CONSTITUTION OF THE FREE STATE MODERN PENTATHLON ASSOCIATION

Revised: December 2025 (to be updated to be in line with the current SAMPA constitution)

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CLAUSE 1: DEFINITIONS

In the Constitution, except where incompatible with the context, the following terms shall have the meanings indicated:

- "Association" : the FREE STATE Modern Pentathlon Association (FSMPA);
- "Constitution" : the constitution of the FREE STATE Modern Pentathlon Association;
- "General Meetings" : the meetings convened in terms of Clause 7;
- SAMPA : the South African Modern Pentathlon Association (SAMPA);
- "UIPM" : the International Modern Pentathlon Association, (Union Internationale de Pentathlon Moderne)
- "Member(s)" : district associations administering Modern Pentathlon and affiliated to FSMPA, as referred to in clause 5
- "Modern Pentathlon/Pentathlon": the multi-disciplinary sport as recognized by the UIPM. A combination of the individual sports constituting modern pentathlon, being: swimming, horse-riding, fencing and combined event (running and shooting) and includes:
- "Biathle" : which means a continuous run/ swim/ run event in accordance with the UIPM's Biathle Competition Rules
- "Triathle" : which means the combination of swimming and combined event in accordance with the UIPM's Competition Rules
- "Tetrathlon" : which means the combination of swimming, fencing and combined event, in accordance with the UIPM's Competition Rules

- "Schools Biathlon" : the individual sports constituting Biathlon; being swimming and running
- "Regulations" : regulations adopted by UIPM / SAMPA or in terms of this constitution to regulate the administration of Modern Pentathlon
- "Rules" : the rules of the UIPM and the Association
- "Selection Committee" : a Selection Committee as constituted in terms of Clause 19
- "South Africa" : the Republic of South Africa
- "SASCOC" : the South African Sports Confederation and Olympic Committee
- "SRSA" : the South African Department of Sport and Recreation
- "FSSC" : the NAME Sport Confederation
- FSPSC FREE STATE Provincial Sport Confederation

CLAUSE 2: NAME AND LEGAL PERSONALITY

2.1 The name of the Association is “the FREE STATE Modern Pentathlon Association”.

2.2 The Association shall have legal personality and shall:

2.2.1 have an independent existence
2.2.2 be entitled to own property
2.2.3 be entitled to enter into legal transactions and institute legal actions.

2.3 The Association shall be a Public Benefit Organisation (PBO) and shall not distribute its annual profits among its members.

CLAUSE 3: AIMS AND OBJECTIVES

The aims and objectives of the Association are:

3.1 to promote the interests of Modern Pentathlon, and its multi-disciplinary components, and its athletes, and to uphold the Rules of the UIPM, SAMPA and the Association and to uphold the rules relative to the eligibility of athletes to compete under the rules of the UIPM, SAMPA and the Association;

3.2 to administer Modern Pentathlon and its multi-disciplinary components under the jurisdiction of the Association;

3.3 to inquire into any irregularities that may occur during Modern Pentathlon or those of multi-disciplinary competitions,or in the course of the administration, that have come to its notice;

3.4 to hear appeals against the decisions of Members, and to pronounce upon such appeals;

3.5 to hold Inter-provincials and Provincial championship meetings in Modern Pentathlon and its multi-disciplinary components including individual, team and relay championships;

3.6 to attend to the selection of athletes who are to represent the Association;

3.7 to provide for the keeping of official lists of records of performances;

3.8 to decide upon the nature, award and protection of Provincial and other colours;

3.9 to maintain the principle of non-discrimination in respect of race, gender, religion and political views;

3.10 to declare invalid any Modern Pentathlon or multi-disciplinary component meeting or competition held within the jurisdiction of the Association but which does not conform to the rules and regulations.

