



SOUTH AFRICA

CONSTITUTION

Version 1.0
(2024)

Copyright 2024 WKU K1 South Africa ©

Please note that the content of this document is the property of WKU K1 South Africa. Permission is granted to use the content within the organization. Reproduction and copying of this document's content is not permitted.



Table of Contents

1. Name and Corporate Identity..... 2

2. Definitions and Abbreviations 2

3. Interpretations 4

4. Headquarters..... 4

5. Area of Jurisdiction 4

6. Objectives 4

7. Membership 6

8. Membership Criteria..... 6

9. Honorary Life Members..... 6

10. Limitation of Liability and Members Indemnity 7

11. Terminating Membership..... 7

12. Payment and Collection of Fees 8

13. Powers of K1 SA 8

14. National Structure 10

15. Reporting Structure 11

16. Roles and Responsibilities of Office Bearers 11

17. The Executive Committee..... 11

18. Election and Dismissal of EXCO Members..... 14

19. Annual General Meetings (A.G.M.)..... 16

20. General Provisions for A.G.M.'s and EXCO Meetings..... 17

21. Amendments to The Constitution 18

22. Notifications 18

23. Interpretation of This Constitution..... 18

24. Dissolution or Winding Up of K1 SA..... 19

25. Non-Racialism and Freedom of Association 19

26. Affiliation to K1 SA..... 20



1. Name and Corporate Identity

- 1.1. This is the Constitution of WKU K1 South Africa herein referred to as **K1 SA**.
- 1.2. K1 SA strives to develop and uplift the sport of K1 in South Africa by regulating, transforming, and providing opportunities and support for its affiliated members.
- 1.3. The Company is voluntary, having a corporate identity separate from its members.
- 1.4. K1 SA is internationally affiliated to WKUWORLD and nationally affiliated to MASA.
- 1.5. K1 SA's Executive Management structure is separate from its director structure.
- 1.6. K1 SA's financial year end will be on the last day of February of each year.
- 1.7. Auditors will be appointed by the National Executive Committee of K1 SA.
- 1.8. English is the official language of K1 SA.

2. Definitions and Abbreviations

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 2.1. "**Members**" refers to everyone that's a registered member of a registered club of K1 SA, not excluding event organizers / promoters.
- 2.2. "**Ordinary Members**" refers to all clubs, associations, federations, and/or individuals who have applied and have been accepted as official members of K1 SA.
- 2.3. "**Additional Members**" refers to members that are elected / appointed by the EXCO.
- 2.4. "**Provisional Members**" refers to a member that does not have voting rights and does not form part of the formal structures of K1 SA, but they are allowed to compete at K1 SA events.
- 2.5. "**Honorary Life Members**" refers to all the Life Members of K1 SA at the date of adoption of this Constitution and all other persons who are nominated and ratified by the EXCO.
- 2.6. "**Club**" refers to a registered training facility where martial arts and more specifically, K1, is practiced by a group of people. This includes any sub-club, a sub-section of a larger club, and a club that forms part of a tertiary institution that caters for the sport.
- 2.7. "**Constitution**" refers to the documented principles or established precedents according to which K1 SA must be governed.
- 2.8. "**SASCOC**" refers to the South African Sports Confederation and Olympic Committee.
- 2.9. "**WKUWORLD**" refers to the international sport governing body, the World Karate & Kickboxing Union (WKU) with its headquarters based in Germany, Europe.
- 2.10. "**GCO**" refers to the Global Combat Sport Organization.



-
- 2.11. **“SAIDS”** refers to the South African Institute for Drug-free Sport.
 - 2.12. **“WADA”** refers to the World Anti-Doping Association.
 - 2.13. **“Day”** refers to a calendar day.
 - 2.14. **“Working Day”** refers to a calendar day that excludes Saturdays, Sundays and Public Holidays.
 - 2.15. **“Month”** refers to a calendar month.
 - 2.16. **“Year”** refers to a calendar year.
 - 2.17. **“K1”** refers to the combat sport as described in the official approved rules of K1 SA.
 - 2.18. **“Headquarters”** refers to the head office of K1 SA.
 - 2.19. **“Person”** refers to a natural person.
 - 2.20. **“Director”** refers to a person who manages and oversees an aspect of the organization.
 - 2.21. **“EXCO”** refers to the National Executive Committee of K1 SA,
 - 2.22. **“ManCo”** refers to a management committee, which is a group of appointed individuals that make decisions on how their region or province is managed.
 - 2.23. **“National Structure”** refers to the complete organizational structure of K1 SA.
 - 2.24. **“Regional Structure”** refers to the ManCo that oversees all the provinces in a particular region, the regional structure is divided into the Inland and Coastal Structure.
 - 2.25. **“Provincial Structure”** refers to the ManCo that manages a particular province.
 - 2.26. **“Reporting Structure”** refers to the system established within the organization that outlines the hierarchy of authority, reporting lines, and communication channels.
 - 2.27. **“Appeal Board”** refers to a group of people appointed by the EXCO to judge whether an official decision was right or wrong and resolve disputes in terms of this Constitution.
 - 2.28. **“A.G.M.”** refers to the Annual General Meeting as described in clause 19.
 - 2.29. **“S.G.M.”** refers to a Special General Meeting, which is a meeting that is called if a matter cannot wait until the next A.G.M.
 - 2.30. **“Fees”** refer to the monies paid to K1 SA, which includes affiliation fees and other payments.
 - 2.31. **“Office Bearer”** refers to a person who holds a position of authority in the organization.
 - 2.32. **“Promissory note”** refers to a written promise to pay a definite sum of money.
 - 2.33. **“President”** refers to the President of K1 SA.
 - 2.34. **“Vice-President”** refers to the person second in charge within the organization.



