



THE CONSTITUTION OF THE SWAZILAND RUGBY UNION

This is the Constitution of the Swaziland Rugby Union (hereinafter referred to as the “SRU”) adopted at the General Meeting of members on the 27th March 2009

1. OBJECTS

- 1.1 To promote, develop, manage and improve the game of Rugby at all levels within Swaziland in any manner which in the opinion of the SRU is appropriate.
- 1.2 Where possible, provide facilities and equipment for the development of Rugby skills for all players within Swaziland.
- 1.3 Develop and encourage a spirit of sportsmanship, fair-play and co-operation amongst players and officials.
- 1.4 Organise and hold matches and competitions within Swaziland in accordance with the Bye-laws and regulations of the International Rugby Board.
- 1.5 Organise and arrange social functions and activities.
- 1.6 Control and regulate every form of Rugby within Swaziland by taking measures which the SRU deems appropriate and to prevent the introduction of any improper method of practice in the game of Rugby and to protect the game of Rugby from abuse, to prevent infringements of the IRB constitution, rules and regulations as well as the laws of the game.
- 1.7 The acquisition of movable and immovable property and the hypothecation and alienation of the same.
- 1.8 The raising and borrowing of funds for the benefit of the SRU in any lawful manner.
- 1.9 To maintain relationships with the IRB & CAR and the affiliation of the SRU to other national or international bodies if so resolved by a General Meeting of the members.
- 1.10 Take any disciplinary action against a Member, individual, employee or affiliate who contravenes the Constitution, Rules and Regulations of the SRU or the Statutes or Rules of the IRB.

2. STATUS

- 2.1 The SRU will be an association not for profit and no member or office bearer of the Executive Committee shall be entitled to any dividend or share in any profit made by the SRU.
- 2.2 The SRU shall be a body capable of entering into any contract for the furtherance of the objects of the SRU and shall be capable of suing or being sued in any court of law.

3. MEMBERSHIP

- 3.1 All rugby clubs or sports clubs which have the game of Rugby as a branch thereof, at present existing or which may subsequently be formed in Swaziland, are eligible for membership to the SRU.
- 3.2 All applications for membership shall be made to the Secretary of the SRU stating the name of the club, the name of the officers of the club, the number of its members (in the case of a Sports Club, the number of Rugby playing members) shall be accompanied by a copy of the Constitution of the Club, the application shall then be submitted at the next meeting of the Executive Committee.
- 3.3 Election to Union membership shall be at the discretion of the Executive Committee.
- 3.4 All Clubs shall each year not later than the 1st of April, forward to the Secretary of the SRU a list of their office bearers, numbers of Club members and any alterations to the constitution of the Club.

4. MEMBERS RIGHTS

- 4.1 Take part in the Annual General Meeting.
- 4.2 Formulate proposals for the inclusion at the AGM.
- 4.3 Nominate suitable candidates for the SRU Executive.
- 4.4 Participate in competitions/tournaments organised by the SRU.

5. MEMBERS OBLIGATIONS

- 5.1 Comply with the statutes, regulations, directives and decisions of the SRU at all times.
- 5.2 Participate in competitions/tournaments organised by the SRU.
- 5.3 Pay membership fees.
- 5.4 Respect the laws of the game.
- 5.5 Comply with all other obligations arising from these Statutes and regulations.
- 5.6 Violation of the above mentioned obligations may lead to the imposition of sanctions against a member as provided in the constitution.

6. SUBSCRIPTIONS

- 6.1 The annual subscription for member Clubs shall be at the rate set by the Executive Committee for the members.
- 6.2 The year shall be from April 1st to March 31st.
- 6.3 Subscriptions of member Clubs are payable in advance each year, or in the case of a Sports Club immediately on acceptance as a member of the SRU.
- 6.4 Failure by a member Club to pay the yearly subscription will eliminate that Club from voting at any Annual, Special or SRU meeting.

7. MANAGEMENT

- 7.1 The affairs of the SRU shall be managed by an Executive Committee elected at the Annual General meeting of the SRU and shall consist of:-
 - 7.1.1 President.
 - 7.1.2 Vice President.
 - 7.1.3 Treasurer/Secretary.
 - 7.1.4 One member from each member Club.
- 7.2 All the aforementioned office bearers shall serve in an honourable capacity.
- 7.3 To be eligible to serve as the SRU Chairman, a member must have served in the capacity as Chairman of an existing Rugby Club within Swaziland.
- 7.4 The elected President, Vice President and Secretary shall serve for a term of four (4) years, whereafter they shall be eligible for re-election

8. POWERS OF THE EXECUTIVE COMMITTEE

- 8.1 Powers of the Executive Committee shall be:
 - 8.1.1 To fill such vacancies (including auditors) as may occur during its term of office until the next Annual General Meeting.
 - 8.1.2 To donate, grant subsidies, or invest the funds of the SRU for any purpose calculated to promote the interest and objectives of the SRU, and make donations for such other purposes they feel fit.
 - 8.1.3 To appoint and or terminate the services of paid officials if necessary, and to fix the aforementioned officials remuneration.
 - 8.1.4 To appoint sub- committees for any purpose, and to delegate sub-committees such powers as may be deemed desirable. Such sub-committees must be comprised of Club members.

- 8.1.5 In the event of being required to borrow money from a registered bank in such a manner as shall be deemed fit, provided the decision to borrow the money is taken at a Special General Meeting and that a two thirds majority of an open ballot is achieved.
- 8.1.6 To take any disciplinary action considered necessary against any member Club or individual member thereof which or who has acted in a way contrary to the interests of Rugby in Swaziland (including non-payment of monies owing to the SRU).
- 8.1.7 To organise national and international Rugby matches.

