	THE CONSTITUTION OF EAST CAPE CYCLING (ECC)	NO: 20130101
		Status: FINAL

Amendments made to Constitution:

December 2023	Additions & Changes to: Chapter E: 19.1.2 – Amended & Extended 19.1.3 New content & Original moved to 19.1.6 19.1.4 New content & Original moved to 19.1.7 19.1.5 New content & Original moved to 19.1.8 19.1.6 New content & Original moved to 19.1.9 19.1.7 New content & Original moved to 19.1.10 19.1.11 New addition 19.1.12 New addition
January 2023	Article 8 – Add: The colours criteria to be determined by the Discipline Commissioners and approved at the Annual General Meeting. Article 19.8.3 – Add: “Vice President”, Delete - ECC administrator. Article 27.11 – Change of date for financial year end now 31 March
February 2021	Changes to Section 19 – Executive (inclusion of Vice President, term of office to 2 years and inclusion of Provincial Schools representative)
November 2018	Changes to Section 19 – Executive, Chapter C – Membership, Section 28 – Code of Conduct, Discipline and Complaints, Section 29 – Appeals and Dispute Procedures
November 2016	Organogram changed to give Districts more independence and autonomy. All other changes made are related to this change.
November 2014	The following was added to comply with non-profit organisation requirements: Point 26.6, 27.7, 27.8, 27.9, 32.2 and Chapter K - Legal Matters
January 2013	Changes to quorum requirements from a percentage of clubs present to the clubs present forms a quorum Management structure changes to align with CSA requirements.
February 2012	Accepted at ECC AGM as working document.
December 2011	Changes made to structure and positions to incorporate new structure duplicating functions in Port Elizabeth and East London

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CHAPTER A – ABBREVIATIONS

AGM	Annual General Meeting
CSA	Cycling South Africa
ECC	East Cape Cycling. The body constituted under this constitution
EC or East Cape	The Province of Eastern Cape, as defined Province by the Constitution of the Republic of SA Act No. 108 of 1996 and also referred to as “the Province” AS understood by CSA. Province formed by the (8) eight regions: Alfred Nzo District, Amatole District, Buffalo City Metropolitan District, Cacadu District, Chris Hani District, Joe Gqabi District, Nelson Mandela Bay Metropolitan District, O R Tambo District.

CHAPTER B – IDENTITY AND OBJECTS

1. NAME

The name of the Association shall be “East Cape Cycling” or “ECC”

2. LEGAL PERSONALITY

ECC is a voluntary association at Common Law having a separate legal *persona* with perpetual succession and is the same legal *persona* as that known as the Eastern Province Cycling (“EPC”) and also known as Border Cycling Association (“BCA”). ECC shall be capable of owning property, investing excess funds and instituting or defending legal proceedings in its own name.

3. OBJECTS

ECC is a sporting association which has as its objects the promotion, development, regulation and control of cycling in all its forms, including but not limited to:-

- 3.1 road racing and time trials
- 3.2 track cycling
- 3.3 mountain biking, including cross-country mountain biking, downhill mountain biking, trials, slaloms and all other forms of off-road cycling

- 3.4 BMX cycling
- 3.5 Recreational cycling, commuting, touring and the UCI and concept of "Cycling for All"
- 3.6 Cycling development and advocacy
- 3.7 All forms of Para - Cycling

4. SPECIFIC POWERS

In order to further the afore stated objectives, ECC and its Districts are specifically empowered amongst other things to,

- 4.1 be recognised as the controlling body for cycling within the Province of Eastern Cape by the Government of the Republic of South Africa and the Province of Eastern Cape as well as by the bodies which control the sport of cycling nationally (CSA) and internationally (UCI);
- 4.2 become affiliated to the national body controlling cycling in South Africa and through it affiliated to the UCI, being the world body controlling cycling;
- 4.3 allow cycling clubs and associations within the Province of Eastern Cape to join as affiliates;
- 4.4 remain and be vested with the sole right to select individuals and teams to represent the Province of The Eastern Cape on national or international controlling bodies and in any form of cycling; and
- 4.5 sanction cycling events and authorise or prohibit participation therein by members.

5. HEADQUARTERS

The headquarters of ECC shall be the address of its sitting President.

6. COLOURS AND EMBLEM

6.1 Colours

The provincial sport colours shall be green (grass) as a dominating colour with a combination of gold, red, and white.

The Provincial away Sport colours shall be dominated by white with other colours forming a combination.

6.2 Emblem

The provincial emblem shall consist of an elephant (depicting strength), an aloe (symbolizing resilience), the rising sun (depicting the rising sport stars) as well as silhouette of a running Athlete.

An honours badge shall be as described but worked in gold wire and an official's badge shall be as described but bearing the word "OFFICIAL" underneath the word "BMX, MTB, PARA-CYCLING, ROAD or TRACK (as applicable) CYCLING".

7. APPAREL

The ECC racing jersey, shorts, uniform and apparel for each discipline shall be determined by the relevant discipline and agreed upon across Districts and must always be consistent with the Rules of Cycling.

8. AWARDS

Awards of provincial colours and other meritorious awards shall be made by the District upon their recommendation and in accordance to Provincial guidelines determined by the discipline as set out in the colours criteria document in which the award is made.

The colours criteria to be determined by the Discipline Commissioners and approved at the Annual General Meeting.

CHAPTER C – MEMBERSHIP

9. ELIGIBILITY

Any duly constituted and *bona fide* association based in The Eastern Cape which has the fostering of cycling as one of its objects and is willing to comply with the provisions of this Constitution may, upon payment of the Affiliation Fee applicable, join ECC through the relevant District as an Affiliate.

10. CLASSES OF AFFILIATION

10.1 The following classes of affiliation shall exist:

10.1.1 Full Affiliate – This affiliation will entitle the affiliate full privileges and rights of representation of an affiliate in terms of this Constitution, have voting rights at general meetings, and shall be entitled to have its Members obtain Full Racing Licenses in accordance with the affiliation of ECC to the national and world cycling controlling bodies and the Rules of Cycling.

10.1.2 Associate Member – This affiliation will not entitle the affiliate full privileges and rights of representation of an Affiliate in terms of this Constitution, shall not have voting rights at general meetings, and shall not be entitled to have its Members obtain Full Racing Licenses in accordance with the affiliation of ECC to the national and world cycling controlling bodies and the Rules of Cycling.

11. AFFILIATION AND FEES

11.1 An affiliate wishing to affiliate with ECC either as a Full Affiliate or Associate Member shall make formal application in a manner and form to be determined by the ECC from time to time.

11.2 A Full Affiliate and Associate member shall pay an annual Affiliation Fee to ECC in an amount which shall be set by ECC Annual General Meeting.

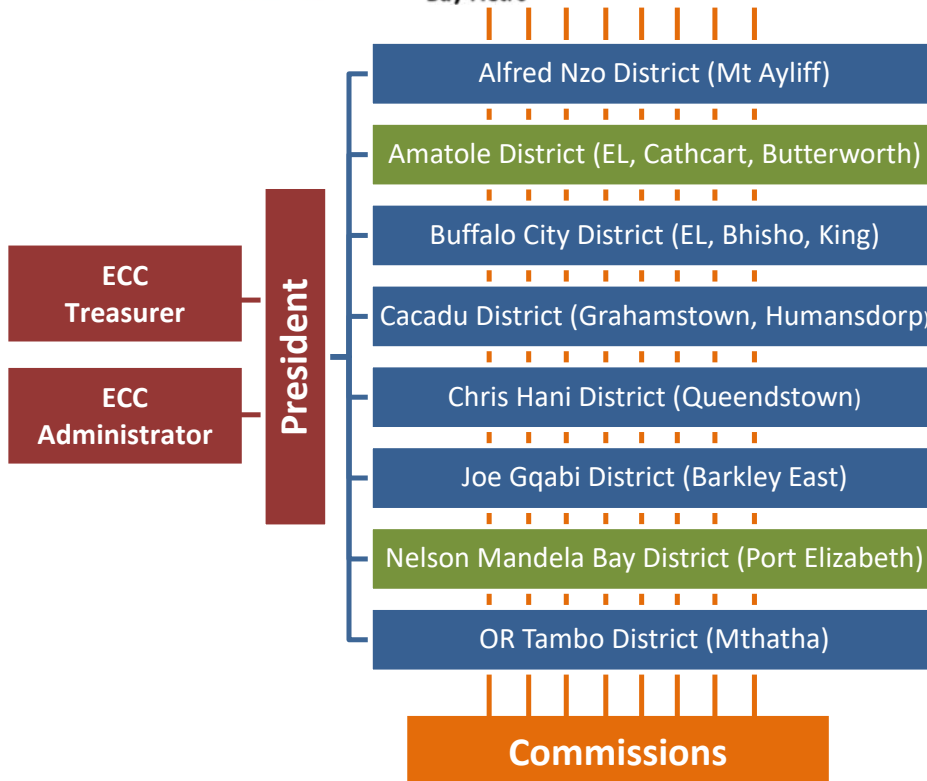
11.3 Affiliation fees shall fall due in advance on 1 December each year. Affiliates shall not be entitled to exercise any voting or other rights unless their affiliation fees are up to date and shall automatically lose their status as an Affiliate if their Affiliation Fees are not paid within one calendar month of being called upon to do so in writing by the ECC Treasurer or Secretary.

12. EXPULSION AND DEFUNCT AFFILIATES

If an Affiliate does not function in accordance with the objects and provisions of this Constitution and does not rectify the situation pursuant to a written demand from the District by a date fixed by the District, or if an Affiliate should become defunct or if there are other justified reasons, the District may expel the Affiliate.

CHAPTER D – ORGANISATION

13. EAST CAPE CYCLING ORGANOGRAM



CHAPTER E – EXECUTIVE AND PRESIDENT

19. EXECUTIVE

19.1 The Executive comprises of the following:

19.1.1 President

- 19.1.2 A 1st Vice President, with any skills portfolio, who shall be of opposite gender as defined by the UCI, to the President.
 - 19.1.3 A 2nd Vice President, with any skills portfolio, who shall be of opposite race (white vs a person defined for a PDI, excluding gender or ability), to the President.
 - 19.1.4 A minimum of 2 additional members who shall either be from different race or genders. (Cycling South Africa Diversity and Inclusivity Charter 19)
 - 19.1.5 The total composition of the executive board shall have a minimum of 40% representation of women and 40% PDI representation.
 - 19.1.6 Chairpersons of the Districts
 - 19.1.7 Treasurer
 - 19.1.8 ECC Administrator / Secretary
 - 19.1.9 Provincial Schools Representative
 - 19.1.10 The mutually agreed District elected commissioner that is the provincial representative in provincial matters per discipline as per section 21 of this constitution.
 - 19.1.11 **Committees and Commissions Gender**
Ensure at least three committee / commission members and / or administrators to be a female elected member by April 2024 and to increase by one every election year until such time that 50% of the executives are female.
 - 19.1.12 **Race** Ensure at least three committee / commission members and /or administrators elected to be black members by April 2024 to increase representation by one every election year until such time that 50% of the executive is black.
- 19.2 The senior Office Bearer of the Executive is the President, who:-
- 19.2.1 Must be a member of a Club
 - 19.2.2 Must have previous experience as an office bearer at club level
 - 19.2.3 Must not be a current District chairperson
 - 19.2.4 Shall be elected at an Annual Meeting of East Cape Cycling by means of nominations from the Districts Annual General Meeting and voted on by the Affiliates of East Cape Cycling.
 - 19.2.5 Shall take office from after the voting process until the following period's voting process.
 - 19.2.6 Shall be elected for a period of 2 (two) years in office
 - 19.2.7 May be re-elected after the 2 (two) year period
- 19.3 The functions of the President shall be as follows:
- 19.3.1 Approves and signs off financial year end reports
 - 19.3.2 Represents the province at CSA
 - 19.3.3 Represents the province at any ceremonial function where provincial representation is required
 - 19.3.4 Interfaces with Government (National and/or Local), Local Authorities and Municipalities pertaining to cycling matters in the province in close co-operation with the relevant District Chairpersons
 - 19.3.5 Networks with prospective and potential investors and / or sponsors to acquire funding for the province
 - 19.3.6 Interfaces with NGO's and interested parties to facilitate the development of cycling in the province especially in rural underprivileged areas in close co-operation with the relevant District Chairpersons
 - 19.3.7 Monitors matters within the districts by means of quarterly feedback given by Districts Chairpersons to the President so that President is up to date with current matters. This can take place in the form of written feedback reports.
- 19.4 The ECC Treasurer may be one of the District Treasurers fulfilling both roles of provincial and district finances.

- 19.5 The ECC Administrator may be one of the District Administrators / Secretaries
- 19.6 The main functions of the ECC Administrator shall be as follows:
19.6.1 Control and update the ECC Events Calendar
19.6.2 Liaise with CSA regarding all event sanctioning
- 19.7 No elected member of the Executive shall be entitled to any remuneration.
- 19.8 Executive Function and Meetings will be as follows:
19.8.1 The District Chairpersons will give written quarterly feedback to the President providing detailed information on cycling matters in the District.
19.8.2 Feedback from CSA via the President will be channelled through the District Chairpersons to the Districts.
19.8.3 The main purpose of the East Cape Cycling Annual General Meeting is to elect the President, Vice President, ECC Treasurer, determine affiliation fees and to provide annual feedback to affiliates of the status of cycling in the province.
19.8.4 In the event of the President resigning or otherwise becoming unavailable within his / her period of office, the Executive shall elect an interim President from within their number, i.e. one of the District Chairpersons, until a Special Annual General Meeting can be held.

CHAPTER F – DISTRICTS AND COMMISSIONS

20. DISTRICT

- 20.1 Each of the 8 (eight) districts within the Province of the Eastern Cape will be represented on the Executive by the elected Chairperson of the District.
- 20.2 Where a District is not active in cycling, this position on the Executive will remain vacant, and any cycling related matters within that District must be incorporated into a neighbouring district.
- 20.3 Each District shall determine its own procedure with regard to the functioning of the District, subject to what appears below.
- 20.4 The District shall be made up of the following minimum elected positions:
- Chairperson
- District Administrator
- District Treasurer
- Road Commissioner
- MTB Commissioner
- 20.5 The District can have the following elected positions as optional positions if there is a requirement for the position within the District:
- Vice Chairperson
- Track Commissioner
- BMX Commissioner
- Para-Cycling Commissioner
- Coaching Commissioner
- Technical Commissioner
- Recreational Commissioner
- Youth and Development Commissioner
- Safety and Security Commissioner
- 20.6 No elected member of the District shall be entitled to any remuneration save in respect of bookkeeping, secretarial or professional services.

- 20.7 The District Treasurer should be elected at a District General Meeting or, if not elected, may be appointed by the District in terms of a professional financial service from an external source.
- 20.8 The District shall meet formally, minimum 4 (four) times during a year and 1(one) of these meetings must be the District AGM, and written minutes of such meetings shall be kept.
- 20.9 Written notice of formal meetings of the district shall be given to all the affiliates in the district at least 7 (seven) days prior to such meetings taking place and any member of an affiliate is entitled to attend and speak at such formal meetings.
- 20.10 A Quorum at District meetings shall be formed when the Chairperson and 2 (two) affiliates are present
- 20.11 Only ECC affiliates from within the District shall have voting rights at District Meetings.
- 20.12 Each Full Affiliate only has 1 (one) vote at such meetings.
- 20.13 Associate Members do not have voting rights at such meetings.

21 COMMISSIONS

- 21.1 Discipline Commissioners are nominated and elected at District level
- 21.2 The District Commissioners collectively make up the Commission for the specific discipline
- 21.3 No District Commissioner will have a higher status within the Commission to any other District Commissioner from another District
- 21.4 The purposes of the Commission is to manage and administer their respective discipline
- 21.5 Each commission will mutually agree to one of the District elected commissioners to be the provincial representative in provincial matters

CHAPTER G – GENERAL MEETINGS

22 GENERAL MEETINGS

General Meetings are the supreme authority of ECC and its Districts. An Annual General Meeting per District shall take place every year in ~~March~~ **November**. The ECC Annual General Meeting shall take place after Districts Annual General Meetings but **within two months of the end of the financial year**. ~~before the calendar year end~~. Special General Meetings may be called from time to time in accordance with the provisions stipulated below.

Quarter 4 4			Quarter 1 2			Quarter 2 3			Quarter 3 4		
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
District Meeting		District AGM District Meeting	ECC AGM	District Meeting		District Meeting	District Meeting		District Meeting	District-AGM ECC-AGM	
Financial Year end for Districts and ECC											

23 REPRESENTATION AND VOTING AT GENERAL MEETINGS

- 23.1 All elected members of the District, Delegates of Clubs, Race Organisers and members of affiliates shall be entitled to be present and to speak at any District or ECC General Meeting.
- 23.2 Only Full Affiliates shall have voting rights at District or ECC General Meetings and votes shall be cast through Delegates of Affiliates present at the meeting and who hold written authority from the club as such. No proxy voting to other affiliates will be allowed.
- 23.2.1 Each Full Affiliate gets 1 (one) vote regardless of number of members.
23.2.2 Associate Members and Race Organisers do not have voting rights.

24 PROPOSALS

- 24.1 Any Affiliate shall be entitled to submit proposals to District or ECC General Meetings, provided that the proposals are submitted in writing to the Secretary not later than the final date for the submission of proposals stipulated in the notice of the District or ECC General Meeting.
- 24.2 Submitted proposals to the ECC General Meeting will be vetted by the President and District Chairpersons to see if ECC level applicable. If not i.e. a matter for District level, it will be returned to the submitter to be tabled at District General Meeting.

25 CONVENING, NOTICE AND AGENDA

- 25.1 District and ECC Annual General Meeting shall be convened by the Secretary so that it takes place within thirteen months of the previous District / ECC Annual General Meeting and on one calendar months' notice to each Affiliate.
- 25.2 District or ECC Special General Meeting must be convened by the Secretary on no less than 14 (fourteen) calendar days' notice to each Affiliate, which notice must be issued within 7 (seven) calendar days of the Secretary receiving a written request from any Affiliate to convene a District or ECC Special General Meeting, and provided that short notice may be condoned by unanimous vote at any District or ECC Special General Meeting;
- 25.3 The Agenda for any District and ECC General Meeting shall be prepared by the Secretary and communicated to each Affiliate, along with a copy of each proposal, no less than 2 (two) weeks before any District / ECC Annual General Meeting and 2 (two) working days before any District / ECC Special General Meeting;
- 25.4 Each Affiliate must supply the Secretary with written details of the name of the person whom communication pertaining to District and ECC General Meetings must be given and with details of a telefax number, e-mail address or other method of giving such communication. A District or ECC General Meeting shall be deemed to be properly convened even if notice has not been given to any Affiliate which fails to supply such details, and a District or ECC General Meeting shall be deemed to be properly convened if notice has been sent by the Secretary to the Affiliate in accordance with such details.

26 PROCEDURE AT GENERAL MEETINGS

- 26.1 The incumbent Chairperson / President shall chair any District / ECC General Meeting unless absent, alternatively the Vice Chairperson shall chair the meeting

- unless this post is vacant or the person is absent, in which case the Affiliates shall elect a chair from the Affiliate Members present.
- 26.2 Delegates authorised to vote and are present at any District or ECC General Meeting shall constitute a quorum.
- 26.3 The adoption of proposals, election of office bearers and all other business of a general nature, excluding constitutional amendments, shall be decided in accordance with a simple majority.
- 26.4 The chair shall have a casting vote in the event of there being no majority on any matter voted upon.
- 26.5 Amendments to this Constitution shall only be made at an ECC General Meeting if the proposal for the amendment is adopted by a two-third majority of votes cast at the meeting.
- 26.6 The Secretary shall keep minutes, which shall consist of a proper record of all proceedings and discussions at such meetings, and such minutes shall be available at every meeting.

CHAPTER H – GENERAL PROVISIONS

27 FINANCIAL MATTERS

- 27.1 The province will open one main banking account for provincial finances and a district account for each active District. The provincial account will be the parent account with each district account being a child account linked to the parent account.
- 27.2 Each District will be able to transact on their account only but the ECC Treasurer will have access to all the accounts. Relevant security profiles must be setup with the banking institution for the different accounts.
- 27.3 Each District shall be responsible and accountable for financial aspects of their own District.
- 27.4 Each District will run its own accounting system in PASTEL. Uniformity of different PASTEL accounts, methods and reports shall be used so that consolidated financial reports can be produced for financial year end and audit purposes.
- 27.5 The District Treasurer shall disclose the financial affairs and status to the District at all District meetings.
- 27.6 The District Treasurer must prepare quarterly financial reports for the District Chairperson for submission to the President on quarterly feedback sessions.
- 27.7 The District Treasurer shall prepare a financial report for submission to each District Annual General Meeting
- 27.8 The ECC Treasurer shall prepare a consolidated financial report for the ECC Annual General Meeting.
- 27.9 The primary source of funding for the administration and operation of the District shall be by way of affiliation fees, by way of raising levies and hosting cycling events to generate income provided that any organ may raise funds through other mechanisms.
- 27.10 No organs of ECC and its Districts and no Affiliate, member or any other person may bind the credit of ECC or any District thereof in any way whatsoever without the prior recommendation by the District Chairperson and approval of the President, which approval shall be confirmed by certificate of the Treasurer.
- 27.11 The financial year of the organisation including its Districts ends on 31 March each year.
- 27.12 The District Treasurer shall hold such amount of petty cash as authorised by the District from time to time.
- 27.13. The District Treasurer shall deposit all monies received by the District not later than 7 (seven) days following the date of receipt thereof.

28 CODE OF CONDUCT, DISCIPLINE AND COMPLAINTS

- 28.1 The Code of Conduct and disciplinary procedures provided for hereunder apply to all members including cyclists and non-participating persons and cyclists competing individually or as part of the Provincial Team, District Team at Club Events, District Events, Provincial Events, District Championships, Provincial Championships and any other district, provincial or national events.
- 28.2 The Code of Conduct states:
- 28.2.1 Members shall conduct themselves in a sporting manner.
 - 28.2.2 Members shall behave in a responsible, respectful and courteous manner towards team members, competitors, coaches, staff, officials, volunteers and members of the public while at competitions and while travelling.
 - 28.2.3 Members shall not commit any act which would be considered an offence under any law within the Republic of South Africa or the laws of the country in which the event takes place (insofar as they can reasonably be expected to be aware of those laws).
 - 28.2.4 Members shall conduct themselves in a manner consistent with commitment to excellence in sport competition including respect for quiet hours and appropriate treatment of alcohol.
 - 28.2.5 Members shall respect private property such as accommodation.
 - 28.2.6 Members shall be aware of and abide by the current provisions of doping prohibitions and penalties adopted by CSA and the UCI.
- 28.3 Contravention of the Code of Conduct may result in any one or more of the following sanctions:
- 28.3.1 Written reprimand;
 - 28.3.2 Suspension from the competition;
 - 28.3.3 Suspension from the team for a specified period of time;
 - 28.3.4 Fine;
 - 28.3.5 Probationary terms and conditions;
 - 28.3.6 Suspension or expulsion from CSA and/or ECC.
- 28.4 ECC, Districts, Provincial Team Managers, District Team Managers, Provincial Team Coaches and District Team Coaches have the authority to impose reasonable disciplinary measures on members who do not adhere to the Code of Conduct.
- 28.5 The Disciplinary Procedure is as follows:
- 28.5.1 When disciplinary action is being considered, the member shall receive notification of the following:
 - 28.5.1.1 The specific circumstances leading to the consideration of the disciplinary action;
 - 28.5.1.2 Steps that can be taken to remedy the situation and a reasonable period of time during which those steps may be taken, if applicable (for example, verbal or written apology, payment of costs);
 - 28.5.1.3 Information on the probable penalties.
 - 28.5.2 Notification shall be given in writing unless exceptional circumstances dictate that notification may be given verbally.
 - 28.5.3 The member shall be provided an opportunity to present his/her view prior to the decision, whether orally or in writing.
 - 28.5.4 Whenever possible, a disciplinary measure should be the result of a decision by a disciplinary committee of preferably three (3) members, appointed by the District Chairperson who are or have been cyclists within the discipline in question for no less than three years or who the District deems similarly qualified in the case of disciplines in respect of which no specific cycling

experience. In circumstances of urgency, the District Chairperson may appoint a disciplinary committee of fewer than three (3) members.

- 28.5.5 The member shall be advised of the decision and reasons therefore promptly, and shall be advised of the appeal process available.
- 28.5.6 If circumstances dictate, a disciplinary committee may issue a written reprimand or suspend a member from the current competition without written or verbal notification to the cyclist. In these circumstances a full written report must be prepared and submitted to the District Chairperson within five (5) days. The appeal process remains available to the member.
- 28.5.7 The penalty imposed shall reflect the seriousness of the offence.
- 28.5.8 The member has the right to appeal a disciplinary action in accordance with the Appeal Procedure contained in clause 29 below. It is recognised however that an appeal may not be possible prior to a member's removal from an event.
- 28.5.9 In all other matters of a disciplinary nature or if a member has a concern or complaint relating to any official, administrator or fellow cyclist, the member or if the member is an cyclist, the cyclist or the Cyclist's Representative shall contact the District Chairperson for assistance within thirty (30) days after the issue arose. The member shall complete and file Form A (or equivalent written explanation of the issue) with the District Chairperson or a person assigned by the District Chairperson for such matters, who shall endeavour to resolve the issue to the satisfaction of the member within thirty (30) days.
- 28.5.10 In the event that the District Chairperson or designate fails to assist the member within thirty (30) days of receiving notice, the member may contact the General Secretary of CSA and file with the General Secretary a completed Form A.
- 28.5.11 The District Chairperson, must appoint an ad hoc committee of three disinterested individuals of, who shall endeavour to resolve the issue within thirty (30) days. One member of the committee should have a legal background. The committee shall allow the member to supply any additional material he/she considers relevant within ten (10) days and shall forward the submissions to the affected parties and allow them twenty (20) days to respond. The member shall then be allowed a further ten (10) days to respond to the information received from the affected parties.
- 28.6 The time periods may be abridged by the committee.
- 28.7 The committee may receive written submission or hear oral submissions through a telephone conference or in person.
- 28.8 The committee may determine any appropriate sanction including a financial penalty.

FORM A

To:

From:

Name:

Address:

Phone:

Fax:

DETAILS OF CONCERN OR COMPLAINT:

Please provide date, names, and positions of persons involved, and description of the circumstances leading to the concern or complaint.

Provide names of witnesses if any.

RELIEF SOUGHT

Please indicate the relief you are seeking, that is, what do you consider appropriate to resolve your concern or complaint.

29 APPEALS AND DISPUTES PROCEDURE

- 29.1 The principles underlying the appeals procedure are those of fairness and natural justice.
- 29.2 All appeals and dispute referrals must be made within a reasonable period of time, provided that the Appeal Procedure at Race Events shall be in accordance with the ECC, CSA and UCI race regulations.
- 29.3 An appeal will only be heard if there are sufficient grounds, relating to the decision/ruling (sanction including penalty) of the person or committee appealed against, based on the following:-
- 29.3.1 making a decision/ruling for which it did not have authority or jurisdiction;
 - 29.3.2 failing to follow procedures laid out in the Constitution or approved policies of ECC and its Districts;
 - 29.3.3 making a decision/ruling that was influenced by bias;
 - 29.3.4 failing to consider relevant information or taking into account irrelevant information in making the decision;
 - 29.3.5 exercising its discretion for an improper purpose; and/or;
 - 29.3.6 making a decision/ruling which is unreasonable in the circumstances.
- 29.4 Any person affected by a decision/ruling of an authorised person or committee of ECC and its Districts may appeal that decision/ruling by filing a written Notice of Appeal stating the grounds upon which the appeal is based within ten (10) days of receiving notification of the decision/ruling.
- 29.4.1 A written Notice of Appeal must be lodged with the Secretary General of CSA.
 - 29.4.2 CSA shall take a final decision on the appeal

30 ARBITRATION

Subject to any person's constitutional rights of review, all disputes arising out of or in connection with this constitution or its application or interpretation shall be resolved by domestic remedies and be referred to the Arbitration Foundation of South Africa, referring it to Arbitration in terms of the Arbitration Act No 42 of 1965 for resolution through Mediation or Arbitration in terms of the Rules and procedures for the resolution of disputes in sports prevailing at the time that such a dispute is so referred. To this extent all Affiliates, Districts, constituent structures and office bearers, officials and individuals waive their rights to the jurisdiction of any Courts of Law and agree that Resolution in terms of the a foregoing shall be final and binding. No Affiliate, Office Bearer, Commissioner or Constituent Structure shall be liable to ECC or District or to any member of any Affiliate or any other party whatsoever or any Act or Omission done in good faith and without gross negligence.

CHAPTER I – MATTERS NOT OTHERWISE COVERED

31 EXTRANEIOUS MATTERS

All matters not specifically covered by this Constitution shall be decided by the District which administers the region and / or discipline to which of the matter pertains, but subject to ratification by the District.

CHAPTER J – ADOPTION AND DISSOLUTION

32 ADOPTION

Any previous constitutions of EPC, BCA as well as ECCA and any other branch of organised cycling within the Province of the Eastern Cape are replaced by this Constitution which is accepted and approved by Affiliates and Members at an Annual General Meeting of ECC held on the 13th November 2010 at, Port Elizabeth. And be referred to as Constitution 20101010

33 DISSOLUTION

33.1 ECC may be dissolved or merged with another association with similar purposes and objects only by proposal at a General Meeting which is carried with a (75%) seventy five majority.

33.2 When the organisation is dissolved it has to pay off all its debts. After doing this, if there is property or money left over it should not be paid or given to members of the organisation. It should be given in some way to another non-profit organisation that has similar objectives. The organisation's general meeting can decide what organisation this should be.

CHAPTER K – LEGAL MATTERS

34 PROPERTY AND INCOME

The organisation may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the organisation. The payment must be a reasonable amount for the work that has been done and approved by the relevant District prior to the work being undertaken..

35 BODY CORPORATE

The organisation shall:

35.1 Exist in its own right, separately from its members

35.2 Be able to own property and other possessions.

35.3 Be able to sue and be sued in its own name

36 CONTINUED EXISTANCE

The organisation shall continue to exist even when its membership changes and there are different office bearers.

37 RIGHTS IN THE PROPERTY OR OTHER ASSETS OF THE ORGANISATION

Members or office bearers of the organisation do not have rights over things that belong to the organisation.

CHAPTER L – ANNEXURES

Annexures to this constitution are Policy and Regulations documents that supplement this constitution. These documents may be amended and approved by the commissions as operational requirements change and consensus must be gained from the relevant authorised person in the Districts.

CHAPTER M – APPROVAL

Signed into effect at the ECC AGM held

President:

Name:

Secretary:

Name:

Witness:

Name:

Witness:

Name: