



SOUTH AFRICAN RUGBY

LEAGUE ASSOCIATION

CONSTITUTION

2017

PREAMBLE

- NOTING** that rugby league is a sport played internationally and which differs from rugby union in various respects including that players were able to play professionally well before rugby union allowed for such a state of affairs.
- REALISING** the urgent need to properly regulate rugby league in South Africa in accordance with best practice when it comes to governance and so as to ensure that the rights and interests of all stakeholders in the game are protected and enhanced.
- RECOGNISING** the need for compliance with the international rugby league rules and membership of international associations so as to provide the best opportunities to South African clubs and players as well as the requirement that the association and its stakeholders should act in accordance with the South African Constitution, 1996.
- the need for the South African Rugby League Association, in particular, to act in a manner that recognizes the rights of all its stakeholders so as to ensure that they are able to compete and participate equally and fairly in rugby league in compliance with clear rules.
- CONFIRMING** the philosophy of respect for fundamental rights as a guiding principle in the rugby league and that this preamble and respect for its aims are essential requirements for legal validity in South Africa and also the reason why South African sport was readmitted into the international sporting community in general, and in respect of rugby league in particular to the RUGBY LEAGUE INTERNATIONAL FEDERATION (RLIF).
- RESOLVING** to constitute the members of the SOUTH AFRICAN RUGBY LEAGUE ASSOCIATION into an indissoluble single organization under the constitution hereby established to promote and control rugby league in SOUTH AFRICA.

ARTICLES OF ASSOCIATION

DEFINITIONS

In this Constitution, , unless the context indicates otherwise,

“Associate Member” means an associate member contemplated in this Constitution;

“Chief Executive Officer” means the Chief Executive Officer of SARL contemplated by Article 12.2.3;

“Club/s” means the rugby league clubs affiliated to the Regional Members of SARL;

“Constitution” means these Articles of Association;

“Constitution of the Republic” means the Constitution of the Republic of South Africa Act 108 of 1996;

“Executive office in SARL” means the positions of President, Vice-Presidents, and Provincial Chairperson.

“Provincial Chairperson” means the person elected by the provincial clubs in the province as Provincial Chairperson.

“Foreign company” means a company registered outside the Republic of South Africa or controlled, directly or indirectly, by such a company or companies;

“National Council” means the National Council of SARL as contemplated by Article 12.1;

“General Meeting” means an Ordinary General Meeting;

“Annual General Meeting” shall mean an Annual General Meeting.

“Management Committee” means the Management Committee contemplated by Article 12.3;

“Member” means a Regional Member or an Associate Member;

“Member in good standing” means a Member which has complied with all obligations imposed upon Members by the Constitution and the rules and regulations.

“National Association” means a national rugby league association affiliated to RLIF;

“National Executive Committee” means the National Executive Committee contemplated by Article 12.2;

“Office-bearer” means the President, a Vice-President or any Provincial Chairman.

“Official” means a person carrying out responsibilities in relation to the game of rugby league and registered as an official by SARL or where appropriate a Member or Club;

“Player/s” means the rugby league players who join and are registered with clubs affiliated to the Regional Members of SARL;

“Regional Member” means a Regional Member contemplated by Article 11.1;

“Regulations” means Regulations made in terms of the Constitution;

“RLIF” means the Rugby League International Federation the international governing body regulating rugby league in whatever corporate form it may be from time to time;

“RLIF Statutes” or “Statutes of RLIF” includes the founding documents and/or statutes, rules and regulations of RLIF;

“Rules” means Rules made in terms of the Constitution;

“SARL” means the South African Rugby League Association;

“Heritage Players” shall mean Rugby League players

1. **ARTICLE 1: NAME**

1.1. The Association hereby constituted shall be known as the South African Rugby League Association and shall be abbreviated "SARL".

1.2. In this Constitution, the Association is referred to as "SARL".

2. **ARTICLE 2: COLOURS AND EMBLEM**

The colours of SARL shall be Green, Gold and White with Green, and the emblem shall be a portrayal of a Protea on the left and a Rhino on the right or such other colours and emblem as may be approved by SARL from time to time. The official national emblem shall comply with such regulations as placed from time to time by the Department of Sport and Recreation (SRSA).

3. **ARTICLE 3: AREA OF JURISDICTION**

The area of jurisdiction of SARL shall be the Republic of South Africa.

4. **ARTICLE 4: HEADQUARTERS**

The headquarters of SARL will be in Johannesburg or wherever decided from time to time by the National Board.

5. **ARTICLE 5: FOUNDER MEMBERS**

The founders of SARL were the rugby league Regional Members and clubs who are committed to playing the game of rugby league in accordance with the playing conditions and rules stipulated by the RLIF from time to time.

6. **ARTICLE 6: DATE OF INCORPORATION**

The date of incorporation of SARL was 5 February 2005.

7. **ARTICLE 7: LEGAL PERSONALITY**

7.1. SARL shall be a *universitas* with full legal personality including the rights to sue and be sued in its own name and to hold property in its own name.

7.2. No member or office-bearer of SARL shall have any right to its assets nor incur any liability for its obligations.

8. **ARTICLE 8: AIMS AND OBJECTIVES**

SARL shall have the following aims and objectives:

8.1. To promote, advance, administer, co-ordinate and generally encourage the game of rugby league in South Africa in accordance with the principles as laid down in the Statutes of RLIF.

8.2. To consider and establish rules to control rugby league in South Africa.

8.3. To enforce the Laws of the Game as promulgated by RLIF from time to time and to protect the game against any form of abuse.

