



**SOUTH AFRICAN  
FOOTBALL ASSOCIATION**

# DRAFT SAFA STANDARD STATUTES – PROVINCES



## SOUTH AFRICAN FOOTBALL ASSOCIATION

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### PREAMBLE

#### NOTING:

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

#### ACKNOWLEDGING

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

#### REALISING

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

#### RECOGNISING a non-racial society in which: -

- all people shall be equal before the law;
- there is no oppressive interference with the rights of individuals;
- athletes/players compete equally and fairly in football;
- all shall have access to relevant, compulsory and equal education, adequate residential and recreational facilities in general and adequate housing in particular and have a universal franchise system determined by the will of the people;
- people enjoy the principles of democracy, accountability and transparency;
- all people enjoy freedom of association, freedom of movement, freedom of domicile, freedom to ownership of land, freedom to participate fully in the economy of the country and share in its wealth and live in peace, harmony and comfort.

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

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

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

## ARTICLES OF ASSOCIATION

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### DEFINITIONS

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

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

**“Annual Congress”**: means the Annual Congress contemplated in Article 15

**“Associate Member”**: means an associate Member contemplated by Article 9 ;

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

**“CAF”**: means the Confederation Africaine de Football;

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

**“Chief Executive Officer”**: means the General Secretary contemplated by Article 21;

**“Club”**: means a Member of the Local Football Association;

**“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 FIFA;

**“Constitution”**: means these Articles of Association;

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

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

**“COSAFA”**: means the Confederation of Southern African Football Associations;

**“LFA”**: means a Local Football Association contemplated by Article 2.17.18

**“Electoral Code”** means the SAFA Electoral Code referred to in Article 25.12 of the SAFA Statutes

**“Electoral Committee”** means the Committee referred to in Articles 25.10 – 25.12 of the SAFA Statutes;

**“Executive office in SAFA”**: means the positions of Chairperson, Vice-Chairpersons, or Member of the SAFA Council;

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

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

**“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;

**“ Provincial Secretariat”:** shall mean the administrative structure of SAFA under the General Secretary as contemplated in Article 14.4 ;

**“IFAB”:** means the International Football Association Board;

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

**“League Members of the SAFA Council”:** means the 3 Members of the SAFA Council nominated by the League and elected by Congress in terms of Article 32.1.4 of the SAFA Statutes;

**“League Vice-President ”** means the chairperson of the League appointed in terms of Article 32.1.2 of the SAFA Statutes;

**“Emergency Committee”:** means the Emergency Committee contemplated by Article 22;

**“Match Agent”:** means agents who arrange matches between teams belonging to different or the same confederations in possession of a license issued by FIFA;

**“Member”:** means a Regional 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 football association affiliated to FIFA;

**“Office-bearer”:** means the Chairperson, a Vice-Chairperson or any other Member of the SAFA Council;

**“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 SAFA Council Members, committee Members, coaches, referees and attendants as well as any other person responsible for technical, medical and administrative matters at the League or Club, SAFA, CAF and FIFA ;

**“Ordinary Vice-President”:** means a Vice-President other than the League 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;

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

**“Provincial Executive Committee”:** means the Provincial Executive Committee contemplated by Article 18;

**“Provincial Structure”**: means a group of Members recognized by SAFA 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 10.1 of the SAFA Statutes;

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

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

**“SAFA”**: means the South African Football Association;

**“SAFA Council”**: means the national executive body of the South African Football Association contemplated by Article 18

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

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

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

**“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 SAFA Meetings*;

**“The League”**: means a Special Member of and subordinate to SAFA which is an Association of Professional Football Clubs that comprise the Special Member as contemplated by Article 10.3 of the SAFA Statutes

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## NAME, HEADQUARTERS, LEGAL FORM

## ARTICLE 1

- 1.1 The provincial structure as defined shall be known as “*(insert name of Province Football Association)*”
- 1.2 *(insert name of Province Football Association)* is a non-governmental organization with its own legal persona.
- 1.3 The headquarters of *(insert name of Province Football Association)* are located in *(name the city of location)*. The headquarters may only be transferred elsewhere by way of a three-quarters ( $\frac{3}{4}$ ) majority vote of Members present at the requisite Provincial Congress Meeting. Such decision shall be taken by means of a secret ballot.

