



SAFA CAPE TOWN REGIONAL STATUTES



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SOUTH AFRICAN FOOTBALL ASSOCIATION

SAFA CAPE TOWN

PREAMBLE

NOTING:

- that the first organized formation of football at National level was established in 1892;
- that the fragmentation in South African sport in general and football in particular, was caused by the policies of racial discrimination and apartheid;
- that the policies of racial discrimination and apartheid based on the ideology of white supremacy over people of colour created a situation of independent existence of the various football organizations against the wishes of the majority of the football family in the country.

ACKNOWLEDGING

- the meaningful role played by heroes and heroines of our struggle against racialism and ethnicity, and the role of non-racial organizations in particular in their attempts to unify football in South Africa.

REALISING

- the urgent need to fulfil the historic task of unifying the different football organizations in preparation for a united, democratic, indivisible and non-racial South Africa.
- the need to defend the democratic gains and to transform South African football to be in line with democratic values underpinning the South African Constitution and to be world class.

RECOGNISING a non-racial society in which: -

- all people shall be equal before the law;
- there is no oppressive interference with the rights of individuals;
- athletes/players compete equally and fairly in football;
- all shall have access to relevant, compulsory and equal education, adequate

residential and recreational facilities in general and adequate housing in particular and have a universal franchise system determined by the will of the people;

- people enjoy the principles of democracy, accountability and transparency;
- all people enjoy freedom of association, freedom of movement, freedom of domicile, freedom to ownership of land, freedom to participate fully in the economy of the country and share in its wealth and live in peace, harmony and comfort.

CONFIRMING the philosophy of non-racialism to be the guiding principle in the organization and in our endeavour to enhance unity, peace and harmony in sport in our country;

- that since unification of national football structures on 23 March 1991 and re-admission to CAF and FIFA one National Football governing body was constituted;
- that the National Football Federation is part of South Africa having a new constitution which entrenches norms and values of the civilised world and a Bill of Rights;
- Acknowledging that as the regional structure which is part of a United, non-racial, non-sexist and democratic country;
- that the aforementioned social conditions were and still are the fundamental requirements for the entry of South African sport into the international sporting community in general, and in respect of football in particular to the FEDERATION INTERNATIONALE de FOOTBALL ASSOCIATION (FIFA) and Confederation Africaine de Football (CAF), Confederation of Southern African Football Associations (COSAFA) and South African Sports Confederation and Olympic Committee (SASCOC)

RESOLVING to constitute the members of the SOUTH AFRICAN SOCCER ASSOCIATION, SOUTH AFRICAN SOCCER FEDERATION, FOOTBALL ASSOCIATION OF SOUTH AFRICA and the SOUTH AFRICAN NATIONAL FOOTBALL ASSOCIATION into an indissoluble single organization under the SOUTH AFRICAN FOOTBALL ASSOCIATION and under the constitution hereby established to promote and control Association Football in SOUTH AFRICA and to give effect to the ideas set out in this preamble.

ARTICLES OF ASSOCIATION

DEFINITIONS

In this Constitution, the Rules and Regulations, unless the context indicates otherwise,

“Absolute majority”: means more than half of the entire membership that is eligible and entitled to vote;

“Annual Congress Meeting”: means the Annual **Congress** Meeting contemplated in Article 27;

“Associate Member”: means an associate member contemplated by Article 10.2.1;

“Association Football”: means the game controlled by FIFA and organized in accordance with the Laws of the Game;

“CAF”: means the Confederation Africaine de Football;

“CAF Statutes” or **“Statutes of CAF”**: includes the statutes, rules and regulations of CAF;

“Club”: means a football Club affiliated to the league administered by the region or member of the Leagues affiliated to a member or associate member of SAFA **shall have a minimum of two (2) youth and two (2) senior teams**;

“Constitution”: means these Articles of Association;

“Congress”: means the supreme governing and legislative body of SAFA Cape Town;

“Congress”: means the supreme governing and legislative body of SAFA;

“Constitution of the Republic”: means the Constitution of the Republic of South Africa Act 108 of 1996 as amended from time to time;

“LFA”: means a Local Football Association contemplated by Article 10.1;

“Electoral Code” means the SAFA Electoral Code referred to in Article 25.12 the provisions of which are incorporated herein by reference;

“Electoral Committee” means the Committee referred to in Articles 25.10 – 25.12;

“Executive office in SAFA”: means the positions of President, Vice-Presidents, or member of the Regional Executive Committee;

“FIFA”: means the Federation Internationale de Football Association;

“FIFA Statutes” or **“Statutes of FIFA”**: means the statutes, rules and regulations of FIFA;

“General Secretariat”: shall mean the administrative structure of SAFA under the **General Secretary** as contemplated in Article 19.5;

“IFAB”: means the International Football Association Board;

“Management Committee”: means the Management Committee contemplated by **Article 39**;

“Member”: means a Local Football Association and includes any Associate Member affiliated to the region;

“Member in good standing”: means a member which has complied with all obligations imposed upon members by the Constitution;

“Regional Executive Committee”: means the Regional Executive Committee contemplated by Article 32;

“Office-bearer”: means the President, a Vice-President or any other member of the Regional Executive Committee;

“Officials”: means any elected or appointed individual who is affiliated to a member and includes all Regional Executive Committee members, committee members, coaches, referees and attendants as well as any other person responsible for technical, medical and administrative matters at the League or Club, SAFA, CAF and FIFA ;

“Ordinary Courts”: means courts of law established in terms of the laws of the Republic of South Africa and the Constitution of the Republic of South Africa;

“Player”: means any amateur or professional football player registered with SAFA through its members;

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

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

“SASCOC”: means the South African Sports Confederation and Olympic Committee;

“SAFA”: means the South African Football Association;

“Simple Majority”: means more than half of the eligible members who are present in a meeting, and who are entitled to vote;

“Special Member”: means the National Soccer League or The League (incorporating the Premier Soccer League);

“The League”: means an association of football clubs participating in organised competition under the aegis of SAFA Cape Town and subordinate to SAFA Cape Town.

1. NAME, HEADQUARTERS, LEGAL FORM

- 1.1 The Region hereby constituted shall be known as the South African Football Association – SAFA Cape Town Region and hereinafter referred to as “SAFA Cape Town”.
- 1.2 In this Constitution, the Region is referred to as “SAFA Cape Town”.
- 1.3 The flag of SAFA Cape Town shall consist of SAFA royal blue and white, and the emblem shall be a portrayal of a football, partly overlaid with a sphere depicting the map of South Africa.
- 1.4 The logo of SAFA Cape Town shall consist of a portrayal of a football partly overlaid with a sphere depicting the map of South Africa with the name of the region.
- 1.5 The flag, logo and abbreviation are legally registered in accordance with the Copyright and Trademarks laws of the Republic of South Africa.
- 1.6 The area of jurisdiction of SAFA Cape Town shall be throughout the Cape Town Metropolitan Municipality.
- 1.7 The headquarters of SAFA Cape Town shall be at Athlone Stadium, Athlone, or any other address that may be chosen by the Region from time to time.
- 1.8 The date of incorporation of SAFA Cape Town is 30 April 2006. It is recorded that prior to this date, SAFA Cape Town was known as “SAFA Western Province” for the period 23 March 1991 up to, and including, 30 April 2006.
- 1.9 SAFA Cape Town 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. It is formed for an unlimited period of time.
- 1.10 No member or office-bearer of SAFA Cape Town shall have any right to its assets nor incur any liability for its obligations.
- 1.11 It is recorded that SAFA Cape Town is a Public Benefit Organisation (PBO) in accordance with the provisions of Section 30(3) of the Income Tax Act of 1962, as amended.

2. AIMS, OBJECTIVES AND POWERS OF THE REGION

2. SAFA Cape Town shall have no other objectives save for the objectives provided for below and the funds it raises be employed exclusively in the promotion of such objectives and provided further that SAFA Cape Town's activities shall be limited to the District. SAFA Cape Town shall have the following aims and objectives:
 - 2.1 to carry on the public benefit activity of administering, developing, co-ordinating and promoting the game of football in which the participants take part in accordance with the principles as laid down in the statutes of SAFA.
 - 2.2 to improve the game of football constantly and promote, regulate and control it throughout the territory of the Cape Town Metro in accordance with the principles of fair play and its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes;
 - 2.3 to organise competitions in Association Football in all its forms, by defining precisely, as required, the areas of authority delegated to the various Members and Leagues of which it is composed;
 - 2.4 to draw up regulations and provisions and to ensure their enforcement;
 - 2.5 to protect the interests of its Members;
 - 2.6 to respect and prevent any infringement of the statutes, regulations, directives and decisions of SAFA, COSAFA, CAF and FIFA as well as the Laws of the Game and to ensure that these are also respected by its Members;
 - 2.7 to prevent all methods or practices which might jeopardise the integrity of matches or competitions or give rise to abuse of Regional Football;
 - 2.8 to control and supervise all football matches of all forms played throughout its territory;
 - 2.9 to manage Regional sporting relations connected with Association Football in all its forms;
 - 2.10 to host competitions at both Regional and Provincial levels;
 - 2.11 to settle disputes arising between members or bodies or persons connected directly or indirectly with football within its area of jurisdiction;

- 2.12 to raise and administer the funds of SAFA Cape Town in such a manner as SAFA Cape Town may deem advisable and in particular by means of subscriptions, donations and sponsorships;
- 2.13 to acquire and develop playing facilities including the construction of stadia;
- 2.14 to distribute monies to its members for the protection, promotion and advancement of amateur football;
- 2.15 to affiliate to SAFA, SAFA (Western Cape), SASCOC and the Cape Town Sports Council Western Provincial Council of Sport;
- 2.16 to do all such things as may be incidental or conducive to the attainment of the objective or any one of them;
- 2.17 SAFA Cape Town 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 SAFA Cape Town as described herein, including, but not limited to the following powers:-
- 2.17.1 to engage staff on the basis of a policy of fair employment and equal opportunities;
- 2.17.2 to acquire assets and enter into commitments for the promotion of its aims and objectives;
- 2.17.3 to confer honours and awards on individuals, in recognition of their contribution to football in South Africa;
- 2.17.4 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 SAFA Cape Town;
- 2.17.5 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 SAFA Cape Town, provided however that SAFA Cape Town shall ensure that no donor will derive any monetary advantage from any monies paid to and on behalf of SAFA Cape Town;
- 2.17.6 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 SAFA Cape Town, and in order to provide suitable equipment, accommodation and football facilities;
- 2.17.7 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, or any part of the property and rights of SAFA Cape Town;

- 2.17.8 subject to Article 73.8 below, to subscribe, grant subsidies out of, administer and invest the funds of SAFA Cape Town in such manner as it may be deemed best to achieve the objects and purposes of SAFA Cape Town;
- 2.17.9 to borrow, or raise money in such a manner as SAFA Cape Town 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 SAFA Cape Town of any obligation or liability it may undertake;
- 2.17.10 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 instruments;
- 2.17.11 to make rules which shall not be inconsistent with the terms of this Constitution. The Rules of SAFA Cape Town shall have the same force and effect as if they were incorporated in the Articles of the Constitution;
- 2.17.12 to select teams for Regional 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 Local Football Association in terms of the SAFA Regulations;
- 2.17.13 to keep or cause to be kept, true accounts of all receipts, credits, payments, assets and liabilities of SAFA Cape Town and all other matters necessary for showing the correct financial state of affairs of SAFA Cape Town. The accounts shall be kept in such books and in such manner as the Regional Executive Committee deems fit and to the satisfaction of the Auditors of SAFA Cape Town;
- 2.17.14 to appoint auditors to audit annual accounts of SAFA Cape Town;
- 2.17.15 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;
- 2.17.16 to appoint such sub-committees or commissions upon such terms as it may consider necessary to give effect to its powers;
- 2.17.17 to suspend, fine, terminate the membership of or otherwise deal with any Member, Local Football Association, Club or individual affiliated to SAFA Cape Town or any of its Members for infringing the Constitution, regulations,

policies, principles or resolutions of SAFA Cape Town or for engaging in acts of misconduct, improper practices, misdemeanour, acts of defiance, or for bringing SAFA Cape Town into disrepute.