CLAUSE 4: WAYS AND MEANS OF ACHIEVING AIMS AND OBJECTIVES

The aims and objectives of the Association may inter alia be achieved by:

4.1 affiliation with SAMPA;

4.2 affiliation with the FREE STATE Provincial Sport Confederation;

4.3 providing suitable grounds, premises, equipment and other conveniences necessary for the holding and organising of amateur meetings;

4.4 the acquisition in a legal manner of such movable or immovable property as may be required to achieve the aims and objectives of the Association;

4.5 entering into such negotiations and concluding such contracts and agreements as may be lawfully undertaken by an incorporated body and are not incompatible with the aims and objectives of the Association;

4.6 raising funds for any purpose which may be deemed necessary.

CLAUSE 5: MEMBERSHIP

The Members of the FSMPA will be the five [5] Districts as demarcated by the FSPSC, No individual members can affiliate to the FS Federation – only via their clubs and districts.

5.1 The jurisdictions of Members shall be limited by the boundaries of the districts they represent and the current affiliates are:

- **Mothea** Modern Pentathlon Association - Bloemfontein
- **Fezile Dabi** Modern Pentathlon Association – Kroonstad, Parys and Sasolburg
- **Lejwelephutswa** Modern Pentathlon Association – Welkom, Virginia, Bothaville and Odendaalsrus
- **Thabo Mofutsanyane** Modern Pentathlon Association – Clarens, Ficksburg, Bethlehem, Harrismith and Qwa-Qwa
- **Xhariep** Modern Pentathlon Association – Jagersfontein, Trompsburg and Reddersburg

5.2 A District Association seeking to be affiliated to FSMPA may apply to the Secretary of the Association in the form determined by FSMPA from time to time, enclosing a copy of its duly adopted Constitution, a declaration that it will adhere to the Constitutions of UIPM, SAMPA and FSMPA, a complete membership list and such other information as may be required by the Association. The Secretary shall submit applications for affiliation to the next Association meeting for consideration and the board shall in turn submit all such applications, with a recommendation, to the next Annual General Meeting.

5.3 A District Association which has constituted itself as representing Modern Pentathlon in a district and which has submitted an application for affiliation to FSMPA may be granted provisional affiliation as a Developing Member until the next Annual General Meeting, by the Association, on such further terms and conditions as it may in its discretion determine.

5.4 Applications for affiliation shall be considered by the AGM, upon recommendation by the Association and upon approval, a member shall serve as a Developing Member for a period of 12 months or until it has complied with the requirements of clause 5.7.

5.5 A Developing Member shall have all the rights and privileges of membership, save that its representative at General, Association and other meetings of FSMPA shall be entitled to speak but not vote.

5.6 A Member shall be deemed to be in good standing for the purposes of any meeting of FSMPA if it remains properly constituted and was represented at the most recent AGM of FSMPA, has held a district AGM and a district championship event within the prior 12 months and has during that period attended any two Association meetings. Whilst it remains "not in good standing", a Member shall be entitled to attend, but not to speak or vote, at any meeting. A Member may at any time redeem its good standing by fulfilling the requirements herein.

5.7 A Member shall have jurisdiction over all Modern Pentathlon matters within its geographic area of jurisdiction, subject to the overall authority of the Association and the General Meeting in terms of this Constitution.

CLAUSE 6: ORGANISATION OF THE ASSOCIATION

6.1 The principal constituent bodies of the Association are:

6.1.1 The General Meeting
6.1.2 The Executive Committee
6.1.3 The Management Committee

6.2 Other Committees and Sub-committees may be constituted by the principal constituent bodies in conformity with the provisions of the Constitution as need arises.

CLAUSE 7: GENERAL MEETINGS

7.1 The General Meeting is the supreme authority of the Association and an Annual General Meeting shall be held once every year on a date to be fixed by the Executive Committee.

The minutes of all meetings held since the Previous Annual General Meeting shall be laid before the meeting for its consideration.