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## AIMS, OBJECTIVES AND POWERS OF THE ASSOCIATION

## ARTICLE 2

2. *(insert name of Province Football Association)* 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 *(insert name of Province Football Association)* activities shall be limited to the Republic of South Africa. *(insert name of Province Football Association)* shall have the following aims and objectives:
  - 2.1 to carry on the public benefit activity of administering, developing, coordinating and promoting the game of football in which the participants take part in accordance with the principles as laid down in the statutes of FIFA.
  - 2.2 to improve the game of football 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 Football in all its forms, by defining precisely, as required, the areas of authority delegated to the various Members and Leagues of which it is composed;
  - 2.4 to draw up regulations and provisions and to ensure their enforcement;
  - 2.5 to protect the interests of its Members;
  - 2.6 to respect and prevent any infringement of the statutes, regulations, directives and decisions of SAFA, COSAFA, CAF and FIFA as well as the Laws of the Game and to ensure that these are also respected by its Members;
  - 2.7 to prevent all methods or practices which might jeopardize the integrity of matches or competitions or give rise to abuse of Association Football;
  - 2.8 to control and supervise all football matches of all forms played throughout the territory of South Africa;
  - 2.9 to manage international sporting relations connected with Association Football 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 football within the jurisdiction of *(insert name of Province Football Association)*;

- 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 *(insert name of Province Football Association)*;
- 2.13 to acquire and develop playing facilities including the construction of stadia;
- 2.14 to distribute monies to its Members for the protection, promotion and advancement of amateur football;
- 2.15 to affiliate to SAFA and SASCOC at the provincial level;
- 2.16 to do all such things as may be incidental or conducive to the attainment of the objective or any one of them;
- 2.17 *(insert name of Province Football Association)* shall have the full power and authority to do any act, matter or thing as may be required to give effect to the aims and objectives of SAFA as described herein, including, but not limited to the following powers:-
  - 2.17.1 to engage staff on the basis of a policy of fair employment and equal opportunities;
  - 2.17.2 to acquire assets and enter into commitments for the promotion of its aims and objectives;
  - 2.17.3 to confer honours and awards on individuals, in recognition of their contribution to football in *(insert name of Province Football Association)* ;
  - 2.17.4 to grant practical and financial assistance to individuals and organisations in order to enable them to promote ideas and concepts consistent with the objects of SAFA;
  - 2..17.5 to enter into donor funding arrangements with companies or individuals and to solicit and accept fees, donations, bequests, contributions, and subscriptions for the funds of *(insert name of Province Football Association)*, provided however that *(insert name of Province Football Association)* shall ensure that no donor will derive any monetary advantage from any monies paid to and on behalf of *(insert name of Province Football Association)*;
  - 2.17.6 to take, lease, purchase or otherwise acquire premises, equipment, vehicles, furniture and other property or assets, whether movable or immovable which may be deemed necessary or convenient for any of the purposes of *(insert name of Province Football Association)*, and in order to provide suitable equipment, accommodation and football facilities;
  - 2.17.7 to improve, manage, develop, exchange or lease, mortgage, sell, dispose of, turn to account and grant options, rights and privileges in respect of, or otherwise deal with, or any part of the property and rights of *(insert name of Province Football Association)*;



- 2.17.8 to subscribe, grant subsidies out of, administer and invest the funds of (*insert name of Province Football Association*) in such manner as it may be deemed best to achieve the objects and purposes of SAFA;
- 2.17.9 to enter into such commercial or other transactions in connection with any trade or business of SAFA as may seem desirable for the purpose of (*insert name of Province Football Association*) affairs;
2. 17.10 to borrow, or raise money in such a manner as (*insert name of Province Football Association*) 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 (*insert name of Province Football Association*) of any obligation or liability it may undertake;
- 2.17.11 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;
- 2.17.12 to make rules which shall not be inconsistent with the terms of this Constitution. The Rules of (*insert name of Province Football Association*) shall have the same force and effect as if they were incorporated in the Articles of the Constitution;
- 2.17.13 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 players to and from the Republic of South Africa in terms of the FIFA Regulations;
- 2.17.14 to keep or cause to be kept, true accounts of all receipts, credits, payments, assets and liabilities of (*insert name of Province Football Association*) and all other matters necessary for showing the correct financial state of affairs of (*insert name of Province Football Association*) . The accounts shall be kept in such books and in such manner as the SAFA Council deems fit and to the satisfaction of the Auditors of (*insert name of Province Football Association*);
- 2.17.15 to appoint auditors to audit annual accounts of (*insert name of Province Football Association*);
- 2.17.16 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;
- 2.17.17 to appoint such sub-committees or commissions upon such terms as it may consider necessary to give effect to its powers;
- 2.17.18 to suspend, fine, terminate the Membership of or otherwise deal with any Member, Local Football Association, Club or individual affiliated to (*insert name of Province Football Association*) or any of its Members for infringing the Constitution, regulations, policies, principles or resolutions of SAFA and/or (*insert name of Province Football Association*) or for engaging in acts of misconduct, improper practices, misdemeanor,