3. NEUTRALITY AND NON-DISCRIMINATION

- 3.1 SAFA Cape Town is neutral in matters of politics and religion.
- 3.2 Discrimination of any kind against a Local, Regional or Provincial structure of SAFA, any country, private person or group of people on account of ethnic origin, gender, language, religion, politics or any other reason is strictly prohibited and punishable by suspension or expulsion.

4. PROMOTING FRIENDLY RELATIONS

- 4.1 SAFA Cape Town shall promote friendly relations between its Members, Clubs, Officials and Players and in society for humanitarian objectives.
- 4.2 Every person and organisation involved in the game of football is obliged to observe the Statutes, Regulations and the principles of fair play as well as the principles of loyalty, integrity and sportsmanship.
- 4.3 SAFA Cape Town shall provide the necessary institutional means to resolve any internal dispute that may arise between Members, Clubs, Officials and Players affiliated to members of SAFA Cape Town.

5. PLAYERS

- 5.1 The status of Players and the provisions for their transfer shall be regulated by the Regional Executive Committee of SAFA Cape Town in accordance with the current SAFA Regulations for the Status and Transfer of Players.
- 5.2 Players shall be registered in accordance with the regulations of SAFA Cape Town. Nothing herein contained shall preclude any member from registering players of Clubs affiliated to it in accordance with its own Rules which must not be inconsistent with SAFA and FIFA Regulations for Status and Transfer of Players.

- 5.3 The transfer of amateur players shall close annually on the 30 June. If the end date closes on a Sunday or Public Holiday the closing date will then automatically default to the following calendar day.
- 5.4 That a clearance fee will be capped at one hundred and fifty Rand (R150.00) for Seniors, for Juniors under the age of nineteen (19) the transfer certificate (TC) will be charged the Regional Youth Player Registration fee payable to the Region under the jurisdiction of SAFA Cape Town.

6. LAWS OF THE GAME

- 6.1 SAFA Cape Town and its Members administer Regional Football in compliance with the Laws of the Game issued by IFAB. Only IFAB may lay down and alter the Laws of the Game.

7. CONDUCT OF MEMBERS AND OFFICIALS

- 7.1 The Members and Officials of SAFA Cape Town must observe the Statutes, regulations, directives, decisions and the Code of Ethics of SAFA in their activities.

8. OFFICIAL LANGUAGES AND POWERS OF THE REGION

- 8.1 The official languages of SAFA Cape Town shall be all the official languages in the region. Official documents and texts shall be written in one or more of these languages. In the event of any divergence between the interpretations of texts in different languages, the text written in the language approved by Council shall be regarded as authoritative.
- 8.2 The official language at the Congress shall be English.
- 8.3 Sign language shall be used as a medium of communication.

9. ADMISSION, SUSPENSION AND EXPULSION

- 9.1 The Council shall decide whether to admit, suspend or expel a Member.
- 9.2 Admission may be granted if the applicant fulfils the requirements of SAFA Cape Town.

9.3 Membership is terminated by resignation or expulsion. Loss of membership does not relieve the Member from its financial obligations towards SAFA Cape Town or other Members of SAFA Cape Town but leads to cancellation of all rights in relation to SAFA Cape Town or its member.

10. MEMBERSHIP

10.1 The Members of SAFA Cape Town are:

- (i) Atlantis;
- (ii) Athlone District;
- (iii) Cape Town Tygerberg;
- (iv) Crossroads;
- (v) Delft;
- (vi) Good Hope;
- (vii) Guguletu;
- (viii) Helderberg;
- (ix) Khayelitsha;
- (x) Mandela Park;
- (xi) Metropolitan;
- (xii) Mitchells Plain;
- (xiii) Langa Ndabeni;
- (xiv) Northern Suburbs;
- (xv) Nyanga;
- (xvi) Two Oceans;
- (xvii) Oostenberg;
- (xviii) Greater Philippi;
- (xix) South Peninsula;
- (xx) Manenberg;
- (xxi) Rygate;
- (xxii) Cape District;
- (xxiii) Lingeletu;
- (xxiv) Dunoon;
- (xxv) Makhaza;
- (xxvi) Greater Mfuleni;
- (xxvii) Bloekombos;
- (xxviii) Mandalay;
- (xxix) Greater Bluedowns;
- (xxx) Bloekombos;
- (xxxi) Heideveld

- (xxxii) New Crossroads
- (xxxiii) Hanover Park
- (xxxiv) Mitchells Plain Football District
- (xxxv) Monwabisi

It is recorded that the Founding Members are recorded in the November 2010 SAFA Cape Town Constitution.

10.2 Associate Members: -

10.2.1 The following associations may be recognized as Associate Members:

- 10.2.1.1 University Sport South Africa (Football)
- 10.2.1.2 South African Football Coaches Association
- 10.2.1.3 Football Association Cape Town

10.2.2 SAFA Cape Town may, by a majority vote taken at a Council or an Extra Ordinary Congress Meeting convened, inter alia, for this purpose, grant associate membership status to any other association operating at a Regional level provided that no associate membership shall be granted to an association with the same aims and objectives as SAFA Cape Town.

10.2.3 SAFA Cape Town may, by a two-thirds majority vote taken solely for this purpose, withdraw its recognition of any associate member contemplated in Article 10.2.1 in which event the relevant Region will cease, forthwith, to be an associate member of SAFA Cape Town.

10.2.4 In matters of mutual interest, SAFA Cape Town and any members may enter into a written agreement covering issues such as a joint liaison committee, communication, leagues whether national or otherwise, compensation, levies, disputes, referees, coaches and such other matters as deemed necessary from time to time.

11. REQUEST AND PROCEDURE FOR APPLICATION

11.1 The procedure for admission of members may be regulated by special regulations recommended by the Regional Executive Committee and approved by the Congress of SAFA Cape Town

11.2 The application must be in writing and accompanied by the following mandatory items:

- 11.2.1 a copy of its legally valid statutes and regulations;

- 11.2.2 a declaration that it will always comply with the Statutes, regulations and decisions of SAFA Cape Town, SAFA, COSAFA, CAF and FIFA and ensure that these are also respected by its own Members, Clubs, Officials and Players;
- 11.2.3 a declaration that it will comply with the Laws of the Game in force;
- 11.2.4 a declaration that it recognises the judicial bodies of SAFA Cape Town, and SAFA;
- 11.2.5 a declaration that it is located and registered in the Municipality of Cape Town Metro;
- 11.2.6 a declaration that it will play all official home matches in the territory of SAFA Cape Town;
- 11.2.7 a list of Officials, specifying those who are authorised signatories with the right to enter into legally binding agreements with third parties;
- 11.2.8 a declaration that it undertakes to organise or participate in friendly matches only with the prior written consent of SAFA Cape Town);
- 11.2.9 a copy of the minutes of its last congress or constitutional meeting;
- 11.2.10 a minimum of eight (8) clubs where “club” is defined as consisting of two (2) senior teams and two (2) junior teams.

11.3 This article shall not affect the status of existing members.

11.4 The Regional Executive Committee shall request the Council at its sole discretion either to admit or not to admit an applicant. The applicant may state the reasons for its application to the Council.

11.5 The new Member shall be granted provisional membership for the two (2) years whereafter full membership rights and duties shall be acquired, provided that the REC may recommend to Council that full membership be granted sooner than two (2) years, or that provisional membership be terminated. Upon full membership being granted the accredited delegates will be eligible to vote and be elected. Pending full membership being acquired/granted, the new Member shall have observer status and the right to participate in meetings.

12. MEMBERS’ RIGHTS

12.1 The Members of SAFA Cape Town have the following rights:

- 12.1.1 to take part in the Congress of SAFA Cape Town, to know its agenda in advance, to be called to the Congress within the prescribed time and to exercise their voting rights;
- 12.1.2 to draw up proposals for inclusion in the agenda of the Congress;
- 12.1.3 to nominate candidates for all bodies of SAFA Cape Town to be elected;
- 12.1.4 to be informed of the affairs of SAFA Cape Town through the official bodies of SAFA Cape Town;

- 12.1.5 to take part in competitions and/or other sports activities organised by SAFA Cape Town;
 - 12.1.6 to exercise all other rights arising from the Statutes and regulations of SAFA Cape Town.
- 12.2 The exercise of these rights is subject to other provisions in these Statutes and the applicable regulations.

