



Constitution of the 4x4 Cape Club

Preamble

The club is family orientated, catering for all types of 4x4 vehicles and their owners. A haven of likeminded individuals that enjoy getting outdoors and socialising. Persons that adhere to the rules and requirements of the club to ensure the safety and enjoyment of others, as well as oneself.

In this constitution all words referring to the masculine gender shall include the female gender and vice versa.

All references to the singular shall include the plural and vice versa.

1 **Name**

- 1.1 The name of the club shall be "4x4 Cape".
- 1.2 The "4x4 Cape" hereafter referred to as the "Club" established these rules as amended from time to time.
- 1.3 The slogan of the club is '4x4Cape for All.'

2 **Headquarters**

The Club shall be based in Cape Town and its business address shall be The Cape Multi-Motor Club, De Grendel Street, Parow North.

3 **Liabilities of the Club/Members**

- 3.1 The Club is a voluntary body with perpetual succession capable of suing and owning property, both movable and immovable.
- 3.2 Ownership of property as contemplated in Clause 3.1 above shall vest in the members.
- 3.3 No member shall by reason of his membership have any claim to the property of the Club.
- 3.4 Members are not personally liable for any club liability.

4 **Main Objectives**

- 4.1 Promote and maintain the right of Club members to enter and enjoy private, public and State land, and in order to achieve this, negotiate with national, provincial and local government authorities and private land owners to facilitate entry to such areas, and to encourage the development,



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improvement and maintenance of suitable off-road driving areas, especially in close proximity to urban areas;

- 4.2 Provide information, instruction and advice about four wheel drive vehicles and their use, and about any related subjects to members, vehicle manufacturers, and other appropriate organisations;
- 4.3 Provide a source for information and news about four wheel drive vehicles, camping, touring and any other related subjects;
- 4.4 Provide service and assist civil authorities and others in times of natural or man-made civil disaster or emergency situations where four wheel drive vehicles may be useful or necessary, and to promote and maintain such services on a regular basis;
- 4.5 Maintain a conservation interest group, and provide services to government, quasi-government, public and private conservation bodies as may be appropriate, particularly where the use of four wheel drive vehicles may be useful or necessary;
- 4.6 Maintain and enforce a code of conduct for Club members. Without limiting the general terms above, the code of conduct may deal with standards of behaviour, the use of four wheel drive vehicles by members, driving proficiency and courtesy, standards of equipment and environmental preservation;
- 4.7 Encourage participation in and the development of off-road motor sport by its members and where appropriate assist with the control of off road motor sport events;
- 4.8 Maintain a positive public image of the Club, its members and its objectives through participation in public media;
- 4.9 Develop and maintain such other interest groups or services as may be appropriate to the attainment of any of the objectives set out in this constitution;
- 4.10 To organise social and instructive gatherings as and when the need arises.
- 4.11 To encourage members to maintain and use their vehicles properly.



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5 Membership

- 5.1 The Club shall consist of persons who have applied for membership on the prescribed form, and have agreed to subscribe to, uphold, and be bound by the objectives, rules and code of conduct of the Club.
- 5.2 The acceptance of a membership application shall be by majority vote of the Committee.
- 5.3 The applicant shall make himself known to the Committee at the earliest opportunity, but prior to being accepted as a member.
- 5.4 The Committee, without assigning any reason therefore, may reject any application for membership.
- 5.5 All classes of membership will be bound by the Constitution.
- 5.6 Classes of Membership:

There shall be 3 classes of membership, namely:

5.6.1 Ordinary Member

Ordinary members shall be entitled to vote at Annual General Meetings as well as Special General Meetings provided they are in good standing, i.e. paid up members. They shall be entitled to enjoy the facilities of the Club and participate in organised events provided they are in possession of a valid driver's licence and have at least third party insurance.

5.6.2 Family Members

A family member shall be the spouse or partner of an ordinary member including any dependent children under the age of 18 years.

5.6.3 Honorary Members

The Committee shall have the discretion to propose Honorary Membership to anyone who deserves such membership in the opinion of the Committee. This type of membership is conferred in recognition for distinguished service to the Club. Majority vote by ordinary members at the Annual or a Special General Meeting will confirm this grade of membership. Honorary members only have to pay 75% of the annual membership fee.



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6 Management of the Club.