- 2.35. "Technical Director" refers to the person who oversees event regulation and sanctioning, manages all the officials, and ensures all K1 SA rules and safety regulations are followed at all activities within the organization.
- 2.36. "Secretary-General" refers to the chief administrative officer of K1 SA.
- 2.37. "Treasurer" refers to the appointed person who manages the financial assets and liabilities of the organization.
- 2.38. "Business Development Officer" refers to a person who focuses on developing the business aspects of the organization.
- 2.39. "Sports Development Officer" refers to a person who focuses on developing the sport aspects of the organization.

3. Interpretations

- 3.1. The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used to interpret the content underneath it.
- 3.2. Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.

4. Headquarters

- 4.1. The Headquarters of K1 SA shall be in Centurion, Gauteng at the office of the President, in the Republic of South Africa, and shall remain at that place until the EXCO decides that the Headquarters must be moved to another place, provided that the Headquarters remain within the Republic of South Africa.

5. Area of Jurisdiction

- 5.1. K1 SA's geographical area of jurisdiction shall be the 9 provinces of South Africa, including other areas as included in the area of jurisdiction of its members.

6. Objectives

- 6.1. To be and to operate and function as an autonomous regulation and administrative body of K1 within the boundaries of South Africa.
- 6.2. To encourage decentralization in the different regions to ensure effective event supervision. However, regions may not operate outside of the K1 SA rules, regulations, and constitution and must align themselves with the image and vision of the National Executive Committee. All regions must keep EXCO updated on all activities in the region, and all relevant parties must be included in all communication (*as per the Organizational Structure*). The EXCO has the right to request reports at any time.



- 6.3. To supervise K1 SA events, enforce the approved rules and regulations, and to promote international participation.
- 6.4. To build relationships with investors, partners and sponsors in order to create a cost-effective organisation that balances affordability with maintaining professional standards.
- 6.5. To keep accurate accounting records and maintain good financial governance.
- 6.6. To promote and develop K1 within the area of its jurisdiction in accordance with sound business and financial principles.
- 6.7. To ensure that K1 SA is affiliated to bona fide international bodies that promote K1 activities across the globe.
- 6.8. To ensure that the promotion, development and administration of K1, whether at National, Regional or Provincial level, is done in accordance with the principles of non-racialism and gender equality. This means that race, gender, culture, sexual orientation, age, disability, religion, or political association shall not be a basis for discriminating against, or of affording privileges to any person or group of persons.
- 6.9. To approve applications for national colours through MASA for official international tours and submit each application to the relevant authorities for acceptance.
- 6.10. To advise and assist in setting up associations with other lawfully constituted associations, umbrella bodies, councils, federations, committees and organisations that are in line with the objectives of K1 SA. The decision to create such associations shall be decided by EXCO, irrespective of whether the associations are within or without K1 SA's area of jurisdiction and whether or not the associations are connected with the sport.
- 6.11. To recognise and accept the rules and regulations of SAIDS and WADA. K1 SA advocates and promotes controlling the use of illegal substances and other health risks.
- 6.12. Procuring equipment, literature, or anything else that EXCO deems necessary, particularly for development initiatives.
- 6.13. Adopt a policy of non-interference in member's affairs unless such affairs are against the membership or constitutional requirements.
- 6.14. Be involved in the safe keeping of K1 historical items and documentation. Including but not limited to photos, video footage, certificates, data records, uniforms and title belts.
- 6.15. K1 SA shall have as its main mission:
 - The transformation and development of the sport.
 - Collaboration and cooperation to grow and uplift the sport.
 - Regulating the sport and upholding professional standards.
 - Creating opportunities and actively promoting the sport.
 - Building growth and development paths for athletes and officials.



7. Membership

- 7.1. Members of K1 SA are free to affiliate to any other legal combat sport governing body.
- 7.2. Anyone seeking membership to K1 SA may apply through the application process that's been approved by EXCO at the time.
- 7.3. Only members with an active membership are allowed to participate in K1 SA events.
- 7.4. The Secretary-General shall submit all membership applications to the President, who will then ensure that all membership requirements are met. Should any irregularities be present, the President will advise the EXCO and together make a decision regarding the application.
- 7.5. K1 SA will not get involved in internal politics between clubs, unless the internal politics are having a negative impact on the organization.

8. Membership Criteria

- 8.1. For a club to be registered, the Head Instructor must have the following:
 - Black Belt Certification or equivalent as proof of competence.
 - Any prior instructor licenses or certifications.
 - Valid criminal checks as required at the time.
 - Valid first aid certificate.
- 8.2. No member shall conduct any K1 SA-related activities with a suspended/banned member.
- 8.3. Should a member's annual registration be more than three (3) months in arrears, the member shall not have the right to participate in any K1 SA meetings and events, and all rights and privileges of membership shall be suspended until the arrears has been paid.
- 8.4. No refunds of any kind will be made, this includes annual registration fees. It also applies to memberships that are terminated due to voluntary resignation or a decision of K1 SA.
- 8.5. If an issue regarding a membership application arises, the EXCO has the right to approve or decline any membership request by majority vote.

9. Honorary Life Members

- 9.1. The EXCO may, from time to time, nominate a person who has rendered notable and commendable services to K1 SA and/or in the promotion of the sport of martial arts, to recognise and honour them as an Honorary Life Member. If such a nomination is made, it shall be presented for ratification at the next A.G.M.
- 9.2. If the nomination is ratified, the nominee shall become an Honorary Life Member and shall enjoy the rights and privileges of a life member, namely, to attend the A.G.M., benefit from K1 SA's support structures, and make preferential bookings in respect of any event held under the auspices of K1 SA.



10. Limitation of Liability and Members Indemnity

- 10.1. The liability of any member is limited exclusively to the amount of money owed to K1 SA.
- 10.2. Any person (natural, corporate or otherwise) acting on behalf of K1 SA, in terms of this Constitution and under delegated powers from members in A.G.M.'s or from EXCO, are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties on behalf of K1 SA, from whatever cause arising, provided such person acted in good faith.

11. Terminating Membership

- 11.1. The following, although not exhaustive, constitute cause for termination of Membership:
- Not renewing and paying the annual membership fees.
 - Bringing the image of K1 SA into disrepute.
 - Not conforming to the rules, codes, and policies after being approached by K1 SA.
 - Working against the organization and having a negative impact on its members.
 - Dealing dishonestly with any K1 SA-related matters.
 - Using banned substances, equipment, drugs or any other illicit activities.
 - Being found guilty of any unlawful or criminal activities.
- 11.2. If a member feels that another member's registration should be terminated due to the reasons mentioned above, the member must file a request in writing, clearly stating their reason for the termination request. The request will be reviewed by EXCO, and the matter will be investigated before a final decision will be made within a reasonable time.
- 11.3. The procedure for termination is as follows:
- If a member wishes to voluntarily terminate their membership with K1 SA, they must notify the secretary in writing so that their membership can be formally terminated and the EXCO notified. All outstanding fees must be paid up to date before termination will be accepted.
 - In the case of accusations as provided in clause 11.1, the President shall organise and appoint an investigation committee that will investigate the matters surrounding the termination request.
 - The investigation committee shall provide the President with a report and its recommendations, and the EXCO will make a final decision based upon the report.
- 11.4. Any member which ceases to operate a legal operation shall be suspended from membership until further notice. The EXCO shall decide at its next ordinary meeting whether the member's membership should be terminated.



11.5. K1 SA has the right to suspend an event organizer from hosting K1 SA events when any of the following issues occur:

- The event placed the image of K1 SA in disrepute.
- The rules and regulations were not adhered to.
- The event was very unprofessional and poorly organized.
- The event organizer did not honour their part of an agreement.
- Unethical business practices were used.
- False information was supplied.

12. Payment and Collection of Fees

- 12.1. All members must follow the payment procedure prescribed by EXCO.
- 12.2. Club owners are responsible for the collection of fees from their club members and making the payment to K1 SA before the due date.
- 12.3. Annual membership will only be renewed once the payment has been received.
- 12.4. An active, paid membership is required to participate in K1 SA activities.
- 12.5. Registrations are valid for a calendar year, from the 1st of January to the 31st of December.

