# CONSTITUTION

# of the

# NOMADS GAME FISHING CLUB

**Approved at Benoni on the**

**29th day of OCTOBER 1993**

# CONSTITUTION

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# NOMADS GAME FISHING CLUB

## 1. NAME, HEADQUARTERS AND ADDRESS

1.1. The name of the Club shall be :
NOMADS GAME FISHING CLUB (hereinafter referred to as "Nomads").

1.2. The headquarters and postal address of Nomads shall be situated, as shall be decided from time to time in Annual General Meetings.

## 2. UNDERLYING PHILOSOPHY AND LEGAL POSITION OF NOMADS

2.1. The signatories to this Constitution, being the authorised Chairman and vice chairman, by virtue of their signatures hereto record that this Constitution has been unanimously approved, accepted and ratified by the members at an annual general meeting , which meeting was held at
C R Swart Dam Benoni on the 29th day of October 1993 and that this constitution replaces and supersedes any prior constitution held by Nomads and shall be effective from the date of ratification by the members.

2.2. Nomads is liable only for its own debts and any assistance granted to any person or body whether corporate or unincorporated, shall not render it liable for the debts of such person or body.

2.3. The liability of the members of Nomads shall not be unlimited and the members shall not be liable for the debts of Nomads, of whatsoever nature and howsoever incurred, save only to the extent of any unpaid membership subscriptions and any debt incurred directly with Nomads.

2.4. Nomads may only sue or be sued in the name of its Chairman in any Court of law in the Republic of South Africa having competent jurisdiction in respect of the headquarters of Nomads as it may be fixed from time to time pursuant to the provisions of Clause 1.2. above, and all legal processes, notices and the like shall be regarded as properly served on Nomads if served personally upon the Chairman, or his duly authorised agent in writing, it being recorded that neither of these persons shall be regarded in any manner as being personally liable for the Debts of Nomads.

2.5. Nomads binds itself to ensure that membership of the individual members thereof shall be available to all persons irrespective of race, colour or creed.

2.6. Nomads is founded on the following beliefs:

2.6.1. that gamefish is any defined specifies of marine fish held in high esteem and sought-after because of its fighting and sporting characteristics when caught on rod and reel from a craft at sea;

2.6.2. that gamefish species, their related food fish and their respective habitats are economic, social, recreational and aesthetic assets which must be maintained, wisely used and perpetuated;

2.6.3. that the sport of gamefish angling is an important recreational and social activity which must be encouraged and promoted and that the public must be educated to pursue it in a manner consistent with sound sporting and conservational practices in accordance with the angling rules and regulations of the International Game Fish Association (hereinafter referred to as "IGFA") and/or other internationally accepted rules and

regulations as may be directed by the Committee as herein described in clause 5.1;

2.6.4. that the sport of gamefish angling is a deliberate and intentional act of angling for gamefish in accordance with internationally accepted ethics, rules and regulations according to the most sporting methods and in the spirit of gamefish angling;

2.6.5. that the spirit of the sport of gamefish angling is that the skill of the angler is pitted against the instinct, strength and behaviour of the gamefish in such a way that the gamefish stands an even chance for its life.

## 3. OBJECTIVES

The objectives of Nomads shall include:

3.1. to be a club of anglers pursuing the sport of amateur gamefish angling from craft at sea. For the purpose of this clause,a "craft" shall comply with the law of the land.

3.2. to promote, control and foster the sport of gamefish angling in conformity with national and international practices and the international rules and regulations laid down from time to time by SADSAA, IGFA and/or other internationalyl accepted rules and regulations as may be directed by the committee as herein described in clause 5.1.

3.3. to keep accurate records of gamefish caught, in recognised competitions and tournaments in accordance with IGFA rules by anglers duly registered with the South African Deep Sea Angling Association vide clause 4.1. and to accumulate reliable piscatorial information which shall be available to members and any other interested bodies.

3.4. to evolve, apply and enforce own guidelines of angling rules made to regulate the holding of tournaments and the keeping of tournament records or otherwise accept, apply and enforce suitable such guidelines of angling rules;

3.5. to organise gamefish angling contests at venues as stipulated by Nomads and/or the Southern Transvaal Deep Sea Angling Association and/or the South African Deep Sea Angling Association from time to time.