7.2 A Special General Meeting shall be convened by the Secretary pursuant to a resolution of the Management Committee, or upon receipt of a requisition signed on behalf of at least three Members. A Special General Meeting shall be called within 21 days after receipt by the Secretary of the said resolution or requisition as the case may be.

CLAUSE 8: NOTICE OF GENERAL MEETINGS

8.1 A General Meeting shall be convened by the Secretary upon 30 days (in the case of an AGM) and 21 days (in the case of a SGM) written notice of the time and venue thereof, to Members and Executive Committee members as well as Honorary Life Members at their address of record with the Association, provided that any failure on the part of any one or more of them to receive such notice, shall not invalidate such meeting.

8.2 Any notice of a motion to be tabled at the Annual General Meeting must reach the Secretary not less than 21 days before such a meeting.

8.3 The Secretary shall circulate the agenda of an AGM to all Members, Executive Committee and Honorary Life members at least 14 days prior to the meeting.

8.4 The notice convening a SGM shall include its agenda, including any motion submitted for consideration at such meeting by the Executive Committee or the requisitioning Members.

8.5 The Chairman may in the exercise of his/her discretion determine shorter periods than the periods stipulated in clauses 8.1 and 8.3, provided that the periods so determined shall not be less than 14 days and 7 days respectively, and are subsequently condoned by the General Meeting.

CLAUSE 9: REPRESENTATION AT GENERAL MEETINGS

9.1 Every Member (District) shall be entitled to be represented at the General Meetings by two delegates from their districts at General Meetings.

9.2 Delegates of Members shall be entitled to participate in the business of the Annual General Meeting only if the Member they represent is in good standing as at the date of the meeting in question.

9.3 No Individual members shall be allowed to attend a FSMPA General Meeting

CLAUSE 10: QUORUM AT GENERAL MEETINGS

10.1 A minimum of 10% of the number of the Members, plus one Member,in good standing on the date of the meeting, shall constitute a quorum at any General Meeting;

10.2 In the event that at the date and time for the meeting, there is no quorum present, the Chairman of the meeting shall adjourn the meeting for one hour. If after the elapse of one hour, at least 50% of Members plus one Member, in good standing, are present, such number shall constitute a quorum. If, however, the meeting remains inquorate, the Chairman shall adjourn the meeting for no more than seven days. The Secretary shall advise all members of the date and place of the adjourned meeting and all members then present at such reconvened meeting shall constitute a quorum.

CLAUSE 11: PROCEDURE AT GENERAL MEETINGS

11.1 At General Meetings the Chairman shall preside, or in his or her absence, the Vice Chairman. In the absence of both of them, the Members present shall elect a Chairman.

11.2 The agenda of the Annual General Meeting shall be disposed of in the following order:

11.2.1 Scrutiny of delegates' credentials:

11.2.2 Reading of the Notice of Meeting;

11.2.3 Reading and adopting the minutes of the previous Annual General Meeting and of any Special General Meetings during the period;

11.2.4 Consideration of the minutes of meetings of the Executive Committee;
11.2.5 Consideration of the Chairman's annual report;
11.2.6 Consideration of the audited statements of account for the preceding financial year;
11.2.7 Consideration of any Notices of Motion;
11.2.8 Election of the Executive Committee;
11.2.9 Election of honorary members.

11.3 The agenda of a Special General Meeting shall be disposed of in the order specified below:

11.3.1 Scrutiny of delegates' credentials;
11.3.2 Reading of the Notice of Meeting;
11.3.3 Consideration of any Notice of Motion or report submitted by the Executive Committee

11.4 No motion or amendment on the agenda of General Meetings may be withdrawn without the approval of the Meeting. If the Member which has submitted a motion is not present at a meeting, any other Member present may move it.

CLAUSE 12: VOTING AT GENERAL MEETINGS

12.1 All matters requiring a resolution shall be decided by ashow of hands, or if so resolved by the meeting, or so ruled by the Chairman of the meeting, by secret ballot. All elections shall be conducted by secret ballot.

12.2 In all matters except elections, Members and the members of the Executive Committee shall have one (1) vote each. In the event of a tie a tie the Chairman of the meeting, shall, in addition to his/her ordinary vote, have a casting vote.

CLAUSE 13: ELECTION OF OFFICE BEARERS FOR EXECUTIVE COMMITTEE

13.1 The office bearers of FSMPA, namely the Chairman/President, the Vice Chairman, the Secretary, the Treasurer, as well as the additional members (one from each affiliated District Association), shall be elected at an AGM, for a period of two years. Elections of office bearers shall accordingly occur

13.2 at every second AGM, which shall be in a non-Olympic year, ("an electoral AGM"), save to the extent provided to the contrary herein.

13.3 All incumbent office bearers and the additional members of the Executive Committee must be re-nominated via their Districts for re-election at an electoral AGM.

13.4 Any additional nominations for these posts shall be submitted in writing to the Secretary at least 14 days prior to the meeting. Nominations for the position of Chairman and Vice Chairman shall be accompanied by a C.V. of the nominee and a written motivation of his/her candidacy. Only Members may submit nominations, which shall be signed by the Chairman of the Member in question and include an acceptance of the nomination by the nominee.

13.5 The incumbent members of the Executive Committee, which includes the office bearers, shall retire immediately prior to the commencement of an election and the Meeting shall elect a chairman to preside until the completion of the election. It follows that only Members shall be entitled to vote in an election.

13.6 The Office Bearers and Members of the Executive Committee shall be elected in the following order:

13.6.1 Chairman/President
13.6.2 Vice Chairman
13.6.3 ~~Secretary~~ It has been decided to appoint a paid secretary rather than to elect a secretary
13.6.4 Treasurer
13.6.5 Five [5] Additional members - One representative from each affiliated District Association**.**
All shall be deemed to have been elected and to have assumed office only when the election of all has been completed.

CLAUSE 14: MEETINGS OF THE EXECUTIVE COMMITTEE

14.1 Meetings of the Executive Committee shall meet at least four (4) times per year on dates to be determined by the AGM or shall be convened by the Secretary pursuant to a direction of the Chairman, who shall also determine the agenda for such meetings. The Chairman shall be obliged to call a meeting upon receipt of a written request from at least two members of the Committee. At least 10 days written notice of the date, time and place for meetings shall be given, but if convenient, the Chairman may direct that meetings may be held by telephone or video conference call, or by telephonic or written round-robin communication.

14.2 A quorum for meetings of the **Executive** Committee shall be 50% of members thereof, plus one member.

14.3 The Chairman, or in his absence, the Vice Chairman, or in the absence of both of them, a member of the Board, elected by the meeting, shall be the Chairman of a meeting of the **Executive** Committee.

14.4 Members of the **Executive** Committee will have one vote each and in the event of an equality of votes, the Chairman of the meeting shall have a casting vote.

14.5 Minutes of **Executive** Committee meetings shall be circulated to all members within 14 days of a meeting.

CLAUSE 15: POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

In addition to any powers and duties granted to the Executive Committee in this Constitution, the following further powers shall vest in it:

15.1 When vacancies occur in the offices of Chairman, Vice-Chairman, Secretary, Treasurer or additional members of the Management Committee, to fill such vacancies from amongst the members of the Management Committee, to hold office until the next General Meeting,

when an election shall be held to fill such vacancy, notwithstanding that such General Meeting is not an elective AGM.

15.2 To deal exclusively with all communication to and from the National Federation, the NAME Sport Confederation, and other communications.