13. MEMBERS' OBLIGATIONS

13.1 The Members of SAFA Cape Town have the following obligations:

- 13.1.1 to comply fully with the Statutes, regulations, directives and decisions of FIFA, CAF, SAFA and SAFA Cape Town at all times and to ensure that these are also respected by its members;
- 13.1.2 to ensure the election of its decision-making bodies;
- 13.1.3 to take part in competitions and other sports activities organised by SAFA Cape Town;
- 13.1.4 to pay their membership subscriptions;
- 13.1.5 to respect the Laws of the Game as laid down by IFAB and to ensure that these are also respected by its members through a provision in the Constitution of such a member;
- 13.1.6 to adopt a clause in its constitution specifying that any dispute requiring adjudication involving itself or one of its members and relating to the Statutes, regulations, directives and decisions of the Member, SAFA Cape Town, SAFA, CAF and FIFA shall come solely under the jurisdiction of the appropriate dispute resolution Tribunal of the Member, SAFA Cape Town, SAFA, CAF or FIFA and that any recourse to ordinary Courts is prohibited subject to Article 66.1;
- 13.1.7 to communicate to SAFA Cape Town any amendment of its statutes and regulations as well as the list of its Officials or persons who are authorised signatories with the right to enter into legally binding agreements with third parties;
- 13.1.8 not to maintain any relations of a sporting nature with entities that are not recognised by SAFA Cape Town, SAFA, FIFA or CAF; or with Members that have been suspended or expelled;

- 13.1.9 to observe the principles of loyalty, integrity and good sporting behaviour as an expression of fair play through a statutory provision;
- 13.1.10 to observe the mandatory items specified under Article 11.2 for the duration of their affiliation;
- 13.1.11 to administer a register of members which shall be regularly updated and make such register available to SAFA at all times;
- 13.1.12 to comply fully with all other duties arising from the Statutes and other regulations of FIFA, CAF, SAFA and SAFA Cape Town;
- 13.1.13 Members shall have:
 - 13.1.13.1 All delegates of Members in good standing shall be entitled to speak at any Congress Meeting of SAFA Cape Town, subject to the Rules of Order;
 - 13.1.13.2 The following, if present, shall be entitled to vote as stipulated in Art 21 below.-
 - 13.1.13.3 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 should exercise one vote and, save where specifically provided otherwise in this Constitution, decisions shall be taken by majority vote.
 - 13.1.13.4 The President shall act as Chairperson of all meetings of SAFA Cape Town and have a casting vote in matters of a tie.

13.2 Violation of the above-mentioned obligations by any Member may lead to sanction provided for in this Constitution.

14. SUSPENSION

14.1 Only the Council may suspend a Member after due process has been followed. However, the Regional Executive Committee may suspend a Member that seriously violates its obligations as a Member with immediate effect. The suspension shall last until the next Council Meeting, unless the Regional Executive Committee has lifted it in the meantime. Provided that nothing herein contained shall preclude the Regional

Executive Committee from suspending any member pending an investigation or Disciplinary Inquiry.

- 14.2 A suspension shall be confirmed at the next Council Meeting by a simple majority of the votes taken. If it is not confirmed, the suspension is automatically lifted.
- 14.3 During the period of suspension, a suspended Member shall lose its membership rights. Other Members may not entertain sporting contact with a suspended Member. The Disciplinary Committee may impose further sanctions.
- 14.4 Members that do not participate in the activities of SAFA Cape Town for three (3) consecutive years shall be suspended from voting at the Council Meeting and their representatives shall not be elected or appointed until they have fulfilled their obligations in this respect.

15. EXPULSION

15.1 The Council may expel a Member or an official, if:

- 15.1.1 it fails to fulfil its financial obligations towards SAFA (Insert name);
- 15.1.2 it seriously violates the Statutes, regulations, directives or decisions of FIFA, CAF, SAFA or SAFA Cape Town: provided further that due process has been followed. The presence of an absolute majority of eligible Members entitled to vote at the Council is necessary for an expulsion to be valid, and the motion for expulsion must be adopted by a two-third majority of the valid votes cast.

16. RESIGNATION

- 16.1 A Member may resign from SAFA Cape Town with effect from the end of the season applicable to the member. Notice of resignation must reach the general secretariat no later than three (3) months before the end of the season applicable for that member.
- 16.2 The resignation is not valid until the Member wishing to resign has fulfilled its financial obligations towards SAFA Cape Town and the other Members of SAFA Cape Town.

17. STATUS OF CLUBS, REGION AND SUBORDINATE STATUS OF MEMBERS AND OTHER GROUPS

- 17.1 Local Associations, Associate members or any other groups of members affiliated to SAFA Cape Town shall be subordinate to and recognised by SAFA Cape Town. This Constitution defines the scope of authority and the rights and duties of these members and groups. Their statutes and regulations must be approved by the Regional Executive Committee of SAFA Cape Town.
- 17.2 The affiliated clubs and members of SAFA Cape Town shall take all decisions on any matters regarding their membership independently of any external body. This obligation applies regardless of their corporate structure.
- 17.3 In any case, no natural or legal person (including holding companies and subsidiaries) shall exercise control over more than one Club or group whenever the integrity of any match or competition could be jeopardised.
- 17.4 Members shall be subordinate to SAFA Cape Town and must comply with this constitution, the Regulations and any directive issued by SAFA Cape Town.
- 17.5 No amendments to the Constitution, Rules or Regulations of any member shall be of any force and effect until the Regional Executive Committee of SAFA Cape Town has ratified it.
- 17.6 No provision of the Constitution or Rules or Regulations of a Member or any amendment thereof which conflicts with a provision of this Constitution, the Statutes of SAFA, CAF or FIFA shall be of any force and effect until ratified by the Emergency Committee or the Regional Executive Committee as the case may be.

18. HONORARY PRESIDENTS AND HONORARY LIFE MEMBERS

- 18.1 The Council may confer the titles of Honorary President or Honorary Life Member upon a person or persons who has/have rendered meritorious service to SAFA Cape Town.
- 18.2 The Regional Executive Committee shall make these nominations after having requested nominations from Members or of its own accord.
- 18.3 The Honorary President or Honorary Life Member may attend and participate in Congress. They may participate in the debates but are not entitled to vote.

18.4 The Honorary Life Members shall not be obliged to attend meetings of the Regional Executive Committee or the Council but may do so at their request or upon invitation from the REC or GC.

19. BODIES OF SAFA

The bodies of SAFA Cape Town shall be the following:

- 19.1 The Congress which is the supreme and legislative body of SAFA Cape Town.
- 19.2 The Regional Executive Committee which is the executive body of SAFA Cape Town.
- 19.3 The Management Committee contemplated in article 39 below.
- 19.4 Standing and ad-hoc committees shall advise and assist the Regional Executive Committee in fulfilling its duties. Their duties, composition and function are defined in these Statutes and/or special regulations drawn up by the Regional Executive Committee.
- 19.5 The general secretariat which is the administrative body of SAFA Cape Town.
- 19.6 The judicial bodies are the Regional Disciplinary Committee and the Regional Appeal Board.
- 19.7 The bodies of SAFA Cape Town shall be either elected or appointed by SAFA Cape Town itself without any external influence and in accordance with the procedures described in this Constitution.

20. THE CONGRESS

Definition and composition of the Congress:

- 20.1 The Congress represents the supreme and legislative authority of SAFA Cape Town. It is the meeting at which all the Members of SAFA (Cape Town) formally convene. Only a Congress Meeting that is properly convened has the authority to make decisions.
- 20.2 A Congress Meeting may be an Ordinary or Extra Ordinary Congress Meeting.
- 20.3 The President shall conduct the Council business in compliance with the standing orders of the Council.

20.4 The Congress may appoint observers who take part in the Council without the right to debate or to vote.

20.5 The Honorary Presidents or Honorary Life Members may take part in the Council Meetings. They may join the debates but are not entitled to vote.

21. DELEGATES AND VOTES

21.1 The Congress is composed of a number of delegates allocated as follows:

21.1.1 Each Local **Football** Association shall be entitled to **two (2) accredited SAFA Cape Town registered delegates with each having one (1) vote**. Each Local **Football** Association may either mandate their **two (2)** delegates to exercise its **two (2)** votes collectively, alternatively, to abstain from voting. Should a Local **Football** Association send less than **two (2)**¹ delegates, it shall not be entitled to vote.

21.1.2 Each Associate Member shall be entitled one (1) delegate and with one (1) vote each. Each Associate member may either mandate its one (1) delegate to exercise its one (1) vote, alternatively, to abstain from voting.

21.2 Delegates must be accredited by the Member that they represent having been either appointed or elected by that Member. Written proof of appointment or election must be provided upon written request, but must be provided to the General Secretary at least once per season on no later than 1 April of each year, and thereafter, in writing should a delegation change.

21.3 Only accredited delegates present are entitled to vote. Voting by proxy or by letter is not permitted.

21.4 The members of the Regional Executive Committee may participate in the Council Meetings and are not entitled to vote.

21.5 During their terms of office, members of the Regional Executive Committee may not be appointed as delegates for their Local Associations or any other Member of SAFA Cape Town.

22. CONGRESS AREAS OF AUTHORITY

The Congress has the following authority:

22.1 adopting or amending the Constitution, Regulations Governing the Application of the Statutes and the Standing Orders of the Council;

¹



- 22.2 approving the Minutes of the last meeting;
- 22.3 electing the President, the Vice-Presidents and members of the Regional Executive Committee, other than those appointed by the Local Associations and Associate members;
- 22.4 appointing the scrutineers;
- 22.5 approving the financial statements;
- 22.6 approving the budget;
- 22.7 approving the Regional Executive Committee report;
- 22.8 appointing the independent auditors upon the proposal of the Regional Executive Committee;
- 22.9 fixing the membership subscriptions;
- 22.10 deciding, upon the nomination of the Regional Executive Committee, whether to confer the title of Honorary President or Honorary Life Member upon any person;
- 22.11 admitting, suspending or expelling a Member of Associated Member, or official;
- 22.12 revoking the mandate of one or a number of members of a body of SAFA Cape Town;
- 22.13 dissolving SAFA Cape Town;
- 22.14 passing decisions at the request of a Member in accordance with this Constitution.

23. QUORUM OF THE CONGRESS

- 23.1 A Quorum of the Congress shall be 50% plus 1 of the Members who are in good standing and who are entitled to vote **providing members meets the requirement of Article 21.1.1 with specific reference to the number of SAFA Cape Town registered delegates for ordinary Members and Associate Members.**²
- 23.2 In the event of a quorum not being present sixty (60) minutes after a proposed time of commencement of the Council, the Council will be postponed the same day until two (2) weeks later, and at such postponed date whoever shall be present shall then constitute a quorum and the Council will proceed.
- 23.3 A quorum is not required for the second (postponed) meeting unless any item on the agenda proposes the amendment of the SAFA Cape Town constitution or the election of the President, the vice-Presidents and any member of the Regional Executive Committee, the dismissal of one or a number of members of a body of SAFA Cape Town, the expulsion of a Member, Associate Member or official of SAFA Cape Town or the dissolution of SAFA Cape Town.

24. DECISIONS OF THE COUNCIL

²



- 24.1 Unless otherwise stipulated in these Statutes, a simple majority of the accredited Members in good standing who are entitled to vote is sufficient for a vote to be valid. The number of valid votes counted shall decide the majority. Spoilt or blank voting slips or any other forms of abstentions are disregarded in calculating the majority.
- 24.2 A decision that requires a vote shall be reached by a show of hands or by means of an electronic count. In the event that voting by a show of hands does not result in a clear majority in favour of a motion, the vote shall be taken by calling the roll in alphabetical order.