3.6. to approve club and inter-club competitions and to maintain a record of catches of individual anglers of the members in approved competitions;

3.7. to select or propose qualified anglers to represent Nomads and/or the Southern Transvaal Deep Sea Angling Association in gamefish angling competitions.

3.8. to promote competence in the handling of craft, including the enforcement of rules to govern the operation of craft and all requirements of safety according to law, which members of Nomads shall be obliged to observe;

3.9. to liaise and co-operate with all levels of government, private enterprise and other concerned and interested bodies for the protection and/or conservation of marine fish, their habitats and their food fish and/or of sport fishing grounds;

3.10 to maintain Nomads as a non-political and non-racial body abiding by the laws of the land, and to preserve its amateur status and that of its members;

3.11 to design,adopt, register and award colours, badges or uniforms as required or stipulated from time to time;

3.12 to use the revenue and property of Nomads from whatever source derived to further the interests and objects of Nomads and for such other purposes as Nomads may deem necessary or desirable;

3.13 to purchase, improve, take on lease or in exchange hire or otherwise acquire any movable and immovable property and rights or privileges whatsoever which may be deemed necessary, suitable or convenient for the implementation of the objects of Nomads and to sell, let or hire, or otherwise dispose of the whole or any part of the assets of Nomads for such consideration and upon such terms and conditions as Nomads may from time to time deem fit;

3.14 to open and operate banking and saving accounts and any other investment account as may be deemed necessary or requisite by Nomads without any limitation;

3.15 to raise funds for the purpose, philosophy and objects of Nomads as enunciated herein and if deemed necessary, borrow monies upon the security of the fixed assets and investments of Nomads upon such terms and conditions as may be necessary or advisable in the circumstances;

3.16 to engage the services of such persons, companies or concerns upon such terms and conditions as may be deemed expedient to give effect to the objectives of Nomads;

3.17 to refrain from carrying on any business that has for its objects any acquisition or gain by individual members of Nomads.

3.18 to affiliate with the Southern Transvaal Deep Sea Angling Association, (or such finite body as nominated by SADSAA from time to time) the South African Deep Sea Angling Association and IGFA and any other

national/international body that may be deemed relevant or beneficial from time to time to the interests and/or objectives of Nomads.

3.19 to maintain a comprehensive register of individual members of Nomads and to update such Register from time to time and at least before each Annual General meeting of Nomads;

3.20 to encourage compliance by the members with all requirements which it may stipulate from time to time in regard to the rendering of catch returns;

3.21 to undertake and/or support, where relevant or necessary, scientific and economic research and studies to determine the economic and scientific impact of gamefish angling on the economy,environment and reserves of fish.

4. **MEMBERSHIP**

4.1. Members of Nomads shall for all purposes arising out of this constitution, be individual anglers duly approved by the committee as more fully set out in clause 4.4 below and who have paid up the prescribed annual subscriptions.

4.2. any prospective members applying for membership of Nomads shall do so in writing to the Secretary on a prescribed form as formulated by the committee from time to time.

4.2.1. that such form shall disclose: the candidates full name, occupation, business and residential address, telephone number and identity number and/or Passport number and date of birth if under 18 years of age. The names and signatures of proposer and seconder. The names of two other members of Nomads to whom the candidate is known.

4.2.2. in addition the form shall bear the signature of the candidate and shall be initialled by 2 members of the committee who have met or know the candidate.

4.2.3. the application form together with the entrance fee and subscription shall be handed or posted to the secretary who shall bring such application to the notice of the committee.

4.3. temporary and honorary members shall apply or be proposed to or by an existing member or existing committee at the time and the acceptance thereof shall require 85% vote of the existing committee.

4.4. election of a Nomad member shall be by a show of hands at a meeting of the Nomads committee and no candidate shall be elected unless he receives the vote of 85% of the Nomads committee members present.

4.5. if rejected a candidate may not again apply for membership for a period of at least 12 months thereafter, and the Committe's decision shall be final and no reasons for rejection need be given at any time.