15.3 To decide where meetings of the Association shall be held;

15.4 To bid for, decide on and control National Competitions and to inform Members of decisions in this regard.

15.5 To decide on and allocate and control all Provicinal and inter-provincial Championships and any other provincial competition, and to report to the Annual General Meeting in this connection;

15.6 To nominate delegates to any association with which the Association is affiliated.

15.7 To appoint the delegates to SAMPA meetings, AGM, SAGM etc.

15.8 To make the following appointments from time to time, from amongst its number or by co-option, as it deems fit, together with such other functions as may be appropriate:

15.8.1 a Development officer;
15.8.2 a Financial Committee with the Chairman ex officio a member;
15.8.3 a Coach and Officials;
15.8.4 An auditor.

15.9 To prepare and maintain a database of registered athletes.

15.10 To approve all provincial teams selected, team managers and other officials of such teams.

15.11 To convene an Annual General Meeting of the Association every year.

15.12 To consider any violation or infringement of the Constitution, Rules and Regulations of the Association, code of conduct and to take the necessary action in terms of this Constitution.

15.13 To prosecute, or take action against, any athlete or person who attempts to obtain any award dishonestly, or has so obtained it.

15.14 To suspend temporarily or permanently any person who has been convicted of misbehavior or dishonorable practices in regard to the activities of the Association and to restore the status of such a person in accordance with the finding of the Annual General Meeting, if a Member has proposed a motion to this effect.

15.15 To hear appeals against the decisions of Members and to pronounce on these.

15.16 To consider at every meeting a report on the financial affairs of the Association.

15.17 To submit to the Annual General Meeting an annual report.

15.18 To manage and control all financial matters of the Association and to submit to the Annual General Meeting an audited financial report, and financial statements for the previous financial year (1 October to 30 September). If the Annual General Meeting is held before 30 September, a provisional financial statement shall be submitted, in which case the audited financial report and financial statements shall be sent to all Members before 30 November.

15.19 To open current and savings accounts for the Association, and to draw, receive and endorse cheques, bills of exchange and IOU's in connection with the financial business of the Association: to pay out any honorarium upon which the Executive Committee may decide.

15.20 To agree to the settlement of the travel and subsistence expenses of any athlete or official when funds are available;

15.21 To appoint a legal advisor and an honorary auditor at its first meeting after the Annual General Meeting

15.22 To seek and approve of all sponsorships that may be decided upon by the Executive Committee

15.23 To approve any provincial participation by NAME athletes under the jurisdiction of the Association

15.24 To do everything that is desirable for the affairs of the Association, in keeping with its accepted aims and subject to the conditions of this Constitution and to directions of the Annual General Meeting.

Clause 16: Management Committee

16.1 The Management committee of the FSMPA, will consist of:

- Chairman/President
- Vice Chairman
- Treasurer
- Secretary

The Management committee of the FSMPA will be responsible for the daily running of the FSMPA and will meet when necessary or at least once every month. The Management committee will report on its matters and decisions to the Executive committee.

CLAUSE17: FORFEITURE OF OFFICE

17.1 If any member of the Executive Committee or any other committee absents himself without leave from two successive meetings, it shall be presumed that he/she has forfeited his/her office.

CLAUSE 18: HEAD OFFICE

18.1 The Head Office of the Association shall be situated at the place decided upon by the Executive Committee at its first meeting after the Annual General Meeting.

18.2 Should the Executive Committee decide to move the Head Office all members must immediately be notified of the new address and the Head Office must be established at the new address within two (2) months.

CLAUSE 19: MEMBERS

19.1 Conditions for affiliated membership:

19.1.1 Members shall consist of district associations which have affiliated in terms of Clause 5.

19.1.2 Each Member may decide upon its colours subject to the approval of the **Executive** Committee and the District sports council.

19.1.3 No Member shall be allowed to use or to adopt the National/provincial Emblems of the Association.

19.1.4 Members shall be responsible for ensuring that all athletes who compete at District, Provincial or National Championships or in any International Multi-disciplinary competitions shall be registered with the Association.

19.2 Reports of members

Every Member shall, if requested in writing by the **Executive** Committee, submit a report on its activities within a specified period.