13. Powers of K1 SA

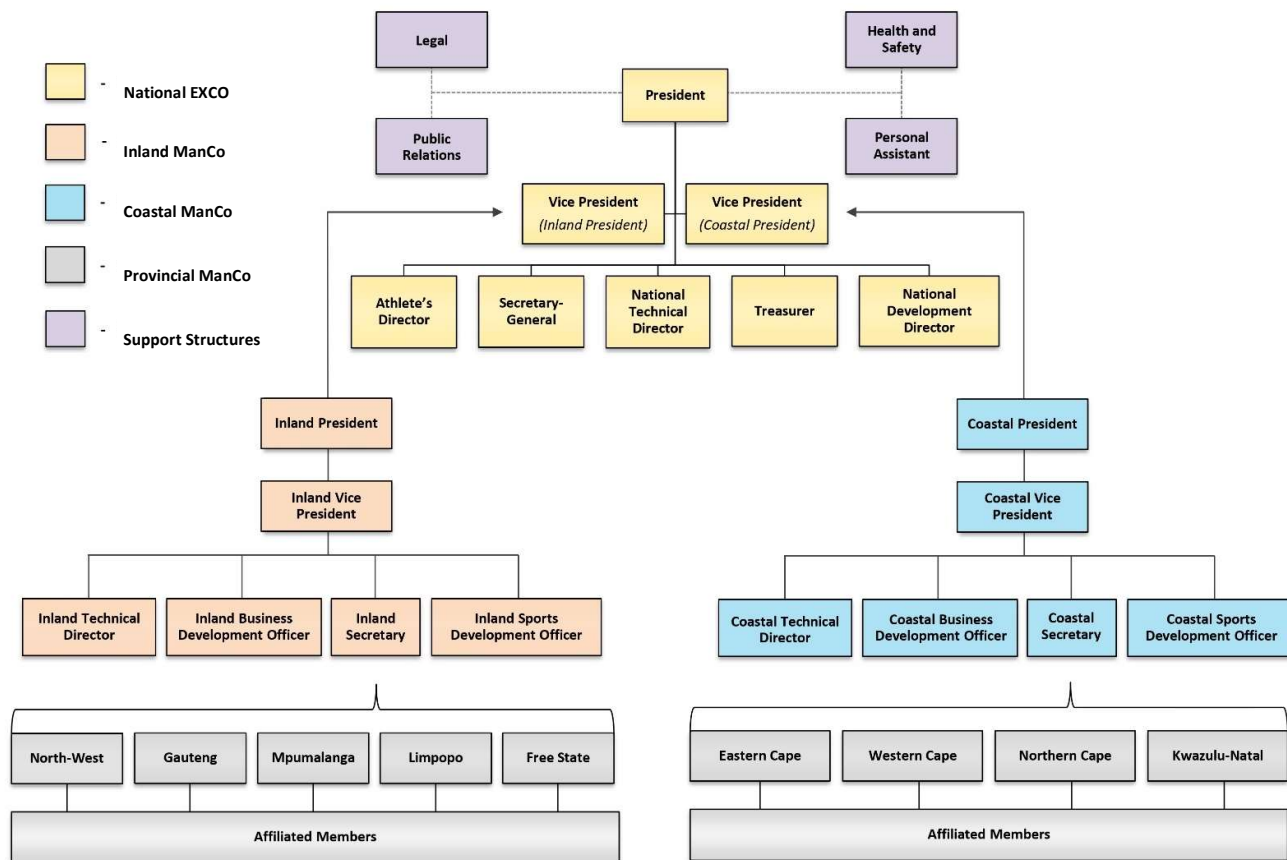
- 13.1. K1 SA shall have all the power and authority necessary to achieve all its goals. These powers and authorities shall be exercised by the EXCO in accordance with and subject to the provisions of this Constitution which all K1 SA members, committees and individuals are subject to.
- 13.2. The powers and authorities of K1 SA shall include those set out in the clauses below:
- To acquire by purchase, exchange, hire, sub-lease, donation or any other means, movable and/or immovable property of any kind.
 - To sell, let, mortgage, dispose of, give in exchange, turn to account, or otherwise deal with all parts of the property or rights of K1 SA.
 - To enter all kinds of contracts necessary to carry out, give effect to, or secure the objectives of K1 SA.
 - From time to time, in accordance with sound business and financial principles, to invest the funds of K1 SA in property, assets or other security as may be deemed advisable.
 - To employ, suspend, dismiss and remunerate employees, professional assistants and experts to assist K1 SA with its goals and strategies.



- To support, subscribe or make donations to any charities or other institutions, clubs, societies and funds.
- To invite the sponsorship or investment of any person or group that advances the objectives of K1 SA.
- To insure against losses, damage, risk and liability of all kinds.
- K1 SA shall open and operate accounts at financial institutions as recommended by the Treasurer and ratified by the EXCO.
- To institute, conduct, defend, compound or abandon any legal proceedings by and against K1 SA or its officers concerning the affairs of K1 SA or the actions of its members.
- To compound and allow time for payment or satisfaction of any debts due, or any claims or demands made by or against K1 SA.
- To raise money whether by affiliation, sanctioning or from any other source, including seeking donations and grants and recovering monies due by members or ex-members through legal processes.
- The expenses of K1 SA shall be financed from the affiliation and membership fees, donations, sponsorships and other forms of income. If membership fees are not paid by the date of the A.G.M., that member will not be entitled to vote.
- To contribute, affiliate and be associated with bodies that align with K1 SA's goals, missions, objectives and vision.
- To borrow and guarantee or otherwise secure the repayment of money in such manner and in such terms as it may deem fit.
- To make and pass rules, by-laws or regulations and to add to, repeal or alter such rules, by-laws or regulations.
- To impose fines, temporarily suspend, ban and/or implement any other disciplinary measures on members, former members, or associations or organisations connected with K1 SA that breaches any of the clauses in the Constitution, K1 SA rules and regulations, and any regulations of MASA, SASCOC, SAIDS and WADA.
- To recover by legal action or otherwise fines, compulsory contributions or damages from its members or former members.
- To suspend or ban any participant, member or club from participating in an event.
- To take all necessary actions to fully enforce all obligations which may be owed to K1 SA by its members, former members or any other persons or body. This includes obligations of all natures and reasons.
- To maintain a current register of all registered members and affiliates.
- To apply for funding and sponsorships to advance K1 SA's goals and objectives.



14. National Structure



- 14.1. Due to the organization's size, office bearers may fulfil multiple roles until the workload increases to such a degree that it's necessary to appoint a specific office bearer for that particular position.
- 14.2. The National, Regional, and Provincial structures must remain in frequent contact with one another to ensure unity and progression towards the larger vision.
- 14.3. The Provincial Management Committees will only be implemented once the activity in a province expands to such a degree that a provincial structure is necessary. Up until then, the Regional Management Committee will be responsible for managing the province.
- 14.4. Each office bearer must sign a job description and integrity document before they can be officially appointed.
- 14.5. The EXCO may revisit and reappoint support structures at any time, the EXCO may also create new support structures should the organization have a need for it.