- 6.1 The management and control of the Club shall be vested in the Committee consisting of:
1. The Chairperson,
 2. Vice Chairperson,
 3. Secretary
 4. Treasurer,
 5. Outings/Events Organiser,
 6. Outings/Events Organiser
 7. Web Master
 8. Committee can co-opt additional committee members on a temporary basis as and when required.
 - NOTE: Trail leader to be appointed for every outing.
- 6.2 The tasks of the Committee shall include:
- 6.3 Provide everything that in its discretion it may consider necessary for the day-to-day operations of the Club.
- 6.4 Meet at least every second month, but no fewer than five meetings a year. The Secretary shall keep proper minutes of meetings, prepare agendas and make available a copy of the minutes of meetings when required to do so by the Committee.
- 6.5 Fix dates for all general meetings of Ordinary Members.
- 6.6 Convene disciplinary hearings, investigate and rule on any complaints received against any member of the Club.
- 6.7 Ensure that no representation to, or negotiation with, any authority is carried on in the name of the Club, unless prior permission was granted in writing.
- 6.8 Recommend the annual subscription fees for acceptance by majority vote at the Annual General Meeting.
- 6.9 Obtain sponsorship for any planned event.
- 6.10 The Committee may alter, delete, or create classes of membership from time to time as it may consider necessary.



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6.11 Office bearers will hold office for a period of one year. The individuals may be re-elected at the AGM.

7 Duties of Office Bearers

7.1 Chairperson

7.1.1 Preside over meetings of the Club, to promote generally its aims and objectives.

7.1.2 To report to members at the Annual General Meeting on the activities of the Club.

7.1.3 To have a casting vote as well as a deliberating vote at all Committee meetings.

7.1.4 Appoint a committee member to assume the duties and responsibilities of the Chairperson in his absence at events and at meetings.

7.1.5 Receive completed application forms from new members, respond to queries and requests.

7.2 Vice-Chairperson

7.2.1 To assist the Chairperson.

7.2.2 To carry out the duties of the Chairperson if he/she is absent.

7.3 Secretary

7.3.1 To record and keep minutes of all meetings of the Club.

7.3.2 To keep all official documents and archives in safe custody.

7.3.3 To create notifications of outings and social events and distribute messages.

7.3.4 Maintain effective records.

7.3.5 Receive and distribute information concerning meetings, trips and social events.

7.3.6 Maintain a complete membership list.



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7.4 Treasurer

- 7.4.1 To hold the funds of the Club, banking them as soon as practicable.
- 7.4.2 To present at each Committee meeting a statement in full of the financial state of the Club.
- 7.4.3 Responsible for the collection and due administration of all monies that belong to the Club. Inform the secretary of payments made by members.
- 7.4.4 Authorise expenditure in conjunction with the Chairman and Vice Chairman.
- 7.4.5 To draft a Trial Balance Sheet ready for the AGM and to arrange for an independent auditor.
- 7.4.6 To ensure that all statutory requirements are strictly complied with in respect of the operations of the Club.

7.5 Outings/Events Organiser.

- 7.5.1 To plan and arrange all matters pertaining to outings and social events.
- 7.5.2 To exercise forward planning in finding suitable venues.
- 7.5.3 To exercise forward planning in finding suitable guest speakers at socials.
- 7.5.4 Advise members of the details of outings well in advance.
- 7.5.5 To plan and administer all matters related to social events and general entertainment.
- 7.5.5 Find and secure suitable venues at which these and social events can be held.
- 7.5.6 Obtain permission prior to drive on or over private land.

7.6 Trail Leader (Note: to be appointed for every outing.)

- 7.6.1 Enforce the Code of Conduct.
- 7.6.2 Carry out the duties of the disciplinarian of the Club.
- 7.6.3 Impose appropriate fines aimed at correcting the (mis)conduct of members.



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- 7.6.4 Ensure that every member and guest on every outing or event behaves in an environmentally friendly manner.
- 7.6.5 To report any incident of misconduct in respect of the environment to the Committee.
- 7.6.6 Ensure that all fires made by members and guests at Club events are made in designated areas and in a responsible manner and completely extinguished when no longer required.

7.7 Web Master

- 7.7.1 Up load photographs at Club events and update the Club's website with appropriate photos, events, trip reports and tips, radio procedure, etc. Publish various forms including application for membership or radio licence, indemnity, etc. and year planner.

8 Sub-Committees

The Committee shall have the power to appoint sub-committees for special tasks. Sub-committees will be disbanded once the task is completed or abandoned (as determined by the main committee).

9 Finance

- 9.1 The financial year of the Club shall be January to December.
- 9.2 The Club shall at all times keep a proper set of books of account which shall be available for audit processes by the current elected committee.
- 9.3 The treasurer will prepare a yearly financial statement, authorised by the committee and signed by the Chairperson to be presented at the yearly AGM.
- 9.4 The current elected committee shall have the power to report to the AGM on any matter that was raised in their audit.
- 9.5 All moneys of the Club shall be deposited into the account of the Club and all cheques, deposits and withdrawal slips shall be signed by the Chairman and Treasurer and another committee member.



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10 Banking

All the moneys of the Club shall be deposited into an account opened in the Club's name and this account must be maintained and managed by the treasurer in conjunction with the Committee.

11 Annual Subscriptions and Other payments

11.1 Entrance and annual subscription fees for the current year shall be as recommended by the Committee and shall be either accepted or rejected, on a simple majority vote by the members at the Annual General Meeting.

11.2 Annual subscriptions become due and payable within two months after approval thereof.

11.3 The Committee shall have the power to suspend any member whose subscription fees are not paid by the date specified in 11.2. Suspended members may be reinstated on the payment of arrears.

11.4 At least two weeks' notice of the meeting shall be given to members. A quorum shall be 20% of the paid up members and the Chairman shall have a casting vote.

11.5 Voting at the AGM or any Special General Meeting shall be done by members present. Proxies will be accepted.

11.6 Any member desiring a matter or matters to be placed on the agenda of the AGM or SGM shall do so by submitting his request to the Secretary at least one week prior to the meeting.

11.7 Other payments

- If any non-member joins a club outing, he/she will need to pay a fee/vehicle determined at the AGM. If said visitor becomes a member within 3 months, this fee will be credited to that year's membership fee.
- The rent of a club radio will be determined at the AGM.

12 Election of Office Bearers

12.1 The Office Bearers signifying the Committee shall be elected at an Annual General Meeting or Special General Meeting as directed by the members.

12.2 Where an office becomes vacant it will be filled by a co-opted member provided such a person is deemed eligible (i.e. competent to do the work and fully paid up as a current member).



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12.3 In the event that the office of the Chairman falls vacant a special General Meeting shall be called in order to fill the position.

12.4 Nominations for office bearers shall be in writing and shall bear the signature of the nominated person.

13 Annual General Meeting

13.1 An Annual General Meeting shall be held within three months of the beginning of the calendar year.

13.2 The business to be conducted at the AGM shall be:

13.2.1 To approve the minutes of the preceding Annual General Meeting.

13.2.2 To receive the Chairman's report.

13.2.3 To receive and approve the Club accounts.

13.2.4 To elect the Committee.

13.2.5 To sanction or reject the annual increase in subscription fees.

13.2.6 To attend to any matter of which previous notice has been given

13.2.7 To present any Club honours.

14 Special General Meetings

The Committee or any 20 percent of the members of the Club may call a Special Meeting pertaining to Club affairs. The notice of such a meeting shall state the time, date and place as well as the names of the members who called the meeting. This notice shall be given not less than two weeks prior to the meeting.



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15 Indemnity

- 15.1 The Club will not hold itself responsible for any death of or injury to any member on any event organised by the Club.
- 15.2 Members and guests attend all outings and events entirely at their own risk and should there be damage to a vehicle, there shall be no claim against the Club, the Committee or the owner of the property upon which the event is being held or over which the outing travels.
- 15.3 Members shall sign the attendance register at each outing as well as indemnity documents as and when required.

16 Code of Conduct

16.1 Laws and Regulations

Respect and abide by the laws, regulations and rules of the country, national parks, designated conservation and public areas. Do not litter.

16.2 Fellow Human Beings

Respect the right of privacy, peace and solitude of other humans. Not to discriminate against race, religion, nationality, disability, or sexual chose. To be impartial and non-political.

16.3 Fauna & Flora

Preserve the fauna and flora. Never disturb animals as it may affect their survival. Obey fire restrictions and always extinguish camp fires when leaving a site. Take out what you brought in (never bury litter). Leave only foot-steps.

16.4 Vehicle Care

Keep your vehicle mechanically sound. Keep your vehicle clean. Carry sufficient tools, spares and recovery equipment.

16.5 Behaviour

Conduct oneself in a way that will promote the image of the club in a good way. In other words act in a decent manner.



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16.6 Responsible Driving

Obey the traffic laws. Drive defensively and set the example to others. Be friendly and courteous to other road users. Assist 4x4 drivers that are immobile. Do not drink and drive. Keep to existing roads and tracks, be sensitive to eco systems. Plan trips carefully prior to departure and take sufficient food, water, fuel and remember to stock the first-aid kit.

17 Complaints and Discipline

- 17.1 Any member, his guest or his dependent may be found guilty of misconduct if he drives in a reckless, negligent or irresponsible fashion, wilfully causes damage to any vehicle other than his own, drives under the influence of alcohol or endangers the life or property of any member or third party at any event or outing. (Any member may be guilty of misconduct if he/she, his guest or his dependent presents themselves in an unorderly manner or act in an unacceptable manner in any circumstance that may cause embarrassment to any other member of the club.)
- 17.2 All complaints alleging misconduct shall be reduced to writing and submitted to the Secretary prior to the Committee meeting immediately following an incident.
- 17.3 The Committee shall consider the charges and may obtain evidence from other members who were witnesses. If there is substance to the charges the person charged with misconduct may be summoned to appear before the Committee. Person(s) charged may state their defence, but may not be represented by a third party.
- 17.4 The Committee shall consider all facts pertaining to the charge(s) and find the accused guilty or not guilty.
- 17.5 A person charged and found guilty shall be liable to one or more of the following:
- a. Cautioned;
 - b. Reprimanded;
 - c. Fined, (sole discretion of the Committee);
 - d. Ordered to make good the damage he caused to other parties;
 - e. Suspended for a period not exceeding the rest of the financial year;



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- f. Expelled from the Club.

The reason for the decision of the Committee shall be made known to the accused.

18 Appeals

18.1 A person found guilty by the Committee shall have the right to appeal. The reasons for the appeal shall be submitted in writing to the Secretary within two weeks of the date of the hearing.

18.2 The Committee shall arrange a formal hearing of a committee of 3 selected members to hear the appeal. The Appeal committee may support, reverse, increase, reduce, waive or substitute the corrective action decided upon at the initial hearing. The Appeal Committee shall be arranged within two weeks of the date of receipt of the appeal by the Secretary. The decision by the Appeal Committee shall be final and binding.

18.3 The decision of the Appeal Committee shall in all appeals be on a simple majority vote, the Chairman having a casting vote in the event of a tie.

19 Amendments to the Constitution

The Constitution shall not be amended, altered or rescinded except at the AGM or a SGM called for that purpose. Details of the proposed amendments, alterations or cancellation of the Constitution shall be circulated to members for at least two months prior to the date set for the meeting. The approval of two-thirds of the members present and entitled to vote is sufficient to make amendments to or to rescind the Constitution.

20 Dissolution

The Club shall be dissolved when the membership of the Club drops below 10 members.

21 AMENDMENTS:

No	Date	Description
1	1 st February 2017	Constitution updated as per majority decision taken on the AGM held on 1 st February 2017
2	6 th February 2019	Constitution updated as per majority decision taken on the AGM held on 6 th February 2019 Items updated/changed: 5.6.2, 6.1, 7.5 and 9.3
3	8 th March 2023	Constitution updated as per majority decision taken on the AGM held on 8 th March 2023



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		Election of additional office bearers and duties, item 6.1 & 7
4	5 th July 2023	<p>Constitution updated as per majority decision taken on a Special Meeting held on 5th July 2023. Items changed:</p> <p>Preamble(below was added)</p> <p>The club is family orientated, catering for all types of 4x4 vehicles and their owners. A haven of likeminded individuals that enjoy getting outdoors and socialising. Persons that adhere to the rules and requirements of the club to ensure the safety and enjoyment of others as well as oneself.</p> <p>Name(below was added)</p> <p>1.3 The slogan of the club is 4x4Cape for All.</p> <p>Liabilities of the Club/Members(below was added)</p> <p>3.4 Members are not personally liable for any club liability.</p> <p>Main Objectives(words deleted)</p> <p>4.3 Provide a source and clearing house for information and news about four wheel drive vehicles, camping, touring and any other related subjects;</p> <p>Honorary Members(below was added)</p> <p>Honorary members only have to pay 75% of the annual membership fee.</p> <p>Management of the Club</p> <p>An additional member was added to the committee thus creating a position for a secretary and a position for a treasurer. Not one person doing both tasks. A vice chairman position was also created. Duties of office bearers was also adjusted to meet their job title. (see below)</p>



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	<p><u>Chairperson</u>(below was added)</p> <p>7.1.5 Receive completed application forms from new members, respond to queries and requests.</p> <p><u>Secretary</u>(below was added)</p> <p>7.3.5 Receive and distribute information concerning meetings, trips and social events.</p> <p>7.3.6 Maintain a complete membership list.</p> <p><u>Outings/Events Organiser</u>(below was added)</p> <p>7.5.6 Obtain permission prior to drive on or over private land.</p> <p><u>Web Master</u>(words deleted)</p> <p>7.7.1 Up load photographs</p> <p>Special General Meetings</p> <p>This notice shall be given not less than two weeks prior to the meeting.</p> <p>Behaviour(below was added)</p> <p>Conduct oneself in a way that will promote the image of the club in a good way. In other words act in a decent manner.</p> <p>Complaints and Discipline item 17.1 (below was added) Any member may be guilty of misconduct if he/she, his guest or his dependent presents themselves in an disorderly manner or act in an unacceptable manner in any circumstance that may cause embarrassment to any other member of the club.)</p>
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		<p>Appeals</p> <p>Point 18.2 was changed to a formal hearing of a committee of 3 selected members and not a SGM which makes the process a public one and can presuppose guilt beforehand without due process having taken place.</p>
5	2024 AGM	<p>11.7 Other payments</p> <ul style="list-style-type: none"> • If any non-member joins a club outing, he/she will need to pay a fee/vehicle determined at the AGM. If said visitor becomes a member within 3 months, this fee will be credited to that year's membership fee. • The rent of a club radio will be determined at the AGM.