## 5. MANAGEMENT OF NOMADS

5.1. The committee:

5.1.1. shall consist of:
The chairman, vice-chairman, secretary, treasurer, safety officer(duly authorised by SADSAA), competitions officer, records officers, public relations officer and social officer and up to 7 additional members who shall be elected at the Annual General Meeting;

5.1.2. of Nomads shall be elected from the membership and the eligibility shall be dependant upon their qualification in terms of their membership and their subscriptions being paid up to date.

5.1.3. shall administer and manage the affairs of Nomads and have the power to delegate any function to a duly appointed sub-committee.

5.1.4. shall meet at least bi-monthly and shall conduct a Quarterly General Meeting each quarter with the last quarter being conducted as an Annual General Meeting.

5.1.5. the executive officers of Nomads shall be the Chairman, Vice-Chairman, Secretary, Treasurer, Safety Officer and Competitions Officer and shall be constituted and bound as a sub-committe.

5.2. the chairman shall:

5.2.1. preside as Chairman at all committee, special, quarterly and annual general meetings and shall have a vote, and he shall have a casting vote only in the event of having to maintain the status quo.

5.2.2. present a written report to the quarterly and annual general meeting.

5.2.3. conduct, institute or defend legal proceedings on behalf of Nomads and be empowered to take evidence on commission of an urgent nature, subject to ratification by the committee.

5.2.4. be empowered to make all announcements, press releases and other communications with the press media and other bodies, organisations and the world at large on behalf of Nomads.

5.2.5. shall not serve in such capacity for longer than 7 years consecutively.

5.3. the vice-chairman shall:

5.3.1. in the absence of the Chairman, preside alternatively as the Chairman of all committee or quarterly and annual general meetings and shall then assume the functions of the chairman as defined.

5.3.2. when attending committee, quarterly and annual general meetings in his capacity as vice chairman, have a vote.

5.4. The Secretary shall

5.4.1. keep all minutes of the proceedings of all committee, special, quarterly and annual general meetings and send copies thereof as follows: in respect of committee meetings to all committee members, in respect of special meetings to all committee members, in respect of quarterly general meetings to all members and in respect of the annual general meeting to all members , which shall be sent within 30 days of such meeting.

5.4.2. keep and maintain all secretarial and administrative records as may be necessary and as determined by the committee from time to time.

5.4.3. maintain the register referred to in clause 3.19.

5.4.4. the secretary shall have a vote at all committee meetings and have the right to speak to all matters and motions tabled.

5.4.5. present a written report at the annual general meeting reflecting all the transactions, resolutions and action of the committee and its sub committees.

5.4.6. present a written tournament calendar to all members within 30 days of the committee having finalised the calendar for that year.

5.4.7. serve notice by registered post on any member which is 30(thirty) calendar days in arrear with his / her subscriptions and levies.

5.5. The Treasurer shall:

5.5.1. be responsible for the collection of and due and proper administration of all monies and funds of Nomads.

5.5.2. be responsible for the maintenance and updating of books of account and other documents of Nomads, including those relating to all investments of Nomads of whatsoever nature.

5.5.3. prepare statements and accounts which shall be in accordance with the sound accounting practice , copies whereof shall be circulated by the Secretary to all members no less than 30 days prior to the date of the annual general meeting for ratification at such annual general meeting.

5.5.4. deposit all monies belonging to and received by Nomads in a banking account nominated by the committee from time to time for the credit of Nomads.

5.5.5. have a vote at all meetings and have the right to speak to all matters and motions tabled .

5.5.6. it shall be the responsibility of the Treasurer to:

5.5.6.1. ensure that all payments made by Nomads are made by cheque signed on behalf of Nomads by two signatories of the following nominated persons, the Treasurer, the Chairman, secretary, competitions officer or 2 other members nominated by the committee (who shall not have a conflict of interest, e.g. family related, business partners, etc.) and shall be drawn on the banking account held by Nomads.

5.5.6.2. ensure that all the assets (including trophies) of Nomads are properly insured in accordance with the directives of the committee.

5.5.6.3. keep proper books of account reflecting all transactions of Nomads.

5.5.6.4. hold all property, funds and other assets in the name of Nomads and keep a property register .

5.5.6.5. serve notice by registered post on any member which is 30 (thirty) calender days in arrear with its subscriptions and levies.