15. Reporting Structure

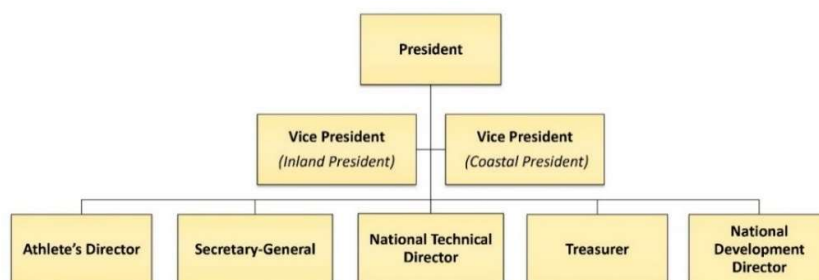


- 15.1. Adhering to the prescribed reporting structure in the organization is crucial to prevent inefficiencies and miscommunication.
- 15.2. The provincial management committees are the first point of contact for all affiliated members. The provincial secretary will then pass the message on to the appropriate person in the organization.
- 15.3. If the provincial structure has not been implemented, the first point of contact for affiliated members will be the Regional Management Committee.

16. Roles and Responsibilities of Office Bearers

- 16.1. All the roles and responsibilities of K1 SA office bearers are covered in the Organizational Structure document that’s been made available to each appointed office bearer.
- 16.2. Prior to being appointed, each office bearer will be made aware of all their expected roles and responsibilities. All relevant information will be covered in in their job description.

17. The Executive Committee





- 17.1. The Executive Committee of K1 SA is the decision-making body within the organization and is responsible for overseeing the activities of the organization.
- 17.2. EXCO shall be responsible for the management of K1 SA as mandated by the A.G.M.
- 17.3. EXCO will act on behalf of K1 SA except when the A.G.M. is in session.
- 17.4. At any time, at least 1 (one) woman must be a member of the EXCO.
- 17.5. EXCO may appoint representatives to form committees that serve specific functions.
- 17.6. The quorum for EXCO meetings shall be more than half of the EXCO members present, 50% (fifty percent) plus 1 (one). Proxies will not be accepted; however absent members may submit written opinions.
- 17.7. Members of EXCO shall decide on all matters by a simple majority vote. Depending on the situation and if the matter warrants private voting, the President can decide whether the vote will be by show of hands or closed ballot.
- 17.8. Each EXCO member shall have 1 (one) vote and the President of any EXCO meeting shall have a deliberate and a casting vote in case of a tie.
- 17.9. The President shall be the chairperson of any EXCO meeting, or in his or her absence, one of the Vice Presidents shall act as the chairperson in the meeting. In the Vice President's absence another member of EXCO shall be appointed as the chairperson.
- 17.10. EXCO shall meet no less than 3 (three) times per annum and more often as required. It's not necessary for EXCO to meet in the months in which A.G.M.'s are held.
- 17.11. The President may invite a member of K1 SA to attend EXCO meetings as a non-voting observer.
- 17.12. EXCO shall control all expenditure of K1 SA's funds and shall not incur any liability nor enter into any commitment which cannot be discharged out of K1 SA's funds.
- 17.13. No promissory note drawn on behalf of K1 SA shall be valid unless signed by the President, any 1 (one) of the Vice Presidents, and the Treasurer.
- 17.14. EXCO shall be entitled to make any bylaws or regulations necessary to promote the aims and objectives of the organization and such bylaws and/or regulations shall be binding upon all members. Such regulations shall be ratified at the next A.G.M.
- 17.15. EXCO may delegate the exercise of any of its powers and functions to one of its members or to a sub-committee of K1 SA.
- 17.16. In addition to the prior clauses, EXCO shall:
 - Undertake and perform all duties and functions as decided by the EXCO.
 - Consider and, if deemed fit, approve constitutions, bylaws, rules and regulations, and any amendments or alterations thereto.
 - Undertake and perform all duties and obligations as are reasonably required to achieve the objects of K1 SA, and to implement K1 SA's policies.



