

THE CONSTITUTION

OF THE

SOUTH AFRICAN

MODEL CAR ASSOCIATION



Established 1966

LAST UPDATE: 30th June 2021

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SECTION 1: Name & Nature of the Association

SECTION 2: Purpose and Objectives

SECTION 1

NAME & NATURE OF THE ASSOCIATION

- 1.1 The Association shall be called the South African Model Car Association (abbreviated SAMCA) and is a voluntary association not for gain.

SECTION 2

PURPOSE AND OBJECTIVES

- 2.1 The purpose of the Association shall be to encourage, promote and control the sport of Slot Car Racing and formulation of Slot Car Clubs and Provincial Associations in the Republic of South Africa with the following objectives:
- 2.1.1 To promote inter-provincial and national races.
 - 2.1.2 To establish racing rules and procedures, car and track specifications.
 - 2.1.3 To deal in sporting requirements, slot car parts and accessories and other goods or services that an association is entitled to supply to its members.
 - 2.1.4 To enforce the rules contained in the Rules & Regulations and to deal with any infringement thereof.
 - 2.1.5 To adjudicate disputes arising from inter-provincial or national events and, upon request, any dispute between Affiliated Provincial Associations or Clubs or individual members thereof.
 - 2.1.6 To perform such other acts not specifically provided for in this Constitution, that is designed to promote and realise the normal objectives of such an association.

SECTION 3: Colours & Badges

SECTION 4: Membership

SECTION 3

COLOURS & BADGES

- 3.1 The colours of the Association shall be green, black and gold and the Association's blazer shall be black.
- 3.2 The Badge of the Association shall be a green laurel wreath, with a gold grand prix car centred in the wreath, backed by a crossed checkered flag and the South African flag. Underneath the wreath shall be a scroll edged in white with the words "MODEL CAR ASSOCIATION" in gold on the scroll. Centred above the flags shall be the words "SOUTH AFRICAN" in gold. All this to be on a black background.
- 3.3 The Blazer and Badge described in rules 3.1 and 3.2 respectively shall be available to all members of the Association subject to the Committee's approval.
- 3.4 The Blazer of Honour of the Association shall be the badge described in rule 3.2 with the expression "HONOURS" appearing in gold below, and may be awarded to any member considered worthy of the honour, on account of outstanding services rendered to the Association in an executive capacity or in any capacity which is deemed to have been in the best interest of the Association, by a resolution passed by a two thirds majority of votes at a General Meeting.
- 3.5 The Merits Badge of the Association shall be the badge described in rule 3.2 with the date appearing in white below, and shall be awarded annually by the Committee to the South African Champion.

SECTION 4

MEMBERSHIP

- 4.1 The Members of the Association shall be as follows:
 - Affiliated Provincial Associations** - those provincial associations constituted in South Africa, which are affiliated to the Association.
 - Affiliated Clubs** - those clubs constituted in South Africa, which are affiliated to the Association.
 - Affiliated International Clubs** - those clubs not constituted in South Africa, which are affiliated to the Association.

SECTION 4: Membership

Registered Members – members of the Affiliated Clubs that are 18 years and older at the time of registration with the association.

Registered Junior Members – members of the Affiliated Clubs that are younger than 18 years at the time of registration with the association.

Associate Members – members of the Affiliated Clubs, not registered with the Association.

Temporary Members - any person, not a member of an Affiliated Club, who upon application and at the discretion of the Committee, be granted Temporary Membership for the duration of an Association event and shall participate as an Independent.

Honorary Life Members - any person on account of outstanding services rendered to the Association in an executive capacity, official capacity or in any other capacity, over an extended period of time, and deemed to have been in the best interest of the Association, and on recommendation by a motion put forward by the Committee to the members at a General Meeting and by a resolution passed by a two-thirds majority of votes cast. Nominations must reach the Committee at least 60 days prior to such meeting.

Honorary Officers - any person designated to act as President, Vice-Presidents or Patron of the Association and on recommendation by a motion put forward by the Committee to the members at a General Meeting and by a resolution passed by a two-thirds majority of votes cast. Nominations must reach the Committee at least 60 days prior to such meeting.