5.6. Nomads shall

5.6.1. have its annual general meeting prior to the 30 November; and

5.6.2. appoint a delegate and an alternative at its inagural committee meeting and shall forthwith advise in writing, the name and address and telephone number of its delegates to the secretary of the Southern Transvaal Deep Sea Angling Association;

D.M.L.F

5.6.3. appoint a selector and an alternative at its inagural committee meeting, (who shall comprise experienced active anglers who have competed in at least a representative capacity in Provincial competitions) and shall forthwith advise in writing, the name and address and telephone number of its delegates to the secretary of the Southern Transvaal Deep Sea Angling Association.

5.6.4. be represented at all Council, special, general and annual general meetings of the Southern Transvaal Deep Sea Angling Association by its delegate or alternate delegate.

5.7. Special powers of the Nomads committee

5.7.1. without in any way derogating from the general powers of the committee, the following powers shall be exercisable by the committee.

5.7.1.1. the power to discipline any Member who has, in its opinion, been guilty of any misconduct warranting such action, which power shall include the right to suspend for such time as it deems fit such member or to cancel temporarily or permanently the membership of such member.

5.7.1.2. to deal in whatever fashion it considers necessary, with any member who in its sole discretion it considers has not conformed strictly with the philosophy, objectives and rules of Nomads or has conducted himself or herself in a manner which the committee considers to be detrimental to or not in the best interest of Nomads.

5.7.1.3. to exercise the powers granted to it in clauses 5.7.1.1 and 5.7.1.2. above subject to the holding of a disciplinary hearing prior to any action being taken, the date and place and method of the hearing being as determined by the Chairman from time to time.

5.7.1.4. to deal with the affiliation to the Southern Transvaal Deep Sea Angling association.

5.7.1.5. to engage for any purpose whatsoever the services of such persons, companies and concerns upon such terms and conditions as may be deemed expedient;

5.7.1.6. to compile a tournament calendar .

5.7.1.7. to ratify and confirm actions and decisions as well as recommendations taken by any other sub-committee of Nomads.

5.7.1.8. to lease or hire or purchase movable or immovable property in the name of Nomads where it shall appear to be in the best interest of Nomads and upon such terms as it may deem expedient.

5.7.2. without it in any way derogating from the general powers of the committee, the following powers shall be exercisable by the committee but only at an Annual General Meeting or a special general meeting of all members.

D.K.L.F.

5.7.2.1. to receive, table and consider any proposed alteration, amendment, addition or deletion to the Constitution, it being recorded that no change to this Constitution shall be of any force and effect unless adopted by no less than 2/3rds (two thirds) of the members present who have voted for such adoption.

5.7.2.2. to receive and consider and deal with in any manner deemed expedient,a proposed change in the rules referred to in clause 3.2.

5.7.2.3. to deal with any proposed amendment to the rules promulgated by Nomads and as amended by it from time to time.

5.7.3. General Powers of the committee

5.7.3.1. to safeguard and protect the beliefs and constitution of Nomads and to carry out the objects of the Constitution and ensure compliance with the rules of Nomads.

5.7.3.2. to manage and control the affairs of Nomads and to deal with all matters as it deems fit and expedient, but may never receive remuneration in respect of all committee services.

5.7.3.3. to delegate in writing to a duly appointed sub-committee such of its powers and obligation as it deems necessary and expedient from time to time provided that all delegations will only be valid up to the next Annual General Meeting.

5.7.3.4. to appoint representatives to represent Nomads at Southern Transvaal meetings and activities for the ensuing year:

5.7.3.5. to annually set the entrance and subscription fees payable by new and existing members.

5.7.3.6. in the event of the office of any of the executive officers or any position in a committee becoming vacant, the committee shall appoint a successor or successors who shall hold office until the next Annual General Meeting.

5.7.3.7. to convene meetings.

## 5.8. THE SELECTION COMMITTEE

5.8.1. The selection committee shall comprise of the competitions convenor plus 4 committee members and 2 alternates elected by the committee after the annual general meeting for the duration of one year. A minimum of 3 of the selection committee members shall comprise experienced active anglers who have competed in a representative capacity in Provincial competitions.

5.8.2. The competitions convener shall be the ex officio chairman of the Selection Committee. He shall have a vote at Selection Committee Meetings.