- Subject to the provisions of the Constitution, make, amend, vary, repeal and enforce rules, bylaws and regulations.
- Arrange, control, regulate and promote events and any other form of competition.
- Employ any person upon such terms and conditions as shall be decided and, when considered necessary or desirable, terminate the employment of any such person.
- Conduct disciplinary proceedings in respect of any infringement of the Constitution, by-laws, rules or regulations or any agreement between any participant and K1 SA. This includes imposing penalties whether by way of fines, suspensions, or banning a member from participating in K1 SA events and activities.
- Impose and collect fees and adjust the fees from time to time which are to be ratified by the A.G.M.
- Decide upon and resolve any dispute between any of the members.
- Subject to the territory, determine the area or jurisdiction of members and vary or alter such areas from time to time when necessary.
- Form sub-committees, consisting of one or more persons, for any purpose incidental to the objectives and powers of K1 SA and, subject to the constitution, by-laws, rules and regulations, delegate its powers to such sub-committees as may be required.
- Appoint special advisors and consultants, for any purposes, and terminate such appointments.
- Accept or reject any application for membership as described in clause 7.4.
- Open accounts with any recognised commercial banking or financial institution and invest any funds of K1 SA and pay any funds to any person (natural, corporate or otherwise) who has a valid claim for payment against K1 SA.
- Decide upon the criteria for the awarding of National Colours and appoint National Selectors for the selection of teams that must be submitted to MASA.
- Ensure that full and proper books of accounts are kept in accordance with sound accounting principles.
- Ensure that the said books and all records of K1 SA's finances and assets are duly audited each year after K1 SA's financial year end (end of February).
- Deal with any question or issue arising out of, relating to or incidental to non-racialism, non-sexism, discrimination on any grounds, or development, including budgeting for and expenditure on development.
- Approve the employment and termination of staff by K1 SA, including all matters incidental thereto. This includes from time to time reviewing all existing contracts of employment and all matters incidental thereto.
- Decide on any matters or issues relating to emblems, colours, or anthems for K1 SA.



- Decide on any matters or issues relating to the affiliation or disaffiliation from any macro or governing body.
 - Decide on any question or issue relating to the use of facilities and/or the standard thereof.
 - Authorise testing for illegal performance enhancing substances at any time and at any event held under the authority of any of its members, according to current legislation, and evoke the penalties as laid out in the rules and regulations.
- 17.17. It is recognised that it is desirable for all provincial bodies to negotiate and achieve unified provincial bodies. Notwithstanding this, EXCO shall have the right and power to be pro-active and to take such steps as it may to facilitate unity as may seem fit to ensure that any difficulties or problems in the way of unity in any province shall be overcome.
- 17.18. Any member of EXCO who, without having first obtained leave of absence from EXCO, does not attend 3 (three) consecutive meetings of EXCO, of which due notice has been given, shall be deemed to have resigned from EXCO. This does not apply if the reason for his or her absence is due to circumstances outside of his or her control.
- 17.19. When approved and applicable, members of EXCO shall be entitled to remuneration and be entitled to be refunded for any disbursement incurred by any such member in fulfilling any duties or functions (this must be approved by EXCO in advance).
- 17.20. The Secretary-General shall send to all members and EXCO members:
- Copies of the minutes and resolutions of all EXCO meetings, within 7 (seven) days after the date of the relevant meeting.
 - Written notification of all EXCO meetings (excluding emergency meetings), and the proposed Agenda, not less than 5 (five) working days prior to the date of the meeting.

18. Election and Dismissal of EXCO Members

- 18.1. The majority vote required to elect a new EXCO member is 50% (fifty percent) plus 1 (one).
- 18.2. The President will remain in office unless he/she resigns, or one of the Vice Presidents initiates a vote of no confidence. For the vote to be valid, the majority of EXCO members must agree with the vote. The majority vote that must be reached is 60% (sixty percent) plus 1 (one).
- 18.3. If the vote of no confidence reaches majority, and there are any disputes, the matter will be escalated to the arbitration bar of Gauteng, South Africa, who will make the final decision.
- 18.4. Each province shall be entitled to nominate 1 (one) person for election for each position as set out in clause 17 above. Each nomination shall be in writing and signed by the nominee to indicate his or her acceptance of the nomination.
- 18.5. It shall be permissible for the same person to be nominated for more than one position. The nomination for any alternative position is conditional upon him or her not being elected to the first post for which he or she is nominated.



- 18.6. All written nominations shall be received by the President not less than 10 (ten) working days prior to the date of the next A.G.M.
- 18.7. All nominees must make a public presentation as required by the President to demonstrate the merits and motivation for their nomination, prior to the voting process.
- 18.8. In the event of the nominee being defeated in an election for the position concerned, he or she can be deemed to be a valid nomination for election as an advisor to the person who has been elected for the official position (with no official title).
- 18.9. The term of office for all elected office bearers except the President is 4 years from the date of the A.G.M where they were elected, after which they must retire, but may stand for re-election at the A.G.M within the expiry year.
- 18.10. An office bearer can be dismissed prematurely (before their 4-year term is up) if any legitimate grounds of dismissal is discovered, which include but are not limited to:
- The office bearer is working against K1 SA's best interests.
 - The office bearer is not fulfilling their roles and responsibilities as described in their job description after being approached by K1 SA and given reasonable time to rectify it.
 - The office bearer brings the image of the sport into disrepute.
 - The office bearer breaches K1 SA's Code of Ethics or Integrity Agreement.
 - Evidence is provided that the EXCO can no longer trust the office bearer.
 - A conflict of interest is interfering with the office bearer's duties.
 - The office bearer is found guilty of criminal or illegal activities.
- 18.11. The disciplinary process is as follows:
- Step 1:** A discussion between the President and the office bearer will be arranged where the President will analyse the situation and lay out terms and timelines for rectification.
- Step 2:** If the issue is still not resolved, the President will set up a meeting with the EXCO, where the situation will be investigated further, and a plan of action for the next 3 months will be agreed upon.
- Step 3:** If the office bearer did not honour the plan of action within 3 months as decided upon in the meeting with EXCO, the following steps will be taken:
- A letter will be sent to the office bearer explaining why disciplinary action is being considered.
 - A formal meeting between the office bearer and the EXCO will be arranged to discuss the matter further and to decide on the disciplinary action.
 - Should the office bearer not agree with the outcome, he/she will have 2 weeks from the date of the meeting to submit an appeal to the Secretary-General.
 - Should the office bearer not submit an appeal within 2 weeks of the meeting, a formal letter will be sent to the office bearer that solidifies the outcome.