4.1.1 The membership of Affiliated Provincial Associations and Affiliated Clubs shall commence on the receipt of the Affiliation Fees for that year and terminate on the 31st December of that year.

4.1.2 The membership of Registered Members shall commence on the receipt of the Registration Fees for that year, with the prerequisite that the member's club affiliation fees are already paid, and terminate on the 31st December of that year.

4.2 Membership Roll

The Committee shall keep and maintain an updated register of all Affiliated and Registered Members, Honorary Life Members and Honorary Officers of the Association, together with their email addresses and voting status.

4.3 Application for Affiliation

Every provincial association or club shall furnish the following on applying for Affiliation to the Association:

4.3.1 A copy of its constitution.

4.3.2 Proposed colours.

4.3.3 Proposed design of logo in the form of an accurate sketch or drawing.

4.3.4 The prescribed affiliation fee.

4.3.5 Such other particulars as the Committee may require.

4.3.6 The Committee may suggest the amendment, addition or deletion of any provision to a club or provincial association constitution as a pre-requisite for approval of an application for affiliation.

SECTION 4: Membership

4.4 Club and Provincial logo

The adoption of a logo and colours by an Affiliated Provincial Association or Affiliated Club shall be subject to acceptance by the Committee.

4.5 Incorporation of Members

All Members shall be subject to the provisions of this Constitution and the Rules & Regulations.

4.6 Indebtedness

4.6.1 No Affiliated Provincial Association or Affiliated Club may register as a member any person who is indebted to another Affiliated Provincial Association, Affiliated Club or to the Association. Any person wishing to join another Affiliated Club shall provide a letter of clearance from the previous Affiliated Club to the effect that the person was a member in good standing at the time of his resignation.

4.6.1.1 Such indebted person may bring themselves into good standing with their previous club by the payment of back subscriptions at the time of their default, amounting to no less than six months' and no more than twelve months' subscriptions.

4.6.1.2 Depending on the circumstances, the club may accept an application, correctly processed, for re-admission to that club's membership roll.

4.6.2 Any Affiliated Provincial Association, Affiliated Club or Registered Member being in default of payment of any liabilities to the Association, shall not be entitled to participate in any Association event.

4.6.3 Any Registered Member being in default of payment of any liabilities to the Association shall not be entitled to vote.

4.7 Communication with members

4.7.1 The Association shall officially communicate with Affiliated Members through their nominated person via email.

4.7.2 The Association shall officially communicate with Registered Members, Honorary Life Members and Honorary Officers using each member's personally specified email address.

4.7.3 It is the member's responsibility to notify the Committee of their specified email address and any changes thereto.

SECTION 5: Affiliation & Registration Fees

SECTION 6: Management

SECTION 5

AFFILIATION & REGISTRATION FEES

5.1 Affiliation Fees:

Affiliated Provincial Associations – R75.00 per annum
Clubs affiliated to an Affiliated Provincial Association – R120.00 per annum
Clubs not affiliated to an Affiliated Provincial Association – R150.00 per annum
Affiliated International Clubs – R150.00 per annum

5.2 Registration fees:

Registered Members – R50.00 per annum
Registered Junior Members – R25.00 per annum
Temporary Members – R50.00 per Association event
Honorary Life Members – Nil
Honorary Officers – Nil

SECTION 6

MANAGEMENT

6.1 Structure of Committee

A Committee consisting of a Chairman, Vice-Chairman, Secretary and Treasurer shall manage the affairs of the Association, subject to the provisions of this Constitution.

6.2 Election of Committee

The Committee shall be elected annually at the Annual General Meeting from the members of an Affiliated Club after the meeting has decided where the headquarters of the Association for the following year should be.

