shall be entitled to nominate a maximum of 1 representative and the Athletes Commission representative shall be entitled to nominate a maximum of 1 representative, whilst an Associate Member will be entitled to nominate 1 (one) representative, to attend and to vote at any general meeting of the National Council.

22.2 Such nominations shall be in writing, addressed to the Secretary General and must be received by him or her not less than 72 (seventy-two) hours prior to the time for the commencement of that meeting.

22.3 Members shall have the following voting rights in respect of any and all meetings of the National Council:

22.3.1 Ordinary Members shall each have 2 (two) votes;

22.3.2 The Athletes Commission shall have 1 (one) vote;

22.3.3 Associate Members shall each have 1 (one) vote.

22.4 Only representatives of Members who are personally present at the meeting concerned shall be allowed to exercise the right to vote.

22.5 Each member of Exco present shall have 1 (one) vote and the Chairperson of any general meeting shall have a second or casting vote in the event of an equality of votes, save for and except at an Elective A.G.M. where the Exco shall have no vote in the election of the new Exco members.

22.6 No proxy votes shall be allowed.

23 GENERAL PROVISIONS RELATING TO COUNCIL MEETINGS

23.1 A.G.M.'s, O.G.M.'s and S.G.M.'s shall, subject to the terms of this Constitution, be held at such date, time and place as shall be decided by Exco.

23.2 The chairperson of any A.G.M., O.G.M. or S.G.M. shall be the President, or in his or her absence the Vice-President, or in his/her absence such other person as shall be elected for that purpose by the representatives of Members present at the Meeting and entitled to vote.

23.3 A quorum shall consist of 50% (fifty per centum) plus one of the total votes available to all Members, provided they are in good standing.

23.4 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 sufficient representatives of Members do not remain present to constitute a quorum until the proceedings have been duly declared to have been concluded by the President, the meeting if convened upon the requisition of Ordinary Members, shall be dissolved; in any other case, it shall stand adjourned to a date not earlier than 5 (five) working days and not later than 15 (fifteen) working days after the date of that meeting, and, at such adjourned meeting the representatives of the membership present and entitled to vote, shall constitute a quorum and may transact the business of that meeting.

23.5 Where a meeting has been adjourned as aforesaid, the General Secretary shall, upon a date not later than 3 (three) working days after the adjournment, disseminate a written notice to each Member, which notice shall have been settled by the President, stating:

23.5.1 the date, time and place to which the meeting is adjourned;

23.5.2 the matter before the meeting, when it was adjourned;

23.5.3 the ground for the adjournment.

23.6 Voting shall be on a show of hands unless a secret ballot (poll) be demanded by representatives of not less than 40% (forty per centum) of the membership entitled to vote, and in such event, the poll shall be conducted in such manner as the Chairperson of the meeting shall decide.

CHAPTER 5 – EXECUTIVE BOARD

24 EXCO

24.1 The Executive Board of THE FEDERATION ("Exco") shall consist of the following persons:

24.1.1 The President;

24.1.2 The Vice-President;

24.1.3 The Treasurer, (who may be employed and if employed shall have no vote) who must have a minimum of 5 (five) years financial experience;

24.1.4 The Secretary General who may have been elected or employed and shall have no vote;

24.1.5 Two representatives of the Discipline Associations;

24.1.6 Two Representatives of Provincial Federations

24.1.7 One representative of the Associate Members;

24.1.8 The Chair Person of the Judicial body

24.1.9 One representative of the Athletes Commission

24.2 There shall be minimum 25 percent (25%) females amongst the members of Exco.

24.3 Exco committee shall be deemed to be validly constituted when the provisions of 23.2 above have followed "mutatis mutandis" and complied with.

24.4 No person may serve for more than 8 (eight) consecutive or accumulated years as President and/or Vice President

24.5 Exco may co-opt other individuals as members for short-term and project-orientated appointments 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, Exco shall, as far as possible, seek to preserve a balance of men and women members.

24.6 Exco shall perform *inter alia* the following functions:

24.6.1 The administrative functions of THE FEDERATION shall be the responsibility of Exco. In addition, Exco shall deal with any matters referred to it by the National Council and shall report to the National Council;

24.6.2 Exco shall decide on the executive structures and administrative procedures of THE FEDERATION as may be required from time to time;

24.6.3 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.

24.7 Members of Exco shall vote on all resolutions by a show of hands.

24.8 Members of Exco shall decide on all matters by a simple majority vote.

24.9 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.

24.10 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.

24.11 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.

24.12 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 until a date, time and place to be determined by those members of Exco who are present at that meeting provided that such date shall not be more than 10 working days after such meeting; 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.

24.13 The Secretary General shall, by such means as is most expedient and by such means as appears most appropriate in the circumstances, inform those members of Exco who were not present at the meeting of the date, time and place to which the meeting has been adjourned.

24.14 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 natural succession of that person's code.

24.15 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.

24.16 The Secretary General shall:

24.16.1 send to all Members, and to all members of Exco:

24.16.1.1 written notification of all meetings of Exco and the proposed Agenda within the stipulated time period prior to the date of the proposed meeting;

24.16.1.2 copies of the minutes and resolutions of all meetings of Exco, within 15 (fifteen) working days after the date of the relevant meeting;

24.16.2 send to all Members, and to all members of Exco:

24.16.2.1 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;

24.16.2.2 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.

24.17 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 General 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 POWERS OF EXCO

25.1 Except where otherwise stated herein and subject to the provisions of this Constitution, Exco shall be vested generally with all such powers and authorities as are necessary to perform its functions as stated herein and to promote and attain the objects of THE FEDERATION and, without in any way limiting the generality of the foregoing, Exco shall have all such powers and authorities specifically mentioned hereunder.