acts of defiance, or for bringing (*insert name of Province Football Association*) into disrepute.

- 2.17.19 to establish, subscribe or carry on through any subsidiary company any activities which (*insert name of Province Football Association*) is authorized to carry on and to make any arrangements whatsoever with such subsidiary company as thought fit;
- 2.17.20 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 (*insert name of Province Football Association*) or in which (*insert name of Province Football Association*) 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

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## NEUTRALITY AND NON-DISCRIMINATION

## ARTICLE 3

- 3.1 (*insert name of Province Football Association*) 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.

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## PROMOTING FRIENDLY RELATIONS

## ARTICLE 4

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

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## PLAYERS

## ARTICLE 5

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

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## LAWS OF THE GAME

## ARTICLE 6

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6. (Insert name of the Province) and each of its Members administer Association Football in compliance with the Laws of the Game issued by IFAB. Only IFAB may lay down and alter the Laws of the Game.
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## CONDUCT OF MEMBERS AND OFFICIALS

## ARTICLE 7

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7. The Members and Officials of *(insert name of Province Football Association)* must observe the Statutes, regulations, directives, decisions and the Code of Ethics of FIFA, of CAF and of SAFA 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 *(insert name of Province Football Association)* may 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 Members currently within the geopolitical provincial structure, as defined in the Constitution of the Republic of South Africa shall be recognized as the official representatives managing, controlling and supervising football in their respective regions.
- 9.2 The Executive Committee of the provincial structure may grant Membership to any Member or Associate Member who wish to obtain Membership of the provincial structure.
- 9.3 Any Member or Associate Member seeking Membership shall submit an application to the provincial structure secretariat together with a declaration affirming that it shall comply at all times with the SAFA Statutes, Regulations, SAFA Code of Conduct for Associate Members, directives and decisions, and with the Laws of the Game as enacted by FIFA.
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- 9.4 Such application shall be accompanied by a copy of the Associate Member's Statutes and Rules and Regulations.
- 9.5 Applications must be accompanied by a Membership fee as determined by the Provincial Executive Committee.

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## MEMBERS' RIGHTS

## ARTICLE 10

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Members shall enjoy the following rights:

- (a) the right to participate in the Provincial Congress;
- (b) the right to formulate proposals for inclusion items on the Provincial Congress agenda;
- (c) the right to nominate a candidate for the provincial structure presidency;
- (d) the right to nominate candidates for the SAFA Council;
- (e) the right to take part in competitions organised by the Provincial Executive Committee;
- (f) the right to benefit from the provincial structures' development, technical and financial assistance programmes;
- (g) the rights ensuing from the SAFA Statutes and other SAFA Regulations.

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## MEMBERS' OBLIGATIONS

## ARTICLE 11

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11.1 Members of the provincial structure shall have the following obligations to:

- (a) unreservedly observe and comply with the provincial structure's Statutes, the SAFA Statutes, Rules and Regulations, the SAFA Code of Conduct for Associate Members and directions and decisions of FIFA and SAFA as well as the buffer principles of ethics and fair play at all times;
- (b) take part in competitions organised by the provincial Executive Committee;
- (c) pay Membership fees on a regular basis;
- (d) ensure that their own Members, officials, and players comply with the Statutes, Regulations, directives and decisions of SAFA;

- (e) respect the Laws of the Game;
- (f) respect SAFA's Code of Ethics and Universal Values;
- (g) implement a system of granting licences to clubs in accordance with the SAFA Club Licensing Regulations;
- (h) manage its affairs independently and free of intrusions and interferences of any kind by any person or body;
- (i) set up a Referees' Committee, directly subordinate to SAFA;
- (j) respect the world anti-doping code;

11.2 Any proved violation of these obligations shall lead to sanctions as provided for in the current Buffer Statutes.

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## SUSPENSION AND EXPULSION

## ARTICLE 12

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- 12.1 The Provincial Congress may recommend to the National Congress the suspension or expulsion of any Member or Associate Member.
- 12.2 The Provincial Executive Committee may suspend, with immediate effect, any Associate Member or Member found guilty of serious violations of its obligations, and such suspension shall remain in effect until the next Provincial Congress unless the Provincial Executive Committee lifts it.
- 12.3 Any suspension decided by the Provincial Executive Committee must be ratified by a two-thirds majority of votes cast at the Provincial Congress. Should a majority vote not be attained, such sanction shall automatically be lifted with immediate effect. Any decision submitted to the Provincial Congress must indicate the period of suspension.
- 12.4 Suspended Associate Members or Members shall automatically forego all rights and privileges pertaining to their Membership. All other Members and Associate Members shall immediately cease sporting contact with the suspended Associate Member or Member failing which they shall be subject to the sanctions imposed by the Disciplinary Committee.
- 12.5 The Provincial Congress may expel an Associate Member or Member if it:
- (a) fails to fulfill its financial obligations towards the provincial structure despite written notices sent by it;

- (b) if the Associate Member or Member has been found guilty of a serious violation of the Statutes, Rules and Regulations, directives, decisions, or Code of Ethics of the provincial structure or SAFA; and
- (c) if the Associate Member or Member fails to comply with the provisions of the Provincial structure and SAFA.

12.6 The presence of an absolute majority of Members eligible to vote at the Provincial Congress is necessary for an expulsion to be valid, as well as the two-thirds majority of votes validly cast.

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### STATUS OF LEAGUES AND OTHER GROUPS OF CLUBS

### ARTICLE 13

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Leagues or other groups of clubs affiliated to a Member shall be governed by the provisions of the provincial structure and the SAFA Statutes.

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### BODIES OF THE PROVINCIAL STRUCTURE

### ARTICLE 14

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- 14.1 The Provincial Congress shall be the legislative body.
- 14.2 The Provincial Executive Committee shall be the executive body.
- 14.3 Standing and *ad hoc* Committees shall advise and assist the Provincial Executive Committee in the fulfillment of its duties.
- 14.4 The Provincial Secretariat shall be the administrative body.
- 14.5 The Disciplinary Committee and the Provincial Appeal Board shall be the legal bodies of a provincial structure.

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### THE PROVINCIAL CONGRESS

### ARTICLE 15

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- 15.1 The Provincial Congress shall be the supreme authority of the provincial structure and shall define the general policy and implementation of the relevant decisions.
- 15.2 The Provincial Congress may be defined as either ordinary or extraordinary.

- 15.3 The Provincial Congress shall be comprised of:
- (a) representatives of the Members (3 delegates per Region);
  - (b) Members of the Provincial Executive Committee;
  - (c) any national SAFA office bearers from within the Province.
- 15.4 Any Ordinary Provincial Congress Meeting shall be held once a year.
- 15.5 The Provincial Executive Committee shall determine the date, time and place of the Provincial Congress Meeting. Such information shall be communicated to Members in writing at least sixty (60) days before the date of the Provincial Congress.
- 15.6 The formal notification which shall contain the agenda of the Provincial Congress shall be dispatched in writing at least thirty (30) days prior to the date of the meeting.
- 15.7 All documents related to the Provincial Congress shall be dispatched to Members at least fifteen (15) days prior to the meeting.

The agenda shall include the following items:

- (a) welcome and apologies;
- (b) roll-call;
- (c) certification that the notification and composition of the Provincial Congress comply with the provisions of the Statutes;
- (d) an address by the Chairperson;
- (e) the designation of Members to check the official minutes;
- (f) the suspension or expulsion of an Associate Member, where appropriate;
- (g) approval of minutes of the previous Provincial Congress Meeting;
- (h) the activity report covering the period since the previous Provincial Congress;
- (i) the presentation of the audited statement of accounts;
- (j) the report of the Audit Committee;

- (k) the approval of the annual accounts and budget;
- (l) my the appointment of auditors as appropriate;
- (m) the admission of Associate Members, as appropriate;
- (n) the consideration of proposals for amendments to either the Provincial Statutes or the SAFA Statutes;
- (o) discussion of proposal received from SAFA National and SAFA Council;
- (p) the election of the Chairperson and Deputy Chairperson, if applicable;
- (q) the appointment of the Provincial Executive Committee Members;
- (r) other reports;
- (s) any other business for which a notice has been given at least fourteen (14) days before the Congress..

