

KSA STATUTES



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request**



KARATE SOUTH AFRICA

PREAMBLE

NOTING:

- that the fragmentation in South African sport in general and karate 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 karate organizations against the wishes of the majority of the karate 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 karate in South Africa.

REALISING

- the urgent need to fulfill the historic task of unifying the different karate 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 karate 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 compete equally and fairly in karate;
- 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 karate structures and re- admission to UFAK and WKF one National Karate governing body was constituted;
- that the National Karate Federation is part of South Africa having a new constitution which entrenches norms and values of the civilized world and a Bill of Rights;
- 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 karate in particular to the World Karate Federation (WKF) and Confederation Africaine de Karate (UFAK), Confederation of Southern African Karate Associations (AUSG 5) and South African Sports Confederation and Olympic Committee (SASCOC)

RESOLVING to constitute the Members of Karate into an indissoluble single organization under the KARATE SOUTH AFRICA and under the constitution hereby established to promote and control Association Karate in SOUTH AFRICA and to give effect to the ideas set out in this preamble.

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FINAL

ARTICLES OF ASSOCIATION

DEFINITIONS

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

“Arbitration Tribunal”: means an Arbitration Tribunal referred to in Article 72 and the Court of Arbitration for Sport (CAS) referred to in Article 73.

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

“Annual Congress”: means the Annual Congress contemplated in Article 27

“Associate Member”: means an associate Member contemplated by Article 5.2;

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

“UFAK”: means the Confederation Africaine de Karate;

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

“CAS (TAS)”: Court of Arbitration for Sport (Tribunal Arbitral du Sport) in Lausanne (Switzerland) referred to in Article 73;

“General Secretary”: means the General Secretary contemplated by Article 66;

“Dojo”: means a Member of the Leagues affiliated to a Member or associate Member of KSA;

“Close of business”: means by no later than 17h00 on weekdays (Mondays to Fridays) excluding weekends and public holidays;

“Confederation”: means a group of Associations recognized by WKF;

“Constitution”: means these Articles of Association;

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

“Constitution of the Republic”: means the Constitution of the Republic of South Africa Act 58 of 1996 as amended from time to time;

“AUSG 5”: means the Confederation of Southern African Karate Associations;

“Dojo”: means a Local Karate Association contemplated by Article 5.1.3;

“Electoral Code” means the KSA 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 25.5 – 25.12;

“Executive office in KSA”: means the positions of President, Vice-Presidents, or Member of the National Executive Committee;

“WKF”: means the World Karate Federation;

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

“Foreign company”: means a company registered outside the Republic of South Africa or controlled, directly or indirectly, by such a company or companies or a company deemed to be a foreign company in terms of the laws of the Republic of South Africa;

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

“Intermediary”: a natural or legal person who, for a fee or free of charge, represents Athletes and/or Dojos in negotiations with a view to concluding an employment contract or represents Dojos in negotiations with a view to concluding a transfer agreement.

“Emergency Committee”: means the Emergency Committee contemplated by Article 40;

“Member”: means a Regional Member, the Special Member or Associate Member;

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

“National Association”: means a national karate association affiliated to WKF;

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

“office-bearer”: means the President, a Vice-President or any other Member of the National Executive Committee;

“Officials”: means any elected or appointed individual (including foreign nationals) who is affiliated to a Member, an Associate Member or the League and includes all National 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 Dojo, KSA, UFAK and WKF;

“Ordinary Vice-President”: means a Vice-President;

“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;

“Athlete”: means any amateur or professional karate player registered with KSA through its Members;

“Provincial Structure”: means a group of Members recognized by KSA that belong to the same geopolitical province as defined in the Constitution of the Republic of South Africa.

“Regional Member”: means a Regional Member contemplated by Article 5.1.1;

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

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

“S.A.S.C.O.C.”: means the South African Sports Confederation and Olympic Committee;

“KSA”: means the Karate South Africa;

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

“Standing Orders”: means the set of rules used to conduct the business of a meeting using commonly accepted procedure as contemplated in the *Standing Orders for KSA Meetings*;

- 1.1 The Association hereby constituted shall be known as the Karate South Africa and hereinafter referred to as "KSA".
- 1.2 In this Constitution, the Association is referred to as "KSA".
- 1.3 The flag of KSA shall consist of KSA colours being Green and Gold, and the emblem shall be a portrayal of a karate, partly overlaid with a sphere depicting the map of South Africa.
- 1.4 The logo of KSA shall consist of a portrayal of a karate partly overlaid with a sphere depicting the map of South Africa.
- 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 KSA shall be throughout the Republic of South Africa.
- 1.7 The headquarters of KSA shall be in Johannesburg, or any other address that may be chosen by the Association from time to time.
- 1.8 KSA is a private organization of an associative nature incorporated in accordance with the laws of the Republic of South Africa and 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 is for an unlimited period of time.
- 1.9 No Member or office-bearer of KSA shall have any right to its assets nor incur any liability for its obligations.
- 1.10 It is recorded that KSA is a Public Benefit Organisation (PBO) in accordance with the provisions of Section 30(3) of the Income Tax Act of 1962, as amended.

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2. KSA shall have no other objectives save for objectives provided for below and the funds be employed exclusively in the promotion of such objectives and provided further that KSA's activities shall be limited to the Republic of South Africa. KSA shall have the following aims and objectives:
 - 2.1 to carry on the public benefit activity of administering, developing, coordinating and promoting the sport of karate in which the participants take part in accordance with the principles as laid down in the statutes of WKF.
 - 2.2 to improve the sport of karate constantly and promote, regulate and control it throughout the territory of South Africa 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 organize competitions in Association Karate 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 KSA, AUSG 5, UFAK and WKF 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 Association Karate;
 - 2.8 to control and supervise all karate of all forms practised throughout the territory of South Africa;
 - 2.9 to manage international sporting relations connected with Association Karate in all its forms;
 - 2.10 to host competitions at both National and international levels;
 - 2.11 to settle disputes arising between Members or bodies or persons connected directly or indirectly with karate within the jurisdiction of KSA;
 - 2.12 to raise funds by means of subscriptions, donations and from the carrying on of any business, trade or undertaking consistent with or ancillary to its objects or is calculated directly or indirectly to advance the interests of KSA
 - 2.13 to distribute monies to its Members for the protection, promotion and advancement of amateur karate;
 - 2.14 to affiliate to WKF, UFAK, AUSG 5 and SASCOC;
 - 2.15 to do all such things as may be incidental or conducive to the attainment of the objective or any one of them;
 - 2.16 KSA 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 KSA as described herein, including, but not limited
 - 2.16.1 to the following powers: -to engage staff on the basis of a policy of fair employment and equal opportunities;
 - 2.16.2 to acquire assets and enter into commitments for the promotion of its aims and objectives;

- 2.16.3 to confer honours and awards on individuals, in recognition of their contribution to karate in South Africa;
- 2.16.4 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 KSA;
- 2.16.5 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 KSA, provided however that KSA shall ensure that no donor will derive any monetary advantage from any monies paid to and on behalf of KSA;
- 2.16.6 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 KSA, and in order to provide suitable equipment, accommodation and karate facilities;
- 2.16.7 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 KSA;
- 2.16.8 to subscribe, grant subsidies out of, administer and invest the funds of KSA in such manner as it may be deemed best to achieve the objects and purposes of KSA;
- 2.16.9 to enter into such commercial or other transactions in connection with any trade or business of KSA as may seem desirable for the purpose of KSA's affairs;
- 2.16.10 to borrow, or raise money in such a manner as KSA 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 KSA of any obligation or liability it may undertake;
- 2.16.11 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;
- 2.16.12 to make rules which shall not be inconsistent with the terms of this Constitution. The Rules of KSA shall have the same force and effect as if they were incorporated in the Articles of the Constitution;
- 2.16.13 to select teams for International and Representative matches at all levels and to arrange tours and to sanction matches in and regulate the transfer of Athletes to and from the Republic of South Africa in terms of the WKF Regulations;
- 2.16.14 to keep or cause to be kept, true accounts of all receipts, credits, payments, assets and liabilities of KSA and all other matters necessary for showing the correct financial state of affairs of KSA. The accounts shall be kept in such books and in such manner as the National Executive Committee deems fit and to the satisfaction of the Auditors of KSA;
- 2.16.15 to appoint auditors to audit annual accounts of KSA;
- 2.16.16 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;

- 2.16.17 to appoint such sub-committees or commissions upon such terms as it may consider necessary to give effect to its powers;
- 2.16.18 to suspend, fine, terminate the Membership of or otherwise deal with any Member, Local Karate Association, Dojo or individual affiliated to KSA or any of its Members for infringing the Constitution, regulations, policies, principles or resolutions of KSA or for engaging in acts of misconduct, improper practices, misdemeanor, acts of defiance, or for bringing KSA into disrepute.
- 2.16.19 to establish, subscribe or carry on through any subsidiary company any activities which KSA is authorized to carry on and to make any arrangements whatsoever with such subsidiary company as thought fit;
- 2.16.20 to aid, finance or provide consultative, managerial, administrative, technical and commercial services of all kinds for all or any part of the operations of any company which is a subsidiary company of or otherwise under the control of KSA or in which KSA has an interest and to make payments by way of subsidy or otherwise and any other arrangements which may be deemed desirable with respect to any business or operations of or generally with respect to any such company or companies and generally to carry on the business of a holding company

NEUTRALITY AND NON-DISCRIMINATION

ARTICLE 3

- 3.1 KSA is neutral in matters of politics and religion.
- 3.2 Discrimination of any kind against a 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.

