

JOHANNESBURG SKYDIVING CLUB

CONSTITUTION

AS APPROVED AT ANNUAL GENERAL MEETING 28 May 2005

1. TITLE

The Club shall be called Johannesburg Skydiving Club (hereinafter called the "Club").

2. HEADQUARTERS

The club will be based at Carletonville Airfield, Farm Twyfelvlakte.

3. PRINCIPLES AND OBJECTIVES

The objectives of the Club are: -

- 3.1 To promote and sustain interest and participation in parachuting;
- 3.2 To maintain a high level of safety of instruction, through equipment and knowledge. To train parachutists and student parachutists;
- 3.3 To establish and maintain contact with parachuting organisations throughout the world;
- 3.4 To keep fully informed of all developments in parachuting;
- 3.5 To liaise with any organisation in the interest of the Club;
- 3.6 To communicate with all its members;

- 3.7 To foster competitive parachuting at the Club and elsewhere;
- 3.8 To maintain and create better amenities for members;
- 3.9 To develop a healthy social atmosphere for members;
- 3.10 To comply with and adhere to the rules and regulations of the Aero Club of South Africa, the Department of Civil Aviation and all other controlling bodies of Parachuting.
- 3.11 The club shall be non-commercial.

4. **MEMBERSHIP**

The membership of the Club shall consist of: -

4.1 **HONORARY LIFE MEMBERSHIP**

An honorary life member shall be one who by reason of the services he/she has rendered to parachuting or the Club and has been elected to such a position by the unanimous vote of the Club Committee.

4.2 **HONORARY MEMBERSHIP**

An honorary member shall be one who, by reason of the services he/she may render or has rendered to parachuting or the Club, has been/shall be elected to such a position by the unanimous vote of the Club Committee. Such members will be subject to re-election annually.

4.3 **ACTIVE MEMBERSHIP**

An active member shall be any member who has, within the current year performed at least 12 parachute jumps with the Club, and has also paid his/her

annual membership fee.

4.4 **SOCIAL MEMBERSHIP**

Shall be any member not in the above classes who desires to be a member of the Club, and who has paid his/her membership fee. Provided that such person is not precluded from being a member by any of the other provisions hereof.

5. **SELECTION OF MEMBERS**

5.1 Any candidates, except for cases 4.1 and 4.2 in paragraph 4 above, shall make application on the prescribed form to the Club Committee, thereby agreeing to the rules laid down in the constitution. The candidate shall be rejected if more than 50% of the Committee members vote against such candidate becoming a member. No reason need be given by the committee for such rejection and such decision may be made in their sole and absolute discretion.

5.2 Membership shall only be effective upon full receipt of fees due.

6. **ENTRANCE FEES AND ANNUAL SUBSCRIPTIONS**

6.1 All classes of membership, except honorary, honorary-life and members, fall due and payable on or before the day of the Annual General Meeting.

6.2 The annual subscription shall be fixed by the committee.

6.3 The first jump course shall be conducted on prior payment of an amount, determined by the committee from time to time, and shall include the cost of the first jump and Club membership.

6.4 Special reduced rates and the committee may specify fees for student and scholars from time to time as they deem fit.

6.5 All of the above are subject to amendment at the discretion of the committee.

7. **RIGHTS AND PRIVILEGES OF MEMBERS VOTE, VOTING AND PROXY VOTES**

- 7.1.1 At any Annual General Meeting or Special General Meeting only active members shall have voting rights.
- 7.1.2 All members will have one vote
- 7.1.3 Members unable to be present at such meetings shall notify the secretary in writing. This being done, a proxy vote may be allowed if written and signed authority specifying your nominee is handed to the secretary before the meeting
- 7.1.5 The chairman shall have casting vote at such meetings.
- 7.2 Only members who are entitled in terms of the MOP'S as laid down by PASA and who have satisfied any further requirements as laid down by the Chief Instructor of the Club, shall be allowed to make parachute descents.
- 7.3 No member may make use of the Club or its address or insignia in any advertisement, article, in any letter, business or otherwise, without prior authorisation from the Club committee. Club insignia may only be worn subject to the following conditions:
 - 7.3.1 The official Club blazer badge may only be worn by members of the Club who have performed not less than 20 free-fall jumps as active members of the Club. Application for the official Club blazer badge should be made to the Chairman on the forms provided. The badge may also be awarded to other members in exceptional cases of merit;
 - 7.3.2 The committee reserves the right to award or withdraw any club

insignia at its discretion.