9. MEETINGS OF THE EXECUTIVE COMMITTEE

- 9.1 The Secretary shall, on the instruction of the President or on a written request of at least two members of the Executive Committee, convene a committee meeting and failing a request to hold a meeting, shall meet at least twice every year. At least fourteen days notice of Committee meetings shall be given.
- 9.2 The President shall be the Chairman at all meetings of the committee. In the event of his absence, the members present shall elect a Chairman from the members present.
- 9.3 At all the meetings of the Committee, five shall be a Quorum.
- 9.4 At any meeting of the Executive Committee, should the voting be equal, the Chairman shall have the casting vote in addition to his deliberate vote.

10. SWAZILAND RUGBY UNION FUNDS AND ACCOUNTS

- 10.1 The funds of the SRU shall be banked in the name of the SWAZILAND RUGBY UNION.
- 10.2 Cheques, bills of exchange, promissory notes, and other negotiable instruments shall be signed by any two of the following:-

President, Vice President, Secretary/Treasurer, Member.
- 10.3 The executive Committee shall keep or cause to be kept true and proper accounts of all revenue and expenditure and such accounts shall be audited annually by the auditors of the SRU.
- 10.4 All accounts shall be submitted to the next meeting of the Executive Committee for ratification.
- 10.5 Such accounts, duly audited shall be tabled at the next Annual General Meeting.

11. ANNUAL GENERAL MEETING

- 11.1 The Annual General Meeting, of which not less than twenty one days notice shall be given, will as far as possible be held during the month of April.
- 11.2 Not later than seven days prior to the Annual General Meeting in every year, every Member Club shall advise the Secretary of the SRU of the name and address of its nominated member to the Executive Committee for the ensuing year as well as its delegate to the Annual General Meeting.
- 11.3 To confirm the minutes of the previous Annual General Meeting and any Special General Meetings that may have been held since the previous Annual General Meeting.
- 11.4 To receive and consider the report of the Executive Committee on the affairs of the SRU during the previous year, together with the balance sheet and Revenue and Expenditure Account to that date, duly audited by the auditors.
- 11.5 To elect an Executive Committee for the ensuing four years as set out in clause 7
- 11.6 To appoint auditors for the ensuing year.
- 11.7 To consider any resolution concerning the affairs of the SRU, of which due notice has been given.
- 11.8 To amend and alter the Constitution of the SRU of which amendments or alterations have been submitted.
- 11.9 To transact any general business without notice (other than the alteration, addition or amendment to the Constitution), which may arise during the course of the meeting.

12. SPECIAL GENERAL MEETINGS

- 12.1 A Special General Meeting of the SRU, may be called by a resolution of the Executive Committee, or shall be called at the request of a Member Club. Such a request shall state the reason for the calling of a Special General Meeting. Twenty one (21) days notice, setting forth the business and agenda of the Special General Meeting shall be given. At any Special General Meeting, only the business set out in the agenda shall be discussed.

13. QUORAM AT GENERAL MEETINGS

13. At any General Meeting (Annual or Special) five persons duly qualified shall form a quorum.

14. REPRESENTATION AT GENERAL MEETINGS

- 14.1 Only the following shall be entitled to vote at a General Meeting (Annual or Special).
 - 14.1.1 The existing or retiring Executive Committee Members.
 - 14.1.2 All member Clubs of the Union (as set out in 7.1.4).
- 14.2 Voting by proxy is not permitted.
- 14.3 The President of the SRU shall preside at all General Meetings. Should he be absent, the meeting shall appoint a Chairman from the members present. In the event of the voting being equal on any matter, the Chairman shall have a second or casting vote.

15. COMPETITIONS MATCHES ETC

- 15.1 Rugby matches played in Swaziland under the direct control of the SRU shall be played in the manner laid down by the Executive Committee. The running of such matches, competitions, tournaments or festivals may be delegated by the Executive Committee to a nominated sub-committee.

16. PLAYER ELIGABILITY

- 16.1 Swazi Nationals who are resident within the country.
- 16.2 Swazi Nationals non resident must affiliate to a local club and be available to attend trials and squad practices.
- 16.3 Residents must be resident for the thirty six months prior to the match, competition or tournament and hold a current valid residence permit.
- 16.4 A coach shall be appointed on a game by game basis. He/She shall be appointed with a two thirds majority vote by the Executive Committee.
- 16.5 The selection panel shall be made up in the following way.
 - President of the Union will convene the selection panel.
 - Vice President.
 - Coach.
 - Person nominated from each Club.
 - President to have the casting vote.

17. INDEMNITY

- 17.1 The President, Vice President, Secretary/Treasurer, members of the Executive Committee and all other officials of the SRU shall be and are hereby indemnified by the SRU against any claims by third parties made against them arising out of the execution of their duties.

18. SRU DISSOLVED OR LIQUIDATED

- 18.1 The SRU may not be placed in Voluntary liquidation, nor be dissolved except by a majority of two-thirds of the actual Member Clubs of the SRU during a Special Meeting convened for this purpose, and at which meeting in the event of the resolution of dissolution or liquidation being carried, a liquidator or liquidators shall be appointed with directions as to the method of dissolution or liquidation, and the disposal of cash and any other assets belonging to the SRU.

19. AMENDMENTS TO THE CONSTITUTION

- 19.1 The Constitution of the Swaziland Rugby Union shall not be amended except by a resolution passed at an Annual or Special General Meeting by a majority of not less than two thirds of the members referred to in clause 13 who are present and entitled to vote.