PROMOTING FRIENDLY RELATIONS

ARTICLE 4

- 4.1 KSA shall promote friendly relations between its Members, Dojos, Officials and Athletes and in society for humanitarian objectives.
- 4.2 Every person and organisation involved in the sport of karate 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 KSA shall provide the necessary institutional means to resolve any internal dispute that may arise between Members, Dojos, Officials and Athletes affiliated to Members of KSA.

ATHLETES

ARTICLE 5

- 5.1 The status of Athletes shall be regulated by the National Executive Committee of KSA in accordance with the current WKF Regulations for the Status and Transfer of Athletes.
- 5.2 Athletes shall be registered in accordance with the regulations of KSA. Nothing herein contained shall preclude the registering of Athletes to Dojos in accordance with its own Rules which must not be inconsistent with KSA and WKF Regulations.

COMPETITION RULES

ARTICLE 6

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6. KSA and each of its Members administer Association Karate in compliance with the Competition Rules issued by WKF. Only WKF may lay down and alter the Competition Rules.
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CONDUCT OF MEMBERS AND OFFICIALS

ARTICLE 7

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7. The Members and Officials of KSA must observe the Statutes, regulations, directives, decisions and the Code of Ethics of WKF, of UFAK and of KSA in their activities.
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OFFICIAL LANGUAGES AND POWERS OF THE ASSOCIATION

ARTICLE 8

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- 8.1 The official languages of KSA shall be all eleven (11) official languages of the Republic of South Africa. Official documents and texts shall be written in one or more of these languages. In the event of any divergence between the interpretation of texts in different languages, the text written in the language approved by Congress 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.
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ADMISSION, SUSPENSION AND EXPULSION

ARTICLE 9

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- 9.1 The Congress shall decide whether to admit, suspend or expel a Member, an Associate Member or any official.
- 9.2 Admission may be granted if the applicant fulfils the requirements of KSA.
- 9.3 Membership is terminated by resignation or expulsion. Loss of Membership does not relieve the Member from its financial obligations towards KSA or other Members of KSA but leads to cancellation of all rights in relation to KSA or its Member.
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MEMBERSHIP

ARTICLE 10

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- 10.1.1 The Members of KSA are the 52 **Regional Associations** which exist in all South African municipal areas as defined by the Municipal Structures Act 117 of 1998, as amended, and as demarcated in line with the provisions of the Municipal Demarcation Act 27 of 1998, as amended, and are the following:
- (i) In the Province of Western Cape (Cape Town)
 - West Coast (Malmesbury)
 - Cape Winelands (Worcester)
-

- Overberg (Swellendam)
- Eden (George)
- Central Karoo (Beaufort West)
- Cape Town (Cape Town)

(ii) In the Province of Northern Cape (Kimberley)

- Namakwa (Springbok)
- Pixley-ka-Seme (De Aar)
- Siyanda (Upington)
- John Taolo Gaetswe (Kuruman)
- Frances Baard (Kimberley)

(iii) In the Province of Eastern Cape (Bisho)

- Cacadu/ Sarah Baartman (Grahamstown)
- Amathole (King William's town)
- Chris Hani (Queenstown)
- Joe Gqabi (Aliwal North)
- O R Tambo (Mthatha)
- Alfred Nzo (Mount Ayliff)
- Nelson Mandela Bay (Port Elizabeth)
- Buffalo City (East London)

(iv) In the Province of Free State (Bloemfontein)

- Xhariep (Trompsburg)
- Mangaung Metropolitan (Bloemfontein)
- Lejweleputswa (Welkom)
- Thabo Mofutsanyana (Phuthaditjhaba)
- Fezile Dabi (Kroonstad)

(v) In the Province of Kwazulu-Natal (Pietermaritzburg)

- Ugu (Port Shepstone)
- uMgungundlovu (Pietermaritzburg)
- uThukela (Ladysmith)
- uMzinyathi (Dundee)
- Amajuba (Newcastle)
- Zululand (Ulundi)
- uMkhanyakude (Big Five)
- uThungulu (Richards Bay)
- iLembe (Kwa Dukuza)
- Sisonke /Harry Gwala (Ixopo)
- eThekweni (Durban)

(vi) In the Province of Mpumalanga (Nelspruit)

- Gert Sibande (Secunda)
- Nkangala (Witbank)
- Ehlanzeni (Nelspruit)

(vii) In the Province of Limpopo (Polokwane)

- Mopani (Giyani)
- Vhembe (Thohoyandou)
- Capricorn (Polokwane)
- Waterberg (Modimolle)
- Sekhukhune (Jane Furse)

(viii) In the Province of North West (Mahikeng)

- Bojanala (Rustenburg)
- Ngaka Modiri Molema (Mahikeng)
- Dr Ruth Segomotsi Mompati (Vryburg)

- Dr Kenneth Kaunda (Klerksdorp)
- (ix) In the Province of Gauteng (Johannesburg)
 - Sedibeng (Vereeniging)
 - Johannesburg (Johannesburg)
 - Ekurhuleni (Germiston)
 - Metsweding (Bronkhorspruit)
 - Tshwane (Tshwane)
 - West Rand (Randfontein)

10.1.2 Each regional Member must be a representative unit for amateur karate within its respective region.

10.1.3 Where the karate activities of a regional Member are organized at local level, the constitution of the relevant regional Member shall provide for recognition and representation of the Local Karate Associations which are representative units of respective localities in accordance with the relevant boundaries and shall set out the powers of such Local Karate Associations.

10.1.4 **Whereas members in clauses 10.1.1, 10.1.2 & 10.1.3 shall be deemed to be direct members; athletes, coaches, technical staff & administrators shall be KSA members via their respective provinces. However, some categories of athletes, coaches and technical officials may have direct membership of KSA.**

10.2 Associate Members

10.2.1 The following associations are recognized as Associate Members:

10.2.1.1 University Sport South Africa (USSAA Karate)

10.2.1.2 School Sports (USSASA)

10.2.1.3 South African National Defence Force Karate Association

10.2.1.4 South African Intellectually Impaired Karate Association

10.2.1.5 South African Police Service Karate Association

10.2.2 KSA may confer recognition on an Associate Member provided that such Associate Member has obtained 6 out of 9 representivity within the KSA Provincial Structures and further provided such Associate Member has been admitted as KSA reserves the right to submit names of such Associate Members to the Annual Congress or Extraordinary Congress for recognition.

10.2.3 KSA may, by a majority vote taken at Congress or an Extraordinary Congress convened, inter alia, for this purpose, grant associate Membership status to any other association operating at a national level provided that no associate Membership shall be granted to an association

with the same aims and objectives as KSA.

- 10.2.4 KSA 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 association will cease, forthwith, to be an associate Member of KSA.
- 10.2.5 In matters of mutual interest, KSA 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.

REQUEST AND PROCEDURE FOR ADMISSION OF MEMBERS OR ASSOCIATE MEMBERS ARTICLE 11

- 11.1 The procedure for admission of Members may be regulated by special regulations approved by the National Executive Committee of KSA
- 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 KSA, AUSG 5, UFAK and WKF and ensure that these are also respected by its own Members, Dojos, Officials and Athletes;
 - 11.2.3 a declaration that it will comply with the Competition Rules in force;
 - 11.2.4 a declaration that it recognizes the judicial bodies of KSA and the Court of Arbitration for Sport (CAS) in Lausanne, as specified in these Statutes;
 - 11.2.5 a declaration that it is located and registered in the Republic of South Africa;
 - 11.2.6 a list of Officials, specifying those who are authorized signatories with the right to enter into legally binding agreements with third parties;
 - 11.2.7 a declaration that it undertakes to organize or participate in tournaments only with the prior written consent of KSA;
 - 11.2.8 a copy of the minutes of its last congress or constitutional meeting;
- 11.3 This article shall not affect the status of existing Members
- 11.4 The National Executive Committee shall request the Congress at its sole discretion either to admit or not to admit an applicant. The applicant may state the reasons for its application to the Congress.'
- 11.5 The new Member shall acquire Membership rights and duties as soon as it has been admitted. Its delegates are eligible to vote and be elected with immediate effect.