25. ELECTIONS

ELECTIONS OF OFFICERS

- 25.1 Subject to the provisions of this Article, the election of office-bearers shall be by vote of accredited delegates and office-bearers present at a Quadrennial Congress Meeting of SAFA Cape Town.
- 25.2 Any person shall be eligible for election as President, Vice Presidents (of which one (1) will be a women)¹, Secretary, Treasurer or member of the Regional Executive Committee provided that such person is nominated by a member in good standing and complies with the eligibility provisions of the SAFA Standard Electoral Code.
- 25.3 Each Member present at the elective Congress Meeting shall have a vote which shall be exercised in accordance with the provisions of Article 21 in any election of office bearers, provided that no delegate shall be entitled to vote unless the Member which he/she represents is a Member in good standing and the vote to be cast represents the duly mandated position of the member on whose behalf the vote is to be cast.
- 25.4 Any Member in good standing shall be entitled to submit nominations for the position of President, Vice-Presidents (of which one (1) will be a women)², Secretary, Treasurer and the Regional List of candidates for election to the REC.
- 25.5 Only Members in good standing shall be entitled to submit nominations from their Associations to the Regional Executive Committee for election.
- 25.6 Sixty (60) days prior to the date of the elective Council the General Secretary shall distribute nomination forms to Members per registered post duly certified.
- 25.7 Members shall submit the original nomination forms either by registered post duly certified or by hand duly acknowledged to SAFA Cape Town's auditor such that they

¹ As submitted by Mitchells Plain LFA 2018

² As submitted by Mitchells Plain LFA 2018

are received at least thirty (30) days prior to the date of the elective Council. The closing date and time shall be specified in a circular distributed by the General Secretary with the nomination forms.

25.8 No nomination form will be accepted by SAFA Cape Town unless:-

25.8.1 The nomination form is signed by the President/Chairperson and the Secretary of the Member submitting the nomination; and

25.8.2 The nominee has submitted to the auditors his/her signed acceptance of the nomination on the form provided for this purpose, or in a copy or facsimile thereof, and this signed acceptance has been received by the auditor at least thirty (30) days prior to the date of the elective Council.

25.9 The onus shall be on the Member concerned to ensure that nominations and acceptances are received by the auditors on or before the closing date.

25.10 Within seven (7) days after the closing date for nominations, the auditor shall submit a list of those persons duly nominated to the General Secretary who shall forward the list to the SAFA Cape Town Electoral Committee for approval. The original nomination forms shall be retained by the auditors.

25.11 Within fourteen (14) days of receipt of nominations from the auditors, the General Secretary shall send the list of nominations as received from the auditors and approved by the Electoral Committee to all Members along with the agenda for the elective Congress.

25.12 The Chairperson of Electoral Committee and members of the Committee will conduct the elections in accordance with the provisions of SAFA Electoral Code.

25.13 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 elective Congress and indicates his/her willingness to accept nomination.

25.14 The first person to be elected shall be the President. Should only one nomination be received the candidate shall be declared duly elected. 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/she is a candidate, an outgoing Office Bearer nominated for this purpose by the outgoing Regional Executive Committee) shall have a casting vote.

25.15 Following the election of the President, the Vice-Presidents shall then be elected. Should only three (3)³ nominations be received, the candidates shall be declared

³ As submitted by Cape Town Tygerberg LFA & Mitchells Plain LFA 2018

duly elected. Should more than three (3)⁴ nominations for this position be received, then such elections will be determined by means of a ballot with the candidates polling the most number of votes elected to the position of Vice-Presidents.

25.16 Following the election of the Vice-Presidents, the Secretary and then the Treasurer shall be elected. Should only one (1) nomination be received, the candidate shall be declared duly elected. Should more than one (1) nomination for the position be received, then such elections will be determined by means of a ballot with the candidate polling the most number of votes elected to the position of Secretary, and Treasurer respectively.

25.17 Following the election of both the Secretary, and the Treasurer, the President shall announce the names of the LFA Representatives and the Associate members of the Regional Executive Committee elected for this purpose by the member in good standing.

25.18 Should any dispute relating to an election arise during the meeting, the electoral Committee shall rule thereon, and its ruling shall be final and may not be challenged by any candidate, delegate or Member.

25.19 Subject to the provisions of this Article, Office Bearers hold office until their successors have been elected at an elective Council.

25.20 A vacancy in any office of the Regional Executive Committee shall occur:-

25.20.1 upon the death or resignation of a member;

25.20.2 if a member is absent from three (3) consecutive meetings of the Regional Executive Committee without prior permission unless the Regional Executive Committee upon good cause being shown, otherwise decides;

25.20.3 if a member is found guilty of having conducted himself in any manner likely to prejudice the objects or activities of SAFA Cape Town and/or whose conduct has the effect of bringing SAFA Cape Town into disrepute;

25.20.4 upon the amendment of these Statutes providing for the addition of new members;

25.22 Should the office of any member of the Regional Executive Committee become vacant, the remaining members of the Regional Executive Committee shall have the power to co-opt a member in his/her place until the next Quadrennial elective Council provided that should the office of the President become vacant, the

⁴ As submitted by Cape Town Tygerberg LFA & Mitchells Plain LFA 2018

Regional Executive shall, at its next meeting, elect the Vice President to act as President until the next Ordinary Council Meeting.

- 25.23 At any Congress Meeting which is not an elective Council, elections will be held to fill offices that are vacant. 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, delegates 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.
- 25.24 An office bearer elected in accordance with Article 25.22 to fill a vacancy on the Regional Executive Committee holds office until the next Quadrennial elective Council.
- 25.25 The President, Vice Presidents, General Secretary and Treasurer shall not serve on the Executive body of any Member or Associated Member.

26. CONGRESS AND POLICY CONGRESS MEETINGS

- 26.1 Ordinary Congress Meetings shall be held quarterly.
- 26.2 The Regional Executive Committee shall fix the place and date. The Members shall be notified in writing at least twenty (20) calendar days in advance.
- 26.3 Subject to Article 27.3, the formal convocation shall be made in writing at least thirty (30) calendar days before the date of the Council. This convocation shall contain the agenda, the Regional Executive Committees activity report, the financial statements and the auditor's report, the minutes of the last Council and any other relevant documents.
- 26.4 All delegates of Members in good standing shall be entitled to speak at any Congress Meeting of SAFA Cape Town;
- 26.5 The following, if present, shall be entitled to vote:
- 26.5.1 delegates appointed by each Member in good standing.
- 26.6 Policy Council Meetings shall be held once a year and the provisions set out above for Ordinary Congress Meetings shall mutatis mutandis apply.

27. CONGRESS AGENDA AND POLICY CONGRESS

ANNUAL CONGRESS MEETING

- 27.1 The General Secretary shall, by registered post or telefax or email⁵, give all Members at least thirty (30) days advance notice of the date of the Annual Congress Meetings, which date shall be determined by the Regional Executive Committee and shall ordinarily be a date before June.
- 27.2 If, by December in any year, no date for an Annual Congress Meeting has been fixed by the Regional Executive Committee, any Member may by written notice to the General Secretary nominate a date for the Annual Congress Meeting between sixty (60) days away, and the Regional Executive Committee shall convene the Annual Congress Meeting for the date nominated in the first such notice s/he receives.
- 27.3 The General Secretary shall draw up the agenda based on proposals from the Regional Executive Committee and the Members. Any proposal that a Member wishes to submit to the Council shall be sent to the General Secretary in writing, with a brief explanation, at least twenty (20) days before the date of Council Meeting.
- 27.4 Motions to an Annual Congress Meeting shall be submitted to the General Secretary of SAFA Cape Town in writing per registered post or telefax or email⁶ not less than ten (10) days prior to the date of such Annual Congress Meeting. The General Secretary of SAFA Cape Town shall circulate all motions submitted to him/her together with the agenda for the Meeting and the audited financial statements of SAFA Cape Town to all Members per registered post and/or telefax not less than seven (7) days prior to the Annual Congress Meeting.
- 27.5 Members must forward in writing to the General Secretary the names of the delegates who will represent them at the Annual Congress Meeting. Unless such confirmation is received by the General Secretary at least seven (7) days before the meeting, the delegates in question will not be accredited and will not be entitled to participate in the meeting;
- 27.6 The Annual Congress Meeting may on good cause shown condone any non-compliance with the time limits set out in this Article.
- 27.7 The following business will be considered at each Annual Congress Meeting:-
- 27.7.1 To approve the credentials of delegates.

⁵ As submitted by Northern Suburbs LFA 2020

⁶ As submitted by Northern Suburbs LFA 2020

- 27.7.2 To confirm and adopt the Minutes of the previous Annual Congress Meeting, and any intervening Congress Meeting.
- 27.7.3 To receive the Presidential Address.
- 27.7.4 To consider and adopt the report of the Regional Executive Committee.
- 27.7.5 To consider and adopt the Audit Accounts, Balance Sheet and reports of the Auditors for the previous year.
- 27.7.6 To consider amendments to the Constitution.
- 27.7.7 To consider regulations made by the Regional Executive Committee.
- 27.7.8 To consider any applications for Associate Membership.
- 27.7.9 To accept new Members.
- 27.7.10 To determine the schedule of fees for the ensuing year.
- 27.7.11 To consider general matters for which thirty (30) days' notice had been given in writing
- 27.8 The agenda of an Annual Congress Meeting may be altered, provided two-thirds (2/3) of the Members present at the Annual Congress Meeting and eligible to vote, agree to such a motion.
- 27.9 The Annual Congress Meeting shall not make a decision on any point not included in the agenda.
- 27.10 The Agenda for Policy Congress Meetings shall be determined by the Regional Executive Committee and the provisions regarding notices, motions etc shall be mutatis mutandis be those set out for Annual Congress Meeting.

28. EXTRA ORDINARY CONGRESS MEETING

- 28.1 The Regional Executive Committee may convene an Extra Ordinary Congress Meeting at any time.
- 28.2 The Regional Executive Committee shall convene an Extra Ordinary Congress Meeting if one third (1/3) of the members of SAFA Cape Town make such a request in writing.

The request shall specify the items for the agenda. An Extra Ordinary Congress Meeting shall be held one (1) months of receipt of the request. If a Extra Ordinary Congress Meeting is not convened, the Members who requested it may convene the Extra Ordinary Congress Meeting themselves. As a last resort, the Members may request assistance from SAFA National.

28.3 The Members shall be notified of the place, date and agenda at least fourteen (14) calendar days before the date of an Extra Ordinary Congress Meeting.

28.4 When an extraordinary Extra Ordinary Congress Meeting is convened on the initiative of the Regional Executive Committee, it must draw up the agenda. When a Extra Ordinary Congress Meeting is convened upon the request of Members, the agenda must contain the points raised by those members.