SECTION 6: Management

SECTION 7: Financial Matters

6.3 Powers of Committee

The Committee shall have the power, in addition to other powers granted elsewhere in this Constitution, to:

- 6.3.1 Enter, on behalf of the Association, into such agreements and generally to do all that is necessary to give effect to the provisions of this Constitution and Rules & Regulations.
- 6.3.2 Make decisions not contrary to this Constitution or the Rules & Regulations, which decisions shall take immediate effect and shall remain in force, only until the next Annual General Meeting when they must be confirmed, altered or nullified and then be included in this Constitution or the Rules & Regulations as required.
- 6.3.3 Appoint Sub-Committees to act for specified purposes on behalf of the Association.
- 6.3.4 Fill any vacancy that may occur on the Committee.
- 6.3.5 Make any proposals for changes to the Constitution and/or Rules & Regulations as may be required from time to time, provided that the majority of the Committee supports such proposal.

SECTION 7

FINANCIAL MATTERS

- 7.1 All monies received shall be paid forthwith into a savings account, opened in the name of the Association at a registered bank.

7.2 Withdrawals

Withdrawal slips shall be signed on behalf of the Association by any two of the Chairman, Secretary or Treasurer.

7.3 Agreements

Agreements containing consecutive pecuniary obligations shall require authorisation at a General Meeting.

7.4 Financial Matters

The financial year of the Association closes seven days before the date of the Annual General Meeting, and the Secretary shall forward Financial Statements to all Affiliated Clubs and Provincial Associations for perusal. The Financial Statements shall take the form of an Income and Expenditure Account and Balance Sheet.

SECTION 8: Meetings

SECTION 8

MEETINGS

8.1 Annual General Meetings

The Annual General Meeting shall be held at the place of and during the last Grand Prix venue of the year.

8.2 Special General Meetings

A Special General Meeting shall be held at the written request, of the Committee or an Affiliated Club, setting out the purpose of such a meeting and where possible should be held at the next Grand Prix venue.

8.3 Notice of Meetings

Notice of a General Meeting together with an agenda shall be emailed to all Affiliated and Registered Members, Honorary Life Members and Honorary Officers, by the Committee, at least 21 days prior to the date of such meeting.

8.4 Agenda

The agenda of the Annual General Meeting shall contain the following:

- 8.4.1 Acceptance of Notice convening meeting and determining a quorum
- 8.4.2 Reading of the minutes of the previous meeting
- 8.4.3 Business arising from the minutes of the previous meeting
- 8.4.4 Correspondence
- 8.4.5 Annual report by the outgoing Chairman
- 8.4.6 Financial report
- 8.4.7 Election of Executive Committee
- 8.4.8 National activities
- 8.4.9 Motions for committing, proposed amendments to the Constitution and Rules & Regulations, to Postal Vote
- 8.4.10 New business

8.5 Minutes

- 8.5.1 At all General Meetings the Secretary shall write down detailed minutes of the proceedings, including but not limited to, the key issues of the items on the agenda that are discussed, motions proposed or voted on, and activities to be undertaken.
- 8.5.2 The Committee shall email the minutes of a General Meeting to all Affiliated and Registered Members, Honorary Life Members and Honorary Officers within 30 days of such meeting.

SECTION 8: Meetings

8.5.3 The minutes shall be presented at the following General Meeting for acceptance.

8.5.4 On acceptance as a true record of the meeting an official copy shall be signed and dated by the Chairman and Secretary and kept in the official minute file for future referencing.

8.5.5 The minutes of a General Meeting shall serve as the official record of the business conducted.

8.6 Quorum

The quorum for General Meetings shall be regarded as having been obtained if members from two-thirds of the Affiliated Clubs, that have three or more Registered Members / Honorary Life Members, are represented at the meeting. If no quorum has been assembled within 30 minutes of the time appointed for the meeting, the essential business of the meeting only shall be conducted under the name of Extraordinary Meeting, the proceedings of which must be confirmed or set aside at the next General Meeting.

8.7 Chairman Presides

The Chairman shall preside at all meetings, unless such a meeting decides otherwise. In the event of the Chairman's absence, and if the Vice-Chairman is not present, he shall nominate another member of the Committee to preside. If the Chairman fails to nominate a substitute beforehand, a Presiding Officer shall be appointed by the meeting.