- 12.1 The Members of KSA have the following rights:
- 12.1.1 to take part in the Congress of KSA, to know its agenda in advance, to be called to attend 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 KSA to be elected;
 - 12.1.4 to be informed of the affairs of KSA through the official bodies of KSA;
 - 12.1.5 to take part in competitions and/or other sports activities organised by KSA;
 - 12.1.6 to exercise all other rights arising from the Statutes and regulations of KSA.
- 12.2 The exercise of these rights is subject to other provisions in these Statutes and the applicable Regulations.

- 13.1 The Members of KSA have the following obligations:
- 13.1.1 to comply fully with the Statutes, regulations, directives and decisions of WKF, UFAK and KSA 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 KSA;
 - 13.1.4 to pay their Membership subscriptions;
 - 13.1.5 to respect the competition rules as laid down by WKF 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, KSA, UFAK and WKF shall come solely under the jurisdiction of the appropriate dispute resolution Tribunal of the Member, KSA, UFAK or WKF and that any recourse to ordinary Courts is prohibited subject to Article 70.5;
 - 13.1.7 to communicate to KSA 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 KSA, WKF or UFAK; 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 KSA at all times;
 - 13.1.12 to comply fully with all other duties arising from the Statutes and other regulations of WKF, UFAK and KSA.
- 13.2 Violation of the above-mentioned obligations by any Member may lead to sanction provided for in this Constitution.

- 14.1 Only the Congress may suspend a Member. However, the National Executive Committee may suspend a Member that seriously violates its obligations as a Member with immediate effect. The suspension shall last until the next Congress unless the National Executive Committee has lifted it in the meantime. Provided that nothing herein contained shall preclude the National Executive Committee from suspending any Member pending an investigation or Disciplinary Inquiry.
- 14.2 A suspension shall be confirmed at the next Congress 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 KSA for three (3) consecutive years shall be suspended from voting at the Congress and their representatives shall not be elected or appointed until they have fulfilled their obligations in this respect.

EXPULSION**ARTICLE 15**

- 15.1 The Congress may expel a Member or a person, if:
- 15.1.1 it fails to fulfill its financial obligations towards KSA;
 - 15.1.2 it seriously violates the Statutes, regulations, directives or decisions of WKF, UFAK or KSA;
- 15.2 The presence of an absolute majority of eligible Members entitled to vote at the Congress 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.

RESIGNATION**ARTICLE 16**

- 16.1 A Member may resign from KSA 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 KSA and the other Members of KSA.

**STATUS OF DOJOS, REGIONAL ASSOCIATIONS AND
SUBORDINATE STATUS OF MEMBERS AND OTHER GROUPS**

ARTICLE 17

- 17.1 Regional Associations, Associate Members or any other groups of Members affiliated to KSA shall be subordinate to and recognised by KSA. This Constitution defines the scope of authority and the rights and duties of these Members and groups. Their statutes and regulations must be ratified by the Emergency Committee or the National Executive Committee of KSA, as the case may be.
- 17.2 The affiliated Dojos and Members of KSA 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 Dojo or group whenever the integrity of any competition could be jeopardised.
- 17.4 Members shall be subordinate to KSA and must comply with this constitution, the Regulations and any directive issued by KSA.
- 17.5 No amendments to the Constitution, Rules or Regulations of any Member shall be of any force and effect and until the National Executive Committee of KSA 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 UFAK or WKF shall be of any force and effect until ratified by the Emergency Committee or the National Executive Committee, as the case may be.

HONORARY PRESIDENTS AND HONORARY MEMBERS

ARTICLE 18

- 18.1 The Congress may confer the titles of Honorary President or Honorary Member upon a person or persons who has/have rendered meritorious service to KSA.
- 18.2 The National Executive Committee shall make these nominations.
- 18.3 The Honorary President or Honorary Member may attend and participate in Congress. They may participate in the debates but are not entitled to vote.
- 18.4 The Honorary Members shall not be obliged to attend meetings of the National Executive Committee.

The bodies of KSA shall be the following:

- 19.1 Congress which is the supreme and legislative body of KSA.
- 19.2 The National Executive Committee which is the executive body of KSA.
- 19.3 The Management Committee contemplated in article 40 below.
- 19.4 Standing and ad-hoc committees shall advise and assist the National Executive Committee in fulfilling its duties. Their duties, composition and function are defined in these Statutes and/or special regulations drawn up by the National Executive Committee.
- 19.5 The general secretariat which is the administrative body of KSA.
- 19.6 The judicial bodies are the National Disciplinary Committee and the National Appeal Board.
- 19.7 The bodies of KSA shall be either elected or appointed by KSA itself without any external influence and in accordance with the procedures described in this Constitution.
- 19.8 Provincial Executive Committee (PEC) of the Provincial Structure.

19 A (1) Members that belong to the same geopolitical province as defined have formed the following provincial structures, which are recognised by KSA:

- (a) the Province of the Eastern Cape;
- (b) the Province of the Free State;
- (c) the Province of the Gauteng;
- (d) the Province of the Kwazulu- Natal;
- (e) the Province of Limpopo;
- (f) the Province of Mpumalanga;
- (g) the Province of Northern Cape;
- (h) the Province of North West;
- (i) the Province of Western Cape.

19 A (2) Each provincial structure shall have the following rights and obligations:

- (a) to comply with and enforce compliance with the Statutes, Regulations and decisions of KSA;
- (b) to work closely with KSA in every domain so as to achieve the objectives stipulated in Article 2 and to organise provincial competitions;
- (c) at the request of KSA, to grant Associate Members applying for Membership the status of an Associate Member. This status shall grant the Associate Member the right to participate in the activities in the provincial structure, and to attend its conferences and meetings;
- (d) to appoint Members of the Provincial Executive Committee (“PEC”) to which they are entitled in compliance with the KSA Statutes;
- (e) to propose one (1) candidate for the office of the National Executive Committee (“NEC”) based on proposals from its Members;
- (f) to nurture relations and co-operation with KSA actively and constructively for the good of the sport through consultative meetings and to discuss and resolve any problems relating to the interests of the provincial structure and KSA;
- (g) to ensure that the representatives appointed to KSA bodies or elected to the National Executive Committee carry out their activities on these bodies with mutual respect, solidarity, recognition and fair play;
- (h) to set up Committees that work closely with the corresponding Committees of KSA;
- (i) with the mutual co-operation of KSA, to take any action considered necessary to develop the sport of karate in the province concerned such as arranging development programmes, courses, conferences, etc.;
- (j) to set up the bodies necessary to fulfill the duties incumbent upon it;
- (k) to procure the funds necessary to fulfill its duties.

19 A (3) The NEC may delegate other duties or powers to the provincial structures. To this end, KSA may conclude an appropriate agreement with each of the provincial structures concerned.

19 A (4) The provincial structures’ Statutes and Regulations shall be submitted to KSA for approval.

Definition and composition of the Congress

- 20.1 The Congress represents the supreme and legislative authority of KSA. It is the meeting at which all of the Members of KSA formally convene. Only a Congress that is properly convened has the authority to make decisions.
- 20.2 A Congress may be an Ordinary or Extraordinary Congress.
- 20.3 The President shall conduct the Congress business in compliance with the standing orders of the Congress.
- 20.4 The Congress may appoint observers who take part in the Congress without the right to debate or to vote.
- 20.5 The Honorary Presidents or Honorary Members may take part in the Congress. They may join the debates but are not entitled to vote.

DELEGATES AND VOTES**ARTICLE 21**

- 21.1 The Congress is composed of a number of delegates allocated as follows:
- 21.1.1 Each Regional Association shall be entitled to Two (2) delegates and with Two (2) votes. Each Regional Association may either mandate their Two (2) delegates to exercise its Two (2) votes collectively, alternatively, to abstain from voting.
- 21.1.2 Each Associate Member shall be entitled two (2) delegates and with one (1) vote each. Each Associate member may either mandate their two (2) delegates to exercise their one (1) vote collectively, 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.
- 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 NEC may participate in the Congress and are entitled to vote. Nothing contained herein shall be construed to preclude them from eligibility for re-election.
- 21.5 During their terms of office, Members of the National Executive Committee may not be appointed as delegates for their regional associations or any other Member of KSA.
- 21.6 The Administrative Secretary may participate in the Congress but may not vote.