- 7.4 All participating members of the Club must at all times abide by the rules laid down by PASA

8. **TERMINATION OF MEMBERSHIP**

- 8.1 Any member who has failed to pay his/her membership fee within 60 days of the AGM in any year shall ipso facto cease to be a member. Membership will thereafter be reconsidered on receipt of a further application only and on payment of the annual membership fee.
- 8.2 Any member who attempts to use the Club as means of personal monetary gain without the prior approval of the committee or who attempts to misappropriate the funds or assets of the Club may have his/her membership terminated forthwith.
- 8.3 Any member who is convicted of a criminal offence may, at the discretion of the committee, have his/her membership terminated.
- 8.4 Any member may, for acts of gross misconduct have his/her membership terminated. The power of expulsion shall be vested in the committee whose decision shall be final and binding.
- 8.5 Acts of "gross misconduct" shall include, but not be limited to:-
- 8.5.1 Assault or attempted assault.
 - 8.5.2 Violent and/or aggressive behaviour.
 - 8.5.3 Theft of property (whether from the club or its members and staff)
 - 8.5.4 Sexual offences
 - 8.5.5 Destruction of property
 - 8.5.6 Non-adherence to the MOP'S
 - 8.5.7 Non-payment of club fees or any other indebtedness to the Club.
 - 8.5.8 Contraventions of the provisions of this Constitution and/or the Rules or By-laws framed thereunder.

- 8.6 On termination of membership no pro-rata refund of subscription shall be paid to any ex-member.
- 8.7 On termination of membership, the right to display the Club emblems in any form shall, together with all the privileges of the Club, be forfeited.
- 8.8 The Committee shall (in its sole discretion and as an alternative to termination of membership), be entitled to impose fines or penalties for a contravention of any of the provisions hereof or for any lesser offences, and failing payment of any such fines or compliance with imposed penalties shall be entitled to terminate such member's membership.

9. **ORGANISATION AND POWERS OF THE COMMITTEE**

9.1 **ORGANISATION OF THE COMMITTEE**

The club committee shall consist of:

- 9.1.1 Chairman
- 9.1.2 Chief Instructor
- 9.1.3 Treasurer
- 9.1.4 Equipment Officer
- 9.1.5 Secretary
- 9.1.6 Club Grounds Manager
- 9.1.7 Operations Manager

unless otherwise agreed to by the Committee at the Annual General Meeting or at a Special General Meeting. All posts are to be elected by popular vote at the A G M. The committee may co-opt other members on to the committee to a total maximum of 12. Committee Members may hold more than one post. The committee may not, however, consist of less than 5 members. Any post may be held for as long as that member is re-elected.

- 9.2.2 A quorum shall consist of 5 members, 3 at least having office bearing posts;

- 9.2.3 In the absence of the Chairman, the committee members present may elect one of their members to act as Chairman for the meeting;
- 9.2.4 At least 3 out of 5 of the committee at any meeting, shall be active members;
- 9.2.5 Voting at committee meetings shall operate on a "one vote per person". Co-opted members have full voting rights;
- 9.2.6 The Chairman shall have a casting vote, if an active member;
- 9.2.7 The committee shall have at least 6 meetings per year;
- 9.2.8 Meeting dates are to be decided by the Chairman in conjunction with the committee. Should any 3 committee members desire a meeting over and above those decided by the Chairman they must notify the secretary and provided 8 days notice is given such a meeting will be deemed constitutional;
- 9.2.9 Any member absenting himself from two consecutive meetings without leave granted will forfeit his seat;
- 9.2.10 Any vacancy in the committee may be filled by any member elected by the committee and such member shall remain a committee member for such a period as the committee may decide, or until the A G M.
- 9.3.11 All club office bearers and committee members shall at all times act in the utmost good faith.
- 9.3.12 All decisions at meetings of the Committee shall be decided by the majority vote of all such Committee members present.

9.3 **POWERS OF THE COMMITTEE**

- 9.3.1 The entire management and the control of the Club shall be vested in the committee who shall be responsible for the

general welfare of the Club provided for by this constitution;

- 9.3.2 In the case of doubt as to the precise meaning of any rule, the interpretation of the committee shall be binding until, a General Meeting is called where general votes will decide the issue in question.

10.

PRIORITY DECISIONS THAT MUST BE TAKEN AT AN SGM OR AGM AND ARE WIDE OF THE POWERS OF THE COMMITTEE.

The votes of at least eighty (80%) percent of all the members present at an SGM or AGM shall be required for any of the following decisions which are considered to be priority decisions:

- 10.1 Dissolution of the Club;
- 10.2 Purchase of a new aircraft;
- 103 Any expenditure of more than R150 000,00 for any one purchase or project;
- 104 Accumulative bank withdrawals for the purchase of one item or for payment of one project which will total more than R150 000,00;
- 10.5 The Club going commercial;
- 10.6 Total indebtedness of more than R100 000,00;

12. **ANNUAL GENERAL MEETINGS**

12.1 An Annual General Meeting shall be held each year during the month of April / May. The secretary shall inform all members of the date and venue of the meeting at least 14 days beforehand. Such notice shall be accompanied by the agenda setting out the business to be discussed at the meeting.

12.2 A quorum at the A G M shall consist of at least 25% of the voting members. Should no quorum be present the meeting is to be adjourned and a further written notice should be issued for the meeting to be held 14 days later. Should no quorum again be present those members attending the meeting may continue business as though a quorum had been present.

12.3 The following items shall appear on the agenda: -

12.3.1 Minutes of the previous A G M;

12.3.2 Matters arising;

12.3.3 Chairman's report;

12.3.4 Treasurer's report;

12.3.5 Chief Instructor's report;

12.3.6 Operations Manager's report;

12.3.7 Club Grounds Manager's report;

12.3.8 Equipment Officer's report;

12.3.9 Election of Office Bearers;

12.3.10 Any other business.

12.4 Each matter submitted to the A G M shall be decided by a general vote as specified in paragraph 7.1.1 of this constitution;

12.5 Only paid up members may attend or vote at such a meeting;

12.6 The financial year shall be from 1 April to 31 March

13. **SPECIAL GENERAL MEETINGS**

13.1 The committee may, whenever they deem fit, and shall upon application in writing, signed by at least 10 active members of the Club, convene an S G M. Such application made by the members shall express the reason for calling the meeting. Upon receipt of such a request, the committee shall proceed to convene an S G M within 14 days. If the committee fail to convene this meeting within 14 days the members themselves may convene a meeting and such a meeting will be deemed constitutional;

13.2 Paragraphs 12.2, 12.4 and 12.5 of this constitution will apply to Special General Meetings.

14. **ACCOUNTS AND MINUTES**

Proper books, minutes and a filing system shall be kept up to date and in proper order at all times. These shall be open to investigation by any Club member at any reasonable time. The Club will not allow any member to have credit facilities with the club.

15. **SIGNATORIES**

15.1 The Treasurer or such persons as may be authorised by the committee shall sign all cheques and authorise EFT's. All cheques must be signed by two authorised signatures for payment on behalf of the Club.

15.2 This rule shall apply to any withdrawal slip or paper pertaining to any Building Society account or other fund belongs to the Club.

15.3 The treasurer is to ensure that Banks and Building Societies concerned are aware of this provision of the constitution and is to arrange the necessary changes of signatories as may be necessary from time to time.

16. **LIABILITY**

16.1 The Club or its committee members shall at no time be liable for any injuries, loss of life caused to persons or property due any act or omission or

negligence of any of its members during the proper course of its activities.

Further that all members of/and visitors to the Club undertake parachute jumps entirely at their own risks.

- 16.2 However, any act of negligence causing financial loss to the Club will be made good by the member concerned.

17. **DUTIES OF COMMITTEE MEMBERS**

17.1 **THE CHAIRMAN**

- 17.1.1 Is the liaison officer between the Club and provincial and national bodies. He is to do everything in his power to ensure that communication is maintained on this level;
- 17.1.2 Is to ensure that the Club is running according to the constitution in every aspect;
- 17.1.3 Is to set aims and targets and guide members along these lines for the improvement of the Club and the sport;
- 17.1.4 Is to ensure that the rules and regulations are adhered to;
- 17.1.5 Is to ensure that every office bearer is motivated and that any resolution passed is carried out;
- 17.1.6 Is to ensure proper upkeep to books, files etc by regular inspection;
- 17.1.7 Must produce a yearly report on the progress of the Club at the A G M;

17.2 **THE SECRETARY**

- 17.2.1 Is to keep up-to-date minutes of all meetings;
- 17.2.2 Must conduct all correspondence in accordance with such meeting and keep up-to-date files of the above;

- 17.2.3 Is to maintain an up-to-date database of paid-up and/or honorary membership.
- 17.2.4 Is to keep all files and correspondence of the Club in good repair and in a safe place;
- 17.2.5 Is to check past minutes regularly to ensure that delegated tasks are not allowed to slip the attention of the member concerned;
- 17.2.6 Is to ensure that all stationery, printing blocks etc for the Club are not issued or loaned to unauthorised members;
- 17.2.7 Is to keep a security key list (refer to paragraph 18.1.4 below).

17.3 **THE TREASURER**

- 17.3.1 Is to keep proper books and records of accounts for perusal at any reasonable time by any member;
- 17.3.2 Is to produce a monthly income statement
- 17.3.3 Is to pursue the course of having and keeping the Club books updated;
- 17.3.4 To ensure that all regular payments are not allowed to get into arrears and build excessively;
- 17.3.5 Is to ensure that such payments are made timeously to prevent cancellation or lapsing of aircraft or equipment insurance, Clubhouse rental, aircraft H P etc;
- 17.3.6 Is to keep the committee informed at every meeting of outstanding debts, cash on hand, savings and account balances and recent financial transactions;
- 17.3.7 Is to inform the committee well in advance of large looming payments;

- 17.3.8 Is to ensure that if he is absent, another member is delegated to collect the weekly finance, book such finance, record in the proper manner and bank weekly;
- 17.3.9 Is to pay all accounts as promptly as possible (refer to paragraph 17.3.4) and to bank weekly;
- 17.3.10 Is allowed to refuse any jumper or visiting jumper credit facilities until such a jumper can show reason why he/she should not be refused such a facility;
- 17.3.11 Is to keep in touch with the values of all assets, keep a check on all Club expenditure, and note and investigate an increased running costs or administration costs in the Club;

17.4 **THE CHIEF INSTRUCTOR**

- 17.4.1 Is to ensure adherence to MOP'S and other stipulated regulations;
- 17.4.2 Is to actively pursue safety in every aspect;
- 17.4.3 Is to maintain a high standard of instruction;
- 17.4.4 Is to keep records of the number of students trained, jumps performed, and number of incidents for monthly report to the N S T C;
- 17.4.5 Is to ensure the proper procedure for show jumps, so that the Club is covered in respect of any incident or claim arising from such events;

17.4.6 To motivate all jumpers onto a progressive safe course;

17.4.7 Is to submit annual reports on all aspects of his portfolio.

17.5 **OPERATIONS MANAGER**

17.5.1 Is to publicise the sport in any form;

17.5.2 Institute recruitment programme;

17.5.3 Compile sends out newsletters.

17.6 **THE CLUB GROUNDS MANAGER**

17.6.1 Is to keep general discipline on the drop zone without creating adverse opinions for guests or members of visiting jumpers;

17.6.2 Is to ensure that each person who enters the club does so as a guest of a member and in signed in as such;

17.6.3 Is to enhance Clubhouse facilities and assets;

17.6.4 Is to provide social entertainment;

17.6.5 Is to keep the Clubhouse and its surrounding areas clean and tidy (lawn cut);

17.6.6 Employ and control staff employed by the Club;

17.6.7 Control canteen and bush pub operators;

17.6.8 Maintain ablution facilities and pool in good order and condition.

17.8 **THE EQUIPMENT OFFICER**

17.8.1 Is to keep an updated inventory of all equipment;

17.8.2 Is to ensure that all equipment is in a good state of repair and

give complete details on the same at every committee meeting;

- 17.8.3 Is to adhere to reserve packing rules and repack cycles;
- 17.8.4 Is to ensure that all Club gear is marked;
- 17.8.5 Is to ensure that the kit room and hanger are kept in a fit state;
- 17.8.6 Is to ensure that all repairs are carried out correctly;
- 17.8.7 Is to pursue an active updating of gear to latest safety criteria;
- 17.8.8 Is to keep check of all gear sent away for repairs and/or alterations;
- 17.8.9 Is to maintain an up-to-date record of all Club equipment.

18. **BY-LAWS**

- 18.1.1 The committee shall have the right to establish by-laws, prepared to ensure the welfare of the Club as a whole, and the smooth conduct of its activities. These by-laws are to be adhered to by all and will at all times be available from the secretary;
- 18.1.2 These laws are subject to alteration without notice at any meeting. Further by-laws may be added at any meeting, provided that any alterations or additions are published by the committee by posting them on the club website;
- 18.1.3 Should contention arise, a special general meeting must be held to ratify, amend or cancel such contentious issues;
- 18.1.4 The secretary is to ensure that these are kept up to date and must bring to the attention of all members at every general meeting any alterations or additions made to these rules;

- 18.2.1 Any contravention of any item of this constitution whether in the form of non-adherence, ignorance, negligence or otherwise will be regarded as an infringement of the By-laws;
- 18.2.2 Any Club member or visitor will be liable to compensate the Club for any damage to equipment, property or any injury caused by any person as a result of a wilful act or omission or negligence of such a member or visitor;
- 18.2.3 All members of the Club will at all times uphold the dignity, and good name and character of the Club;
- 18.2.4 Any notice by the committee to the members shall be deemed to be received by the members after twenty-one (21) days of any notice being posted on the club website;
- 18.2.5 Should any member wish to remove any para-equipment from the airfield for use at any other location he/she will notify the equipment officer and sign for all gear removed. That member will be fully responsible for replacement costs in the case of loss or repair costs in the case of damage.
- 18.2.6 . Members are responsible for the behaviour of their guest and any loss the Club may bear as result of their actions.

19. **AMENDMENTS TO THE CONSTITUTION**

The Constitution of the Club is subject to revision from time to time. Amendments must be proposed, seconded and signed by any active members and notice given to the Secretary at least 14 days prior to the Annual General Meeting or Special General Meeting at which the proposed amendments are to be discussed. The Secretary shall notify all members of the proposed amendments immediately upon receipt. The proposal shall only be passed if a 75% majority is attained by voting members attending such a meeting. Paragraph 7.1.1 of this constitution applies.

20. **DISSOLUTION**

If, upon dissolution of the Club, after the settling of all it's liabilities, there remain any

assets whatsoever, these assets shall not be distributed to any person but dealt with in a way that furthers the sport of parachuting on an institutional level.

21. **HONORARY LIFE MEMBERSHIP**

The following members were elected Life Honorary members and their partners at the A G M of 6 July 1997 in return for financial assistance in the form of interest bearing loans which were needed to purchase the land. They are as follows:

C Robinson & J Robinson	(R40 000,00)
G Bothma & H Bothma	(R10 000,00)
B Lane & E Lane	(R10 000,00)
H Newman & G Miles	(R10 000,00)
C Grosch & F Grosch	(R10 000,00)
A Ferreira & Z Ferreira	(R10 000,00)
J Pienaar	(R10 000,00)
E Marais	(R10 000,00)
S van Heerden	(R10 000,00)

D Cohen was also elected in return for his financial contributions to the club, his assistance in legal matters, in securing the land and negotiating with the Carletonville Municipality.