5.8.3. Any selector serving on the committee mentioned in clause 5.7.1. who has nominated himself or if any of his relatives have nominated must recuse himself from all deliberations of the meeting where that team is selected. An alternate as elected according to clause 5.7.1. will then be called in by the chairman of the selections committee.

5.8.4. The duties and responsibilities of the selection committee will include:

5.8.4.1. compilation of a nomination form to form part of the bye-laws of this Constitution.

5.8.4.2. the selection of Nomads and other representative teams. Selection shall be strictly on merit, taking into account the character and conduct to ensure that he/she will be a worthy representative of Nomads.

5.8.4.3. The members of the Selection committee shall not divulge any names of members selected or any names nominated for selection or any content of deliberations at the Selection Committee Meetings to any person outside the Selection Committee.

5.8.4.4. the teams will be announced by the chairman of the Selection Committee.

D.M.L.F

5.8.4.5. The Selection Committee will evaluate all nominations for Provincial, national and SADSAA competitions and tournaments and will complete the confidential report on nominees for signature by the chairman of Nomads.

5.8.4.6. The Selection committee will decide on the colours to be granted to individual participants in Nomads.

5.8.4.7. The Selection Committee will devise and formulate courses and material for the instruction of individual club members within the area of jurisdiction of Nomads for competency in fishing methods, angling rules and regulations and physical skills in angling and to promote a positive angling attitude and a competitive and winning attitude.

5.8.4.8. Presentation of a written report at the Annual General Meeting.

## 5.9. SAFETY OFFICER

5.9.1. The Safety Committee will consist of a Safety Officer duly authorised by SADSAA.

5.9.2. The Safety Officer will have a vote at any committee meeting and shall have the right to speak to all matters and motions tabled.

5.9.3. The duties and responsibilities of the Safety Officer will be:

5.9.3.1. to promote competency in the handling of craft.

5.9.3.2. arrange the testing of craft of all club members on an annual basis.

5.9.3.3. instructions in boat safety and radio communication and handling of electronic boating equipment.

5.9.3.4. to present a written report at the annual general meeting.

## 5.10. RECORDS OFFICER

5.10.1. A Records Officer and at least one Assistant shall be elected at the Annual General Meeting for the ensuing year.

5.10.2. The Records officer shall be charged with the responsibility to

5.10.2.1. control all trophies and to arrange issue of certificates for meritorious catches;

5.10.2.2. maintain and update a comprehensive list of catch returns in respect of each competitive angler.

5.10.2.3. present a written report at the Annual General meeting.

## 6. ANNUAL GENERAL MEETING

6.1. The committee shall convene the Annual General meeting of Nomads on or before 30th November each year.

A.M.L.F

6.2. The following shall be selected at an annual general meeting:
The Chairman, The vice chairman and such further committee members up to a total of 16 members, save that the committee shall at all times consist of a minimum of 8 members inclusive of the chairman and vice chairman. All previous office bearers on the Nomads committee will stand down and thus all positions will be vacant and available for filling at every general meeting.

6.3. At an annual general meeting there may be elected:
Honorary Life Presidents
Honorary Life Vice Presidents
and when such appointments are under consideration they shall be decided by secret ballot. Honorary Life Presidents and Honorary Life Vice Presidents shall have no voting powers.

6.4. Written nominations for the above positions must be made by members to the Secretary prior to the Annual General Meeting.

6.5. At the Annual General Meeting, the Chairman and all office bearers of the committee shall all table written reports of their activities for the preceding year which reports shall also contain inter alia details of each and every meeting held by such committee and formal meetings held by its representatives with third parties, which reports must also contain concise information of all ad hoc decisions, resolutions and all other matters.

6.6. All votes for any position shall be by way of a show of hands unless the Chairman of the Annual General Meeting deems it necessary and expedient not to do so in which event he shall order that a secret ballot be held upon such terms and conditions as he may stipulate.

## 7. SPECIAL GENERAL MEETINGS

7.1. a Special General Meeting of the Members shall be convened at any time by the committee or by written requisition served on the secretary by at least 15% (fifteen per centum) of all registered voting members, which requisition shall set out clearly the object or objects for which the meeting is called.