8.4. To initiate, negotiate, arrange, finance and control tours and matches of teams to and from South Africa.

8.5. To settle disputes arising between members or bodies or persons connected directly or indirectly with Rugby League within the jurisdiction of SARL.

8.6. To raise and administer the funds of SARL in such a manner as SARL may deem advisable and in particular by means of grants, subscriptions, donations and sponsorships.

8.7. To acquire and develop playing facilities.

8.8. To affiliate to the RLIF and any other international association the RLIF approves.

8.9. To distribute monies to its members for the protection, promotion and advancement of rugby league

8.10. To do all such things as may be incidental or conducive to the attainment of the objectives or any one of them.

9. **ARTICLE 9: POWERS OF THE ASSOCIATION**

Subject to Article 22 below, SARL shall have the full power and authority to do any act, matter or thing as may be required to give effect to the aims and

objectives of SARL as described herein, including, but not limited to the following powers:

- 9.1. To engage staff on the basis of a policy of fair employment and equal opportunities, acquire assets and enter into commitments for the promotion of its aims and objectives
- 9.2. To confer honours and awards on individuals, in recognition of their contribution to rugby league in South Africa
- 9.3. To grant practical and financial assistance to individuals and organisations in order to enable them to promote ideas and concepts consistent with the objects of SARL.
- 9.4. To enter into donor funding arrangements with companies or individuals and to solicit and accept fees, donations, bequests, contributions, and subscriptions for the funds of SARL, provided however that SARL shall ensure that no donor will derive any monetary advantage from any monies paid to and on behalf of SARL.
- 9.5. To take, lease, purchase or otherwise acquire premises, equipment, vehicles, furniture and other property or assets, whether movable or immovable which may be deemed necessary or convenient for any of the purposes of SARL, and in order to provide suitable equipment, accommodation and facilities
- 9.6. To improve, manage, develop, exchange or lease, mortgage, sell, dispose of, turn to account and grant options, rights and privileges in respect of, or otherwise deal with, all or any part of the property and rights of SARL.
- 9.7. Subject to Article 10. Below, to subscribe, grant subsidies out of, administer and invest the funds of SARL in such manner as it may be deemed best to achieve the objects and purposes of SARL.
- 9.8. To borrow, or raise money in such a manner as SARL shall deem fit, and in particular to secure payment of any money borrowed by means of mortgage, pledge, charge or lien to secure and guarantee the due performance by SARL of any obligation or liability it may undertake.
- 9.9. To open and operate banking accounts and to draw, make, accept, endorse, sign, discount, execute, issue cheques, promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable documents.
- 9.10. To make rules and regulations which shall not be inconsistent with the terms of this Constitution. The Rules and Regulations of SARL shall have the same force and effect as if they were incorporated in the Articles of the Constitution.
- 9.11. To select teams for International and Representative matches at all levels and to arrange tours and to sanction matches in and regulate the transfer of players to and from the Republic of South Africa in terms of the RLIF Regulations
- 9.12. To keep or cause to be kept, true accounts of all receipts, credits, payments, assets and liabilities of SARL and all other matters necessary for showing the correct financial state of affairs of SARL. The accounts shall be kept in such books and in such manner as the National Executive Committee deems fit and to the satisfaction of the Auditors of SARL.
- 9.13. To appoint auditors to audit annual accounts of SAR

- 9.14. To inquire into the administrative and/or financial affairs of Members, and, where necessary, to recommend corrective measures in this regard, and if these measures are not implemented to take over the administrative and/or financial affairs of the Member until these are placed on a satisfactory footing.
- 9.15. To appoint such sub-committees or commissions upon such terms as it may consider necessary to give effect to its powers.
- 9.16. SARL reserves the right to investigate any misconduct by a Member, club or individual affiliated to SARL. On completion of the investigation and disciplinary procedures SARL may suspend, fine, terminate the membership of or otherwise deal with any Member, Club or individual affiliated to SARL or any of its Members for infringing the Constitution, policies, principles or resolutions of SARL or for engaging in acts of misconduct, improper practices, misdemeanour, acts of defiance, or for bringing SARL into disrepute.

10. **ARTICLE 10: FINANCE**

- 10.1. SARL shall be conducted on a non-profit basis, with the intent and purpose that its capital and income, shall be applied solely towards the promotion of its objects, and no portion thereof shall be paid or transferred directly or indirectly, (whether by salary, dividend, bonus or otherwise howsoever) by way of profit or distribution to any of the Members of SARL or their office bearers or members, provided that nothing herein contained shall preclude the payment in good faith to a Member or any other person of:-
 - 10.1.1. reasonable remuneration for the services actually rendered for or on behalf of SARL;
 - 10.1.2. reimbursement of actual costs, expenses and other commitments incurred on behalf of SARL;
 - 10.1.3. payment of gratuity and/or pension on the retirement of any person who previously shall have been in the employ of SARL;
 - 10.1.4. payment of honoraria to members of the National Executive Committee on a basis to be determined and approved by the Annual General Meeting.
- 10.2. 10.2. The financial year of SARL shall close on the 28th of February each year.
- 10.3. The signatories shall be any two of the five (5) member of the National Executive Committee duly authorised by SARL.
- 10.4. The financial resources of SARL shall include, but not be limited to:-
 - 10.4.1. Annual subscription fees of Members;
 - 10.4.2. National competition entry fees;
 - 10.4.3. Club and/or Player Registration fees;
 - 10.4.4. Donations, subject to section 30(3)(b)(v) of the Income Tax Act 58 of 1962;
 - 10.4.5. Loans;
 - 10.4.6. State grants;
 - 10.4.7. Returns on investments;
 - 10.4.8. Interest on loans;

- 10.4.9. Proceeds of sales of assets.
- 10.4.10. Radio and electronic broadcasting rights.

10.5. SARL may invest its funds only

- 10.5.1. with a financial institution as defined in section 1 of the Financial Institutions (Investment of Funds) Act 39 of 1984,
- 10.5.2. in securities listed on a licensed stock exchange as defined in the Stock Exchanges Control Act 1 of 1985,
- 10.5.3. in any other prudent investments covered by section 30(3)(b)(ii)(cc) of the Income Tax Act 58 of 1962

10.6. Notwithstanding Article 10.5, SARL may retain any investment which is donated or bequeathed to it in the form that it was so donated or bequeathed, provided that SARL may not retain any investment in the form of a business undertaking or trading activity or of an asset which is used in a business undertaking or trading activity

10.7. SARL may not carry on any business undertaking or trading activity otherwise than to the extent that

- 10.7.1. the undertaking or activity is
 - 10.7.1.1. integral and directly related to the objects of SARL, and
 - 10.7.1.2. carried out or conducted on a basis substantially the whole of which is directed towards the recovery of cost and which would not result in unfair competition in relation to taxable entities; or
- 10.7.2. If the undertaking or activity is not integral and directly related to the objects of SARL, it should be of an occasional nature and undertaken on a voluntary basis without compensation.

11. ARTICLE 11: COMPOSITION AND MEMBERSHIP

The Members of SARL shall consist of the following:

11.1. Provincial Chairman

- 11.1.1. There shall be **ten** Provincial associations, categorized and constituted as follows:
- 11.1.2. **Regions:**
 - 11.1.2.1. the Province of Western Cape (Cape Town)
 - 11.1.2.2. the Province of Northern Cape (Kimberley)
 - 11.1.2.3. the Province of the Eastern Cape (Bisho)
 - 11.1.2.4. the Province of Free State (Bloemfontein)
 - 11.1.2.5. the Province of Kwazulu-Natal (Pietermaritzburg)
 - 11.1.2.6. the Province of Mpumalanga (Nelspruit)
 - 11.1.2.7. the Province of Limpopo (Polokwane)

- 11.1.2.8. the Province of North West (Mafikeng)
- 11.1.2.9. the Province of Gauteng [South](#) (Johannesburg)
- 11.1.2.10. [the Province of Gauteng North](#) (Pretoria)

- 11.1.3. Each regional member must be a representative unit for rugby league within its respective region.
- 11.1.4. [To avoid any bias towards players no Club or National Coach may be elected as a Provincial Chairman.](#)

11.2. Associate Members

- 11.2.1. SARL may, by a majority vote taken of 75% at an Annual General Meeting or a Special General Meeting convened inter alia for this purpose, grant associate membership status to any other association operating on a national level provided that no associate membership shall be granted to an association with the same aims and objectives as SARL.
- 11.2.2. SARL may, by a two-thirds majority vote taken solely for this purpose, withdraw its recognition of any associate member contemplated by paragraphs 11.2.1 above, in which event; the relevant association will cease, forthwith, to be an associate member of SARL.

11.3. Honorary Membership and Life Membership

- 11.3.1. The National Council, on the proposal of the Executive Committee, may grant the titles of Honorary Member or Life Member to a person or persons who have rendered meritorious service to SARL.
- 11.3.2. The Honorary President or Life Member shall attend the National Council Meeting and the Executive Committee Meetings without the right to vote.
- 11.3.3. Honorary Members or Life Member shall attend in the discussions of the National Council Meetings without the right to vote.

[Amendments made during the AGM of 24th of March 2018 \(para 11.1.2.9 and para 11.1.2.10\)](#)

11.4. Requirements for Memberships

No association or league will be eligible to acquire or to retain membership of SARL unless:

- 11.4.1. It has a constitution which provides for:
 - 11.4.1.1. open elections to be held at intervals of not more than four (4) years; as well as holding Annual General Meetings for the membership.
 - 11.4.1.2. regular audited financial statements to be presented to its membership on an annual basis.

The audited financial statements must be presented to SARL. Deadline for submission of audited statements shall be determined by the National Executive Council. Notice of the deadline will be communicated to all Members and affiliates

- 11.4.1.3. file a declaration that it will always comply with the Constitution, Statutes, Regulations and decisions of SARL and RLIF and ensure that these are also observed and respected by its members, clubs, officials and players.
 - 11.4.1.4. File a declaration that it recognizes the Court of Arbitration (CAS) in Lausanne, as specified in this Constitution.
 - 11.4.1.5. File a declaration to the effect that the member guarantees that it can make decisions independently of any external entity.
 - 11.4.1.6. File a copy of the minutes of every Annual General Meeting within 90 days after the meeting.
- 11.4.2. It has complied fully with such provisions of its constitution and has provided proof of such compliance to SARL.
 - 11.4.3. It has complied with the conditions of registering a new club as described and amended from time to time, in the Rules and Regulations of SARL.

11.5. Subordinate Status of Members

Members shall be subordinate to SARL and must comply with this Constitution, the Rules and Regulations and any directive issued by SARL.

- 11.5.1. No amendments to the Constitution of any member shall be of any force and effect and until the National Executive of SARL has ratified it.
- 11.5.2. No provision of the Constitution or Rules of a member or any amendment thereof which conflicts with a provision of the Statutes of RLIF shall be of any force and effect, irrespective of whether or not it has been ratified by the National Executive Committee.

11.6. Membership matters to be Regulated in the Rules and Regulation

The Rules and Regulation may regulate any matters relating to Membership, including but not limited to the following matters:

- 11.6.1. The procedure for affiliation;
- 11.6.2. Their colours and emblems;
- 11.6.3. Their membership fees and subscriptions to be paid;
- 11.6.4. Their obligations with respect to financial statements and books of accounts; and

11.6.5. The grounds on which they may be suspended from SARL.

11.7. Rights of Members

- 11.7.1. To participate in the National Council of SARL, to receive agenda in advance, to receive notices of National Council Meetings within the prescribed time.
- 11.7.2. To draw up proposals and to submit to their Provincial Chairman for inclusion in the agenda of the National Council
- 11.7.3. To nominate candidates for all bodies of SARL to be elected and appointed and to submit nominations to their Provincial Chairman to include in the nomination process.
- 11.7.4. To be informed of the affairs of SARL through the official structures of SARL.
- 11.7.5. If they are in good standing with SARL to participate in competitions (wherever relevant) and other activities organized by SARL.
- 11.7.6. To exercise all of the rights arising from the Constitution, Rules and Regulations of SARL, subject to other provisions in this Constitution and applicable regulations.

11.8. Responsibility of Members and others

- 11.8.1. Members – their clubs, officials, and employees shall respect the principles of loyalty, integrity and sportsmanship recognized by SARL and RLIF.
- 11.8.2. Members and clubs are responsible for the conduct of their players, officials, members and supporters and any other person exercising an official function at a match or event sanctioned by SARL or any of its Members.

11.9. Suspension of Members and others

- 11.9.1. SARL shall have the right to impose the suspension of Members, their clubs, officials and/or players subject to a due process of the Disciplinary Committee.
- 11.9.2. A suspended Member, club, official or player shall temporarily lose their membership and/or participation rights. Other Members, clubs or players may not entertain any sporting or official contact with a suspended Member, club, official, or player without the approval of SARL.

11.10. Expulsion of Members

- 11.10.1. SARL may expel a Member, club, official or player if the Disciplinary Committee renders a verdict of repeated violations of the constitutional obligations and breaches of regulations, directives or decisions of SARL or RLIF. or if the Committee deems the violation to be harmful and /or detrimental to SARL and its members.

11.11. Members Honours and Awards

- 11.11.1. Members may be nominated for the following certificates in recognition of their contribution to rugby league in their different fields:
 - 11.11.1.1. Certificate of Achievement.
 - 11.11.1.1.1. Members are nominated for this certificate in case of significant achievement in his or her field.
 - 11.11.1.2. Certificate of Recognition.
 - 11.11.1.2.1. Members become eligible for this nomination after two years of participation in his or her position.
 - 11.11.1.3. Certificate of Appreciation.
 - 11.11.1.3.1. Members are eligible for this nomination after 10 years of exceptional service to South African Rugby League.
 - 11.11.1.4. Certificate of Excellence.
 - 11.11.1.4.1. Certificate of Excellence are awarded to any member that excelled in her or his field.
- 11.11.2. Nominations are made by clubs or provinces to the National Council two months prior to the award event.
- 11.11.3. The National Council will approve the nominations.
- 11.11.4. Any member of SARLA may be nominated, this includes, committee members, match officials, team managers and coaches.

12. **ARTICLE 12: GOVERNING BODIES**

12.1. **National Council**

- 12.1.1. The National Council shall be the supreme decision making body of SARL and shall comprise of all the Provincial Chairpersons, President and Vice President, meeting at the occasion of the Annual General Meeting, General Meeting and/or Special General Meeting.
- 12.1.2. The National Council will also monitor the activities of the commercial entity that SARL will bring into being and will agree on the mandate of the person appointed in terms of Article 14.7.12 hereunder to represent SARL as shareholder at the Annual General meeting of the commercial entity.
- 12.1.3. The Chief Executive Officer or appointed member shall prepare the agenda of the National Council Meeting based on proposals from the National Executive Committee and the Members. Any proposal that a Member wishes to submit to the National Council shall be sent in writing, with a brief explanation at least 30 days prior to the date of the National Council Meeting to its Provincial Chairman.

12.2. **National Executive Committee and Chief Executive Officer**

- 12.2.1. The National Executive Committee shall comprise the following office bearers:-
- 12.2.1.1. The President
 - 12.2.1.2. A Vice-President
 - 12.2.1.3. Maximum of three additional National Executive Members.
- 12.2.2. The members of the National Executive Committee shall be elected in terms of Article 13 below and shall hold office for a term of 2 years. All National Executive Members shall be eligible for re-election and shall retain Office until their successors have been elected.
- 12.2.3. The Chief Executive Officer, who shall be employed by SARL on such terms as it deems fit, shall be an ex officio member of the National Executive Committee, but shall have no voting rights at meetings of the National Executive Committee.
- 12.2.3.1. The Chief Executive Officer shall be appointed on the basis of an agreement governed by South African employment law and shall have the necessary skills and experience.
 - 12.2.3.2. The Chief Financial/Operations Officer shall be the Accounting Officer for SARL.
 - 12.2.3.3. The Chief Executive Officer and his/her board of directors shall be responsible for implementing Resolutions of the National Council and National Executive Committee.
 - 12.2.3.4. The Chief Executive Officer shall organise and attend all National Council, Executive Committee, Standing and Ad Hoc Committee Meetings, where possible.
 - 12.2.3.5. The Chief Executive Officer shall be responsible for the management of the correspondence of SARL.
 - 12.2.3.6. The Chief Executive officer shall be responsible for the management of all staff of SARL.
- 12.2.4. **Powers and duties of the National Executive Committee:**
- 12.2.4.1. To appoint standing committees as necessary to deal with aspects of the running and development of rugby league that require specialist attention and which shall consist of a Chairperson who shall be a member of the National Executive Committee and such other members as are deemed necessary.
 - 12.2.4.2. To appoint the following judicial committees:
 - **National Appeal Board**
 - a) The National Appeal Board which shall consist of at least three members provided that the Chairman shall be legal practitioners. Two members shall form a quorum but the parties to the dispute may agree to a single member sitting.
 - b) The function of this body shall be governed by the relevant rules of SARL in place from time to time or in the absence of such rules being passed by the principles of natural justice.
 - c) The Appeal Board shall be responsible for hearing appeals against decisions of the Disciplinary Committee and/or the Dispute Resolution Chamber or an appeal against administrative action on the part of SARL.

- d) The National Appeal Board shall have the power to vary any decision properly placed before it, whether under review or appeal.
 - **National Disciplinary Committee**
 - a) The National Disciplinary Committee shall consist of at least three members and the Chairman and Vice-Chairman shall have legal qualifications. Two members shall form a quorum but the parties to the dispute may agree to a single member sitting.
 - b) The function of this body shall be governed by the Disciplinary Code of SARL and RLIF.
 - c) The Committee may pronounce sanctions described in this Constitution and the Disciplinary Code of SARL, or RLIF on Members, clubs, officials, and players.
 - a) To approve the budget and all intended expenditure of SARL.
 - b) To enact, repeal and amend the Regulations of SARL, provided that
 - the National Executive Committee may make no regulation which is inconsistent with this Constitution, and
 - **Any regulation made by the National Executive Committee shall be tabled at the next Annual General Meeting of SARL and will be of no force and effect beyond the date of that Annual General Meeting unless it is ratified at that Annual General Meeting.**
- 12.2.5. The National Executive Committee shall meet at least once every two months.
- 12.2.6. Minutes of all National Executive Committee Meetings shall be distributed to members of the National Executive Committee within ten days of such meeting.
- 12.2.7. The National Executive Committee will ensure that the minutes of all General Meetings are distributed to members within twenty one days of the meeting in question.

12.3. Management Committee

- 12.3.1. The Management Committee shall comprise
 - 12.3.1.1. The President,
 - 12.3.1.2. One Additional Board Member of the National Executive nominated by the National Executive Committee from time to time; and
 - 12.3.1.3. The Chief Executive Officer
- 12.3.2. The Management Committee shall deal with all matters requiring immediate decision between meetings of the National Executive Committee
- 12.3.3. The business of the Management Committee shall ordinarily be conducted at specially convened meetings, provided that in exceptional circumstances, if it is not practical to convene a meeting of the Management Committee, decisions may be reached by means of written communication, in which case

the National Executive Committee shall be notified immediately.

- 12.3.4. All decisions taken by the Management Committee shall be implemented immediately but must be tabled for ratification by the National Executive Committee at its next meeting.

13. **ARTICLE 13: ELECTIONS OF OFFICER BEARERS**

- 13.1. The election of office-bearers shall be by vote of office-bearers present at a Quadrennial Annual General Meeting of SARL (“the election AGM”).
- 13.2. Only Provincial Chairpersons in good standing shall be eligible for election as an office bearer or member of the National Executive Committee.
- 13.3. Each Provincial Chairperson present at the election AGM shall have one vote in any election of office bearers, provided that no Provincial Chairperson shall be entitled to vote unless he/she is a Member in good standing.
- 13.4. Any Provincial Chair person in good standing shall be entitled to submit nominations for the President, the Vice-President and the members of the National Executive Committee.
- 13.5. Sixty days prior to the date of the election AGM the Chief Executive Officer will distribute nomination forms to Members per registered post along with a circular indicating the date of the election AGM and the date by which nominations but be submitted if they are to be accepted.
- 13.6. Members shall submit the original nomination forms to SARL's auditor such that they are received at least twenty days prior to the date of the election AGM. The closing date and time shall be specified in the circular distributed by the Chief Executive Officer with the nomination forms.
- 13.7. No nomination form will be accepted by the auditors unless:-
- 13.7.1. The nomination form is signed by the President/Chairperson and the Secretary of the Member submitting the nomination; and
- 13.7.2. The nominee has submitted to the auditors his signed acceptance of the nomination on the form provided for this purpose, or on a copy or facsimile thereof, and this signed acceptance has been received by the auditors at least twenty days prior to the date of the election AGM.
- 13.8. The onus shall be on the Member concerned to ensure that nominations and acceptances are received by the auditor on or before the closing date.

- 13.9. Within seven days after the closing date for nominations, the auditor will submit a list of those persons properly nominated to the Chief Executive Officer. The original nomination forms will be retained by the auditor.
- 13.10. The Chief Executive Officer will send the list of nominations as received from the auditor to all Board Members immediately he received them and will ensure that Member are apprised as to the candidates for election as soon as possible after receipt of the list of nomination from the auditor.
- 13.11. Prior to the commencement of the elections, the meeting shall elect an electoral officer and two other persons who are not candidates for office, to conduct the elections.
- 13.12. Should there be fewer nominations for a post than there are vacancies to be filled nominations may be made from the floor. In such event no nomination will be accepted unless the nominee in question is present at the election AGM and indicates his/her willingness to accept nomination.
- 13.13. The first person to be elected shall be the President. Should only one nomination be received the candidate shall be declared duly elected unless delegates drawn from at least four Members request a ballot. In such event, delegates shall vote either "for" or "against" the candidate. Should the candidate not poll a majority of the votes, fresh nominations shall be taken from the floor. Where more than one nomination is received, the election shall take place by simple majority vote. In the event of a tie, the outgoing President (or if he is a candidate, an outgoing Office Bearer nominated for this purpose by the outgoing National Executive Committee) shall have a casting vote in addition to his/her deliberative vote.
- 13.14. Following the election of the President the Vice President shall be elected and the same process recorded in 13.14 will be followed in respect of the election of the Vice President.
- 13.15. Should any dispute relating to an election arise during or the meeting, the electoral officer shall rule thereon, and his/her ruling shall be final and may not be challenged by any candidate, delegate or Member.
- 13.16. Subject to the provisions of this Article, Office Bearers hold office until their successors have been elected at a Quadrennial Annual General Meeting.
- 13.17. A vacancy in any office of the National Executive Committee shall occur:
 - 13.17.1. upon the death or resignation of a member;
 - 13.17.2. If a member is absent from three consecutive meetings of the National Executive Committee without prior permission unless the National Executive Committee upon good cause being shown, otherwise decides;
 - 13.17.3. If a member is found guilty of having conducted himself in any manner likely to prejudice the objects or activities of SARL

and/or whose conduct has the effect of bringing SARL into disrepute;

- 13.18. Should the office of any member of the National Executive Committee become vacant, the remaining members of the National Executive Committee shall have the power to co-opt a member in his place until the next Annual General Meeting provided that should the office of the President become vacant, the National Executive shall, at its next meeting, elect the two Vice-President to act as President until the next Annual General Meeting.
- 13.19. At any Annual General Meeting which is not a Quadrennial Annual General Meeting, elections will be held to fill offices vacated during the previous year. Candidates for such elections may be nominated only in accordance with the nomination procedures of this Article. In each category of Office Bearer in respect of which there are vacancies, Board Members may vote for as many candidates as there are vacancies with the required number of candidates who obtain the highest number of votes in the first round of voting being elected. In the event of a tie, the tie-break mechanisms set out in this Article for the relevant category of Office Bearer will apply.
- 13.20. An office bearer elected to fill a vacancy on the National Executive Committee holds office until the next Quadrennial Annual General Meeting.
- 13.21. The President, Vice President and Chief Executive Officer shall not serve on the Executive body of any Member.

14. **ARTICLE 14: ANNUAL GENERAL MEETING**

- 14.1. The Chief Executive Officer shall, by registered post or telefax, give all Members at least ninety days advance notice of the date of the Annual General Meeting, which date shall be determined by the National Executive Committee and shall ordinarily be a date in September.
- 14.2. If, by 31st of March in any year, no date for an Annual General Meeting has been fixed by the National Executive Committee, until the date of the Annual General Meeting is fixed; any Member may by written notice to the Chief Executive Officer nominate a date for the Annual General Meeting between 100 and 120 days away, and the Chief Executive officer shall convene the Annual General Meeting for the date nominated in the first such notice s/he receives.
- 14.2. Motions to an Annual General Meeting shall be submitted to the Chief Executive Officer in writing per registered post not less than thirty days prior to the date of such Annual General Meeting. The Chief Executive Officer shall circulate all motions submitted to him together with the agenda for the Meeting and the audited financial statements of SARL to

all Members per registered post and/or telefax not less than fourteen days prior to the Annual General Meeting.

14.3. The Annual General Meeting, on good cause shown, may condone any non-compliance with the time limits set out in this Article.

14.4. In the event of a quorum (that is at least three quarters of the delegates) not being present sixty minutes after the proposed time of commencement of the Annual General Meeting, (Specified Proxy's given beforehand by a Board members who cannot attend the said meeting at the day will be deemed as though they are present. The said Proxy must be seeded to another Board member, dated and will only be valid for the day of the meeting.) the Annual General Meeting will be postponed to the same day and two weeks later, and at such postponed date whoever shall be present shall then constitute a quorum and the Annual General Meeting will proceed.

14.5. The following business will be considered at each Annual General Meeting:-

14.5.1. To approve the credentials of delegates.

14.5.2. To confirm and adopt the Minutes of the previous Annual General Meeting, and any intervening General Meeting.

14.5.3. To receive the Presidential Address.

14.5.4. To consider and adopt the report of the National Executive Committee.

14.5.5. To consider and adopt the Accounts, Audited Balance Sheet and reports of the Auditors for the previous year.

14.5.6. To appoint auditors.

14.5.7. To consider amendments to the Constitution.

14.5.8. To consider regulations made by the National Executive Committee

14.5.9. To consider any applications for Associate Membership.

14.5.10. To accept new Members.

14.5.11. To determine the schedule of fees for the ensuing year.

14.5.12. To hold elections for the National Executive Committee or for the filling of any vacancies thereon.

14.5.13. To consider general matters for which thirty days' notice had been given in writing.

14.6. The minutes of an Annual General Meeting shall be distributed to all Members.

15. **ARTICLE 15: SPECIAL GENERAL MEETING**

15.1. A Special General Meeting shall be called whenever the National Executive Committee deems it necessary, or by requisition on thirty days' notice signed on behalf of one-third of the Members in good

standing. The agenda for such meeting shall be specified in the requisition.

15.2. Only the business for which the meeting is called shall be discussed at a Special General Meeting.

15.3. The provisions of Article as appropriate shall apply to Special General Meetings in the same way as they apply to Annual General Meetings.

16. **ARTICLE 16: ORDINARY GENERAL MEETING**

16.1. An Ordinary General Meeting shall be called by the National Executive Committee within six months of the Annual General Meeting or as and when necessary to deal with matters upon thirty days' notice.

16.2. The provisions of Articles 14. as appropriate shall apply to Ordinary General Meetings in the same way as they apply to Annual General Meetings.

17. **ARTICLE 17: REPRESENTATION**

Each Member shall be entitled to appoint two delegates to General Meetings.

18. **ARTICLE 18: VOTING RIGHTS**

18.1. All delegates of Members in good standing shall be entitled to speak at any General Meeting of SARL.

18.2. The following, if present, shall be entitled to vote:-

18.2.1. The President, Vice-President and all Provincial Chairpersons

18.3. Save where a ballot is requested or specifically provided for herein, voting shall be by a show of hands. Whether voting is by ballot or show of hands, each person entitled to vote shall exercise one vote and, save where specifically provided otherwise in this Constitution, decisions shall be taken by majority vote.

18.4. The President shall act as Chairperson at all meetings of SARL and shall have a deliberative as well as a casting vote.

18.5. Board Members shall be entitled to one vote each.

19. **ARTICLE 19: REVIEW AND RESCISSION**

19.1. Board Members shall have the right to move a motion to review and rescind any resolution of SARL. Notice of such motion may be given at the meeting at which the resolution is adopted and must be moved at the following meeting of SARL on pain of lapsing.

- 19.2. If such notice is not given at the meeting at which the resolution is adopted it must reach the Chief Executive Officer thirty days prior to the Meeting at which it is to be moved, and the Chief Executive Officer shall inform all Members thereof at least fourteen days prior to the meeting.
- 19.3. No resolution may be rescinded unless two-thirds (2/3) majority of the Board Members present and empowered to vote are in favour of the rescission.
- 19.4. No resolution may be reviewed more than once in any calendar year.

20. **ARTICLE 20: NOTICES**

For the purposes of this Constitution and any Rules duly promulgated-

- 20.1. Any document sent by registered mail shall be deemed to have been received within seven working days of same having been posted.
- 20.2. Any document proven to have been faxed successfully to a fax number provided by a Member shall be deemed to have been received within one working day of the date the document was faxed.
- 20.3. Any document proven to have been sent successfully by e-mail to an e-mail address provided by a Member shall be deemed to have been received by within one working day of same having been successfully sent.

21. **ARTICLE 21: AMENDMENT OF THE CONSTITUTION**

- 21.1. This Constitution shall not be amended, save and except upon a resolution passed by two-thirds of those entitled to vote and present at the time of voting at an Annual General Meeting, or at a Special General Meeting convened for the purpose, after considering such amendment.
- 21.2. When considering an amendment to the Constitution, it shall be competent to adopt an amendment to such amendment.
- 21.3. Subject to Article 21.2, no amendment to the Constitution will be considered unless notice and text of any intended motion by a Board Member to amend the constitution has been submitted in writing to the Chief Executive Officer at least thirty days prior to the date of the meeting, and has been distributed by the Chief Executive Officer to all Members at least ten days prior to the date of the meeting.
- 21.4. The National Executive Committee shall be entitled to submit recommendations pertaining to amendments to the Constitution for consideration by the National Council subject to the following conditions:
 - 21.4.1. Such recommendations are circulated to all Board Members at least twenty one days before the meeting.

21.4.2. A Board Member moves adoption of the recommendations at the meeting and another Member seconds the recommendation.

21.4.3. Such recommendations will be adopted as amendments to the Constitution if two thirds of the Board Members present vote in favour of it.

21.5. The text of all amendments to the Constitution shall be forwarded to all Board members and submitted to the Commissioner for the South African Revenue Service.

22. **ARTICLE 22: TRADING ACTIVITIES**

22.1. SARL may not carry on any business which involves ordinary trading operations in the commercial sense, speculative transactions, dividend stripping activities or the letting of property on a systematic or regular basis.

22.2. Without derogating from the generality of Article 22.1, SARL may not participate in any business profession, or occupation of its Members, nor may it provide any financial assistance or any premises or continuous services or facilities to its Members for purposes of carrying out any business, profession or occupation of its Members.

23. **ARTICLE 23: CLUBS**

23.1. No club may be affiliated to SARL or to any of its Members unless it is entitled to take its own decisions on any matter connected with its affiliation independently of any external body, irrespective of the corporate structure of the club;

23.2. No person may have a direct or indirect controlling interest in more than one club affiliated to SARL or to any of Members.

23.3. No club may be used as a source of profit for its officials or for those who have lent funds to it, provided that the payment of a normal rate of interest to the latter shall be permissible.

23.4. In the event of a club wishing to enter into an agreement with any company, which may change the status of the club and its affiliation with SARL, it shall inform SARL of its intentions in writing and disclose all information of whatsoever nature to SARL, to enable SARL to consider the affiliation or continued affiliation of the said club, in the best interests of South African rugby league.