- If an office bearer repeatedly fails to attend any of the meetings as part of the disciplinary process, a meeting can be held in their absence as long as there is a written representation of the office bearer, or any other available evidence is taken into consideration before a decision is made.
 - If the office bearer does not engage during the disciplinary process after K1 SA has reached out a reasonable number of times, the EXCO has the right to dismiss the office bearer by majority vote.
- 18.12. The positions on EXCO shall be filled by the candidates who have received the highest number of votes irrespective of the gender of the candidates, depending on experience and skills. If the candidate does not have the necessary experience and skills, the President has the right to decline the nomination.
- 18.13. Due to conflict of interest, no member of EXCO shall also be the representative of another organization that's not aligned with K1 SA's vision and objectives.
- 18.14. EXCO may create sub-committees, and the members of each sub-committee shall be determined by EXCO. The head of each sub-committee will report to the appointed EXCO member.
- 18.15. Except with the unanimous approval of EXCO, each sub-committee must have at least one woman and one man as a member.
- 18.16. Each sub-committee shall, subject to the provisions of this Constitution and to the by-laws, perform such duties and functions as are delegated to it by EXCO.
- 18.17. The powers and authority of each standing sub-committee shall be as set out in the by-laws provided that EXCO may by resolution add to or subtract therefrom.

19. Annual General Meetings (A.G.M.)

- 19.1. An A.G.M. shall be held once every year, however, there must be a minimum gap of twelve months between one A.G.M. and the next.
- 19.2. EXCO shall decide the date, time and place on which each A.G.M. shall be held.
- 19.3. The A.G.M. must be held within 4 (four) months from the end of the financial year.
- 19.4. The following persons shall be entitled to attend the A.G.M.:
- All EXCO members.
 - All management committees.
 - All club owners.
 - Persons who were invited by the President.
- 19.5. Committees don't have voting rights at the A.G.M.
- 19.6. One representative from each registered club may vote.
- 19.7. All votes must be ratified by the EXCO.



- 19.8. The business to be conducted at an A.G.M. shall be:
- To read and confirm the meeting agenda.
 - To read and confirm the minutes of the previous A.G.M. (signed by the President), and to consider any matters arising therefrom.
 - To receive and consider the Annual Report of the President, for the period since the date of the previous A.G.M.
 - To present and accept the audited Annual Financial Statements for the period since the date of the previous A.G.M.
 - To appoint the auditors of K1 SA for the next financial year.
 - To consider and to adopt with or without modification, or to reject any recommendations of EXCO through the voting process.
 - To consider all nominations by EXCO of committees or Honorary Life Members and to accept or reject any recommendation or nomination through the voting process.
 - To elect the office bearers of the EXCO (every 4 years) through the voting process.
 - To discuss and consider any matter that's part of the agenda (changes to the agenda may not occur within 7 days of the A.G.M)
- 19.9. Notice of each A.G.M. shall be sent to all members, members of EXCO, and Honorary Life Members not less than 60 (sixty) days prior to the date of the A.G.M.
- 19.10. Each A.G.M will be conducted strictly according to the set and publicised Agenda.
- 19.11. Copies of the Agenda shall be distributed to all attendees not less than 7 (seven) days prior to the date of any A.G.M.

20. General Provisions for A.G.M.'s and EXCO Meetings

- 20.1. The chairperson of any A.G.M. or EXCO shall be the President, or in his or her absence, the Vice-President. If neither can attend, a person shall be appointed by the President who will act as the chairperson for that specific meeting.
- 20.2. The chairperson of any A.G.M shall only have 1 (one) vote in the event of an equality of votes.
- 20.3. Quorum shall consist of 50% (fifty percent) plus 1 (one) of the members in good standing.
- 20.4. If a quorum shall not be present at the meeting within 30 (thirty) minutes after the time set for commencement of that meeting, the meeting shall be dissolved.
- 20.5. Where a meeting has been adjourned as aforesaid, the Secretary-General shall, upon a date not later than 3 (three) working days after the adjournment distribute a written notice to each member stating:



- The date, time and place to which the meeting is adjourned.
 - The reason why the meeting was called, when it was adjourned.
 - The ground for the adjournment.
- 20.6. Depending on the situation and if the matter warrants private voting, the chairperson can decide whether the vote will be by show of hands or closed ballot. However, if more than 40% of the members in attendance vote for a different mode of voting, the chairperson must change to that specific mode (show of hands or closed ballot).

21. Amendments to The Constitution

- 21.1. This Constitution may only be altered or varied, at any time, during the A.G.M. or S.G.M., provided that a majority vote of not less than 50% (fifty percent) plus 1 (one) of the total members in attendance has been reached.
- 21.2. If an EXCO member cannot attend the meeting, he or she may nominate a representative who must be present and entitled to vote at that time. The nominated representative must be an active member of K1 SA.
- 21.3. A written notification of the meeting and a copy of a proposed resolution must be distributed to all EXCO members within a minimum of 20 (twenty) working days before the meeting.
- 21.4. Any proposed changes must be signed off by the President and all directors.

22. Notifications

- 22.1. For the purposes of this Constitution, all notifications by K1 SA to any person, member, or Honorary Life Member shall, unless delivered by hand, be effective from the date of distribution to the last known postal or e-mail address of the member that's recorded on the K1 SA database.
- 22.2. All notifications to K1 SA by any person (natural, corporate or otherwise) shall only be effective from the date of receipt thereof by the Secretary-General. In no respects shall any postal authority be, or be deemed to be, the agent of K1 SA.

23. Interpretation of This Constitution

- 23.1. K1 SA is registered under the Company Laws of South Africa. Any disputes arising out of, or in connection with the enforceability of this constitution, the application and interpretation of the provisions thereof, any dispute between K1 SA and another national sports federation, between EXCO members, or between EXCO and an ordinary member shall be referred to the arbitration bar of Gauteng, South Africa. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.



24. Dissolution or Winding Up of K1 SA

- 24.1. K1 SA may be dissolved or wound-up, at any time, by EXCO members in an EXCO meeting. Provided that a majority vote of not less than 80% (eighty percent) of the total votes have been reached, including the President's vote.
- 24.2. A written notification of such a meeting and the intention to dissolve or wind-up K1 SA must be distributed to all EXCO member within no less than 30 (thirty) working days.

25. Non-Racialism and Freedom of Association

- 25.1. The principle of non-racialism is recognised and accepted. By this it is meant, broadly, that race should not be, and may not be, a basis of discriminating against or affording privilege to any person or group of persons, except as is formally regulated by legislation.
- 25.2. All references to "race" also include a reference to ethnicity, religion and nationality.
- 25.3. No club, province or other affiliated body may have any provision in its constitution which has the effect of barring membership on the grounds of any race.
- 25.4. A provision in a constitution which might not be worded in racial terms, but none the less is calculated to discriminate on grounds of race and which would have the effect of discriminating on grounds of race shall be regarded as an infringement.
- 25.5. The principle of non-racialism also demands that all clubs, provinces and other affiliated bodies shall, when the situation legitimately requires it, make all their facilities available to persons other than their members on an equal basis irrespective of the race, ethnicity or nationality of such persons (e.g. when hosting an event and such non-members are legitimately at the premises of the club or other body in connection therewith.)
- 25.6. The existence of so called "ethnic" clubs is perceived to be problematical and require deeper analysis to determine if it's a violation of the constitution. Various such clubs exist (e.g. the Greek Club, the Italian Club, and the German Club.) Such clubs are not the result of the policy of apartheid but arise from the desire of people of different origins and cultures to group together to enjoy and foster their own cultural traditions.
- 25.7. However, if the constitution of such a club were to restrict its membership to persons of a particular ethnic group (or race or nationality), it would by necessary implication, be excluding persons from all other ethnic groups/races/nationalities from membership and is therefore in violation of the clause of non-racialism.
- 25.8. By contrast, a club which has as its main objective the promotion, advancement and propagation of the culture, traditions etc. of any particular race or nationality, but does not seek to exclude or limit membership on those grounds would be regarded as legitimate and would be eligible for membership.



- 25.9. The principles and guidelines set out above regarding non-racialism shall apply equally in respect of religion and discrimination on the grounds of a person’s religious beliefs.
- 25.10. The fundamental rights of freedom of association and freedom of disassociation are recognised. It is also recognised that these rights are fundamental to the formation of and existence of a private club which is the basic building block of a national or provincial sports controlling body.
- 25.11. Under no circumstances will an infringement of clause 25.5 be tolerated or permitted on the grounds that it constitutes as exercising the club’s or affiliated body’s rights of freedom of association and/or disassociation.

26. Affiliation to K1 SA

- 26.1. Eligibility requirements to become a member of K1 SA is outlined in clause 7 and 8.
- 26.2. All members must accept the Constitution of K1 SA.
- 26.3. All regional and provincial structures must be in line with the national structure and follow the same rules, regulations, policies, and overall vision to create unity in the organization.
- 26.4. All regional and provincial structures can only act within the limits of what has been approved by EXCO and may not do anything that has not been approved or that goes against the rulings of EXCO.
- 26.5. There must be provisions in the constitution of each Provincial Association, stipulating that the Provincial Association and its members may not authorise, send or sanction any team to go on a tour outside the boundaries of the Republic of South Africa without having first obtained the written consent of EXCO.

This Constitution has been accepted as the final and latest updated version by the following members of the National Executive Committee (EXCO):

Morné Lotter	 <small>Morné Lotter (Sep 22, 2024 15:40 GMT+2)</small>	22-09-2024
President	Signature	Date
Celesté le Roux	 <small>Celesté Le Roux (Sep 22, 2024 15:50 GMT+2)</small>	22-09-2024
Vice President	Signature	Date
Camielle Goldstone	 <small>Camielle Goldstone (Sep 22, 2024 15:43 GMT+2)</small>	22-09-2024
Secretary-General	Signature	Date