7.2. Notwithstanding anything to the contrary contained elsewhere in this Constitution, no alteration, amendment or addition or deletion to this Constitution or the bye-laws of this Constitution shall be made except at an Annual General Meeting, after due notice tabling an agenda of such amendments. No such alteration or amendment shall be adopted unless 2/3rds (two thirds) of all those present and entitled at such a meeting shall vote for its adoption.

## 8. MEETINGS

8.1. Not less than 30 (thirty) days notice of all meetings of the committee , Annual General Meeting, special general meetings, quarterly general meetings etc shall be given by the Secretary by pre-paid post or facsimile to members and committee members where appropriate.

8.2. items for the agendas of the Meetings referred to in clause 8.1 above, shall be posted by pre paid post by any member to reach the Secretary not less than 14 days before the date of each meeting. Notwithstanding the committee represented by the Chairman may in its sole discretion wave the notice period provided for herein.

8.3. Copies of the Agendas for the meetings referred to in clause 8.1. hereof shall be posted by pre paid registered post or per facsimile by the Secretary to all committee members or ordinary members as the case may be not less 7 days before the date of the meeting.

8.4. At any committee meeting committee members representing one half of the committee shall form a quorum. At a quarterly, Annual General Meeting or special general meeting 10% of ordinary members entitled to vote shall form a quorum. In the event of a quorum not being present at any meeting, such meeting shall stand adjourned to a date,time and place as may be agreed(and failing agreement on the 14th day after the date of the adjourned meeting) and such members as then attend, shall be deemed to form the necessary quorum. The majority necessary to carry a resolution at an Annual General Meeting shall be a single majority of the members present and entitled to vote.

8.5. At each committee or Quarterly or Annual General Meeting, the minutes of the previous committee or quarterly or annual general meeting shall be read and confirmed.

8.6. At all meetings, minutes of the previous meetings may be resolved to be taken as read.

8.7. The Provisions of clause 6.5 shall mutatis mutandis apply to all quarterly meetings of Nomads.

8.8. The vote of the majority shall in all cases bind the minority subject to the provisions of clause 5.6.2.1. and 7.2.

8.9. The voting shall be as follows:

8.9.1. Voting for the election of the Chairman,vice chairman and Nomads Committee will be limited to one vote per member read with clause 5.2.1.

8.9.2. Voting on constitutional matters will be limited to one vote per member.

8.9.3. voting on all financial matters shall be limited to one vote for each member.

8.9.4. no member of Nomads shall be entitled to vote unless that person is duly registered and has fully paid up his /her yearly subscriptions.

## 9. INDEMNITY

Members of the Nomads committee and Honorary officers shall respectively be indemnified by Nomads against all liabilities incurred by them in the execution of their duties, save for those acts of omission or commission where personal liability attaches in law.

## 10. SUBSCRIPTIONS AND LEVIES

10.1. Amounts payable by each member shall be as follows:

10.1.1. Annual subscriptions and joining fees of new members - as determined by the committee and payable annually before the 31 January each year.

10.1.2. Any other levies as may be decided upon by the committee.

10.1.3. A member not paying in accordance with clause 10.1.1.above will be considered delinquent and have no rights until adherence to the payment clauses are effective and may at the discretion of the committee be removed as a member and shall be required to reapply for membership as set out in clause 4 above.

## 11. FOREIGN TOURS

11.1. No member of Nomads may participate in or nominate for any tournament or competition outside the Republic of South Africa unless permission to do so is requested from the Nomads committee in writing and such member receives written approval from the Nomads committee.

11.2. Any member who contravenes the provisions of clause 11.l. above shall be deemed to be guilty of misconduct and liable to disciplinary action as provided for herein.

## 12. DISSOLUTION

In the event of Nomads being wound up or dissolved, then all the assets of Nomads of whatsoever nature and wheresoever situated shall not be distributed amongst the members but shall be held in trust by the Southern Transvaal Deep Sea Angling Association for and on behalf of a body to be formed with similar philosophy, beliefs and objectives as underly the Club of Nomads.

**APPROVED, ACCEPTED AND RATIFIED AT BENONI ON THIS THE 29 DAY OF OCTOBER 1993 BY THE UNDERSIGNED DULY AUTHORISED THERETO**

R PRATT - Chairman _____

P VENSKE - Vice Chairman _____

D FINLAYSON - Treasurer _____