24. **ARTICLE 24: INTERCLUB & INTERLEAGUE MATCHES**

24.1. No interclub or interleague matches between teams of different national associations shall be played without the written consent of SARL.

- 24.2. Scratch teams consisting of players not belonging to the same club or association shall not be permitted to play clubs or teams representing associations unless prior written approval has been granted by SARL.
- 24.3. A club and/or official and/or player seeking authorisation to play a match referred to in Article 24.1 and/or 24.2 shall do so timeously and in writing, failing which disciplinary measures will be instituted against the party concerned.

25. **ARTICLE 25: TOURNAMENTS**

- 25.1. Tournaments involving local or national teams (clubs or representative teams) and teams from other national associations may not take place without the written approval of SARL, and no club affiliated to SARL or a Member or player registered with such a club may participate in such a tournament without the written consent of SARL.
The request for approval shall be submitted to SARL in writing at least two months before the planned date for the tournament.
- 25.2. The request for approval shall be accompanied by a list of the teams who are planning to take part in the tournament and the tournament regulations.
- 25.3. Any breach of this Article, by any Member or club will attract sanctions and/or disciplinary measures.
- 25.4. SARL and each of its Members will play rugby league in compliance with the Laws of the Game issued by RLIF or its appropriate organs from time to time and not in accordance with any other rules.

26. **ARTICLE 26: PLAYERS**

- 26.1. All players participating in a Competition of SARL or any of its Members or their clubs shall be properly registered before playing in any official match other than a match between teams representing educational institutions.
- 26.2. Save in cases involving fraud, corruption or a breach of sporting ethics on the part of a player or the club with which he has purportedly been registered, any player who has been issued with a valid registration document by SARL or its appointed official allowing him to play for a particular club shall be deemed to have been properly registered with that club.
- 26.3. No player may be registered with two clubs at the same time.
- 26.4. A club may negotiate whatever financial arrangements with its players as may be mutually acceptable.

- 26.5. Any player who transfers from one club to another must do so in compliance with the transfer and registration requirements laid down by SARL from time to time.
- 26.6. When a player seeks to move from a club situated in another country he shall be required to comply with the transfer and registration requirement of RLIF and SARL.
- 26.7. Subject to this Constitution the National Executive Committee shall make rules and regulations consistent with the Constitution of the Republic of South Africa, 1996 governing the status, obligations, transfer and registration of players. The National Executive Committee shall ensure that, subject to the requirements of the Constitution of the Republic of South Africa, these rules and regulations are consistent with the RLIF Statutes and any amendments thereof.

27. **ARTICLE 27 INDEMNITY**

The office bearers of SARL are indemnified against all losses, charges, costs, damages and all other expense and liability they may incur or be put to concerning the bona-fide execution of their duties as officials of SARL.

28. **ARTICLE 28: DISSOLUTION**

28.1. SARL may, by resolution at a special general meeting called solely for this purpose, dissolve the Association.

28.2. A resolution to dissolve SARL will be of no force and effect unless

- 28.2.1. it is carried with the support of 75% of the total number of votes which would have been capable of being cast if every member in good standing at the date of the Special General Meeting concerned had been fully represented at that meeting, and
- 28.2.2. it specifies a public benefit organization or organisations approved in terms of section 30 of the Income Tax Act 50 of 1962 as amended and sharing some of the aims and objectives of SARL to whom whatever property, capital and accrued income of SARL remains upon the winding up or dissolution of SARL, shall be distributed after satisfaction of all debts and commitments of SARL and the proportions in which any such property, capital or accrued income shall be distributed to such organizations.

29. **ARTICLE 29: RLIF**

Subject to the Constitution of the Republic of South Africa, 1996, should this Constitution be silent on any matter that may arise, the Statutes of RLIF shall apply and if they too are silent the National Executive Committee shall give a ruling on such matter, which shall be final and binding.

30. **ARTICLE 30: RULES**

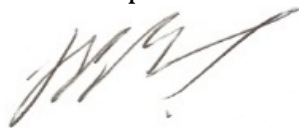
- 30.1. SARL may, by a simple majority of votes by the National Council cast at a Annual General Meeting, adopt Rules and regulations consistent with this Constitution.
- 30.2. Any Rules and Regulations made in terms of Article 30.1 may be amended or repealed by a simple majority of votes cast by the National Council at an Annual General Meeting.
- 30.3. ALL Rules and regulations shall be deemed to form part of this Constitution and shall be binding on SARL, all Members and all clubs, officials, players and persons falling under the jurisdiction of SARL and its Members.

31. **ARTICLE 31: DISPUTE RESOLUTION AND PREVENTION**

- 31.1. Everybody or individual falling under the jurisdiction of SARL shall ensure that any dispute that it has with a body or individual falling under the jurisdiction of SARL is resolved in accordance with the dispute prevention and resolution procedures set out in the Constitution, Rules and Regulations of SARL.
- 31.2. Subject to the Constitution of the Republic, and save in circumstances where there is a need for urgent relief of a sort which cannot be obtained through the dispute resolution procedures contemplated by this Article, no body or individual falling under the jurisdiction of SARL shall approach a Court of Law to decide on a dispute it has with a body or individual affiliated to SARL.
- 31.3. Any final appeal against an arbitration award shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.

Signed on the 8th of April 2017

President:
Kobus Botha.



Vice-President:
Denzil Watson