25.2 Exco shall control all expenditure of the funds of THE FEDERATION and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of THE FEDERATION.

25.3 No cheque or promissory note drawn on behalf of THE FEDERATION shall be valid unless signed by any 2 (two) of the President, the Vice-President, the Treasurer, the General Secretary, or any other official of THE FEDERATION who has been

authorised by Exco to have signing powers in terms of an Exco Resolution. The same restriction applies *mutatis mutandis* to electronic (Internet) payments.

25.4 Exco shall be entitled to make any and all by-laws or regulations necessary to promote the aims and objects of THE FEDERATION and such by-laws and/or regulations shall be binding upon members. Such regulations shall be ratified at the next General Meeting of the National Council.

25.5 Exco may delegate the exercise of any of its powers and functions to one of its members, or a Committee established in terms of this Constitution, or to a sub-committee of Exco.

25.6 In addition to the foregoing, Exco shall:

25.6.1 undertake and perform all such duties and functions as shall be decided by the National Council;

25.6.2 subject to the provisions of this Constitution, make, amend, vary, repeal and enforce rules, by-laws and regulations for THE FEDERATION in consultation with the Constitutional Committee;

25.6.3 consider and, if thought fit, approve the separate constitutions, by-laws, rules and regulations of each Member, and any amendments or alterations thereto after consultation with the Constitutional Committee;

25.6.4 formulate recommendations and resolutions for the consideration of the National Council and prepare the agenda for National Council meetings;

25.6.5 refer matters to the judicial bodies for investigation and/or the conduct of disciplinary proceedings in respect of any infringement of this Constitution or the by-laws, rules or regulations, including the Code of Conduct of THE FEDERATION in force from time to time, or the breach of any agreement between THE FEDERATION

and another contracting party falling under the jurisdiction of THE FEDERATION, or the violation of the Rules of the Game and to enforce the sanctions imposed by the Ethics Committee whether by way of fines, or suspension or banning/ exclusion from participating in any championships or event or the activities of THE FEDERATION 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 THE FEDERATION shall be deemed to be under the auspices of THE FEDERATION;

25.6.6 impose and collect levies, subscriptions, dues and imposts as determined by the membership at its AGM;

25.6.7 ensure that Equestrian bodies and Community that arrange, control, regulate and promote events, championships and any other forms of competition do so properly and in line with the expectations of THE FEDERATION;

25.6.8 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;

25.6.9 refer to the relevant judicial bodies, and dispute between any Members, bodies and or clubs or persons who are members of such Clubs;

25.6.10 subject to the provisions of this Constitution, determine the areas or jurisdiction of Members and Bodies and vary or alter such areas from time to time when necessary save and except for district or provincial boundaries as defined by this Constitution;

25.6.11 co-opt any person to Exco as may be required to achieve the objects of THE FEDERATION or fulfil any purpose incidental thereto;

25.6.12 form sub-committees, consisting of one or more persons, for any purpose incidental to the objects and powers of THE FEDERATION and, subject to this Constitution, by-laws, rules and regulations, delegate such of its powers to such sub-committees as may be required;

25.6.13 appoint special advisers and consultants, for any purposes, and terminate such appointment/s;

25.6.14 considers and makes recommendation to the National Council in regard to any application for membership of THE FEDERATION;

25.6.15 open accounts with any recognised commercial banking or other financial institution, and invest any funds of THE FEDERATION and pay any such funds to any person (natural, corporate or otherwise) who has a valid claim for payment against THE FEDERATION;

25.6.16 ratify the criteria for the award of National Colours and the appointment of National Selectors for the selecting of teams to whom Colours may be awarded as done by the various bodies responsible for a specific equestrian discipline;

25.6.17 ensure that full and proper books of accounts are kept in accordance with sound accounting principles;

25.6.18 ensure that the said books of account and all records of THE FEDERATION's finances and assets are duly audited each year as soon as is practicable after the financial year end of THE FEDERATION which shall be 31 December of each year and that annual financial statements are prepared for approval at the A.G.M.;

25.6.19 refer to the relevant judicial body, any question or issue arising out of or relating to or incidental to non-racialism as described in the Schedule "C";

25.6.20 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;

25.6.21 addresses any question or issue or matter concerning or incidental to development including budgeting for and expenditure on development;

25.6.22 approve the employment and termination of employment of staff by THE FEDERATION 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;

25.6.23 decides any question, issue or matter relating to emblems, colours, or anthems for THE FEDERATION;

25.6.24 makes recommendations on any question or issue relating to the affiliation to or disaffiliation from any macro or other body;

25.6.25 decide any question or issue relating to the use of the Federation's facilities and/or other facilities incidental thereto and/or the standard thereof;

25.6.26 To appoint delegates to the General Assembly of IF's, these delegates to hold registration with THE FEDERATION, but need not necessarily be an office bearer of THE FEDERATION or of one of its Members and will be appointed from time to time by Exco or on an ad-hoc basis should the need arise.

25.7 Exco'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

pro-active and initiate such enquiries and/or take such steps as Exco seems fit.

26 ELECTION OF THE PRESIDENT, VICE-PRESIDENT, TREASURER, AND THE OTHER MEMBERS OF Exco

26.1 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.

26.2 Each Member or any individual member shall be entitled to nominate 1 (one) individual for election as President, 1 (one) individual for election as Vice-President, 1 (one) individual for election as Treasurer.

26.3 Each Ordinary member shall be entitled to nominate 2 (two) individuals for election as representatives for the Ordinary Members on Exco.