8.8 Motions

8.8.1 To validate inclusion of motions into the agenda of a General Meeting that are specifically for Committing Proposed Amendments to the Constitution and the Rules & Regulations to a Postal Vote in terms of Clause 13.3.1, they must be submitted to the Committee at least 40 days prior to the date of that General Meeting, and must include:

8.8.1.1 An explanation and motivation for the proposed amendment;

8.8.1.2 The complete existing rules which have been proposed to alter or delete;

8.8.1.3 Envisioned wording of the proposed new rules.

8.8.2 No motion or motion amendment proposed by a member in a meeting shall be discussed unless it is seconded by another member and the fact that such motion or motion amendment was not seconded shall be recorded in the minutes.

8.8.3 No motion or motion amendment which has been seconded shall be withdrawn without the permission of the Chairman and the seconder.

8.8.4 All comments regarding a motion shall be made through the Chairman. The Chairman shall ensure fairness, balance and efficiency during the discussion of a motion.

SECTION 8: Meetings

8.9 Ruling on Order and Procedure

The Chairman's ruling on any point of order or procedure shall be binding, unless immediately objected to by a member of the meeting, in which case it shall be submitted without discussion to the meeting for a majority vote, which decision shall be final.

8.10 Matters for Discussion

8.10.1 Subject to the provisions of this Constitution, any matter may be raised, discussed and disposed of at the Annual General Meeting but no other matter except those for which the meeting was convened shall be dealt with at a Special General Meeting.

8.10.2 No matter which has been raised, discussed and disposed of shall be raised again within 9 months of being so disposed of.

8.11 Voting on Motions or Motion Amendments at a General Meeting

8.11.1 Each Honorary Life Member, Honorary Officer and Registered Member, in person, shall have at least one vote at a General Meeting.

8.11.2 Each Honorary Life Member, Honorary Officer or Registered Member, in person, shall receive an additional vote for each Association Grand Prix event participated at, pertaining to the previous three Association Grand Prix events as at the date of the meeting but not including the participation at a event within 7 days of such meeting. (Thus each eligible member can have up to a maximum of four votes each)

8.11.3 Affiliated Provincial Associations, Affiliated Clubs, Registered Junior Members, Associate Members and Temporary Members are not eligible to vote.

8.11.4 All Voting shall be by open ballot using a Ballot Paper, prepared by the Secretary, which allows for the members' name, a place to indicate a Vote For, a Vote Against, or in the case of multiple choices, a place indicating each choice and a place to indicate an Abstention.

8.11.5 A separate, headed Ballot Paper shall be used for each motion that is voted upon. Each member shall place their completed Ballot Paper in a Ballot Box and the Secretary shall then record the result of each Ballot Paper on a Ballot Summary that shall indicate each members name, membership category, quantity of votes held and whether they voted for, against or abstained, or that their vote was considered spoilt. The Ballot Summary shall be open to scrutiny by any member.

8.11.6 An abstention vote, a spoilt vote or a failure to submit a ballot shall not be included in the total of votes cast to determine the result.

8.11.7 All motions or motion amendments shall be decided by a simple majority of votes cast except where a two-thirds majority is required. In the case of a tie vote the motion is not carried.

SECTION 9: Inspections

SECTION 10: Legal Action & Indemnification

SECTION 9

INSPECTIONS

- 9.1 The Committee or an Officer appointed by it for this purpose shall be entitled to visit any Affiliated Club or Provincial Association by prior notice and to inspect all records, property and equipment of such Club or Provincial Association.

SECTION 10

LEGAL ACTION & INDEMNIFICATION

- 10.1 The Association shall be capable of instituting and defending any legal action in its own name duly represented by any member or other person so authorised by the Committee. Such authorised representative shall be indemnified by the Association, in all cases, against personal liability or conviction.

- 10.2 Indemnification

The Association shall in no way be liable for impairment, damage, illness, or injury, including death, whether disclosed or not, that may be sustained or suffered by any person at a national or inter-provincial event or for any damage to or loss of any property or equipment during such an event.

- 10.3 Public Statements

No Affiliated Club, Provincial Association or Registered Member, without the express authorization of the Committee, may make a public statement on behalf of the Association.