22. 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 Congress;
 - 22.2 approving the Minutes of the last meeting;
 - 22.3 electing the President, the Vice-Presidents and Members of the National Executive Committee, and to confirm those nominated by the League;
 - 22.4 appointing the scrutineers;
 - 22.5 approving the National Executive Committee report;
 - 22.6 appointing the independent auditors upon the proposal of the National Executive Committee;
 - 22.7 fixing the Membership subscriptions;
 - 22.8 deciding, upon the nomination of the National Executive Committee, whether to confer the title of Honorary President or Honorary Member upon any person;
 - 22.9 admitting, suspending or expelling a Member, Special Member or Associate Member;
 - 22.10 revoking the mandate of one or a number of Members of a body of KSA;
 - 22.11 dissolving KSA;
 - 22.12 passing decisions at the request of a Member in accordance with this Constitution.
 - 22.13 approving the annual financial statements;

- 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.
- 23.2 In the event of a quorum not being present sixty (30) minutes after a proposed time of commencement of the Congress, the Congress 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 Congress 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 KSA constitution or the election of the President, the vice-Presidents and any Member of the National Executive Committee, the dismissal of one or a number of Members of a body of KSA, the expulsion of a Member of KSA or the dissolution of KSA.

- 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.

ELECTIONS**ARTICLE 25****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 of KSA.
- 25.2 Any person shall be eligible for election as President, Vice President or Member of the National Executive Committee provided that such person is nominated by a Member in good standing and complies with the eligibility provisions of the KSA Electoral Code.
- 25.3 Each Member and office-bearer present at the elective Congress 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-President and a list of candidates for election to the NEC.
- 25.5 Only Regional Members in good standing shall be entitled to submit nominations from their Province to the Provincial List of candidates for election.
- 25.6 Sixty (60) days prior to the date of the elective Congress the Secretary General 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 KSA's auditor such that they are received at least thirty (30) days prior to the date of the elective Congress. The closing date and time shall be specified in a circular distributed by the Secretary General with the nomination forms.
- 25.8 No nomination form will be accepted by KSA 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 Congress.

- 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 Secretary General who shall forward the list to the KSA 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 Secretary General 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 the Electoral Committee and Members of the Committee will conduct the elections in accordance with the provisions of the KSA 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 unless delegates drawn from at least four (4) Members request a ballot. In such event, delegates shall vote either "for" or "against" the candidate. Should the candidate not poll a majority of the votes, fresh nominations shall be taken from the floor. Where more than one nomination are 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 National Executive Committee) shall have a casting vote in addition to his/her deliberative vote.
- 25.15 Following the election of the President and the Vice-President) nominations for these positions be received, then such elections will be determined by means of a ballot with the three (3) candidates polling the most number of votes elected to the position of Vice-Presidents.
- 25.16 The Treasurer
- 25.17 Secretary General
- 25.18 Thereafter four (4) additional National Executive Committee Members, at least one (1) of whom shall be a female, shall be elected from the National List. Should only four (4) nominations be received and at least one of the four (4) nominees is a female, the candidates shall be declared duly elected, but should the nominees not meet this criterion then an election will be held. The election will be determined by means of a ballot with the four (4) candidates polling the highest number of votes being elected to the position of Executive Committee Member, provided that at least one (1) Executive Committee Member shall be a female. Delegates may vote for a maximum of four (4) candidates but may vote for fewer than four (4). In the event of a tie a second round of voting will be held between those candidates who are tied only.
- 25.19 Thereafter the President shall announce the names of the Provincial Chairpersons elected from the Provincial Congresses, namely one (1) from each of the Provinces of the Republic of South Africa.
- 25.20 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.

- 25.21 Subject to the provisions of this Article, Office Bearers hold office until their successors have been elected at an elective Congress.
- 25.22 A vacancy in any office of the National Executive Committee shall occur: -
- 25.22.1 upon the death or resignation of a Member;
 - 25.22.2 if a Member is absent from three (3) consecutive meetings of the National Executive Committee without prior permission unless the National Executive Committee upon good cause being shown, otherwise decides;
 - 25.22.3 if a Member is found guilty of having conducted himself in any manner likely to prejudice the objects or activities of KSA and/or whose conduct has the effect of bringing KSA into disrepute;
 - 25.22.4 upon the amendment of these Statutes providing for the addition of new Members;
- 25.23 Should the office of any Member of the National Executive Committee become vacant, the remaining Members of the National Executive Committee shall have the power to co-opt a Member in his place until the next Quadrennial Elective Congress provided that should the office of the President become vacant, the National Executive shall, at its next meeting,
- 25.24 At any Ordinary Congress which is not an elective Congress, 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.
- 25.25 An office bearer elected in accordance with Article 25.22 to fill a vacancy on the National Executive Committee holds office until the next Quadrennial Elective Congress.
- 25.26 The President and Secretary General shall not serve on the Executive body of any Member.

- 26.1 The Ordinary Congress shall be held once a year.
- 26.2 The National Executive Committee shall fix the place and date. The Members shall be notified in writing at least 90 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 Congress. This convocation shall contain the agenda, the National Executive Committee's activity report, the financial statements and the auditors' report, the minutes of the last Congress and any other relevant documents.
- 26.4 All delegates of Members in good standing shall be entitled to speak at any General Meeting of KSA;
- 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 Congress shall be held once a year and the provisions set out above for Ordinary Congress shall mutatis mutandis apply.

ANNUAL CONGRESS

- 27.1. The Secretary General shall, by registered post or telefax or email, give all Members at least ninety (90) days advance notice of the date of the Ordinary Congress, which date shall be determined by the National Executive Committee and shall ordinarily be a date no later than the end of November.
- 27.2. If, by 30 June in any year, no date for an Ordinary Congress has been fixed by the National Executive Committee, any Member may by written notice to the Secretary General nominate a date for the Ordinary Congress between 50 and 120 days away, and the National Executive Committee shall convene the Ordinary Congress for the date nominated in the first such notice s/he receives.
- 27.3 The Secretary General shall draw up the agenda based on proposals from the National Executive Committee and the Members. Any proposal that a Member wishes to submit to the Congress shall be sent to the Secretary General in writing, with a brief explanation, by close of business at least thirty (30) days before the date of Congress.
- 27.4 Motions to an Ordinary Congress shall be submitted to the Secretary General of KSA in writing per registered post and/or telefax or by email by the close of business not less than thirty (30) days prior to the date of such Ordinary Congress. The Secretary General of KSA shall circulate all motions submitted to him/her together with the agenda for the Meeting and the audited financial statements of KSA to all Members per registered post and/or telefax or by email not less than fourteen (14) days prior to the Ordinary Congress.
- 27.5 Members must forward in writing to the Secretary General the names of the delegates who will represent them at the Annual Congress. Unless such confirmation is received by the Secretary General 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 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: -
- 27.7.1 The Congress agenda shall include the following mandatory items:
- 27.7.1.1 Declaration that the Ordinary Congress has been convened and composed in compliance with the Statutes of KSA;
 - 27.7.1.2 Approval of the agenda;
 - 27.7.1.3 An address by the President;
 - 27.7.1.4 Appointment of Members to check the minutes
 - 27.7.1.5 appointment of scrutineers
 - 27.7.1.6 suspension or expulsion of Members (if applicable);
 - 27.7.1.7 dismissal of a Member or a person (if applicable);
 - 27.7.1.8 approval of the minutes of the preceding Congress;
 - 27.7.1.9 National Executive Committee's activity report (containing the activities since the last Congress);
 - 27.7.1.10 presentation and approval of the consolidated Annual Financial Statements and reports of the Auditors for the previous year.
 - 27.7.1.11 presentation of the budget
 - 27.7.1.12 admission for Membership (if applicable);
 - 27.7.1.13 votes on proposals for amendments to the constitution, the regulations governing the application of the statutes and the standing orders of the Congress (if applicable);
 - 27.7.1.14 Discussion of items proposed by the National Executive Committee of KSA or the Members of KSA as contemplated in Article 27.4;
 - 27.7.1.15 appointment of independent auditors (if applicable) upon the proposal of the National Executive Committee;
 - 27.7.1.16 election of the President, Vice-Presidents and Members of the National Executive Committee (if applicable);
 - 27.7.1.17 any further items proposed by the Members or the NEC (if applicable)
- 27.7.2 The agenda of an Annual Congress may be altered, provided two-thirds (2/3) of the Members present at the Congress and eligible to vote, agree to such a motion.
- 27.7.3 The Congress shall not make a decision on any point not included in the agenda.
- 27.8 The Agenda for the Policy Congress shall be determined by the National Executive Committee and the provisions regarding notices, motions etc. shall be mutatis mutandis be those set out for Annual Congress.