28.5 The agenda of the Extra Ordinary Congress Meeting may not be altered.

29. AMENDMENTS TO THE CONSTITUTION, REGULATIONS GOVERNING THE APPLICATION OF THE STATUTES AND THE STANDING ORDERS OF THE ANNUAL CONGRESS MEETINGS

29.1 The Annual Congress Meeting is responsible for amending the Statutes, the Regulations Governing the application of the Statutes and the Standing Orders of the Annual Congress Meeting.

29.2 Any proposals for an amendment to the Constitution must be submitted in writing with a brief explanation to the general secretariat by a Member or by the Regional Executive Committee.

29.3 A proposal for an amendment to the Statutes shall be adopted only if two-thirds (2/3) of the Members present and eligible to vote; agree to it.

29.4 When considering an amendment to the Constitution, regulations and standing order of the Annual Congress Meeting, it shall be competent to adopt an amendment to such amendment.

29.5 The text of all amendments to the Constitution shall be forwarded to all members within 30 (thirty) days of it having been approved by Annual Congress Meeting.

29.6 Any proposal to amend the Regulations Governing the Application of the Constitution and the Standing Orders of the Annual Congress Meeting must be submitted in writing with a brief explanation to the general secretariat by a Member or by the Regional Executive Committee.

29.7 A proposal for an amendment to the Regulations Governing the Application of the Constitution and the Standing Orders of the Annual Congress Meeting shall be adopted only if a simple majority of the Members present and eligible to vote, agree to it.

30. MINUTES

30.1 The General Secretary shall be responsible to oversee the recording and the preparation of the minutes at the Congress. The minutes shall be checked by those Members designated and shall be approved at the next Congress.

30.2 The General Secretary shall distribute the minutes of the Congress within thirty (30) days after the date of the Congress Meeting.

31. EFFECTIVE DATES OF DECISIONS

31.1 Decisions passed by the Congress shall come into effect for the Members immediately after the close of the Congress Meeting, unless the Congress fixes another date for a decision to take effect.

32. REGIONAL EXECUTIVE COMMITTEE

32. Composition

32.1 The Regional Executive Committee consists of the following members:

32.1.1 the President;

32.1.2 three (3) Vice-Presidents of which one must be a woman⁷, Regional Secretary, Treasurer, thirty-six (36)⁸ LFA Representatives of whom shall be directly elected by the Members and one (1) representative from each Associate Member if there is any.

32.1.3 one (1) member each elected by the LFA to serve in the Regional Executive Committee as its representative;

⁷ As submitted by Mitchells Plain LFA 2018

⁸ As submitted by Cape Town Tygerberg LFA 2018

32.1.4 one (1) member each elected by the Associate Members if there is any.

32.2 The President, Vice-Presidents, Regional Secretary and Treasurer of the Regional Executive Committee shall be elected by the Annual Congress Meeting. Every candidate in the election of Regional Executive Committee members must be proposed by at least one (1) Member.

32.3 The mandate of the President, Vice-Presidents and members of the Regional Executive Committee is for four (4) years. They may be re-elected.

32.4 The members of the Regional Executive Committee shall have been registered in football for four (4) years, must not have been previously found guilty of a criminal offence and sentenced to a period of imprisonment without the option of a fine and have residency within the territory of the City of Cape Town Metro.

32.5 The official list of candidates must be sent to the Members of SAFA Cape Town along with the agenda for the Annual Congress Meeting at which the Regional Executive Committee will be elected as contemplated in Article 25.11.

32.6 A member of the Regional Executive Committee may not at the same time be a member of a judicial body of SAFA Cape Town.

32.7 Should a position become vacant, the Regional Executive Committee shall fill that position until the next Quadrennial Annual Congress Meeting.

33. MEETINGS OF THE REGIONAL EXECUTIVE COMMITTEE

33.1 The Regional Executive Committee shall meet at least once a month.

33.2 The General Secretary shall convene the Regional Executive Committee meetings in consultation with the President. Should 50% of the Regional Executive Committee members request a meeting, the General Secretary shall convene it within fourteen (14) calendar days of such request.

33.3 The General Secretary shall compile the agenda in consultation with the President. Each member of the Regional Executive Committee is entitled to propose items for inclusion in the agenda. The members of the Regional Executive Committee must submit the items they wish to be included in the agenda for the meeting to the General Secretary at least seven (7) calendar days before the meeting. The agenda must be sent out to the members of the General Secretary at least seven calendar days before the meeting.

- 33.4 The General Secretary shall participate in the meetings of the Regional Executive Committee and shall have the right to vote.
- 33.5 The meetings of the Regional Executive Committee shall not be held in public. The Regional Executive Committee may, however, invite third parties to attend. Those third parties shall not have voting rights, and may only express an opinion with the permission of the Regional Executive Committee.
- 33.6 The Regional Executive Committee shall approve a meetings calendar of the various standing and other committees appointed by the REC.
- 33.7 The General Secretary shall distribute the Record of Decisions (RoD) of the Regional Executive Committee within seven (7) calendar days after the date of the Regional Executive Committee Meeting.³**

34. POWERS OF THE REGIONAL EXECUTIVE COMMITTEE

34.1 The Regional Executive Committee:

- 34.1.1 shall pass decisions on all cases that do not come within the sphere of responsibility of the Congress or are not exclusively reserved for other bodies by law or under these Statutes;
- 34.1.2 shall prepare and convene the Annual, Policy and Extra Ordinary Congress Meetings of SAFA Cape Town;
- 34.1.3 shall appoint the chairperson, deputy chairperson and members of the standing committees. It shall appoint when the necessity arises in the appointment of relevant committees and more in particular to be cognisant of any imbalances or sensitivities in respect of representivity, equity or disability issues, but having regard for performance, the necessary expertise. They will be co-opted onto the REC to achieve objectivity and will have no voting rights;
- 34.1.4 shall recommend to the Council, the chairperson, deputy chairperson and members of the judicial bodies;
- 34.1.5 may decide to set up ad-hoc committees, if necessary at any time;
- 34.1.6 shall compile the regulations for the organisation of standing committees and ad-hoc committees;
- 34.1.7 shall propose the independent auditors to the Council;
- 34.1.8 shall decide the place and dates of and the number of teams participating in the competitions of SAFA Cape Town;
- 34.1.9 shall appoint the coaches for the representative teams and other technical

- staff including Heads of Delegation;
- 34.1.10 shall approve regulations stipulating how SAFA Cape Town shall be organised internally;
- 34.1.11 shall ensure that the Statutes are applied and adopt the executive arrangements required for their application;
- 34.1.12 may dismiss a person or body or suspend a Member of SAFA Cape Town provisionally until the next Council Meeting;
- 34.1.13 may delegate tasks arising out of its area of authority to other bodies of SAFA Cape Town or third parties.

35. DECISIONS OF THE REGIONAL EXECUTIVE COMMITTEE

- 35.1 Regional Executive Committee shall not engage in valid debate unless the absolute majority (50%+1) of its members are present. Once the Regional Executive Committee meets the quorum at the commencement of the meeting, all decisions taken by the meeting shall be valid and binding.
- 35.2 The Regional Executive Committee shall reach decisions by a simple majority of the members present. In the event of a tied vote, the President shall have the casting vote. Voting by proxy or by letter is not permitted.
- 35.3 Any member of the Regional Executive Committee must withdraw from the debate and from taking a decision if there is any risk of a conflict of interests.
- 35.4 The decisions taken shall be recorded in the minutes.
- 35.5 The decisions taken by the Regional Executive Committee shall come into effect immediately unless the Regional Executive Committee decides otherwise.

36. PRESIDENT

- 36.1 The President represents SAFA Cape Town legally.
- 36.2 He/She is primarily responsible for:
- 36.2.1 monitoring the implementation of the decisions passed by the Council and the Regional Executive Committee through the General Secretary;
- 36.2.2 ensuring the effective functioning of the bodies of SAFA Cape Town in order that they achieve the objectives described in these Statutes;

- 36.2.3 overseeing the work of the General Secretary;
- 36.2.4 promoting good relations between SAFA Cape Town and its Members, political bodies and other organisations within its area of jurisdiction.

36. The President shall preside over the Council, the Executive Committee, Emergency Committee meetings and those committees of which he/she has been appointed chairperson.

36.5 The President shall have an ordinary vote on the Executive Committee and, whenever votes are equal, shall have a casting vote.

36.6 If the President is absent or unavailable, the Vice President available and should he/she not be available any member of the Regional Executive Committee, shall deputise, and enjoy the same powers of the President.

36.7 Any additional powers of the President shall be contained in the internal organisation regulations of SAFA Cape Town;

36.8 Performs other responsibilities assigned by the REC.

36.9 The President shall not be an owner or have any interest financial or otherwise in any Football Club under the jurisdiction of SAFA Cape Town.

37. CANDIDATE FOR THE OFFICE OF THE PRESIDENT

37.1 The President shall be elected by Annual Congress Meeting for a period of four (4) years. His/Her mandate shall begin after the end of the Annual Congress Meeting which has elected him. A President may be re-elected.

37.2 For the election of the President, 2/3 of the votes recorded and valid are necessary in the first ballot. In the second and any other requisite ballot, an absolute majority of the votes recorded (50%+1) is sufficient. If there are more than two candidates, the candidate that obtains the lowest number of votes is eliminated from the second ballot until only two candidates are left.

37.3 Only members of SAFA Cape Town may propose candidates for the office of the President. Members shall notify the general secretariat (or its appointed agent for this purpose) in writing of the name of a candidate at least thirty (30) calendar days before the date of the Annual Congress Meeting.

37.4 The general secretariat shall notify the Members of the names of the proposed candidates at least thirty (30) days before the date of the Annual Congress Meeting.

37.5 If the President is permanently or temporarily prevented from performing his/her official functions, the Vice President shall represent him/her until the next Council

Meeting. This Council Meeting shall elect a new President, if necessary.

38. REPRESENTATION AND SIGNATURE

38.1 The President and the General Secretary represent SAFA Cape Town legally and are duly authorised to represent SAFA Cape Town in any legal proceedings and are entitled to sign for and on behalf of SAFA Cape Town. The Regional Executive Committee may set up internal organisation regulations regarding the joint signature of officers, in particular in case of the Presidents absence concerning all important business of SAFA Cape Town.

39. MANAGEMENT COMMITTEE

39.1 The Emergency Committee shall deal with all matters requiring immediate settlement between the meetings of the Regional Executive Committee. The Committee shall consist of the President of SAFA Cape Town, the Vice-Presidents, Secretary and Treasurer and two (2) additional members⁹ chosen from amongst the Regional Executive Committee members and appointed by the Regional Executive Committee for a period of four (4) years.

39.2 The President shall convene the Management Committee meetings. If a meeting cannot be convened within an appropriate period of time, decisions may be passed through other means of communication. Such decisions shall have immediate legal effect. The President shall notify the Regional Executive Committee immediately of the decisions passed by the Management Committee.

39.3 All decisions taken by the Management Committee shall be ratified by the Regional Executive Committee at its next meeting.

39.4 If the President is unable to attend a meeting, the Vice President shall deputise.

⁹ As submitted by Cape Town Tygerberg LFA 2018

40. STANDING COMMITTEES

40.1 The standing committees of SAFA Cape Town are:

- a) Finance and Procurement Committee;
- b) Internal and Audit Committee;
- c) Organising Committee for SAFA competitions;
- d) Technical and Development Committee;
- e) Referees Committee;
- f) Legal and Constitutional Affairs Committee;
- g) Women's Football Committee;
- h) Youth Football Committee;
- i) Futsal and Beach Football Committee;
- j) Dispute Resolution Committee;
- k) Commercial Committee;
- l) Remuneration Committee;
- m) Membership Affairs Committee.

40.2 The chairperson of the standing committees shall be members of the Regional Executive Committee with the exception of those for the Internal Audit Committee who must not belong to the Regional Executive Committee. The members of each standing committee shall be appointed by the Regional Executive Committee on the proposal of members or the President of SAFA Cape Town. The chairperson and the members of the standing committees shall be designated for a term of office of no more than four years or until the next Annual Congress Meeting.

40.3 Each chairperson shall represent his/her committee and conduct business in compliance with the relevant organisation regulations drawn up by the Regional Executive Committee.

40.4 Each chairperson shall fix the dates of meetings in consultation with the Regional Secretary.

40.5 Each committee may propose amendments to its regulations to the Regional Executive Committee.

41 FINANCE AND PROCUREMENT COMMITTEE

The Finance and Procurement Committee shall consist of a Chairman and no more than 5 (five) members and shall:

- 41.1 Monitor the financial management and advise the Regional Executive Committee on financial matters and asset management;
- 41.2 analyse the budget of SAFA Cape Town and the financial statements prepared by the Treasurer;
- 42.3 advise the Regional Executive Committee on the management of the Region's property and finances;
- 41.4 advise on matters relating to human resources and administration in general;
- 41.5 submit regular reports to the Regional Executive Committee.

42. INTERNAL AUDIT AND RISK COMMITTEE

The Internal Audit Committee shall consist of a chairperson, a deputy chairman and no more than 5 (five) members and shall:-

- 42.1 Ensure the completeness and reliability of the financial accounting and review the external auditors report at the request of the Regional Executive Committee;
- 42.2 Submit proposals on financial systems and accounting;
- 42.3 Submit regular reports to the Regional Executive Committee.

43. ORGANISING COMMITTEE FOR SAFA COMPETITIONS

The Organising Committee for SAFA Cape Town Competitions shall consist of a chair person and no more than 5 (five) members and shall:-

- 43.1 organise and monitor the competitions of SAFA Cape Town in compliance with the provisions of the Constitution and the regulations applicable to SAFA competitions;
- 43.2 provide and monitor the implementation of guidelines for the efficient management of all SAFA competitions;
- 43.3 advise the Regional Executive Committee on the competitions calendar;

43.4 shall examine and approve applications for all proposed new competitions amateur and non-amateur) by members to be played within SAFA Cape Town's jurisdiction;

43.5 submit regular reports to the REC.

44. TECHNICAL AND DEVELOPMENT COMMITTEE

The Technical and Development Committee shall consist of a chairperson and no more than 5 (five) members who shall:

44.1 primarily analyse the basic aspects of football training and technical development;

44.2 seek the improvement of training methods;

44.3 take all possible measures to improve the qualifications of coaches;

44.4 resolve questions on the theory of and practice of football;

44.5 take all possible measures to promote familiarisation with and experience in teaching football;

44.6 organise courses and conferences for instructors, trainers, coaches and administrators;

44.7 compile material on teaching and coaching techniques for players, trainers, coaches and referees;

44.8 provide the assistance necessary for the production of didactic films;

44.9 issue memoranda from time to time regarding technical assistance and grants which have been given or are to be given towards any development project;

44.10 be responsible for editing the technical section of official SAFA Cape Town publications;

44.11 recommend coaches, instructors or trainers for all national teams and Members at the Members' request;

44.12 consider and submit proposals on promotion and development of football;

44.13 develop and maintain regulations on football pitches;

- 44.14 advise the Regional Executive Committee on Reports submitted by coaches of Regional Teams;
- 44.15 submit regular reports to the Regional Executive Committee.

45. REGIONAL REFEREES COMMITTEE

The Regional Referees Committee shall consist of a chairperson and no more than 5 (five) members and shall:-

- 45.1 supervise and monitor the implementation/ of the Laws of the Game;
- 45.2 make decisions and interpretations regarding the Application of the Laws of the Game;
- 45.3 propose to the Regional Executive Committee any amendments to the Laws of the Game for submission to the FIFA Executive Committee;
- 45.5 compile a list of referees qualified to supervise Regional and national matches for submission to SAFA;
- 45.6 appoint the referees for all matches under the jurisdiction of SAFA Cape Town and its affiliates;
- 45.7 establish uniformity in methods of refereeing and implementation of the Laws for nationwide use;
- 45.8 establish uniform criteria for the inspection of referees for use by all SAFA Cape Town members;
- 45.9 organise courses for referees and referee instructors;
- 45.10 draw up a list of instructors and lecturers capable of conducting courses for referees;
- 45.11 prepare and produce useful didactic material on refereeing.

46. LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

The Legal & Constitutional Affairs Committee shall consist of a chairperson and no more than (5) five members and shall be responsible for the following:

- 46.1 analyse basic legal issues relating to football and the evolution of the Statutes and regulations of SAFA Cape Town and its Members;
- 46.2 take counsel, give advice on cases, disputes, or enquiries submitted to the Committee;
- 46.3 follow the development of the FIFA Statutes and Regulations which govern SAFA Cape Town and propose to the Regional Executive Committee any amendment which the Committee deems useful;
- 46.4 check the statutes and regulations governing affiliated members, as the case may be, and recommend that the Regional Executive Committee intervene to bring about any desired amendments;
- 46.5 issue memoranda from time to time on the meaning of, and lessons to be learnt from Disciplinary Committee, Appeals Board and Arbitration decisions and to advise the Region and/or its Members on relevant matters in this regard;
- 46.6 assist in the review of sponsorship, player/official and other contracts/legal agreements entered into from time to time by the Region;
- 46.7 conduct regular reviews of the SAFA Cape Town Constitution to ensure compliance with SAFA statutes and to advise and propose changes/updates to the Region's Articles, Rules, Regulations and Guidelines;
- 46.8 supply a panel of pro-forma prosecutors to present cases for SAFA Cape Town at the judicial bodies;
- 46.9 review SAFA Cape Town Members Constitutions, Rules and Regulations to ensure compliance with the provisions of the SAFA statutes;
- 46.10 assist in the Players Agent accreditation process;
- 46.11 provide guidelines for the maintenance of the SAFA Cape Town's Legal archives;
- 46.12 review SAFA Cape Town's competition rules from time to time;
- 46.13 submit regular reports to the REC.

47. WOMENS FOOTBALL COMMITTEE

The Committee for Women's Football shall consist of a chairperson and no more than 5 (five) members and shall be responsible for the following:

- 47.1 drafting and submitting proposals on policies on women football development;
- 47.2 dealing with all matters relating to women football;
- 47.3 monitoring women's football competitions;
- 47.4 submitting regular reports to the REC.

48. YOUTH FOOTBALL COMMITTEE

The Youth Football Committee shall consist of a chairperson 5(five) members and be responsible for the following:

- 48.1 monitoring youth football competitions;
- 48.2 advising the regional Executive Committee on all matters related to youth development;
- 48.3 conceptualising, guiding and coordinating the development of a comprehensive youth development policy framework for the Region;
- 48.4 ensuring the implementation of the Region Youth Development Framework;
- 48.5 advising the Regional Executive Committee on all matters related to development of youth at all school levels;
- 48.6 ensuring the establishment of viable football structures in the regional school system;
- 48.7 submitting regular reports to the REC.

49. FUTSAL AND BEACH COMMITTEE

The Futsal Committee shall be composed the chairperson and no more than five (05) members responsible for the following:

- 49.1 monitoring futsal competitions and dealing with all matters relating to beach football;
- 49.2 advising the REC on matters related to the development of the Laws of the Game for futsal;
- 49.4 organising such matches and competitions as may be necessary for the advancement of futsal in Cape Town;
- 49.5 conceptualising, guiding and coordinating the development of a comprehensive futsal development framework for SAFA Cape Town;
- 49.6 drafting and proposing policy on development and administration of Beach football in Cape Town;
- 49.7 monitoring Beach football competitions:
- 49.8 dealing with all matters relating to Beach football;
- 49.9 submitting regular reports to the REC.

50. DISPUTE RESOLUTION COMMITTEE

The Dispute Resolution Committee shall consist of at least three (3) members, provided that the Chairperson shall have legal qualification and shall be responsible for the following:-

- 50.1 dealing with the following disputes and other disputes not provided for in the Disciplinary Code:
 - 50.1.1 disputes between SAFA Cape Town and its members;
 - 50.1.2 disputes between affiliates and its members;
 - 50.1.3 disputes involving players, officials and players agents that do not fall under the jurisdiction of the judicial bodies;
 - 50.1.4 submitting regular reports to REC.

51. MEMBERSHIP AFFAIRS

The Membership Affairs Committee shall consist of the chairperson and not more than five (5) members and shall be responsible for the following:

- 51.1 advising the Regional Executive Committee on all matters related to status of Members;
- 51.2 establishing guidelines to ensure that all SAFA Cape Town Members operate viable structures to develop the game of football in their areas of jurisdiction;
- 51.3 assisting the Local Executive Councils in the execution of their duties;
- 51.4 assisting in the establishment of efficient communication systems between SAFA Cape Town's Members and Regional structures;
- 51.5 ensuring that all SAFA Cape Town Members participate fully in the establishment and maintenance of the Regional players, coaches, referees, administrators and competitions registration database;
- 51.6 ensuring that all SAFA Cape Town Members submit Annual Reports to SAFA Cape Town;
- 51.7 ensuring that all Regional property allocated to the members is utilised in accordance with the rules, regulations and policies of the Region;
- 51.8 submitting regular reports to the REC.