SECTION 11: Conduct

SECTION 12: Dissolution of the Association

SECTION 11

CONDUCT

11.1 Misbehaviour Conduct

Any member considered guilty of unbecoming conduct may be immediately suspended from taking further part at an event by the Committee and shall become the subject of an enquiry whereat written statements shall be taken.

11.2 The Committee may:

11.2.1 Caution a member referred to in rule 11.1 if the nature or consequences of his conduct do not warrant, in the Committee's opinion, a more severe punishment and then only if the member concerned has not been guilty of similar conduct in the past.

11.2.2 Forbid his participation in any national activities for any specified time.

11.2.3 In the case of gross or malignant conduct, dismiss or request such member to resign and seek ratification of its action at the next General Meeting.

11.3 Any decision taken by the Committee in terms of rule 11.2 shall be conveyed to the Member concerned in writing under the hand of the Secretary who shall forward a copy to the Member's Club and Provincial Association for record purposes and such further action as may be deemed necessary.

11.4 Appeal

Any member who has been asked to resign or has been dismissed or suspended may appeal for reinstatement at the following Annual General Meeting. He must inform the Committee in writing within 30 days of the incident, of his intention to make such an appeal, clearly setting out the reasons therefore.

SECTION 12

DISSOLUTION OF THE ASSOCIATION

12.1 Grounds

Dissolution of the Association shall only be effected on the grounds that all activities of the Association have been abandoned;

12.1.1 By resolution passed by a two thirds majority of members present at a properly constituted General Meeting, or,

SECTION 12: Dissolution of the Association

SECTION 13: Postal Vote

12.1.2 By order of the court on application by any Affiliated Club or Provincial Association.

12.2 Disposal of Assets

In the event of dissolution of the Association all assets of the Association shall be realised by a liquidator appointed by the General Meeting or the court, as the case may be and the proceeds together with all cash on hand shall, after deduction of all liabilities of the Association, be equally divided amongst all existing Affiliated Clubs.

SECTION 13

POSTAL VOTE

13.1 A Postal Vote shall be held:

13.1.1 on a resolution emanating from a motion, at a General Meeting of members, to commit a proposed amendment of the Constitution and the Rules & Regulations to Postal Vote, or

13.1.2 by a decision of the Committee, if in the opinion of the Committee a proposed amendment to the Constitution and the Rules & Regulations requires the urgent decision of the members and that that urgency outweighs the benefit of debating the proposal at a meeting, or

13.1.3 by a decision of the Committee, if in the opinion of the Committee an urgent decision of the members is required and that that urgency outweighs the benefit of debating the decision at a meeting.

13.2 The Postal Vote system shall utilise email as a communication channel.

13.3 The Committee shall email a Postal Vote Email, to all Registered Members, Honorary Life Members and Honorary Officers of the Association, using each member's personally specified email address, at least 21 days prior to the Reply Date and in the event of a resolution from a General Meeting within 30 days of such meeting. If seven days before the Reply Date, the Postal Vote Email replies received does not constitute a quorum a further reminder email shall be sent out to all Registered Members, Honorary Life Members and Honorary Officers of the Association irrespective if they have already voted or not.

13.4 A Postal Vote Email regarding a proposed amendment of the Constitution and Rules & Regulations in terms of rule 13.1.1 or 13.1.2 shall include:

13.4.1 An explanation and motivation for the proposed amendment;

13.4.2 The complete existing rules which have been proposed to alter or delete;

13.4.3 The complete wording of the proposed new rules;

13.4.4 The Reply Date by which replies are required;

SECTION 13: Postal Vote

- 13.4.5 A suitable drafted Ballot section which shall include a place for the member to enter their name and a place to indicate a vote of For, Against or Abstention.
- 13.5 A Postal Vote Email regarding an urgent decision of the members in terms of rule 13.1.3 shall include:
- 13.5.1 An explanation and background of the decision required;
- 13.5.2 The Reply Date by which replies are required;
- 13.5.3 A suitable drafted Ballot section which shall include a place for the member to enter their name and a place to indicate a vote of For, Against or Abstention.
- 13.6 No amendments may be made to a proposal or decision that has been circulated for voting.
- 13.7 Each voting Member shall be required to:
- 13.7.1 Record their name and vote or abstention on the Postal Voting Email Ballot section;
- 13.7.2 Return email the Postal Voting Email before the Reply Date.
- 13.8 Quorum
- 13.8.1 To constitute a Postal Vote Quorum, at least 80% of the registered members entitled to vote shall have returned their Postal Voting Email.
- 13.8.2 If a quorum is not reached, the Reply Date by which replies are required shall be extended for a further seven days and an email notifying of the extension shall be sent to all Registered Members, Honorary Life Members and Honorary Officers of the Association irrespective if they have already voted or not.
- 13.8.3 If a quorum is still not reached after an extension, for a Postal Vote in terms of rule 13.1.1 and 13.1.2 the proposal shall fail, except where at least 50% of the registered members entitled to vote have returned their Postal Voting Email, those members shall constitute a quorum.
- 13.8.4 If a quorum is still not reached after an extension, for a Postal Vote in terms of rule 13.1.3 the decision shall revert to the Committee who shall take cognisance of those votes cast in making a binding decision.
- 13.9 Postal Vote Voting
- 13.9.1 Each Honorary Life Member, Honorary Officer and Registered Member shall have at least one vote on a Postal Vote.
- 13.9.2 Each Honorary Life Member, Honorary Officer or Registered Member shall receive an additional vote for each Association Grand Prix event participated at, pertaining to the previous three Association Grand Prix events as at the Reply Date. (Thus each eligible member can have up to a maximum of four votes each)

SECTION 13: Postal Vote

SECTION 14: Amendment of the Constitution and Rules

- 13.9.3 Affiliated Provincial Associations, Affiliated Clubs, Registered Junior Members, Associate Members and Temporary Members are not eligible to vote.
- 13.9.4 Failure to return the Postal Voting Email before the Reply Date shall not constitute an abstention but shall be taken to indicate that the member has declined to participate in the vote.
- 13.9.5 To constitute a valid vote from a member, the member shall only personally reply to the Postal Voting Email using the email address that they received the Postal Voting Email on. Emails received back from a different email address shall be considered as a spoilt vote. The Committee shall, by notification, give a member the opportunity to rectify any errors in this regard before considering the vote spoilt.
- 13.9.6 Once the Postal Vote Email has been received back from a member entitled to vote and that vote was received back from the email address that the member initially received it on, that vote may not be changed or rescinded.
- 13.9.7 Each Postal Vote Email received back shall be recorded, by the Committee, on a Ballot Summary that shall indicate each members name, membership category, quantity of votes held and whether they voted for, against or abstained, or that their vote was considered spoilt. Those members that failed to participate in the vote shall also be included on the Ballot Summary.
- 13.9.8 An abstention vote, a spoilt vote or a failure to submit a ballot shall not be included in the total of votes cast to determine the result.
- 13.9.9 A two-thirds majority of the total votes cast shall decide an Amendment Resolution in terms of rule 13.1.1 and 13.1.2. A simple majority of the total votes cast shall decide where an urgent decision of the members is required in terms of rule 13.1.3. In the case of a tie vote the Chairman shall have the casting vote.
- 13.10 The Committee shall retain all Postal Voting Ballot Emails received back for at least two years and permanently file a copy of the Ballot Summary.
- 13.11 The result of such Postal Vote together with the Ballot Summary and, if applicable, the updated copy of the Constitution and the Rules & Regulations, shall be emailed to all Affiliated and Registered Members, Honorary Life Members and Honorary Officers of the Association, by the Committee, within 7 days after such Postal Vote Reply Date.
- 13.12 Any rules changes or decision taken will come into effect on the date of emailing the Postal Vote result to members.

SECTION 14

AMENDMENT OF THE CONSTITUTION AND RULES & REGULATIONS

- 14.1 The provisions of this Constitution and the Rules & Regulations may only be amended by an Amendment Resolution passed by a two-thirds majority of votes by eligible members of the Association, using only a Postal Vote system.