- 28.1 The National Executive Committee may convene an Extraordinary Congress at any time.
- 28.2 The National Executive Committee shall convene an extraordinary Congress if one third (1/3) of the Members of KSA make such a request in writing. The request shall specify the items for the agenda. An extraordinary Congress shall be held within three months of receipt of the request. If an Extraordinary Congress is not convened, the Members who requested it may convene the Congress themselves. As a last resort, the Members may request assistance from WKF.
- 28.3 The Members shall be notified of the place, date and agenda at least 30 calendar days before the date of an extraordinary Congress.
- 28.4 When an Extraordinary Congress is convened on the initiative of the National Executive Committee, it must draw up the agenda. When an Extraordinary Congress is convened upon the request of Members, the agenda must contain the points raised by those Members.
- 28.5 The agenda of the Extraordinary Congress may not be altered.

AMENDMENTS TO THE CONSTITUTION, REGULATIONS GOVERNING THE APPLICATION OF THE STATUTES AND THE STANDING ORDERS OF THE CONGRESS

- 29.1 The Congress is responsible for amending the Statutes, the Regulations Governing the Application of the Statutes and the Standing Orders of the Congress.
- 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 National 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 Statutes, regulations and standing orders of the Congress, it shall be compelled to adopt an amendment to such amendment.
- 29.5 The text of all amendments to the Statutes shall be forwarded to all Members and submitted to the Commissioner for the South African Revenue Service within 30 (thirty) days of it having been approved by Congress.
- 29.6 Any proposal to amend the Regulations Governing the Application of the Statutes and the Standing Orders of the Congress must be submitted in writing with a brief explanation to the general secretariat by a Member or by the National Executive Committee.
- 29.7 A proposal for an amendment to the Regulations Governing the Application of the Statutes and the Standing Orders of the Congress shall be adopted only if a simple majority of the Members present and eligible to vote agree to it.

- 30.1 The Secretary General 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 Secretary General shall distribute the minutes of the Congress within 30 days after the date of the Congress.

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

32. Composition

- 32.1 The National Executive Committee consists of the following Members:

- 32.1.1 President;
- 32.1.2 The Vice President;
- 32.1.3 The Treasurer;
- 32.1.4 The Secretary General;
- 32.1.5 4 Additional Members
- 32.1.6 1 Technical Convener
- 32.1.7 Nine (9) Provincial Chairpersons elected by the Congress as nominated by the Provincial Congress.

- 32.2 The President, the Vice-President and the Members of the National Executive Committee shall be elected by the Congress. Every candidate in the election of National Executive Committee Members must be proposed by at least one Member or Special Member, as the case may be.

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

- 32.4 The Members of the National Executive Committee shall have been active in karate, must not have been previously found guilty of a criminal offence and served to a period of imprisonment without the option of a fine and have residency within the territory of the Republic of South Africa.

- 32.5 The official list of candidates must be sent to the Members of KSA along with the agenda for the Congress at which the National Executive Committee will be elected as contemplated in Article 25.11.
- 32.6 A Member of the National Executive Committee may not at the same time be a Member of a judicial body of KSA.
- 32.7 Should a position become vacant, the National Executive Committee shall fill that position until the next Ordinary Congress, when a replacement will be elected for the remaining period of the mandate.

MEETINGS OF THE NATIONAL EXECUTIVE COMMITTEE

ARTICLE 33

- 33.1 The National Executive Committee shall meet at least once a quarter.
- 33.2 The Secretary General shall convene the National Executive Committee meetings in consultation with the President. Should 50% of the National Executive Committee Members request a meeting, the Secretary General shall convene it within twenty-one (21) calendar days of such request.
- 33.3 The Secretary General shall compile the agenda in consultation with the President. Each Member of the National Executive Committee is entitled to propose items for inclusion in the agenda. The Members of the National Executive Committee must submit the items they wish to be included in the agenda for the meeting to the Secretary General at least 14 calendar days before the meeting. The agenda must be sent out to the Members of the National Executive Committee at least seven calendar days before the meeting.
- 33.4 The meetings of the National Executive Committee shall not be held in public. The National 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 National Executive Committee.
- 33.5 The National Executive Committee shall approve a meetings calendar of the various standing and other committees appointed by the NEC.

POWERS OF THE NATIONAL EXECUTIVE COMMITTEE

ARTICLE 34

- 34.1 The National 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 Extraordinary Congresses of KSA;
 - 34.1.3 shall appoint the chairperson, deputy chairperson and Members of the standing committees;
 - 34.1.4 shall recommend to the Congress 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 Congress;
- 34.1.8 shall decide the place and dates of and the number of teams participating in the competitions of KSA;
- 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 KSA 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 KSA provisionally until the next Congress;
- 34.1.13 may delegate tasks arising out of its area of authority to other bodies of KSA or third parties;
- 34.1.14 may give strategic direction to the policies of the Association;
- 34.1.15 approves the budget;

DECISIONS OF THE NATIONAL EXECUTIVE COMMITTEE

ARTICLE 35

- 35.1 National Executive Committee shall not engage in valid debate unless the absolute majority (50%+1) of its Members are present. Once the National 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 National 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 National 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 National Executive Committee shall come into effect immediately unless the National Executive Committee decides otherwise.

DISMISSAL OF PERSON OR BODY

ARTICLE 36

- 36.1 The Congress may dismiss a person or body. The National Executive Committee may place the dismissals of a person or body on the agenda for the Congress. The National Executive Committee may also dismiss a person or body provisionally for a period of no longer than three (3) months. National Executive Committee or any Member may submit a proposal to place such a motion for dismissal on the agenda of the National Executive Committee or Congress
- 36.2 The motion for dismissal must be justified in writing and sent to the Members of KSA along with the agenda.
- 36.3 The person or body in question may attend the Congress and has the right to speak in his/her or its defense.
- 36.4 If the motion for dismissal is upheld, the Congress or National Executive Committee shall reach a decision by means of secret ballot. For the motion to be passed, a majority of two-thirds of the valid votes is required.

- 36.5 The person or body dismissed (provisionally) must be relieved of his/her or its functions with immediate effect.

PRESIDENT

ARTICLE 37

- 37.1 The President represents KSA legally.
- 37.2 He/She is primarily responsible for:
- 37.2.1 monitoring the implementation of the decisions passed by the Congress and the National Executive Committee through the Secretary General/General Secretary;
 - 37.2.2 ensuring the effective functioning of the bodies of KSA in order that they achieve the objectives described in these Statutes;
 - 37.2.3 overseeing the work of the Secretary General;
 - 37.2.4 promoting good relations between KSA and its Members, WKF, UFAK, political bodies and other organisations.
- 37.3 The President shall preside over the Congress, the Executive Committee, Emergency Committee meetings and those committees of which he/she has been appointed chairperson.
- 37.4 The President shall have an ordinary vote on the Executive Committee and, whenever votes are equal, shall have a casting vote.
- 37.5 If the President is absent or unavailable, a Vice President available or a Member of the National Executive Committee shall deputise and enjoy the same powers of the President.
- 37.6 Any additional powers of the President shall be contained in the internal organisation regulations of KSA;
- 37.7 Performs other responsibilities assigned by the NEC.

CANDIDATE FOR THE OFFICE OF THE PRESIDENT

ARTICLE 38

- 38.1 The President shall be elected by Congress for period of four (4) years. His/Her mandate shall begin after the end of the Congress which has elected him. A President may be re-elected.
- 38.2 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.
- 38.3 Only Members of KSA 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 30 calendar days before the date of the Congress.
- 38.4 The general secretariat shall notify the Members of the names of the proposed candidates at least thirty (30) days before the date of the Congress.
- 38.5 If the President is permanently or temporarily prevented from performing his/her official

functions, a Vice-President or any other Member of the National Executive Committee shall represent him until the next Congress. This Congress shall elect a new President, if necessary.

REPRESENTATION AND SIGNATURE

ARTICLE 39

- 39.1 The President and the Secretary General represent KSA legally and are duly authorized to represent KSA in any legal proceedings and are entitled to sign for and on behalf of KSA.
- 39.2 The Secretary General and the Treasurer are duly authorized and are entitled to sign for and on behalf of the Association all contractual agreements concerning important business of KSA along with the joint signature of the divisional General Manager responsible for the implementation of the contractual agreement.