26.4 The representatives of the Athletes Commission will be nominated within their structure.

26.5 Each Associate member shall be entitled to nominate 1 (one) individual for election as representative for the Associate Members on Exco.

26.6 Each nomination by a Member shall be in writing, shall be seconded on behalf of any other Member and shall be signed by the nominee to indicate his or her acceptance of the nomination.

26.7 It shall be permissible for the same individual 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.

26.8 The Secretary General shall advise the members in writing of the date of the elective Annual General Meeting No less than 90 (ninety) days prior to such a meeting.

26.9 No less than 60 (sixty) days before the election date, the Secretary General shall send notification to every Member and Exco member:

26.9.1 informing them that the elections for Exco are to take place at the next meeting of the National Council and of the date and place of this meeting;

26.9.2 advising them of the name of the appointed Elections Officer;

26.9.3 providing them with an extract of those provisions of the Constitution which are relevant to the elections; and

26.9.4 calling for nominations for each position on the Exco to be filled by election.

26.10 All such written nominations, shall be delivered to the Auditor in line with the notification sent out by the Secretary General not less than 45 (forty-five) days prior to the date of elections.

26.11 No less than 30 (thirty) days before the election date, the Secretary General shall send to every Member and every Exco member a list of the nominations received, as well as any comments made by the Auditor referred to in clause 26.11 above, in regard to the validity or otherwise, of such written nominations.

26.12 If no nominations are received for the election of the President, the current President shall continue in office until the first meeting of the new Exco after that A.G.M., at which the elected members of the new Exco shall elect from their ranks an individual as the President and shall further fill the vacant position on Exco so occurring by the election of an individual from the ranks of the unsuccessful nominees at the elections held by the National Council. The same shall apply *mutatis mutandis* in the event of there being no nominations for the positions of Vice-President, Treasurer and General Secretary or if any position could not be filled at the elections for reasons of the gender requirements.

26.13 If there is more than one nomination for any of the posts of President, Vice-President and Treasurer then such posts shall be elected separately by secret ballot, such elections to be held in the sequence aforesaid.

26.14 The nominee who is successful by commanding a majority vote shall be appointed to the position. The unsuccessful nominee shall not be passed to other positions unless he was properly nominated for those positions.

26.15 Election will be by an outright majority of those voting i.e. the successful candidate must win at least 51% (fifty one per centum) of the total votes casted, regardless of the number of candidates for the particular position. If the first round of voting does not produce an outright winner, the candidate with the least number of votes will drop out (if two candidates tie for last place, they both drop out) and further rounds of voting will take place in similar fashion until one candidate emerges as the outright winner.

26.16 Each person who votes shall record a vote for not more and not less than the number of vacancies.

26.17 Any elected member of Exco shall hold office for a period of four years until the date of the following elections, unless he or she resigns, or is removed from office by virtue of a vote of no confidence adopted by the National Council with at least a two-thirds majority, or dies, or becomes permanently incapacitated before the expiry of his or her term.

26.18 No member of Exco shall represent any Member of any classification, at any meeting of the National Council or Exco.

26.19 No member of Exco shall have any conflict of interest.

CHAPTER 6 – COMMITTEES

27 SUB COMMITTEES

27.1 In recognition thereof that various aspects of the duties performed by THE FEDERATION require specific expertise or experience for the most effective discharge of those duties, the following standing Sub committees are hereby established:

27.1.1 Veterinary and Horse Welfare Committee;

27.1.2 Finance Committee;

27.1.3 Coaches, High Performance and Talent Identification Committee;

27.1.4 Judicial body;

27.1.5 Transformation Committee;

27.1.6 Marketing Committee;

27.2 The convenors and membership of each Sub Committee referred to above in clause 27.1 shall be decided by the Executive Committee. The Sub Committees shall maintain a balance between male and female Committee members. The Sub Committees report to the Executive Committee.

27.3 The roles and responsibilities of Committee Members in respect of each Sub Committee will be defined in the respective Sub Committee's by-laws.

27.4 Each Sub Committee shall, subject to the provisions of this Constitution and to the by-laws, rules and regulations of THE FEDERATION, perform such duties and functions as are delegated to it by Exco.

27.5 The powers and authority of each standing Sub Committee shall be as set out in the by-laws, rules and regulations of THE FEDERATION, provided that Exco may by resolution add to or subtract therefrom.

CHAPTER 7 – GENERAL

28 COLOURS

28.1 The colours of THE FEDERATION shall be dark green, yellow and white.

29 EMBLEM

29.1 The emblem shall be in accordance with the registered design, namely the letters and the Federation's logo as per figure below.

30 BADGE

30.1 The badge shall have the emblem with the words SOUTH AFRICAN EQUESTRIAN FEDERATION embroidered in yellow/white at the bottom.

31 AWARD OF COLOURS

31.1 Guidelines and criteria for the awarding of colours shall be stipulated in the bylaws of THE FEDERATION (as per SASCOC criteria).

32 RULES, REGULATIONS, PROCEDURES AND BY-LAWS

32.1 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 THE FEDERATION will be conducted. A copy of the Rules in force at any time shall be kept by the Secretary General and made available, upon request, to any Member, individual, Body, athlete/participant, Committee or other individual registered with THE FEDERATION.

32.2 The criteria referred to in Article 32.1 above shall, in the case of Members referred to in Articles 11.1 include the following requirements: No Member will be eligible to acquire or to retain membership of SAEF unless it has a constitution which provides for:

32.2.1 open elections of elected officials and/or officers to be held at periodic intervals of not more than 4 (four) years;

32.2.2 no elected official and/or officer may continue to hold the same office continuously for more than 8 (eight) years;

32.2.3 regular annual audited financial statements to be presented to its membership and SAEF;

32.2.4 the adoption of codes of conduct and the Governance Code for Sport in South Africa as adopted by SAEF together with best practice relating to governance applicable to South African companies from time to time;

32.2.5 it has complied fully with such provisions of its constitution and has provided proof of such compliance to SAEF;

32.2.6 the adoption of codes of conduct as envisaged from time to time by the IOC (International Olympic Committee) in relation to WADA or SAIDS.

32.3 Substitution and amendment of the Rules will be effected by Exco upon approval by at least a two-thirds majority of the members of the Exco.

32.4 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.

33 JUDICIAL BODY

33.1 The Exco shall appoint the members of the judicial body (Legal, Disciplinary, Ethic and Appeals committee) and delegate such powers to the committee to include, but not be limited by the following:

33.1.1 To assist THE FEDERATION with legal matters in all forms inclusive of investigations and hearings;

33.1.2 To set up and continuously update a Code of Conduct for both participants and management, adopted by National Council;

33.1.3 To set up and continuously update the Grievances Procedures, adopted by National Council;

33.1.4 To hear internal appeals against any decision of any member, Provincial Federation or committee of THE FEDERATION;

33.1.5 To hear any matter falling under the judicial body, as well as to adjudicate thereon in terms of their powers in any dispute and/or disciplinary matter of whatsoever nature, inclusive of decisions relating to national selection;

33.1.6 To adjudicate, mediate and arbitrate upon other legal matters.

33.2 Any matter referred to the Judicial body by a Sub-Committee/Provincial federation or individual will require a deposit of which the amount will be determined by the Judicial body from time to time of which the amount must be ratified by the Executive Committee.

33.3 The Judicial body shall compromise of three members of which at least one must have a legal background and appoint a chairman amongst themselves.

33.4 Every member of a Judicial body shall have one vote each at their meetings and hearings.

33.5 The Judicial body may from time to time co-opt members to assist with specific legal matters or disputes.

33.6 Any party aggrieved by a decision of a Judicial body may refer the matter to SASCOC for its final determination provided the leave of the Judicial body is first sought and obtained within a period of 21 (twenty-one) days. The Judicial body shall grant the necessary discretionary leave if the matter is of great importance to the parties concerned and the referral sought is not judged frivolous or vexatious. In the absence of a referral to SASCOC, the decision of the Legal, Disciplinary and Appeals committee shall be final and binding.

34 FINANCE

34.1 The financial year of THE FEDERATION is the 12 (twelve) month period commencing on 1 January in one year and ending on 31 December of the same year.

34.2 The Finance Committee shall be chaired by the Treasurer, who must have a minimum of 5 (five) years financial experience;

34.3 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.

34.4 It shall be a requirement of membership for all Ordinary and Associate 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.

34.5 Exco shall be responsible for monitoring the financial accounts of events organised by the Federation, and shall further be entitled to inquire into events organised by its Ordinary Members. This shall not imply any restriction in the right of such bodies to control their own affairs or the affairs of their constituent bodies.

35 CONFLICT OF INTEREST

35.1 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 The FEDERATION or its members or other persons or bodies over which The FEDERTION enjoys jurisdiction, or that detracts from their ability to perform their duties with integrity, and in an independent and purposeful manner.

35.2 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.

35.3 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.

35.4 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.

35.5 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).

35.6 When performing an activity for THE FEDERATION or being elected or appointed, persons bound by this Constitution shall disclose any personal interest that could be linked to their prospective activities.

35.7 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 THE FEDERATION.

35.8 Persons bound by this Constitution shall avoid any situation that could lead to Conflict of Interest.

35.9 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.

35.10 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.

36 DISPUTE RESOLUTION

36.1 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 THE FEDERATION and another national sports federation, or any dispute between Members of THE FEDERATION, 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

SASCOC or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration in terms of the procedure for the resolution of disputes in sport.

36.2 In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

36.3 In recognition of the desire to resolve all disputes in Equestrian Sporting fraternity as amicably and effectively as possible, it is required of all Members of THE FEDERATION to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as the above provisions of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided for.

36.4 Recourse to the High Courts or Magistrates Courts by a party to any Federations-related 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 fall to be decided according to the dispute resolution processes provided for in this Constitution.

37 NOTIFICATION

37.1 For the purposes of this Constitution, all notifications by THE FEDERATION to any person or any Member, Honorary Life Member or Patron 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 THE FEDERATION, but all notifications to THE FEDERATION by any person (natural, corporate or otherwise) or any Member, Honorary Life Member or Patron shall only be effective from the date of receipt thereof by the General Secretary. In no respects

shall any postal authority be, or be deemed to be, the agent of THE FEDERATION.

38 ALTERATION OR VARIATION OF THIS CONSTITUTION

38.1 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 a proposed amendments have been given to all Members.

39 DISSOLUTION OR WINDING UP OF THE FEDERATION

39.1 THE FEDERATION 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 THE FEDERATION shall have been given to all Members.

39.2 Upon dissolution or winding up of the Federation, all the property and assets of THE FEDERATION, 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 THE FEDERATION, and which has been approved in terms of section 30 of the Income Tax act as per the schedule E, at the discretion of the Members.

40 PRIVACY, DIGNITY AND REPUTATION OF THE FEDERATION

40.1 With reference to the Constitution of the Republic of South Africa, 1996, THE FEDERATION acknowledges, respects and supports the rights of freedom of thought, belief, opinion and expression, without however derogating from THE FEDERATION's own entrenched rights to privacy (which includes its dignity and

reputation) and to freedom of association. THE FEDERATION 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.