CLAUSE 20: SELECTION COMMITTEE AND CRITERIA

20.1 The **Executive** Committee shall from time to time establish a selection system consisting of selection committees and selection criteria for representative teams for Modern Pentathlon and its multi-disciplinary components.

20.2 The selection system shall in addition provide for the election or appointment of members of selection committees, any minimum qualifications or attributes required for selection or appointment, terms of office and any other matters it deems necessary to regulate the activities of such committees.

CLAUSE 21: HONORARY LIFE MEMBERS

21.1 There shall never be more than six (6) Honorary Life Members.

21.2 Nominations, along with a report outlining the services rendered to Modern Pentathlon, shall be submitted to the Executive Committee for consideration before 31 December of every year.

21.3 When the number of acceptable nominations exceeds the available vacancies, the nominations, along with reports of services, shall be submitted to Members for a postal vote.

21.4 When an equal number of votes are recorded, the Executive Committee shall decide whose name or names should be submitted to Members for a postal vote.

21.5 Members shall vote by postal ballot and only those nominees who have gained 75% of the lawful votes recorded shall receive the award.

21.6 The names of the successful candidates shall be announced at the Annual General Meeting.

21.7 The colours for the honorary life members shall be the official emblem of the Association on a navy blue background with the following wording added to the blazer badge: “Honorary Life Member”.

CLAUSE 22 : HONORARY MEMBERS

22.1 An Honorary Chairman and an Honorary Vice-Chairman shall be elected by the delegates at the Annual General Meeting.

22.2 Nominations for the offices of Honorary Chairman and Honorary Vice-Chairman have to be submitted in writing to the Secretary by the Members and at least 21 days before the Annual General Meeting. These nominations shall appear unchanged on the agenda of the Annual General Meeting.

22.3 The outgoing Honorary Chairman and Honorary Vice-Chairman are automatically deemed to have been nominated for the respective offices.

22.4 Voting shall be by secret ballot.

22.5 When a vacancy occurs in the office of Honorary Chairman, the Executive Committee shall appoint the Honorary Vice-Chairman as Honorary Chairman for the remaining period until the next Annual General Meeting.

22.6 When a vacancy occurs in the office of Honorary Vice-Chairman it shall remain vacant until the next Annual General Meeting.

CLAUSE 23: PROVINCIAL COLOURS

23.1 The Association's official Provincial colours are the colours as determined by WCPSC;

23.2 The Association colours are as follows:

23.2.1 Badge	-	LOGO and the words “Modern Pentathlon” or the name of the relevant multi-disciplinary component in gold centralized beneath.
23.2.2 Blazer	-	COLOUR blazer with the Association badge on the breast or hip pocket.
23.2.3 Blazer badge	-	The association badge with the words “Modern Pentathlon” or the name of the relevant multi-disciplinary component in gold centralized beneath the badge.
23.2.4 Tie	-	COLOUR with the Association badge printed or embroidered in gold, 30mm in size.
23.2.9 Dress for horse	-	Regulation riding wear with the Provincial, Inter-provincial Championships, a riding Jacket or Tracksuit top or any other top approved by the Association.

CLAUSE 24: AWARD OF PROVINCIAL COLOURS

24.1 The Executive Committee shall from time to time determine and resolve upon the criteria and qualifications for the award of provincial colours in all disciplines under the jurisdiction of the Association, subject to the directions of WCPSC in this regard, for athletes and administrators.

CLAUSE 25: AWARD OF COLOURS OF THE FSMPA

25.1 Award to athletes

Association colours may be awarded by the Executive Committee to male and female Athletes selected by the Provincial selectors to represent Provincial B-teams, invitation teams or junior teams, if the merit of participation and standard of competition justifies it.

25.2 Award to managers and coaches

Persons who are duly nominated to act as managers or coaches to teams of the Association, other than Provincial teams, are allowed to wear the official colours of the Association, with the proviso that the wording “Team Manager” or “Team Coach” be indicated on the badge. The language of such wording is at the discretion of the recipient.

CLAUSE 26: CODE OF CONDUCT

26.1 The Executive Committee shall develop and adopt a Code of Conduct for Members of the Association and circulate it to all Members.

26.2 All athletes and officials to whom representative colours have been awarded shall at all times conduct themselves in a manner that will benefit and do credit to the insignia under which they have been chosen to represent their sport and their country. A copy of the Code of Conduct, shall be handed to each athlete and official to whom national colours has been awarded.

26.3 The Executive committee may take disciplinary action against any athlete or official who does not behave in terms of the Code of Conduct. Such action may include the withdrawal of representative colours.

CLAUSE 27: HONORARY AWARDS FOR SERVICE

27.1 An honorary award for services rendered to the Association may be made to a maximum of three persons per year by the Executive Committee

27.2 Nominations for honorary awards shall be submitted to the Executive Committee 7 days before the Annual General Meeting by members, together with a report on the services rendered;

27.3 If more than three nominations are received, the Selection Committees shall decide to which three names the honorary awards shall be awarded.

27.4 The names of nominees, to who honorary awards have been made, shall be announced at the Annual General Meeting.

27.5 Nominations for honorary awards shall be subject to the condition that a candidate shall have served the Association for at least three years in an executive capacity;

27.6 The honorary colours shall be the official badge of the Association on a navy blue Background with the following wording **"Honoris Causa"** added to the blazer badge:

CLAUSE 28: MEMBERSHIP FEES

28.1 Every Member shall annually contribute to the Association an affiliation fee and such other contributions as determined by the Executive Committee.

28.2 Affiliation fees of Members shall be due before 31 January every calendar year. **(Athletes can still affiliate till end of March for new members)**

28.3 If the affiliation fees have not been paid before the Annual General Meeting this shall mean that the defaulting member is not in good standing.

28.4 If the amount due is paid together with the penalty as determined by the Executive Committee from time to time, the Executive Committee may uplift the disqualification.

28.5 If a Member ceases to exist or abandons its activities for a period to be determined by the Executive Committee, the Executive Committee, shall take the necessary steps to liquidate the affairs of such Member.

CLAUSE 29: RULES AND REGULATIONS

29.1 In addition to the provisions of the Constitution the Association shall issue such Regulations as may be required for the smooth running of its affairs.

29.2 Such regulations may be issued or amended only by:

An Annual General Meeting;

29.2.2 A Special General Meeting called for this purpose, or

29.2.3 The Executive Committee, with the proviso that it is approved at the following Annual General Meeting.

29.3 Any amendment of the Regulations shall be entered in the minutes of the particular meeting at which such amendments have been passed. If the minutes have been duly circulated, as provided for in the Constitution, this shall be deemed sufficient notice of such amendments.

29.4 No regulations may be in conflict with the Constitution of the Association.

29.5 All members, clubs, associations or bodies affiliated with them shall:

28.5.1 be obliged to observe and accept the Regulations of the Association;

28.5.2 furnish any information required by the Association in connection with any matters falling within the province of Members' activities;

28.5.3 refrain from introducing any incompatible amendments or additions to the Regulations of the Association.

29.6 The rules of order adopted by the General Meeting, or failing such rules, Roberts Rules of Order shall regulate all meetings held under the auspices of the Association.

29.7 The Association shall additionally issue Competition Rules that shall be applicable and must be complied with at all domestic, interprovincial and National Championship meetings:

29.8 Sub-Paragraphs 31.2, 31.3, 31.4, and 31.5 shall apply *mutatis mutandis* to the Competition Rules.

CLAUSE 30: INTERPRETATION OF RULES AND REGULATIONS

30.1 Decisions of the Executive Committee concerning the validity of any clauses of the Rules in terms of which Modern Pentathlon is administered, shall be final and binding.

30.2 Doubts concerning interpretations, the definitions of an amateur or any matter not provided for shall be laid in writing before the Secretary of the Association by the Secretary of the Member, to be investigated and commented upon by the Executive Committee. The decision of the Executive Committee shall be final and binding.

CLAUSE 31: APPEALS

Appeals against the decision of the association in connection with the Rules at a competition:

31.1 shall in the first instance be addressed to the Head of the LOC by the Member who shall rule on the matter;

31.2 if satisfaction is not obtained and/or if there is any uncertainty about the decision, an appeal may be directed via the Member to the **Executive** Committee accompanied by a fee in a sum determined by the Management Committee from time to time, which shall rule on the matter;

31.3 the decision of the **Executive** Committee shall be final and binding and may include a decision to refund the appeal fee.

CLAUSE 32: DISPUTE RESOLUTION PROCEDURE

32.1 In the event of a dispute arising between Members or between the Members and the Association, on any issue relating to Modern Pentathlon or its administration either party may declare a dispute by written notice to the other, with a copy to the Secretary.

32.2 The respective Chairmen of the Members in question, or the Chairman and the Chairman, as the case may be, shall immediately communicate with each other in the most practical manner, including if necessary by meeting each other (and if necessary as facilitated by the Secretary)

and attempt to resolve the matter within 14 days of declaration of the dispute. Should the matter be resolved, a written record of the resolution arrived at, duly signed by both of the parties, shall be binding on the parties to the dispute and the Association.

32.3 If the dispute has not been resolved in the manner referred to in 31.2 within 14 days of declaration thereof, any party thereto may give written notice of non-resolution to the other party or parties to the dispute and to the Secretary.

32.4 If the dispute is between Members, the Secretary shall refer the dispute to the Chairman within seven days of receipt of notice thereof. The Chairman shall in his/her sole discretion determine an appropriate procedure for the resolution of the dispute, which may include requiring the parties to submit information or written submissions, appear before him/her and present oral or written evidence and advise the parties accordingly. The Chairman shall thereafter determine the dispute within 21 days of referral of the dispute to him/her.

32.5 If the dispute is between Member/s and the Association, the Association, represented by the Chairman and the Member/s represented by its/their Chairman/men shall attempt to agree on a person to consider and determine the dispute. In the event that they are unable to agree with in seven days of the declaration of the dispute, either party may refer the matter to the Secretary of the branch of the Law Society of South Africa for the region in which the Association's head office is located to appoint an attorney or advocate for the purposes of determination of the dispute. Thereafter, the procedure in 31.4 shall mutatis mutandis apply. The person so appointed may make orders as to the costs of the hearing.

32.6 No party to a dispute referred to in this clause shall be entitled to be represented by a legal professional, acting such, in such dispute.

32.7 Any other dispute arising in the structures of the Association shall be resolved in the manner determined by the Chairman, after resolution of the matter to him/her in the manner referred to in 31.3.

32.8 Arbitration Clause

Should any dispute arise which involves the Union, its officials, any clubs affiliated with the Union, and any officials, players or members who are subjected to the rules of this Constitution, pertaining to any matter arising from the interpretation or implementation of the Constitution, or arising from the sports governed by this Constitution, then such dispute shall be referred to the Arbitration Forum of the FREE STATE Provincial Government, to be dealt with in accordance with the Rules of that Forum. The provision of Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.

CLAUSE 33: AMENDMENTS TO THE CONSTITUTION

33.1 The Constitution may be amended only at an Annual General Meeting or at a Special General Meeting called for this specific purpose.

33.2 Notice of any proposed amendments shall be entered on the agenda in accordance with the procedure laid down in Clause 8.

33.3 The notice shall specify which clause of the Constitution it proposes to amend and shall indicate clearly what should be omitted or added to it.

33.4 The Constitution can be amended only by a 75% majority of all of the Members of the Association.

33.5 Any amendment to the Constitution takes immediate effect unless the contrary is decided.

33.6 Amendments to the Constitution must be submitted by the Executive Committee to SAMPA and the FSMPA