15.8 The Provincial Executive Committee may convene an Extraordinary Provincial Congress Meeting upon thirty (30) days' notice.

15.9 Rules of Procedure of SAFA National shall apply to all procedural matters during the proceedings of the Provincial Congress.

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## AMENDMENTS TO THE PROVINCIAL STATUTES AND REGULATIONS

## ARTICLE 16

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Only the Provincial Congress may amend the Provincial Statutes and/or Regulations governing the Provincial Statutes.

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## MINUTES

## ARTICLE 17

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17.1 The General Secretary shall be responsible for recording the minutes of the Provincial Congress Meeting.

17.2 The minutes of the Provincial Congress shall be checked by those Members so designated.

17.3 The minutes of the Provincial Congress shall be sent to the Members and Associate Members within thirty (30) days of the closing of the meeting.



- 18.1 Save for the election of the Chairperson, the two Deputy Chairpersons (one of whom shall be a woman) and the Treasurer, the Executive Committee shall be composed of persons appointed by the Members.
- 18.2 The person elected as the provincial chairperson serves on the SAFA Council for the duration of the SAFA Council's term of office.
- 18.3 The Chairperson, the two Deputy Chairpersons, the Treasurer and the Provincial Executive Committee Member's term of office shall be four (4) years.
- 18.4 The Provincial Executive Committee may co-opt no more than two (2) persons onto the Executive Committee.
- 18.5 The Provincial Executive Committee shall appoint the Chairperson, Deputy Chairperson, the Treasurer and Members of the Standing Committees as well as set up new *ad hoc* Committees if the need arises.
- 18.6 The Provincial Executive Committee may dismiss Members of Standing Committees if they are found guilty of a serious violation of their duty and designate their replacements for the remainder of their term of office.
- 18.7 It shall draw up specific Regulations for standing and *ad hoc* Committees.
- 18.8 It shall approve the working programme of the standing and *ad hoc* Committees.
- 18.9 It shall decide on financial matters, examine and approve the budgetary reports presented by the General Secretary, as well as examine an amended budget before its submission to the General Assembly.
- 18.10 It shall be the supreme authority for all matters concerning provincial and inter-regional competitions.
- 18.11 The Provincial Executive Committee shall appoint and dismiss the General Secretary.
- 18.12 It shall appoint for a period of four (4) years, the Chairperson, Vice Chairperson, Treasurer and Members of the Provincial legal bodies.

18.13 It shall decide the place and dates of the final tournaments of provincial and inter-regional competitions.

18.14 It shall decide the date and venue of the Provincial Congress.

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## THE CHAIRPERSON

## ARTICLE 19

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19.1 The Chairperson shall be the legal representative of the provincial structure.

19.2 He/she shall automatically serve on the SAFA Council.

19.3 He/she shall preside over all meetings of the Provincial Congress and the Executive and Emergency Committees.

19.4 He/she shall propose to the Executive Committee the appointment and dismissal of the General Secretary.

19.5 The Chairperson shall sign jointly with the General Secretary all documents and letters binding the provincial structure.

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## THE PROVINCIAL SECRETARIAT

## ARTICLE 20

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The Provincial Secretariat shall perform all administrative duties under the direction of the General Secretary.

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## THE GENERAL SECRETARY

## ARTICLE 21

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21.1 The General Secretary shall be appointed by the Provincial Executive Committee on the proposal of the Chairperson.

21.2 He shall be provided with a contract of employment and must reside in the City in which the provincial structure headquarters are located.

21.3 He shall be the Head of the Provincial Administration and shall take part in all Provincial meetings without any voting rights.

21.4 He may act as the provincial structure's legal representative if empowered specifically to do so by the Chairperson or the Executive Committee.

- 21.5 He shall administer the affairs of the provincial structure.
- 21.6 He shall prepare the agenda of meetings of the Provincial Congress, the Provincial Executive Committee and Standing Committees in consultation with the Chairperson.
- 21.7 He shall be responsible for compiling the minutes of meetings of the Provincial Congress, as well as minutes of the Provincial Executive, Emergency and Standing Committees.
- 21.8 He shall be responsible for managing the provincial structure's correspondence and public relations.
- 21.9 He shall be responsible for managing the provincial structure's financial affairs and treasury, as well as keeping proper accounts.
- 21.10 He shall be responsible for the recruitment and dismissal of staff, after consulting with the Chairperson.
- 21.11 He shall submit to the Executive Committee after consulting the Chairperson proposals concerning the appointment or dismissal of any other staff Members.

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## **EMERGENCY COMMITTEE**

## **ARTICLE 22**

- 22.1 The Emergency Committee shall be composed of the Chairperson, the two Deputy Chairpersons as provided for under Article 18.1 above and Membertwo (2) Members as appointed by the Provincial Executive Committee amongst its Members;
- 22.2 All decisions taken by the Emergency Committee shall be binding and shall be ratified by the Executive Committee at its next meeting.
- 22.3 The Chairperson shall be responsible for convening Emergency Committee Meetings.

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## **STANDING COMMITTEE**

## **ARTICLE 23**

- 23.1 The Standing Committees are:
- (a) the Finance Committee;

- (b) the Audit Committee;
- (c) the Organising Committee for all provincial and inter-regional competitions;
- (d) the Referees' Committee;
- (e) the Technical and Development Committee;
- (f) the Committee for Legal Affairs and Players' Status;
- (g) the Women Football Committee.

23.2 The Standing Committee Chairperson shall be appointed from amongst the Members of the Provincial Executive Committee.

23.3 The Provincial Executive Committee shall determine how many Members shall be appointed to each Standing Committee.

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## **FINANCE COMMITTEE**

## **ARTICLE 24**

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The Financial Committee shall oversee the financial affairs of the provincial structure and advise the Provincial Executive Committee accordingly. It shall analyse the provincial budget and annual accounts prepared by the General Secretary and submit them to the Executive Committee for approval.

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## **AUDIT COMMITTEE**

## **ARTICLE 25**

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The Audit Committee shall ensure the conformity and reliability of the Provincial Financial Accounting System and review the external auditors' report and audit the provincial administration on behalf of the Executive.

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## **ORGANISING COMMITTEE FOR THE PROVINCIAL AND INTER-REGIONAL COMPETITIONS**

## **ARTICLE 26**

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This Committee shall organise the inter-regional and provincial competitions in accordance with existing Regulations

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## **ORGANISING COMMITTEE FOR THE MANAGEMENT OF PROVINCIAL CLUB**

### **LICENSING SYSTEM**

### **ARTICLE 27**

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In accordance with the SAFA Statute, the Committee shall be responsible for the management of the provincial club licensing system as governed by the SAFA Club Licensing Regulations.

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### **REFEREES' COMMITTEE**

### **ARTICLE 28**

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This Committee shall be responsible for all matters relating to refereeing.

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### **TECHNICAL AND DEVELOPMENT COMMITTEE**

### **ARTICLE 29**

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This Committee shall analyze and evaluate the principal aspects of training, administration and the technical development of football in the Province. This Committee shall also manage the Provincial Development Programmes.

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### **COMMITTEE FOR LEGAL AFFAIRS AND PLAYER STATUS**

### **ARTICLE 30**

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This Committee shall examine all legal issues pertaining to football and Provincial Statutes and Regulations of the Province. It shall also propose any necessary amendments to the Provincial Executive Committee.

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### **WOMEN FOOTBALL COMMITTEE**

### **ARTICLE 31**

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

- 31.1 drafting and submitting proposals on policies on women football development;
- 31.2 dealing with all matters relating to women football;
- 31.3 monitoring women's football competitions;
- 31.4 submitting regular reports to the PEC.

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### **LEGAL BODIES**

### **ARTICLE 32**

32.1 The provincial structures legal bodies shall be:

- (a) the Disciplinary Committee; and
- (b) the Appeal Board

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## **DISCIPLINARY COMMITTEE**

## **ARTICLE 33**

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The Disciplinary Committee shall consist of a Chairperson and two other (2) panelists. The remit of this body shall be governed by the SAFA Disciplinary Code and the SAFA Statutes Regulations read together with the FIFA Statutes and Regulations.

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## **THE APPEAL BOARD**

## **ARTICLE 34**

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The Appeal Board shall consist of a Chairperson and two (2) other panelists. The remit of this body shall be governed by the SAFA Disciplinary Code, the SAFA Statutes Regulations and the FIFA Statutes and Regulations.

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## **DISCIPLINARY MEASURES**

## **ARTICLE 35**

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The disciplinary measures that the provincial structure may impose are those contained in the SAFA Disciplinary Code, the SAFA Statutes and Regulations and the FIFA Statutes Regulations.

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## **DISPUTES**

## **ARTICLE 36**

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- 36.1 No disputes with the provincial structure or other Members or Associate Members, clubs or Members of clubs may be brought before a court of law. All such disputes shall be submitted to an Arbitrator appointed by mutual agreement.
- 36.2 Decisions taken by an independent Arbitration Tribunal duly established by the provincial structure or one of its Members shall be final and binding and not subject to any appeal to the Court of Arbitration for Sport ("CAS").

- 36.3 Provincial structures, their Members and Associate Members and clubs, players, officials and intermediaries and licensed match agents must agree to recognize CAS as an independent judicial authority, and to ensure that they comply with CAS arbitrations.

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## RESOURCES

## ARTICLE 37

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- 37.1 The resources of the provincial structure shall consist of:
- (a) the annual subscription of its Members and Associate Members;
  - (b) competition entry fees;
  - (c) a levy on receipt from matches;
  - (d) any profits realised on matches organised by the provincial structure;
  - (e) any grants or subsistence funding received from SAFA; and
  - (f) donations of any nature, legacies and grants.

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## FINANCE

## ARTICLE 38

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- 38.1 The financial year of the provincial structure shall commence on **1 July** and end **30 June** of the following year.
- 38.2 The annual subscription fee due on **1 July** each year shall be payable to the provincial structure's Secretariat. The amount due from each Member and Associate Member shall be stipulated by the Executive Committee.

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## COMPETITIONS

## ARTICLE 39

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The provincial structure shall have the exclusive right to organize competitions within the province, provided that those competitions are not in conflict in inconsistent with those organized by SAFA National.

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## RIGHTS PERTAINING TO PROVINCIAL STRUCTURE COMPETITIONS AND EVENTS

### ARTICLE 40

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- 40.1 The provincial structure shall be the legal owners of all rights arising from the competitions and other events which fall within the province. These rights include all kinds of pecuniary rights, audio-visual recording rights, reproduction and broadcasting rights, multi-media rights and marketing and promotional rights, as well as intellectual property rights covering emblems and copyright.
- 40.2 The Executive Committee shall decide how and to what extent these rights are exploited and draw up special provisions to this effect.

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## CLUB LICENSES

### ARTICLE 41

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The Executive Committee shall decide how and to what extent these rights are exploited and draw up special provisions to this effect.

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## DISSOLUTION OF THE PROVINCIAL STRUCTURE

### ARTICLE 42

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Only SAFA National may dissolve a provincial structure and after it is approved by a two-thirds majority of Members present and voting at a SAFA Annual Congress.

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## UNFORSEEN CIRCUMSTANCES

### ARTICLE 43

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- 43.1 The Provincial Executive Committee shall decide any matters not provided for in the current Statutes or in cases of *force majeure*, and such decision shall take immediate effect.
- 43.2 Decisions regarding legislative matters shall be submitted to the next Provincial Congress for approval.



**ADOPTION OF THE STATUTES**

ADOPTED BY THE [*name of Province*] PROVINCIAL CONGRESS HELD AT [*venue of the Provincial Congress*] ON THIS THE [*date of Provincial Congress*] AND WILL COME INTO FORCE ON [*effective date of application of the Provincial Statutes*].

\_\_\_\_\_  
*name of provincial chairperson*  
**PROVINCIAL CHAIRPERSON**

\_\_\_\_\_  
*name of provincial executive officer*  
**PROVINCIAL EXECUTIVE OFFICER**

**THESE STATUTES HAVE BEEN CERTIFIED BY THE SOUTH AFRICAN FOOTBALL ASSOCIATION:**

\_\_\_\_\_  
**MR DENNIS A. MUMBLE**  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
**DATE**