40.2 No person bound by THE FEDERATION's Constitution may perform any act that brings Equestrian Sport, THE FEDERATION, 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.

40.3 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.

40.4 "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.

40.5 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 THE FEDERATION, and that their views do not represent those of the aforesaid bodies.

40.6 Persons bound by this Constitution may not use any of the FEDERATION's logos, brand names, slogans or other trademarks without written permission from the Executive.

40.7 Persons bound by this Constitution may not divulge any of THE FEDERATION's confidential or proprietary information without the prior written permission of THE FEDERATION.

40.8 THE FEDERATION 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.

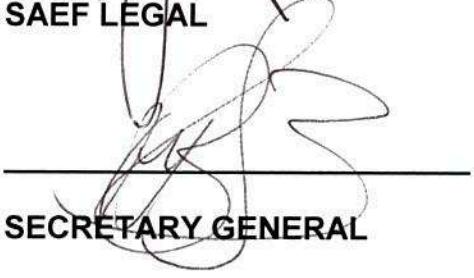
40.9 Failure to comply with the above provisions will render such persons liable to disciplinary action by THE FEDERATION, in addition to any other civil rights THE FEDERATION may have such as claiming damages for defamation.

40.10 THE FEDERATION's right not to associate with any person, which includes banning any person, is expressly reserved.

This Amended Constitution was unanimously adopted by the Membership present at the Special General Meeting held at Beaulieu on the 12th day of November 2016.

SAEF PRESIDENT

SAEF LEGAL



SECRETARY GENERAL

SCHEDULE "A"

PROVINCIAL STRUCTURES AND THEIR DUTIES

1. The Provincial Federation Association known as "Eastern Cape Equestrian Federation";
2. The Provincial Federation Association known as "Free State Equestrian Federation";
3. The Provincial Federation Association known as "Gauteng Equestrian Federation";
4. The Provincial Federation Association known as "KwaZulu-Natal Equestrian Federation";
5. The Provincial Federation Association known as "Limpopo Equestrian Federation";
6. The Provincial Federation Association known as "Mpumalanga Equestrian Federation";
7. The Provincial Federation Association known as "Northern Cape Equestrian Federation";
8. The Provincial Federation Association known as "North West Equestrian Federation";
9. The Provincial Federation Association known as "Western Cape Equestrian Federation"

DUTIES

- To define local policies and projects which must comply with those as set out in the SAEF constitution and relevant Discipline Constitutions.
- To motivate policy to national committee.
- To implement policies as set out by the SAEF Exco and Council.
- Required Record keeping as required by the Provincial Sports Confederation and all clerical and financial administration of the Provincial

Body which includes all required information from the Discipline Associations, Districts and Clubs run under the auspices of the specific Province.

- Marketing of Equestrian Sport in the specific Province.
- Coordinate the growth and development of the sport in the specific Province.
- Managing the judicial processes and ensuring that the welfare of the horse is upheld in the specific Province.
- To produce newsletters, manage electronic and print content.
- Appointment of portfolio committees as per national constitution as required. May appoint Development Officer to assist with the Provincial Development initiatives.
- Managing and upholding the Constitution of the specific Province.
- Must adhere to proper record keeping including the agenda and minutes of all meetings.
- Ensuring transformation within the Province through the Provincial Transformation committee.
- Determining/obtaining provincial colours for teams selected on criteria by the Discipline Associations and other Associate members.
- Establish approved Provincial agents for the providing of passports, to be approved by the national office.

SCHEDULE "B"

GEO-POLITICAL DEMARCATIONS

PROVINCE	REGION	PRINCIPAL CITY / TOWN
Western Cape	Cape Town Unicity	Cape Town
(Cape Town)	West Coast	Malmesbury
	Winelands (Boland)	Stellenbosch
	Overberg	Swellendam
	Eden	George
	Central Karoo	Beaufort West
Northern Cape	Frances Baard	Kimberley
(Kimberley)	Namakwa	Springbok
	Pixley-ka-Seme	De Aar
	Siyanda	Upington
	Kgalagadi	Kathu
Eastern Cape		
(Bisho)	Cacadu (Sarah Baartman)	Grahamstown
	Amathole	East London
	Chris Hani	Queenstown
	Ukhahlamba	Aliwal North

	O R Tambo	Umtata
	Alfred Nzo	Mount Ayliff
	Nelson Mandela	Port Elizabeth
	Buffalo City	East London
Free State	Motheo	Bloemfontein
(Bloemfontein)	Xhariep	Trompsberg
	Lejweleputswa	Welkom
	Thabo Mofutsanyana	Phuthaditjhaba
	Fezile Dabi	Kroonstad
Kwazulu-Natal	Umgungundlovu	Pietermaritzburg
(Pietermaritzburg)	Ethekwini	Durban
	Ugu	Port Shepstone
	Uthukela	Ladysmith
	Umzinyathi	Dundee
	Amajuba	Newcastle
	Zululand	Ulundi
	Umkhanyakude	Mtubatuba
	UThungulu	Richards Bay
	iLembe	Kwa Dukuza
	Sisonke	Ixopo

Mpumalanga	Ehlanzeni	Nelspruit
Mbombela (formerly Nelspruit)	Gert Sibande	Lekwa (formerly Standerton)
	Nkangala	Emalahleni (formerly Witbank)
Limpopo (Polokwane)	Capricorn	Polokwane
	Mopani	Giyani
	Vhembe	Thohoyandou
	Waterberg	Bela-Bela
	Sekhukhune	Groblersdal
North West	Ngaka Modiri Molema (Central)	Mafikeng
(Mafikeng)	Bojanala	Rustenberg
	Dr Ruth Segomotsi Mompati	Vryburg
	Dr Kenneth Kaunda	Klerksdorp
Gauteng	Johannesburg	Johannesburg
(Johannesburg)	Sedibeng	Vereeniging
	Ekurhuleni	Germiston
	Tshwane	Pretoria
	West Rand	Krugersdorp

SCHEDULE "C"
NON-RACIALISM

1. The principle of non-racialism is recognised and accepted. By this it is meant, broadly, that race should not be, and may not be, a basis of discriminating against or affording privilege to any person or group of persons. (Note: In this document all references to "race" must be taken to include a reference to ethnicity and nationality).

2. It follows from this that no club, province or other affiliated body may have any provision in its constitution which has the effect of barring membership on the grounds of race.

3. A provision in a constitution which though not worded in racial terms none the less is calculated to discriminate on grounds of race and which would have the effect of discriminating on grounds of race shall be regarded as an infringement of 2.

4. The principle of non-racialism also demands that all clubs, provinces and other affiliated bodies shall, when the situation legitimately requires it, make all their facilities available to persons other than their members on an equal basis irrespective of the race, ethnicity of nationality of such persons; e.g. when hosting an event and such non-members are legitimately at the premises of the club or other body in connection therewith.

5. The fundamental rights of freedom of association and freedom of disassociation are recognised. It is also recognised that these rights are fundamental to the formation of and existence of the private club which is the basic building block of a national or provincial sports controlling body.

6. There is inherently a potential conflict between the rights referred to in 5., and the principle of non-racialism referred to in 1., and it is considered desirable to indicate how such potential conflicts are to be resolved.

7. The following are suggested guidelines as to how to reconcile these principles in practice:

7.1 A constitution which admits any person to membership except persons of any particular racial or ethnic group shall be regarded as infringing the principles of non-racialism and shall not be regarded as a valid exercise of the rights of freedom of association/disassociation (Cf. para 2 above).

7.2 A constitution may limit its membership to persons who fulfil certain criteria notwithstanding that the result thereof is that its members in fact consist only of one or more racial groups, provided that those criteria are not racist in their terms or in their intended effect e.g. a club which restricts its membership to persons who attend a certain school shall not be regarded as infringing the principle of non-racialism even though *de facto* its members may, as a result, come from a certain racial group only. Other examples of the application of this principle are clubs whose membership is limited to persons of a particular vocation or of a particular religious movement.

8. Under no circumstances will an infringement of 4, above be tolerated or permitted on the grounds that it constitutes an exercise by the club or affiliated body concerned of its rights of freedom of association and/or disassociation.

9. The existence of the so-called "ethnic" clubs is perceived to be problematical and require deeper analysis:

9.1 Various such clubs exist at the moment e.g. the Greek Club, the Italian Club, the German Club and so on. The existence of such clubs is a well-established and recognised phenomenon in the countries of the United Kingdom, Western Europe and the U.S.A. It is clear that such clubs are not the result of the policy of apartheid, but arise from the desire of peoples of different origins and cultures to group together to enjoy and foster their own cultural traditions.

9.2 What is said below is a discussion in general terms and is not a reference to any one or more of such ethnic clubs which in fact exist. Such clubs appear to have been formed with the *bona IF* purpose of catering for the cultural needs or aspirations or interests

of the particular ethnic group which it serves. There does not appear to be any ulterior racial motive.

9.3 If the constitution of such a club were to restrict its membership to persons of a particular ethnic group (or race or nationality), it would by implication, be excluding persons from all other ethnic groups/races/nationalities from membership.

Prima facie this would be an infringement of paragraph 2 above. The question which has to be decided is whether, in these circumstances, this constitutes a valid exercise of the rights of freedom of association and disassociation, notwithstanding that it amounts to an infringement of 2, above (Cf also 7.1 above). It is considered that this would not be acceptable and that any club having a constitution along those lines would not be eligible for membership of the proposed new unified national body or any provincial body.

9.4 By contrast, however, a club which had as its main object the promotion, advancement, propagation etc. of the culture, traditions etc. of any particular race or nationality, but which did not seek to exclude or limit membership on those grounds would be regarded as legitimate and would be eligible for membership.

10. The principles and guidelines set out above with regard to non-racialism shall apply equally in respect of religion and discrimination on the grounds of a person's religious beliefs.

SCHEDULE "D"
AFFILIATES TO THE FEDERATION

Eligibility requirements for Ordinary Members and Associated Members

1. The objects clause of the constitution of a member seeking Ordinary Membership and each body seeking Associate Membership must include provisions that are identical to or substantially the same as the Constitution of THE FEDERATION and shall provide that such body or Associate Member shall be compelled to encourage, promote, develop and administer Equestrian Sport within the area of its jurisdiction in accordance with sound business principles.

2. There must be provisions in the constitution of each Discipline Association and Provincial Federation seeking membership as an Ordinary Member and of each body seeking Associate Membership, stipulating that it:

   2.1 recognises and adopts Schedule "C" – Non-racialism;

   2.2 may not become a member or affiliate to any other body without the prior written consent of Exco of THE FEDERATION;

   2.3 may not authorise, send or sanction any team to go on a tour outside the boundaries of the Republic of South Africa without having first obtained the written consent of Exco of THE FEDERATION

3. Any dispute as to whether the foregoing requirements have been complied with shall be referred to the Legal, Disciplinary and Appeals Committee whose decision shall be final and binding.

SCHEDULE "E"

SECTION 30 (1) OF THE INCOME TAX ACT, 1962 ("the Act")

1. The following provisions contained in section 30 (1) of the Act shall at all times apply and be adhered to while this Constitution is in operation.

   1.1. The sole object of the Association is to carry on a public benefit activity which qualifies for purposes of Section 18A of the Act as defined in Section 30 (1) of the Act, in a non-profit manner.

   1.2. At least 85% of the Association's activities shall be carried out in the Republic of South Africa.

   1.3. At least 3 members who will accept fiduciary responsibilities and shall also not be connected persons to each other and no single person directly or indirectly controls the decision making powers relating to the Association.

   1.4. No funds will be distributed to any person (other than in the course of undertaking any public benefit activity).

   1.5. The Association's funds will be used solely for the objects for which it was established, or shall be invested with registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984, (Act no.39 of 1984) or in securities listed on a stock exchange as defined in the Stock Exchanges Control Act.

   1.6. The Association will not carry on any business undertaking or trading activities other than to the extent that:

      1.6.1. The gross income derived from such business undertaking or trading activity does not exceed the greater of R25,000 or 15% of the gross receipts of the Association;

      1.6.2. The undertaking or activity is -

         1.6.2.1. integral and directly related to the sole object of the Association; and

1.6.2.2. carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost; and

1.6.2.3. which would not result in unfair competition in relation to taxable entities;

1.6.3. the undertaking or activity, if not integral and directly related to the sole object of the Association, is of an occasional nature and undertaken substantially with assistance on a voluntary basis without compensation; or;

1.6.4. the undertaking or activity is approved by the Minister by notice in the Gazette, having regard to -

1.6.4.1. the scope and benevolent nature of the undertaking or activity;

1.6.4.2. the direct connection and inter-relationship of the undertaking or activity with the sole purpose of the Association;

1.6.4.3. the profitability of the undertaking or activity: and

1.6.4.4. the level of economic distortion that may be caused by the tax-exempt status of the Association carrying out the undertaking or activity.

1.6.5 any business undertaking or trading activities, or assets used in such undertaking or activity, acquired by the Association before 1 January 2001, will be retained or continued as the case may be, in the form so acquired for a period of five years.

1.7. On the dissolution of the Association, the remaining assets will be transferred to any similar public benefit organization, within the

Republic of South Africa which has been approved in terms of Section 30 of the Act for the purposes of Section 18A of the Act:

1.8. No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in term of Section 18A; Provided that a donor (other than a donor which is an approved public benefit organization or an institution board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity) may not impose any conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation;

1.9. A copy of all amendments to the Constitution will be submitted to the Commissioner for the South African Revenue Service;

1.10. No remuneration will be paid to any employee, office bearer, member or person which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered;

1.11. The Association will submit the required Income Tax Returns annually together with the relevant supporting documents;

1.12. The Association will, within such period as the Commissioner may determine, register in terms of section 13(5) of the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997), and comply with any other requirements imposed in terms of the Act;

1.13. The Association has not and will not use its resources directly or indirectly to support, advance or oppose any political party.

SCHEDULE "F"

DISCIPLINE ASSOCIATION ORDINARY MEMBERS TO DATE AND THEIR DUTIES

1. Carriage Driving Association of South Africa
2. Dressage South Africa
3. Endurance Ride Association of South Africa
4. Equitation Association of South Africa
5. Eventing South Africa
6. Mounted Games Association South Africa
7. Mounted Archery Association South Africa
8. Polocrosse Association of South Africa
9. Reining and Western Performance/Dressage
10. Saddle Seat South Africa
11. Showing Association of South Africa
12. South African Polo Association
13. South Africa Show Jumping
14. South African Equestrian Tentpegging Association
15. Triple Racing Association of South Africa
16. Vaulting
17. Western Mounted Games Association of South Africa

And any other Equestrian Body that my register from time to tome

DUTIES AT NATIONAL LEVEL

- To manage and control all technical aspects and administrative aspects of the specific discipline nationally:
    - Rules;
    - Team selection;
    - National Events;
    - Awarding National shows and International events under the auspices of the SAEF;
    - Host event calendar meetings.
- Support for High Performance athletes as per prevailing directives.
- Education Programmes with examination requirements – Coaches, Judges, Stewards, officials.
- Course Material for education Programmes.
- Training officials at National level and above.
- Advise SAEF on database / grading requirements.
- Manage own Funds.
- Set own budget.
- Provide SAEF with funding applications which are Sport Code specific.

DUTIES AT PROVINCIAL LEVEL

- To manage and control all technical aspects and administrative aspects of the specific discipline provincially.
- Ensuring that the discipline specific rules are applied in the Province.
- Ensuring SAEF veterinary regulations, passport requirements and horse welfare requirements are adhered to at discipline specific events.
- Provincial team selection.
- Managing discipline specific Provincial Calendar.
- Awarding Provincial shows.
- Provision of a regular series of events at inter club and inter district level as per sports council directives.
- Motivate applications for colours to SAEF District/Provincial committees.
- Training of officials (up to Provincial level).
- Control of Provincial assets.
- Promotion of the specific discipline.

- Providing feedback to the National Discipline Association and Provincial federation.

SCHEDULE "G"
ASSOCIATE MEMBERS TO DATE

1. South African Correctional Services
2. South African Defence Force
3. South African National Equestrian Schools Association ("SANESA").
4. South African Police Services

SCHEDULE "H"

ROLES AND RESPONSIBILITIES OF SUB COMMITTEES

1. Veterinary and Horse Welfare Committee

Description

- Manage, liaise and control all veterinary protocols, drug testing, border control, horse welfare, FEI vet endorsements for the SAEF and its bodies, through local, international and government areas.