52. REMUNERATION COMMITTEE INCLUDING THE FUNCTIONS

The Remuneration Committee shall consist of the chairperson and not more than two (2) members and shall be responsible for the following:

- 52.1 determine and agree with the SAFA CT Congress on the broad policy for remuneration of the SAFA CT Congress Members & Regional Executive Members, management and staff Members and any other remuneration as defined by the 7th Schedule of the Income Tax Act;
- 52.2 recommend and monitor and note the level and structure of remuneration of Senior Management;

- 52.3 consider and adjudicate on the achievement of the performance conditions under annual bonus arrangements and make recommendations to the SAFA CT Congress;
- 52.4 oversee the setting and administration of remuneration and pay scales at all levels in the Region;
- 52.5 the establishment of the remuneration policy that will promote the strategic objectives of SAFA CT and encourage individual performance;
- 52.6 evaluate the accuracy of performance measures as they relate to performance bonuses, pay increases and affordability thereof;
- 52.7 select an appropriate comparative group when comparing remuneration levels and apply appropriate rigour to the salary benchmarking process;
- 52.8 recommend pay and honorarium increases of senior management and SAFA CT Council Members;
- 52.9 ensure sustainable and responsible remuneration levels and practices;
- 52.10 prepare feedback reports to the SAFA CT REC after each Remco meeting

53. PLAYER STATUS COMMITTEE

The Player Status Committee shall consist of the chairperson and not more than five (5) members and shall be responsible for the following:

- 53.1 setting up and monitoring compliance with transfer regulations in accordance with the SAFA CT Regulations for the Status and Transfer of Players;
- 53.2 determining the status of Players for various competitions of SAFA CT;
- 53.3 submitting regular reports to the SAFA CT Congress;
- 53.4 players' status disputes involving SAFA CT, its Members, Players, Officials and match agents shall be settled by an Arbitration Tribunal in accordance with these Statutes

54. SPORTS MEDICAL COMMITTEE

The Sports Medical Committee shall consist of the chairperson and not more than five (5) members and shall be responsible for the following:

- 54.1 dealing with all medical aspects of football;
- 54.2 advising the SAFA CT Congress on every aspect of medicine, physiology and hygiene;
- 54.3 developing and using scientific experience in the fields of physiology, medical control, training theories, psychology and hygiene;
- 54.4 developing and maintaining a medical guide for use by coaches, players and referees;
- 54.5 developing and maintaining a guide for players to improve their athletic ability, physical fitness and performance capacity;
- 54.6 preparing memoranda for trainers and coaches on the physical preparation of football players;
- 54.7 preparing memoranda on diet and nourishment for players, giving appropriate recommendations;
- 54.8 preparing memoranda on general aspects of sports hygiene and, in particular, the effects of certain substances on the body (alcohol, nicotine, medicaments, drugs, etc)
- 54.9 issuing instructions regarding medical facilities to be made available at all international matches and tournaments;
- 54.10 investigating all types of injuries suffered during football matches and issuing recommendations for improved prevention or treatment of such injuries;
- 54.11 developing and maintaining regulations on doping control as contemplated by FIFA's Doping Control Regulations

55. SCHOOLS COMMITTEE

The Schools Committee shall consist of the chairperson and not more than five (5) members and shall be responsible for the following:

- 55.1 drafting and proposing policy on development and administration of Schools football in SAFA CT;
- 55.2 monitoring Schools football competitions;

55.3 dealing with all matters relating to Schools football;

55.4 submitting regular reports to the SAFA CT Congress;

56. SAFETY, SECURITY & FAIR PLAY COMMITTEE

The Safety, Security & Fair Play Committee shall consist of the chairperson and not more than five (5) members and shall be responsible for the following:

56.1 examining generally every aspect of security inside stadia and in the immediate vicinity;

56.2 investigating every possible way of improving security at football matches;

56.3 dealing with security issues at SAFA CT offices;

56.4 dealing with matters of protocol;

56.5 dealing with matters of protocol during SAFA CT events;

56.6 drawing up relevant proposals for presentation to the SAFA CT Congress;

56.7 submitting regular reports to the SAFA CT Congress

57. ETHICS COMMITTEE

The Ethics Committee shall consist of the chairperson and not more than five (5) members who has high moral values as a person and shall be responsible for the following:

57.1 drafting policies to promote Ethics and fair-play;

57.2 monitoring all activities of SAFA CT;

57.3 investigating matters relating to the violation of the SAFA Ethics Policy or suspected unethical conduct, Statutes or Code of Conduct by Members of the Regional Executive Committee, Local Executive Committee or the SAFA CT Congress;

- 57.4 to investigate and adjudicate incidents of suspected unethical conduct against any Member when requested to do so by the President, Management Committee or SAFA CT Congress or the manager and staff of SAFA CT;
- 57.5 submit reports of the investigation to the SAFA CT General Congress;
- 57.6 depending on the nature of the suspected violation and the circumstances thereof, the SAFA CT Council may refer some cases of suspected misconduct to an independent panel to investigate;
- 57.7 ensuring that the Ethics framework of SAFA is aligned with that of FIFA and CAF

58. CLUB LICENSING COMMITTEE

The Club Licensing Committee shall consist of the chairperson and not more than five (5) members who has high moral values as a person and shall be responsible for the following:

- 58.1 SAFA CT shall operate a Club licensing system in accordance with the principles of the Club licensing regulations of SAFA, CAF and FIFA;
- 58.2 The objective of the Club licensing system is to safeguard the credibility and integrity of Club competitions, to improve the level of professionalism of SAFA CT, to promote sporting values in accordance with the principles of fair play as well as safe and secure match environments and to promote transparency in the finances, ownership and control of Clubs;
- 58.3 The SAFA CT Congress of SAFA CT shall issue club licensing regulations governing the club licensing system. Inter alia, the club licensing regulations shall stipulate to which clubs the system applies. At a minimum, the club licensing system must be implemented in respect of top-division clubs which qualify for SAFA CT Club competitions on sporting merit. Nothing herein contained shall preclude the League or any Member from creating and implementing its own system which must not be inconsistent with that of SAFACT, SAFA, CAF and FIFA

59. AD-HOC COMMITTEES AND SUB COMMITTEES

- 59.1 The Regional Executive Committee may, if necessary, create Ad-Hoc committees for special duties and a limited period of time;

- 59.2 The convenor and the members and the terms of reference shall be set out in the resolution adopted by the Regional Executive Committee;
- 59.3 Ad-Hoc committees shall report directly to the Regional Executive Committee;
- 59.4 Standing Committees may establish sub-committees to facilitate their work and shall submit reports to their respective Standing Committees.

60. GENERAL SECRETARY

- 60.1 The General Secretary and the President represent SAFA Cape Town legally and are entitled to sign for SAFA Cape Town;
- 60.2 He/She shall be responsible for:
- 60.2.1 implementing decisions passed by the Council and Regional Executive Committee;
 - 60.3 attending the Council and meetings of the Regional Executive Committee, Management Committee and the standing and ad-hoc committees;
 - 60.4.3 organising the Council and meetings of the Regional Executive Committee and other bodies;
 - 60.4.4 compiling the minutes for the meetings of the Council, Regional Executive Committee, Management Committee and standing and ad-hoc committees;
 - 60.4.5 in conjunction with the Treasurer manage and keep the accounts of SAFA Cape Town properly;
 - 60.4.6 the correspondence of SAFA Cape Town;
 - 60.4.7 relations with the Members, committees, SAFA;
 - 60.4.8 organising the general secretariat/administration;
 - 60.4.9 the appointment and dismissal of staff working in the general secretariat.
- 60.5 The General Secretary or his or her nominee shall attend the meetings of all the committees ex officio;
- 60.6 The General Secretary shall not be a Council delegate or a member of any body of SAFA Cape Town.

61. JUDICIAL BODIES

- 61.1 The judicial bodies of SAFA Cape Town are:

- a) the Regional Disciplinary Committee;
- b) the Regional Appeal Board;
- c) the Dispute Resolutions Committee
- d) the Ethics Committee

61.2 The responsibilities and functions of these bodies shall be stipulated in the Disciplinary Code of SAFA Cape Town, which shall comply with the SAFA Disciplinary Code;

61.3 The decision-making powers of other Committees remain unaffected;

61.4 The members of the judicial bodies may not belong to any other body of SAFA Cape Town at the same time.

62. REGIONAL DISCIPLINARY COMMITTEE

62.1 The Regional Disciplinary Committee shall consist of a **chairperson**¹⁰ and the number of members deemed necessary.

62.2 The functions of this body shall be governed by the Disciplinary Code of SAFA. The committee shall pass decisions only when at least three members are present. In certain cases, the chairperson may rule alone in accordance with the Disciplinary Code of SAFA;

62.3 The committee may pronounce the sanctions prescribed in these Statutes and the Disciplinary Code of SAFA on Members, Officials, Players, Clubs and match and players agents;

62.4 These provisions are subject to the disciplinary powers of the Congress and the Regional Executive Committee with regard to the suspension and expulsion of Members.

63. REGIONAL APPEALS

63.1 The Appeals from the Regional Disciplinary Committee and those from the Regional Executive Committee shall be referred to as the SAFA Appeals Board;

¹⁰ As submitted by Metropolitan LFA (Legal Qualification removed) 2018

63.2 The Appeals from Local Football Associations and Associate members shall be referred to the Regional Disciplinary Committee and in such an instance it shall perform its function as the Regional Appeal Board.

64. DISCIPLINARY MEASURES

The disciplinary measures are primarily:

64.1 for natural and legal persons:

- a) a warning;
- b) a reprimand;
- c) a fine;
- d) the return of awards.

64.2 for natural persons:

- a) a caution;
- b) an expulsion;
- c) a match suspension;
- d) a ban from the dressing rooms and/or the substitutes bench;
- e) a ban from entering a stadium;
- f) a ban on taking part in any football-related activity.

64.3 for legal persons:

- a) a transfer ban;
- b) playing a match without spectators;
- c) playing a match on neutral territory;
- d) a ban on playing in a particular stadium;
- e) annulment of the result of the match;
- f) expulsion;
- g) a forfeit;
- h) deduction of points;
- i) relegation to a lower division.

65. DISPUTE RESOLUTION PROCEDURE

65.1 Everybody or individual falling under the jurisdiction of SAFA Cape Town shall ensure that any dispute that it has with a body or individual falling under the jurisdiction of SAFA Cape Town is resolved in accordance with the dispute prevention and resolution procedures set out in the Constitution, Rules and Regulations;

- 65.2 Where no specific dispute prevention or resolution procedures are set in the Constitution, Rules and Regulations, or where any member or an affiliate of a member, or individual prefers to, disputes may be referred directly to arbitration for resolution. It is specifically provided that where LFA members or its affiliates or individual opts for arbitration, such arbitration may be conducted by a senior lawyer in the Province;
- 65.3 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 procedure contemplated by this Article, no body or individual falling under the jurisdiction of SAFA shall approach a Court of Law to decide on a dispute it has with a body or individual affiliated to SAFA;
- 65.4 In accordance with Article 59 and 60 of the FIFA Statutes, any final appeal against an arbitration award shall be heard by the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.