MANAGEMENT COMMITTEE

ARTICLE 40

- 40.1 The Management Committee shall deal with all matters requiring immediate settlement between the meetings of the National Executive Committee. The Emergency Committee will decide on matters that fall under the sole competence of the National Executive Committee. It shall not be entitled to take decisions which come under the remit of other authorities and bodies of the Association (such as the Secretary General, Standing Committees and/or others);
- 40.2 The Committee shall consist of the President of KSA, the Vice President, Secretary, Treasurer, Technical Convener and any one member of the executive.
- 40.3 The President shall convene the Emergency 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 Secretary General shall notify the National Executive Committee prior to and immediately after the decisions passed by the Emergency Committee.
- 40.4 All decisions taken by the Emergency Committee shall be ratified by the National Executive Committee at its next meeting.
- 40.5 If the President is unable to attend a meeting, the Vice-President who is available shall deputize.

41.1 The standing committees of KSA are:

- 41.1.1 Finance and Procurement Committee;
- 41.1.2 Organising Committee for KSA competitions;
- 41.1.3 Technical and Development Committee;
- 41.1.4 Referees' Committee;
- 41.1.5 Legal and Constitutional Affairs Committee;
- 41.1.6 Women's Karate Committee;
- 41.1.7 Youth Karate Committee;
- 41.1.8 Sports Medical Committee;
- 41.1.9 Committee for Ethics and Fair Play;
- 41.1.10 Commercial, Marketing and Television Advisory Board;
- 41.1.11 Remuneration Committee;
- 41.1.12 Safety, Security and Protocol Committee;
- 41.1.13 Dispute Resolution Committee;
- 41.1.14 Membership Affairs Committee;
- 41.1.15 International Affairs Committee

41.2 The chairperson and deputy chairperson of the standing committees shall be Members of the National Executive Committee. The Members of each standing committee shall be appointed by the National Executive Committee on the proposal of Members of KSA or the President of KSA. The chairperson, deputy 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 elective Congress.

41.3 Each chairperson shall represent his/her committee and conduct business in compliance with the relevant organization regulations drawn up by the National Executive Committee.

41.4 Each chairperson shall fix the dates of meetings in consultation with The Secretary General/General Secretary.

41.5 Each committee may propose amendments to its regulations to the National Executive Committee.

42.1 The Finance and Procurement Committee shall consist of a Chairperson, a deputy chairperson and no more than 5 (five) Members and shall:

42.1.1 Advise on areas of financial planning including

- i. Budget preparation
- ii. Recommending budgets to NEC for approval
- iii. Financial forecasts

42.2 Ensure that the Association keeps complete and detailed accounting records;

42.3 Report to the NEC regularly on the organization's financial position;

42.4 Ensure that the year-end financial statements are prepared and audited;

42.5 Recommend to the NEC on the Association's bankers or other financial institutions and the types of bank accounts to be operated;

42.6 Recommend new Financial and Accounting Policies or any amendments thereto, to the NEC for approval;

42.7 Recommend new Procurement Policies and any amendments to the NEC for approval;

42.8 Ensure that the Association maintains proper control of its Fixed Assets and approves the disposals of fixed assets;

42.9 Design a system of efficient and effective internal controls;

42.10 Appoint Members of its sub committees which are:

- i. Budget and Cost Monitoring Committee
- ii. Bid Specification Committee
- iii. Bid Evaluation Committee
- iv. Bid Adjudication Committee

42.11 Review, monitor and make recommendations to the NEC on the Association's investment strategy;

42.12 Review, monitor and make recommendations to the NEC on the Association's human resources strategy and policies that pertain to staffing and related issues of strategic importance that directly affect the Association's ability to recruit, develop and retain qualified and experienced staff needed to achieve its objectives;

42.13 Review any external evaluations of the Association's human resources strategy and policies pertaining to the issues set out in 12 above and report to the NEC its findings and recommendations on such issues;

43. The Organising Committee for KSA Competitions shall consist of a chair person, a deputy chairperson and no more than 5 (five) Members one of whom shall be from the League and shall: -.
- 43.1 organise and monitor the competitions of KSA in compliance with the provisions of the Constitution and the regulations applicable to KSA competitions;
 - 43.2 provide and monitor the implementation of guidelines for the efficient management of all KSA competitions;
 - 43.3 advise the National 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 KSA's jurisdiction;
 - 43.5 submit regular reports to the NEC.

44. The Technical and Development Committee shall consist of a chairperson, a deputy chairperson and no more than 5 (five) Members who shall:
- 44.1 primarily analyze the basic aspects of karate 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 karate;
 - 44.5 take all possible measures to promote familiarization with and experience in teaching karate;
 - 44.6 organise courses and conferences for instructors, trainers, coaches and administrators;
 - 44.7 compile material on teaching and coaching techniques for Athletes, 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 KSA 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 karate;
- 44.13 develop and maintain regulations on karate;
- 44.14 advise the National Executive Committee on Reports submitted by coaches of National Teams;
- 44.15 submit regular reports to the National Executive Committee.

NATIONAL REFEREES COMMITTEE

ARTICLE 45

- 45. The National Referees Committee shall consist of a chairperson, a deputy 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 National Executive Committee any amendments to the Laws of the Game for submission to the WKF Executive Committee;
 - 46.5 compile a list of referees qualified to supervise international matches for submission to WKF and UFAK;
 - 46.6 appoint the referees for all matches under the jurisdiction of KSA and its affiliates;
 - 46.7 establish uniformity in methods of refereeing and implementation of the Laws for nationwide use;
 - 46.8 establish uniform criteria for the inspection of referees for use by all KSA Members;
 - 46.9 organise courses for referees and referee instructors;
 - 46.10 draw up a list of instructors and lecturers capable of conducting courses for referees;
 - 46.11 prepare and produce useful didactic material on refereeing;

LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

ARTICLE 46

- 46. The Legal & Constitutional Affairs Committee shall consist of a chairperson, a deputy chairperson and no more than 5 (five) Members and shall be responsible for the following:
 - 46.1 analyse basic legal issues relating to karate and the evolution of the Statutes and regulations of KSA 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 WKF Statutes and Regulations which govern KSA and propose to the National 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 National 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 Association 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 Association;
- 46.7 conduct regular reviews of the KSA Constitution to ensure compliance with UFAK and WKF statutes and to advise and propose changes/updates to the Association's Articles, Rules, Regulations and Guidelines;
- 46.8 supply a panel of pro-forma prosecutors to present cases for KSA at KSA's judicial bodies;
- 46.9 review KSA Members' Constitutions, Rules and Regulations to ensure compliance with the provisions of the KSA, WKF and UFAK statutes;
- 46.10 provide guidelines for the maintenance of the KSA Legal archives;
- 46.11 review KSA's competition rules from time to time;
- 46.12 submit regular reports to the NEC.

WOMEN'S KARATE COMMITTEE

ARTICLE 47

- 47. The Committee for Women's Karate shall consist of a chairperson, a deputy 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 karate development;
 - 47.2 dealing with all matters relating to women karate;
 - 47.3 monitoring women's karate competitions;
 - 47.4 submitting regular reports to the NEC.

48. The Youth Karate Committee shall consist of a chairperson, a deputy chairperson and no more than 5 (five) Members and be responsible for the following:
- 48.1 monitoring youth karate competitions;
 - 48.2 advising the National 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 Association;
 - 48.4 ensuring the implementation of the Association's Youth Development Framework;
 - 48.5 advising the National Executive Committee on all matters related to development of youth at all school levels;
 - 48.6 ensuring the establishment of viable karate structures in the nation's school system;
 - 48.7 Submitting regular reports to the NEC.

49. The Sports Medical Committee consists of a chairperson, a deputy chairperson and no more than 5 (five) Members and shall be responsible for the following:
- 49.1 dealing with all medical aspects of karate;
 - 49.2 advising the National Executive Committee on every aspect of medicine, physiology and hygiene;
 - 49.3 developing and using scientific experience in the fields of physiology, medical control, training theories, psychology and hygiene;
 - 49.4 developing and maintaining a medical guide for use by coaches, Athletes and referees;
 - 49.5 developing and maintaining a guide for Athletes to improve their athletic ability, physical fitness and performance capacity;
 - 49.6 preparing memoranda for trainers and coaches on the physical preparation of karate Athletes;
 - 49.7 preparing memoranda on diet and nourishment for Athletes, giving appropriate recommendations;
 - 49.8 preparing memoranda on general aspects of sports hygiene and, in particular, the effects of certain substances on the body (alcohol, nicotine, medicaments, drugs, etc.);
 - 49.9 issuing instructions regarding medical facilities to be made available at all international matches and tournaments;

- 49.10 investigating all types of injuries suffered during karate matches and issuing recommendations for improved prevention or treatment of such injuries;
- 49.11 developing and maintaining regulations on doping control as contemplated by WKF's Doping Control Regulations.