Duties

- Implement the horse welfare policy;
- Ensure compliance of government vet regulations;
- Manage the SAEF, Group IX and FEI passport system;
- Manage import and export horse protocols in conjunction with 3rd parties;
- Manage all FEI vet courses;
- Manage SAEF/FEI Vet system;
- Liaise with the South African Veterinary Council;
- Liaise and manage border control in Group IX Regions;
- Implement and manage all drug testing, policies and procedures as required;
- Liaise with horse welfare organizations, for example the SPCA and Horse Care Units;
- Run education programs on horse welfare;
- Ensure compliance with FEI and Government Veterinary regulation;
- Ensure compliance with Export/Import/quarantine procedures;
- Ensure compliance with AHS/Infect disease protocol;
- Ensure compliance with FEI/SAEF passport and micro chipping requirements;

- Ensure compliance with the Horse Welfare Legislation by persons and organisations bound by this constitution.
- Ensure compliance with horse Drug Testing procedures and processes;
- Ensure compliance with World Equestrian Games and Olympic horse veterinary requirements.

2. Finance Committee

Description

- Report, manage and liaise on SAEF finances, budgets, grants, payment reductions and funding to the General Council;
- Liaise with all members to ensure good financial governance, compliance and accounting principles.

Duties

- Produce a yearly unqualified audit;
- Produce monthly financial statements;
- Manage the SAEF banking accounts;
- Review discipline financial statements;
- Submit grant applications for maximum benefit to SAEF;
- Oversee / ensure Management and update of the computerised accounting system;
- Ensure that all members are invoiced timeously and accurately;
- Ensure that adequate systems are in place to manage cash flow debtors and creditors efficiently;
- Ensure that systems are in place to submit all statutory accounts and returns timeously and without penalty;
- Ensure that systems in place to manage SAEF payroll;
- Approve the annual budget for submission to Council for approval;
- Ensure that systems in place to manage all purchase orders and requisitions, and to achieve efficient, transparent and fair procurement processes.

3. Coaches, High Performance and Talent Identification Committee

3.1 Coaches

Description

- To run and manage all aspects of coaching, recognized prior learning, educations, clinics, government liaison and coaching exchange programs.

Duties

- Implementation of SASCOC's coaches framework;
- Preparation of existing standards for all discipline national teams;
- Manage and attend SASCOC national coaching conference;
- Manage, liaise and inform SASCOC /SAEF and members of formal/informal courses, and coaches in South Africa;
- Manage and grow SAEF/discipline coaches database;
- Manage and support FEI coaches program;
- Manage RPL coaches program through all disciplines;
- Run a minimum of 2 coaches courses for SAEF annually (Includes SASCOC coaches meeting).

3.2 High performance and talent identification

Description

- Manage all SAEF and SASCOC high performance teams, funding ensuring the route from mass participation, talent identification and high performance are in conjunction with discipline performance cycles;
- Liaise with teams and organizations on behalf of the SAEF as well as fostering meetings, visits, competitions and systems for the SAEF.

Duties

- Manage the High Performance long list ensuring representation on national teams;
- Ensure all High Performance athletes are exposed to best coaching available;
- Manage teams to Olympics, World Equestrian Games and SASCOC Multi coded events;
- Develop programs to manage participating children, young riders and young adults ensuring that the development competition is created;
- Oversee (or receive report back on) Implementation and management of talent identification and development at all disciplines;
- Ensure utilization of all National High Performance centres;
- Manage the OPEX Program.

4. Transformation

Description

- Implement strategies to ensure that SRSA policies, SASCOC policies and procedures for transformation and development are met, delivered and measured through the members and SAEF.

Duties

- Liaise with all relevant development and social welfare programs;
- Liaise with various development Equestrian Foundations;
- Ensure all constituent members implement a schools program;
- Identify development opportunities for:
  - Athletes;
  - Horses;
  - Grooms;
  - Officials;
  - Administrators in all disciplines.

- Drive club and multi-discipline club systems in all disciplines ensuring provincial growth within geo-political boundaries;
- Deliver on SAEF development plan;
- Manage transformation and development for government projects in each discipline;
- Manage and report on SASCOC goals for Talent Development and Mass Participation;
- Develop SAEF grooms foundation;
- Develop Social responsibility program.

5. Marketing Committee

Description

Shall be responsible for the coordination and management of the fundraising

Duties

- To establish a system for the marketing of the SAEF;
- To establish possible marketing tools for the creation of a source of income for the SAEF.

6. Colours Committee

Description

- Manage all SAEF colour policies and awarding strategies.

Duties

- to introduce a standard for the awarding of national colours;
- to discourage any misuse or abuse of national colours;
- to make provision for the resolution of disputes related to awards of national colours;
- generally, to promote sport in South Africa, through the usage and effective control of the national colours;

- to ratify or refuse to ratify the awarding of national colours to a person nominated therefore;
- to adjudicate in any matter referred to it in relation to National Colours;
- to promote the image, standing and repute of national colours nationally and internationally;
- to co-operate and liaise closely with persons, bodies, local authorities and Government departments concerned with the advancement of sport on a national and international level;
- to advise SASCOC on the use of national colours by any person, body or local authority by way of advertising or as a trade mark, or in connection with goods or services, or in any other manner on such terms and conditions as it may see fit;
- to monitor and maintain records of all awards of national colours.
- and marketing efforts of the Federation;