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HERMANUS CHESS CLUB

CONSTITUTION

1. Name

1.1 The name of the Club shall be HERMANUS CHESS CLUB. Herein after referred to (HCC).

2. Establishment of the chess club

2.1 It is a voluntary association of members joined together in the pursuit of its main objects as described herein.

2.2 It is a separate juristic entity capable of suing, being sued in its own right and name and shall have existence independent of its members, and office bearers with perpetual succession.

2.3 Shall have the capacity to do the following:

- acquire rights;
- incur obligations; and
- hold assets in its own name distinct from that of its members.

3. Interpretation

In this Constitution, unless the context requires otherwise, the below words shall have the following meanings:

Chess

The game or sport of chess, whether played in the presence of the opponent or by way of correspondence.

Chess Union

A regional chess body established in a province or part of a province for the purpose of organising and co-ordinating chess activities in that region. HCC falls under the Overberg Chess Federation (OCF) which is recognised by CHESSA.

4. Purpose, Affiliation and Responsibilities

4.1 The Committee of the Hermanus chess club shall have the authority to:

- Act as the controlling body of Chess.
- Hold membership of the Overberg Sport Association and Overberg Chess Federation.

- The purpose of the Club shall be to promote the game of chess and to organise activities for players.
- Commit itself to the promotion of Chess in a non-racial and democratic way, to provide equal rights for all chess players and administrators under each jurisdiction.
- Select players to represent HCC in the Overberg Chess League.
- Create a database of junior and senior chess players.
- The Committee shall have full powers in the management and direction of the business affairs.
- Consider, approve, or reject applications for membership and to deal with the conduct of members.
- Purchase, lease, hire or otherwise acquire any movable and/or immovable property, which may be deemed necessary for any of the purposes of the club.
- Manage payments or any expenses incurred in connection with the promotion and functioning of the club.
- To ensure and protect the Club's interests and property.

4.2 Notwithstanding anything herein contained, it is recorded that:

- HCC income and property are not distributable to its regional chess body members or office bearers except as reasonable compensation for services rendered or upon dissolution in terms of this Constitution.
- HCC is a non-profit organisation and will not carry on any business, undertaking or trading activity, save to the extent permitted in terms of section 30 of the Income Tax Act, 1962.
- HCC financial transactions shall be conducted by means of a banking account opened and maintained at the direction of the Committee.

5. Composition

5.1 The chess club will consist of the following members: juniors and seniors.

5.2 The committee shall consist of the following positions and filled by members of the club or the parent(s) / guardian(s) of under-aged club members:

- Chairperson
- Vice-Chairperson
- Treasurer
- Secretary
- Up to three further non-executive members without portfolio

6. Committee meetings and procedures

All members will complete a registration form. Members will pay an annual membership fee stipulated by the Committee, and which will be reviewed at the annual general meeting.

Meetings

6.1 Annual General meetings:

- The Committee will meet at least twice annually
- The first meeting shall be held by no later than 30 April

6.2 Special meetings

A special meeting shall be held based on the following:

- The reasons accompany the request.
- The date and venue accompany the request.
- Compulsory attendance of all committee members.
- Except when the HCC Committee decides otherwise, as in the case of motions to amend the Constitution whereby a two-thirds majority is required, a simple majority vote shall be adequate to carry a motion.

6.3 Quorum at Committee meetings

A meeting of the Committee shall be quorate if:

- at least one half of the executive committee members are present; or
- if a meeting of the Committee of which proper notice has been given is inquorate, the meeting may still be held, but all decisions taken at such inquorate meeting shall require confirmation.

6.4 Voting on the HCC Committee

Executive members have equal voting powers. In the case of a tie, the chairman shall have a casting vote.

6.5 Confirmation of decisions at inquorate meeting

Motions passed at an inquorate meeting of the HCC Committee shall require confirmation by the procedure set out below:

- The Secretary shall notify every absentee executive committee member of the motions, which were provisionally adopted at the meeting, and the name of the proposer and seconder of each such motion. These notifications shall be despatched within ten (10) working days of the meeting.
- Each executive committee member thus notified shall, for each of the motions concerned record either an abstention or a vote for or against the motion. The absentee shall return his record of his voting to the Secretary within 14 days of receiving the notification.
- A motion shall be confirmed if the total number of votes cast in favour of it at the meeting, together with those cast in terms of the above procedure, is at least one-half of the total votes plus one, of the available votes of the HCC Committee at the time of the meeting.

6.6 Attendance of meetings

- If an elected member fails to attend two meetings in a row without apologies, that member will receive a termination letter from Chairperson (or Vice Chairperson) without warning.
- If an elected member fails to attend two meetings in a row with apologies, that member will be contacted by the Chairperson (or Vice Chairperson) to confirm that member's availability.

7. Election of the HCC Committee and vacancies

- All the positions shall be filled through election to the HCC Committee. Ad Hoc appointments will be made by the committee should a member resign or is removed from office during that year.
- Committee members will hold office for one year.
- If the position of Chairperson is vacated, the Vice-Chairperson shall become acting Chairperson until the next AGM.
- This will apply to all committee vacancies.

8. Notices, nominations and voting

8.1 No less than 14 days before the election date, the Secretary shall send a notice to all chess members informing them of the following:

- (a) the date and venue for the election of the HCC Committee that will take place at the next AGM;
- (b) and calling for nominations to serve on the HCC committee.

8.2 The closing date for such nominations shall be set by the HCC secretary.

9. Team selections, rules and procedures

9.1 Team selections

- It is the ultimate responsibility and prerogative of HCC, to approve the selection teams and individuals representing HCC.
- The Overberg Chess league is setup in groups of four players per team. Any club may have more than one team representing, i.e. A, B, C teams etc.
- The Committee shall formulate and publish the rules and procedures. A copy of the rules and procedures shall be kept by the Secretary and made available, upon request, to the Overberg Chess Federation, members of the club or other individuals registered with HCC.

9.2 The rules and procedures shall include, but not be limited to, the following:

- (a) HCC's selection criteria;
- (b) code of conduct for club members.

10. Finance and remuneration

- The financial year-end of HCC is the last day of December. The Treasurer shall give financial feedback annually. Signing powers of a bank account in the name of HCC will be issued to the Chairperson, Treasurer and Vice-Chairman.
- No remuneration other than agreed incurred expenses and approved by the committee, will be given to any member of the committee.

11. Change to the Constitution

- An amendment to the Constitution shall be approved at an Annual General meeting or special meeting by at least two-thirds of the total number of votes available to all chess club members at the time of the meeting. A motion for an amendment to the Constitution shall be circulated to all members at least two weeks prior to the meeting at which it is to be proposed.