MEDIA COMMITTEE

ARTICLE 50

- 50. The Committee for Media Karate shall consist of the chairperson, a deputy chairperson and no more than five (5) Members and shall be responsible for the following:
 - 50.1 dealing with the working conditions for the media at KSA;
 - 50.2 maintaining relations with media organizations;
 - 50.3 drafting media policy for approval by the NEC;
 - 50.4 monitoring compliance with policy;
 - 50.5 submitting regular reports to the NEC.

DISPUTE RESOLUTION COMMITTEE

ARTICLE 51

- 51. The Dispute Resolution Committee shall consist of at least three (3) Members, provided that the Chairperson and Deputy Chairperson shall have legal qualifications and shall be responsible for the following: -
 - 51.1 dealing with the following disputes and other disputes not provided for in the Disciplinary Code:
 - 51.1.1 disputes between KSA and its Members;
 - 51.1.2 disputes between affiliates and its Members;
 - 51.1.3 disputes involving Athletes, officials and intermediary that do not fall under the jurisdiction of the judicial bodies or the Athletes Status Committee;
 - 51.1.4 submitting regular reports to NEC.

52. The Membership Affairs Committee shall consist of the chairperson, deputy chairperson and not more than five (5) Members and shall be responsible for the following:
- 52.1 advising the National Executive Committee on all matters related to status of Members;
 - 52.2 establishing guidelines to ensure that all KSA Regions operate viable structures to develop the game of karate in their areas of jurisdiction;
 - 52.3 assisting the Provincial Executive Councils in the execution of their duties;
 - 52.4 assisting in the establishment of efficient communication systems between KSA's Members and national structures;
 - 52.5 ensuring that all KSA Members participate fully in the establishment and maintenance of the national Athletes, coaches, referees, administrators and competitions registration database;
 - 52.6 ensuring that all KSA Members submit Annual Reports to KSA;
 - 52.7 ensuring that all Association property allocated to the Members is utilised in accordance with the rules, regulations and policies of the Association;
 - 52.8 submitting regular reports to NEC.

53. The Safety, Security and Fair Play Committee shall consist of a chairperson a deputy chairperson and no more than 5 (five) Members and shall be responsible for the following:
- 53.1 examining generally every aspect of security inside stadia and in the immediate vicinity;
 - 53.2 investigating every possible way of improving security at karate matches;
 - 53.3 dealing with security issues at KSA offices;
 - 53.4 dealing with matters of protocol;
 - 53.5 dealing with matters of protocol during KSA events;
 - 53.6 drawing up relevant proposals for presentation to the National Executive Committee;
 - 53.7 submitting regular reports to the NEC.

- 54.1 The National Executive Committee may, if necessary, create Ad-Hoc committees for special duties and a limited period of time.
- 54.2 The convener and the Members and the terms of reference shall be set out in the resolution adopted by the National Executive Committee.
- 54.3 Ad-Hoc committees shall report directly to the National Executive Committee.
- 54.4 Standing Committees may establish sub-committees to facilitate their work and shall submit reports to their respective Standing Committees.

The Remuneration Committee shall consist of a chairperson, deputy chair and no more than 2 (two) Members and shall: -

- 55.1 Determine and agree with the NEC on the broad policy for remuneration of the NEC Members, management and staff Members and any other remuneration as defined by the 7th Schedule of the Income Tax Act;
- 55.2 Recommend and monitor and note the level and structure of remuneration of Senior Management;
- 55.3 Consider and adjudicate on the achievement of the performance conditions under annual bonus arrangements and make recommendations to the NEC;
- 55.4 Oversee the setting and administration of remuneration and pay scales at all levels in the Association;
- 55.5 The establishment of the remuneration policy that will promote the strategic objectives of KSA and encourage individual performance;
- 55.6 Evaluate the accuracy of performance measures as they relate to performance bonuses, pay increases and affordability thereof;
- 55.7 Select an appropriate comparative group when comparing remuneration levels and apply appropriate rigour to the salary benchmarking process;
- 55.8 Recommend pay and honorarium increases of senior management and NEC Members;
- 55.9 Ensure sustainable and responsible remuneration levels and practices;
- 55.10 Prepare feedback reports to the NEC after each Remco meeting.

- 56.1 The General Secretary represents KSA legally and is entitled to sign for KSA.
- 56.2 The General Secretary is the Secretary General of the Association and the accounting officer of KSA.
- 56.3 He/She shall be appointed on the basis of an agreement governed by private/labour law and shall have the necessary professional qualifications.
- 56.4 He/She shall be responsible for:
- 56.4.1 implementing decisions passed by the Congress and National Executive Committee;
 - 56.4.2 attending the Congress and meetings of the National Executive Committee, Emergency Committee and the standing and ad-hoc committees;
 - 56.4.3 organising the Congress and meetings of the National Executive Committee and other bodies at the instruction of the National Executive Committee and/or the President;
 - 56.4.4 compiling the minutes for the meetings of the Congress, National Executive Committee, Emergency Committee and standing and ad-hoc committees;
 - 56.4.5 managing and keeping the accounts of KSA properly;
 - 56.4.6 the correspondence of KSA;
 - 56.4.7 relations with the Members, committees, WKF, UFAK, AUSG 5 and SASCOC;
 - 56.4.8 organising the general secretariat/administration;
 - 56.4.9 the appointment and dismissal of staff working in the general secretariat.
- 56.5 The General Secretary or his or her nominee shall attend the meetings of all the committees ex officio.
- 56.6 The Secretary General shall not be a Congress delegate or a Member of any body of KSA.

- 57.1 The judicial bodies of KSA are:
- 57.1.1 the National Disciplinary Committee;
 - 57.1.2 the National Appeal Board;
- 57.2 The responsibilities and functions of these bodies shall be stipulated in the Disciplinary Code of KSA, which shall comply with the WKF Disciplinary Code.
- 57.3 The decision – making powers of other Committees remain unaffected.
- 57.4 The Members of the judicial bodies may not belong to any other body of KSA at the same time.

- 58.1 The National Disciplinary Committee shall consist of a chairperson, deputy chairperson and the number of Members deemed necessary. The chairperson and the deputy chairperson shall have legal qualifications.
- 58.2 The functions of this body shall be governed by the Disciplinary Code of KSA. 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 KSA.
- 58.3 The committee may pronounce the sanctions prescribed in these Statutes and the Disciplinary Code of KSA on Members, Officials, Athletes, Dojos and match agents and
- 58.4 These provisions are subject to the disciplinary powers of the Congress and the National Executive Committee with regard to the suspension and expulsion of Members.

- 59.1 The National Appeal Board shall consist of a chairperson, deputy chairperson and the number of Members deemed necessary. The chairperson and deputy chairperson shall have legal qualifications.
- 59.2 The function of this body shall be governed by the Disciplinary Code of KSA. 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 KSA.
- 59.3 The Appeal Board is responsible for hearing appeals against decisions from the National Disciplinary Committee that are not declared final including these from the League and any other Members of KSA.

Disciplinary Policy

FINAL

61.1 KSA shall establish an Arbitration Tribunal, which shall deal with all further appeals from the decision of the National Appeals Board and the decision of an arbitrator shall be final and binding.

The following principles shall form a basis of the establishment of the Tribunal and its regulation:

61.1 **PARITY**, the parties shall have influence over the appointment of arbitrators;

61.2 **IMPARTIALITY**, the arbitrators shall be persons with requisite independence to adjudicate without favor or fear;

61.3 **FAIRNESS AND RIGHT TO BE HEARD**, the proceedings at the Tribunal shall be conducted on the principles of natural justice.

61.2 The National Executive Committee shall draw up special regulations regarding the composition, jurisdiction and procedural rules of this Arbitration Tribunal.

61.3 Every body or individual falling under the jurisdiction of KSA shall ensure that any dispute that it has with a body or individual falling under the jurisdiction of KSA is resolved in accordance with the dispute prevention and resolution procedures set out in the Constitution, Rules and Regulations.

61.4 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 Regional Members or its affiliates or individual opt for arbitration, such arbitration may be conducted by a senior lawyer in the Province consented to by the parties.

61.5 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 KSA shall approach a Court of Law to decide on a dispute it has with a body or individual affiliated to KSA.

61.6 The powers of an arbitrator shall be defined in the disciplinary code.

62.1 KSA, its Members, Athletes, Officials will not take any dispute to Ordinary Courts unless specifically provided for in these Statutes and WKF regulations. Any disagreement shall be submitted to the jurisdiction of WKF, UFAK or KSA.

62.2 KSA shall have jurisdiction on internal national disputes, i.e. disputes between parties belonging to KSA, including foreign nationals, registered by KSA to participate in KSA competitions or League competitions.

- 63.1 KSA shall ensure its full compliance and that of its Members, Athletes, Officials and match agents with any final decision passed by a WKF body or CAS.

- 64.1 KSA shall be conducted on a non-profit basis, with the intention and purpose that its capital and income, however derived 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 KSA 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:-
- 64.1.1 reasonable remuneration for the services actually rendered for or on behalf of KSA;
 - 64.1.2 reimbursement of actual costs, expenses and other commitments incurred on behalf of KSA
 - 64.1.3 payment of gratuity and/or pension on the retirement of any person who previously shall have been in the employ of KSA;
 - 64.1.4 payment of honoraria to Members of the National Executive Committee on a basis to be determined and approved by the Ordinary Congress.
 - 64.1.5 other expenses approved by the Congress and expenses that the National Executive Committee is entitled to incur within the scope of its authority;
 - 64.1.6 all other expenses in keeping with the objectives pursued by KSA.
- 64.2 The financial period of KSA shall be one (1) year and shall begin on 01 January and end on 31 December in each year.
- 64.3 The signatories shall be any two of the five (5) duly authorised by KSA.

64.4 The financial resources of KSA shall include, but not be limited to: -

64.4.1 Annual subscription fees of Members;

64.4.2 National competition entry fees;

64.4.3 Player Registration fees;

64.4.4 Donations, subject to section 30(3)(b)(v) of the Income Tax Act 58 of 1962;

64.4.5 Loans;

64.4.6 State grants;

64.4.7 Returns on investments;

64.4.8 Interest on loans;

64.4.9 Proceeds of sales of assets;

64.4.10 Radio and electronic broadcasting rights.

64.5 KSA may invest and otherwise deal with the moneys of KSA not immediately required for its purpose in or upon such investments, securities or property as may be thought fit, in its absolute discretion, with the power to vary or transpose any investments for or into others of any nature or subject;

64.6 KSA may retain any investment which is donated or bequeathed to it in the form that it was so donated or bequeathed;

64.7 The Secretary General is responsible for drawing up the annual consolidated accounts of KSA and its subsidiaries as at 30 June;

64.8 The revenue and expenses of KSA shall be managed so that they balance out over the financial period. KSA's major duties in the future shall be guaranteed through the creation of reserves.

INDEPENDENT AUDITORS

ARTICLE 65

65.1 The independent auditors appointed by the Congress shall audit the accounts approved by the National Executive Committee in accordance with the appropriate principles of accounting and present a report to the Congress.

65.2 The auditors shall be appointed for a period of 2 (two) years. This mandate may be renewed.

MEMBERSHIP SUBSCRIPTIONS

ARTICLE 66

66.1 Membership subscriptions are due on 01 March.

66.2 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.

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

67. KSA may debit any Member's account to settle claims.

68. KSA may determine and demand that a levy be paid by its Members for competitions.

69.1 KSA organizes, coordinates and/or regulates the following official competitions held within its territory:

69.1.1 Nationals Senior

69.1.2 Nationals Youth & Children

69.1.3 Development

69.1.4 Women's

69.1.5 Leagues

69.2 The National Executive Committee may delegate to subordinate Leagues the authority to organize competitions. The competitions organised by the Leagues shall not interfere with those competitions organised by KSA. Competitions organised by KSA shall take priority.

69.3 The National Executive Committee may issue special regulations to this end.

70.1 KSA shall operate a Dojo licensing system in accordance with the principles of the Dojo licensing regulations of WKF and UFAK.

70.2 The objective of the Dojo licensing system is to safeguard the credibility and integrity of Dojo competitions, to improve the level of professionalism of KSA, 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 Dojos.

70.3 The National Executive Committee of KSA shall issue Dojo licensing regulations governing the Dojo licensing system. Inter alia, the Dojo licensing regulations shall stipulate to which Dojos the system applies. At a minimum, the Dojo licensing system must be implemented in respect of top-division Dojos which qualify for UFAK Dojo 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 KSA, UFAK and WKF.

- 71.1 KSA 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, time, place and law. These rights include, among others, every kind of financial rights, audiovisual 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.
- 71.2 The National Executive Committee shall decide how and to what **extent** these rights are utilised and draw up special regulations to this end. The National Executive Committee shall approve whether these rights shall be utilised exclusively, or jointly with a third party or entirely through a third party.

72. KSA and its Members are exclusively responsible for authorising the distribution of image and sound and other data carriers of karate matches and events coming under their respective jurisdiction, without any restrictions as to confine, time, place and technical and legal aspects.

- 73.1 The authority for organising international matches and competitions between Association teams and between Leagues and/or Dojo teams lies solely with WKF. No match or competition shall take place without the prior permission of the WKF National Executive Committee. In addition, permission from the relevant Confederation may be required in accordance with the WKF regulations.
- 73.2 KSA is bound to comply with the international match calendar compiled by WKF.

74. KSA shall not play matches or make sporting contacts with Associations that are not Members of WKF or with provisional Members of a Confederation without the approval of WKF.

75. Dojos, Leagues or any other group of Dojos that are affiliated to KSA cannot belong to another Association or participate in competitions on the territory of another Association without the authorisation of KSA and the other Association and of WKF, except in exceptional circumstances.

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

DISSOLUTION

ARTICLE 77

- 77.1 KSA may, by resolution at an Extra Ordinary Congress called solely for this purpose, dissolve the Association.
- 77.2 A resolution to dissolve the Association will be of no force and effect unless:
- 77.2.1 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
 - 77.2.2 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 KSA to whom whatever property, capital and accrued income of KSA remains upon the winding up or dissolution of KSA, shall be distributed after satisfaction of all debts and commitments of KSA and the proportions in which any such property, capital or accrued income shall be distributed to such organizations.
- 77.3 If KSA is disbanded its assets shall be transferred to an organisation with similar status and objectives as KSA. It shall hold these assets in trust as "bonus pater familias" until KSA is re-established. The final Congress may, however, choose another recipient for the assets on the basis of a two-thirds majority.

ENFORCEMENT**ARTICLE 78**

78. These KSA Statutes, as adopted at the KSA Extraordinary Congress on _____ will come into force on _____
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INDEMNITY**ARTICLE 79**

79. The officials of KSA 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 KSA.
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WKF AND UFAK**ARTICLE 80**

80. Subject to the Constitution of the Republic, should this Constitution be silent on any matter that may arise, the Statutes of WKF and UFAK shall apply, in that order, and if they too are silent the National Executive shall give a ruling on such matter, which shall be final and binding.
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RULES**ARTICLE 81**

- 81.1 KSA may, by a simple majority of votes cast at a Congress, adopt Rules consistent with these Statutes.
- 81.2 Any Rules made in terms of Article 91.1 may be amended or repealed by a simple majority of votes cast at a congress.
- 81.3 Save as is set out in Articles 90.1 above, all Rules shall be deemed to form part of this Constitution and shall be binding on the Association, all Members and all Dojos and persons falling under the jurisdiction of the Association and its Members.
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- 82.1 Members shall have the right to move a motion to review and rescind any resolution of KSA. 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 KSA on pain of lapsing.
- 82.2 If such notice is not given at the meeting at which the resolution is adopted it must reach the Secretary General of KSA thirty (30) days prior to the Meeting at which it is to be moved, and the Secretary General shall inform all affiliates thereof at least fourteen
- (14) days prior to the meeting.
- 82.3 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.
- 82.4 Upon the rescission of a resolution KSA shall have the power to pass a fresh resolution as it deems fit.
- 82.5 No resolution may be reviewed more than once in any calendar year.

NOTICES**ARTICLE 83**

83. For the purposes of these Statutes and the Rules and Regulations:
- 83.1 any document sent by registered mail shall be deemed to have been received within seven (7) working days of same having been posted;
- 83.2 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;
- 83.3 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 SPECIAL GENERAL COUNCIL MEETING HELD AT _____

ON THIS THE _____

WILL COME INTO FORCE ON _____

SONNY PILLAY
PRESIDENT

GILIAN ELLSON
SECRETARY GENERAL