66. JURISDICTION

- 66.1 SAFA Cape Town, its Members, Players, Officials and match and players agents will not take any dispute to Ordinary Courts unless specifically provided for in these Statutes and SAFA regulations;
- 66.2 SAFA Cape Town shall have jurisdiction on internal Regional disputes, i.e. disputes between parties belonging to SAFA Cape Town.

67. FINANCIAL MATTERS

- 67.1 SAFA Cape Town finances shall be conducted in accordance with the principles of GAAP and 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 SAFA Cape Town 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:
- 67.1.1 Reasonable remuneration for the services actually rendered for or on behalf of SAFA Cape Town;
 - 67.1.2 reimbursement of actual costs, expenses and other commitments incurred on behalf of SAFA Cape Town;

- 67.1.3 payment of gratuity and/or pension on the retirement of any person who previously shall have been in the employ of SAFA Cape Town;
- 67.1.4 payment of honoraria to members of the Regional Executive Committee on a basis to be determined and approved by the General Congress;
- 67.1.5 other expenses approved by the Council and expenses that the Regional Executive Committee is entitled to incur within the scope of its authority;
- 67.1.6 all other expenses in keeping with the objectives pursued by SAFA Cape Town.

67.2 The financial period of SAFA Cape Town shall close on 31 October in each year;

67.3 The signatories shall be three (3) duly authorised by SAFA Cape Town, one of whom shall be the President.

67.4 The financial resources of SAFA Cape Town shall include, but not be limited to:

- 67.4.1 annual subscription fees of Members;
- 67.4.2 regional competition entry fees;
- 67.4.3 player Registration fees;
- 67.4.4 donations, subject to section 30(3)(b)(v) of the Income Tax Act 58 of 1962;
- 67.4.5 loans;
- 67.4.6 State grants;
- 67.4.7 returns on investments;
- 67.4.8 interest on loans;
- 67.4.9 proceeds of sales of assets;
- 67.4.10 radio and electronic broadcasting rights.

67.5 SAFA Cape Town may invest its funds only:

- 67.5.1 with a financial institution as defined in section 1 of the Financial Institutions (Protection of Funds) Act 28 of 2001;
- 67.5.2 in securities listed on a licensed stock exchange as defined in the Security Services Act 36 of 2004;
- 67.5.3 in any other prudent investments covered by section 30(3)(b)(ii)(cc) of the Income Tax Act 58 of 1961.

- 67.6 Notwithstanding Article 10.5, SAFA Cape Town may retain any investment which is donated or bequeathed to it in the form that it was so donated or bequeathed, provided that SAFA Cape Town 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;
- 67.7 SAFA Cape Town may not carry on any business undertaking or trading activity otherwise than to the extent that the undertaking or activity is:
- 67.7.1 integral and directly related to the objects of SAFA Cape Town, and
 - 67.7.2 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
- 67.8 if the undertaking or activity is not integral and directly related to the objects of SAFA Cape Town, it should be of an occasional nature and undertaken on a voluntary basis without compensation;
- 67.9 the General Secretary and Treasurer are responsible for drawing up the annual consolidated accounts of SAFA Cape Town and its subsidiaries as at 31 October;
- 67.10 the revenue and expenses of SAFA Cape Town shall be managed so that they balance out over the financial period. SAFA Cape Towns major duties in the future shall be guaranteed through the creation of reserves.

68. INDEPENDENT AUDITORS

- 68.1 The independent auditors appointed by the Annual Congress Meeting shall audit the accounts approved by the Finance Committee in accordance with the appropriate principles of accounting and present a report to the Congress.
- 68.2 The auditors shall be appointed for a period of 2 (two) years. This mandate may be renewed.

69. MEMBERSHIP SUBSCRIPTIONS

- 69.1 Membership subscriptions are due on 1 April;
- 69.2 The annual subscription for new Members for the year in question shall be paid within 30 days of the close of the Congress at which they are admitted;

69.3 The Congress shall fix the amount of the annual subscription every year on the recommendation of the Regional Executive Committee.

70. SETTLEMENT

70.1 SAFA Cape Town may debit any Members account to settle claims.

71. LEVIES

71.1 SAFA Cape Town may determine and demand that a levy be paid by its Members for matches.

72. COMPETITIONS

72.1 SAFA Cape Town organizes, coordinates and/or regulates the following official competitions held within its territory:

72.1.1 The Regional Championship;

72.1.2 FA Regional Cup;

72.1.3 Regional Leagues (amateur and development);

72.1.4 Inter-Regional and Inter-Provincial Competitions;

72.1.5 Youth and women competitions.

72.2 The Regional Executive Committee may delegate to subordinate Leagues the authority to organise competitions. The competitions organised by the Leagues shall not interfere with those competitions organised by SAFA Cape Town. Competitions organised by SAFA Cape Town shall take priority;

72.3 The Regional Executive Committee may issue special regulations to this end.

73. CLUB LICENSING

73.1 SAFA Cape Town shall operate a Club licensing system in accordance with the principles of the Club licensing regulations of SAFA;

73.2 The objective of the Club licensing system is to safeguard the credibility and integrity of Club competitions, to improve the level of professionalism, to promote sporting values in accordance with the principles of fair play as well as safe and secure match environments and to promote transparency in the finances, ownership and control of Clubs.

74. RIGHTS

74.1 SAFA Cape Town and its Members are the original owners of all of the rights emanating from competitions and other events coming under their respective jurisdiction, without any restrictions as to content, time, place and law. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights and incorporeal rights such as logos, emblems, trademarks and other rights arising under copyright law;

74.2 The Regional Executive Committee shall decide how and to what extent these rights are utilised and draw up special regulations to this end. The Regional Executive Committee shall approve whether these rights shall be utilised exclusively, or jointly with a third party or entirely through a third party.

75. AUTHORISATION

75.1 SAFA Cape Town and its Members are exclusively responsible for authorising the distribution of image and sound and other data carriers of football matches and events coming under their respective jurisdiction, without any restrictions as to content, time, place and technical and legal aspects.

76. NATIONAL MATCHES AND COMPETITIONS

76.1 The authority for organising regional matches and competitions between teams affiliated to different Local Football Associations, between Leagues and/or Club teams lies solely with SAFA Cape Town. No match or competition shall take place

without the prior permission of the SAFA Regional Executive Committee. In addition, permission from the relevant Province may be required in accordance with the SAFA regulations;

76.2 SAFA Cape Town is bound to comply with the national match calendar compiled by SAFA.

77. CONTACTS

77.1 SAFA Cape Town shall not play matches or make sporting contacts with Associations that are not members of SAFA or with provisional members of a Region without the approval of SAFA.

78. APPROVAL

78.1 Clubs, Leagues or any other group of Clubs that are affiliated to SAFA Cape Town cannot belong to another Associations or participate in competitions on the territory of another Region without the authorisation of SAFA Cape Town and the other Associations and of SAFA, except in exceptional circumstances.

79. UNFORSEEN CONTINGENCIES AND FORCE MAJEURE

72.1The Regional Executive Committee shall have the final decision on any matters not provided for in these Statutes or in cases of force majeure.

80. DISSOLUTION

80.1 SAFA Cape Town may, by resolution at an Extra Ordinary Congress Meeting called solely for this purpose, dissolve the Region;

80.2 A resolution to dissolve the Region will be of no force and effect unless:

80.2.1 it is carried with the support of seventy five percent (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 extra ordinary congress concerned had been fully represented at that meeting; and

80.2.2 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 SAFA Cape Town to whom whatever property, capital and accrued income of SAFA Cape Town remains upon the winding up or dissolution of SAFA Cape Town, shall be distributed after satisfaction of all debts and commitments of SAFA Cape Town and the proportions in which any such property, capital or accrued income shall be distributed to such organizations.

80.3 If SAFA Cape Town is disbanded its assets shall be transferred to an organisation with similar status and objectives as SAFA Cape Town. It shall hold these assets in trust as bonus pater familias until SAFA Cape Town is re-established. The final Congress Meeting may, however, choose another recipient for the assets on the basis of a two-thirds majority.

81. ENFORCEMENT

81.1 This Constitution adopted at the SAFA Cape Town Congress on **16 February 2020** at Cape Town and will come into force immediately.

82. INDEMNITY

82.1 The officials of SAFA Cape Town 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 SAFA Cape Town.

83. UNFORSEEN MATTERS AND FORCE MAJEURE

83.1 Subject to the Constitution of the Republic, should this Constitution be silent on any matter that may arise, the Statutes of SAFA, FIFA and CAF shall apply, in that order, and if they too are silent the Regional Executive shall give a ruling on such matter, which shall be final and binding. A force majeure clause generally provides that one or both of the parties to a contract may be excused from performing its obligations when an event occurs which is outside the parties control.

84. RULES

- 84.1 SAFA Cape Town may, by a simple majority of votes cast at a Congress Meetings, adopt Rules consistent with these statutes;
- 84.2 Any Rules made in terms of Article 84.1 may be amended or repealed by a simple majority of votes cast at a congress;
- 84.3 Save as is set out in Articles 84.1 above, all Rules shall be deemed to form part of these statutes and shall be binding on the Region, all Members and all clubs and persons falling under the jurisdiction of the Region and its Members.

85. REVIEW AND RESCISSION

- 85.1 Members shall have the right to move a motion to review and rescind any resolution of SAFA Cape Town. 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 SAFA Cape Town on pain of lapsing;
- 85.2 If such notice is not given at the meeting at which the resolution is adopted it must reach the General Secretary of SAFA Cape Town thirty (30) days prior to the Meeting at which it is to be moved, and the General Secretary shall inform all affiliates thereof at least fourteen (14) days prior to the meeting;
- 85.3 No resolution may be rescinded unless two-thirds (2/3) majority of the affiliates present and empowered to vote are in favour of the rescission;
- 85.4 Upon the rescission of a resolution SAFA Cape Town shall have the power to pass a fresh resolution as it deems fit;
- 85.5 No resolution may be reviewed more than once in any calendar year.

86. NOTICES

For the purposes of these statutes and the Rules and Regulations:

- 86.1 any document sent by registered mail shall be deemed to have been received within seven (7) working days of same having been posted;

- 86.2 any document proven to have been faxed successfully to a fax line shall be deemed to have been received at the address of that fax line within one (1) working day of same having been faxed;
- 86.3 any document proven to have been sent successfully by e-mail to an e-mail address shall be deemed to have been received by the owner of that e-mail address within one (1) working day of same having been successfully sent.

Adopted by the Regional Annual Congress held at Cape Town on this 13th day of February 2022.



REGIONAL PRESIDENT



REGIONAL GENERAL SECRETARY

CERTIFIED TO BE IN LINE WITH SAFA STATUTES ON THIS 13 DAY OF February 2022.

**CHAIRPERSON
SAFA LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE**