



**MOTORCYCLE ASSOCIATION OF THE WESTERN CAPE  
CONSTITUTION**  
(As accepted on 13 March 2017 at the MAWC Annual General Meeting)



**THE FORMAT OF CONSTITUTION SHALL BE AS FOLLOWS:**

1. NAME OF THE ORGANIZATION .....	2
2. OBJECTIVES OF THE MAWC.....	2
3. MEMBERSHIP OF THE MAWC.....	2
4. APPLICATION PROCEDURE FOR MEMBERSHIP OF THE MAWC .....	2
5. MEMBERSHIP FEES OF THE MAWC .....	2
6. FINANCE .....	3
7. OBLIGATIONS OF MEMBERS.....	3
8. DISCIPLINARY PROCESS.....	4
9. TERMINATION OF MEMBERSHIP TO THE MAWC .....	5
10. COMMITTEE STRUCTURE OF THE MAWC.....	5
11. MEETINGS OF THE MAWC.....	8
12. AGM AND ELECTION OF MAWC COMMITTEE.....	8
13. TERM OF OFFICE OF THE MAWC COMMITTEE.....	9
14. AMENDMENTS TO CONSTITUTION.....	9
15. RULES OF ORDER OF THE MAWC.....	9
16. EVENTS CALENDAR OF THE MAWC.....	9
17. GENERAL.....	10
18. INTERPRETATION .....	10
19. THE ORGANISATION SHALL .....	10
20. DISBANDMENT .....	10



## 1. NAME OF THE ORGANIZATION

- 1.1. The name of the organization shall be: The MOTORCYCLISTS ASSOCIATION OF THE WESTERN CAPE and shall be abbreviated as MAWC.
- 1.2. A badge, which shall read Motorcyclists Association of the Western Cape, will be made available to each fully paid up member of the MAWC at a cost determined by the committee.
- 1.3. All MAWC members are obligated, but not compelled, to wear the badge.

## 2. OBJECTIVES OF THE MAWC

The objectives of the MAWC shall be:

- 2.1. To serve and unite the Motorcyclist Clubs and Groups in the Western Cape.
- 2.2. To mediate impartially in disputes between Motorcyclist Clubs, Groups or members.
- 2.3. To promote and improve the image of motorcycling to the general public of South Africa.
- 2.4. To assist with safety measures at events for the benefit of all motorcyclists and the public when required.
- 2.5. To function as a NPO.
- 2.6. To operate as a non-racial, a non-political and a non-denominational body, and to reserve the right of admission to MAWC.
- 2.7. To liaise as a body between international clubs, associations, unions, governmental institutions.

## 3. MEMBERSHIP OF THE MAWC

### 3.1. Motorcycle Clubs

- 3.1.1. Membership shall be open to only the clubs that meet and comply with the protocols of the MAWC. Refer to addendum as per task team on Protocols and Procedures for Clubs.
- 3.1.2. Application for membership must be made in writing to the MAWC.
- 3.1.3. Leave of absence will only be granted to a member who is in good standing, on merit and for no longer than 6 months

### 3.2. Associate members

- 3.2.1 Any business or clubhouse, that would like to join the MAWC, as an associate member, should be operating for more than one year before applying for associate membership.
- 3.2.2 Application for Associate membership must be made in writing to MAWC.
- 3.2.3 Businesses and Clubhouses will not be regarded as a member of MAWC and therefore have no voting rights and privileges to MAWC.

## 4. APPLICATION PROCEDURE FOR MEMBERSHIP OF THE MAWC

MAWC has the right to reserve admission to membership Applicants shall follow the following procedure:

- 4.1 Application for membership must be made in writing to MAWC.
- 4.2 MAWC Exec will interview applicants.
- 4.3 to qualify the applicant must attend four (4) consecutive MAWC constituted meetings.
- 4.4 The new club, with a minimum of 6 members (including the club President), will be introduced to the floor at the first meeting.
- 4.5 Clubs will only be regarded as a member of MAWC once the non-refundable Registration fee and their Membership fee, has been paid and the Constitution signed. Membership fees shall be based on a pro-rata basis and paid at the next GM, within one month after acceptance as a new member.
- 4.6 Failing to meet these requirements, application for membership shall be null and void.

## 5. MEMBERSHIP FEES OF THE MAWC



- 5.1 At the first General meeting of the year (March), each member, club and individual and business, shall pay an annual membership fee, as determined by the MAWC Committee of R300 per annum.
- 5.2 Membership fees to be paid not later than the General meeting held in April of each year.
- 5.3 Membership fees not paid in full by the due date, as stated in 5.2, will result in the imposition of a penalty of 10% interest levied on the outstanding amount, calculated on a month to month basis for every month outstanding after the due date.
- 5.4 Failure to settle the outstanding amount after 6 months, will lead to automatic termination of membership.
- 5.5 If the party involved wishes to re-join they will need to re-apply as stated in section 4 of this document.
- 5.6 Membership fees will be used for the benefit of the MAWC
- 5.7 Annual membership fee may only be amended at the AGM by a majority vote of the members present.

## 6. FINANCE

- 6.1 The financial year of the MAWC will be from 1st February to 31st January. (As referred to by quorum)
- 6.2 MAWC will have two bank accounts, a Cheque and an Investment account, with ABSA bank.
- 6.3 All funds received will be deposited into the MAWC Bank Account within 7 days of receipt.
- 6.4 Three MAWC Exec members will have signing power to the MAWC bank account. Signatories shall be the Treasurer, President and one other exec member.
- 6.5 All disbursements exceeding R1,000 needs to be approved by the General meeting.
- 6.6 An Annual Financial Report must be submitted by a registered accountant at the AGM who will certify the Financial Statements as being materially correct. MAWC members may request that the financial statements be audited by a registered independent auditor if so ruled by a majority vote.

## 7. OBLIGATIONS OF MEMBERS

To abide by the regulations, guidelines and amendments as set out and agreed upon by MAWC.

### 7.1 Dues and Consumables

- 7.1.1 As per 5.1 Membership fees

### 7.2 Attendance

- 7.2.1 If the club fails to follow the joining procedure and misses the mandatory 3 meetings, they will have to start from scratch as set out in section 4.
- 7.2.2 Leave of absence will be granted for no longer than 6 months.

### 7.3 Behavior

- 7.3.1 All members shall be obligated to conduct themselves in a manner reflecting a favorable image of the MAWC at all times. Failure to do so can result in Disciplinary actions as set out in section 8.
- 7.3.2 To foster, promote & develop the good spirit and fellowship amongst all motorcyclists.
- 7.3.3 To respect the safety and property of all fellow motorcyclists and the general public
- 7.3.4 To abide by the law and maintain a reasonable standard of behavior.
- 7.3.5 To support fellow members in the motorcycling community.
- 7.3.6 Loyalty & support is at the discretion of each individual member.

### 7.4 Rules of the Road

- 7.4.1 All member Club Presidents to ensure that all motorcycles and members in his / her club are in possession of a valid driver's and motorcycle license. The onus is on the President and the member.
- 7.4.2 Members should abide to rules and regulation as set by the SA road Law.



- 7.4.3 Members should ride in a friendly and courteous manner and show respect for other road users
- 7.4.4 It is the responsibility of club Presidents/ Road captains to ensure their members' capacity to ride is not impaired by alcohol, drugs or other influences.

## 7.5 General

- 7.5.1 Any change of contact information, for whatever reason, shall be sent to info@mawc.org.za (INFO@MAWC.CO.ZA) ASAP.
- 7.5.2 Ensure free entry to MAWC Committee members and their partners to all MAWC members' events, day functions, sleepovers and rallies on producing a MAWC Committee card (not including a lucky draw entry).

## 8. DISCIPLINARY PROCESS

Problems between members are best sorted out directly or through an intermediary. It is understood all efforts to resolve any conflicts at this level will have been exerted prior to lodging a formal complaint in writing to the MAWC Exec.

### 8.1 The Process

- 8.1.1 Any club (affiliated or non-affiliated) and the general public, has the right to file a formal complaint to the MAWC concerning the action/-s of a fellow member. Complaints will be handled in a confidential manner to ensure fairness and transparency of parties.
- 8.1.2 MAWC disciplinary committee will evaluate the complaint and initiate an appropriate investigation. This will include an opportunity for all parties to explain their side
- 8.1.3 The disciplinary committee will consider all findings from the investigation, review of meetings and determine a resolution of the case along with appropriate sanctions, if applicable
- 8.1.4 It is given that members accept the authority of the disciplinary committee to resolve issues and the disciplinary committee will do so in a fair and balanced manner maintaining as paramount the best interest of the Organisation and its members. Therefore, all decisions and sanctions emanating from the Disciplinary Process are deemed appropriate, immediately effective and un-appealable.

### 8.2. The Offences

#### Common sense is the rule

- 8.2.1 These can range from minor to serious and are a matter of common sense.
- 8.2.2 Minor offences might include missing of general meeting without advance apologies etc.
- 8.2.3 Serious offences include criminal involvement, unprovoked acts of physical violence, etc.
- 8.2.4 It is impossible to list all types of offences here, however, the premises are an inappropriate act by a member can bring disgrace and discredit to MAWC and its members and will be appropriately dealt with.
- 8.2.5 Watch out for yourself; watch out for your brothers; refrain from behavior which would damage the reputation of or harm to either

### 8.3. Sanctions

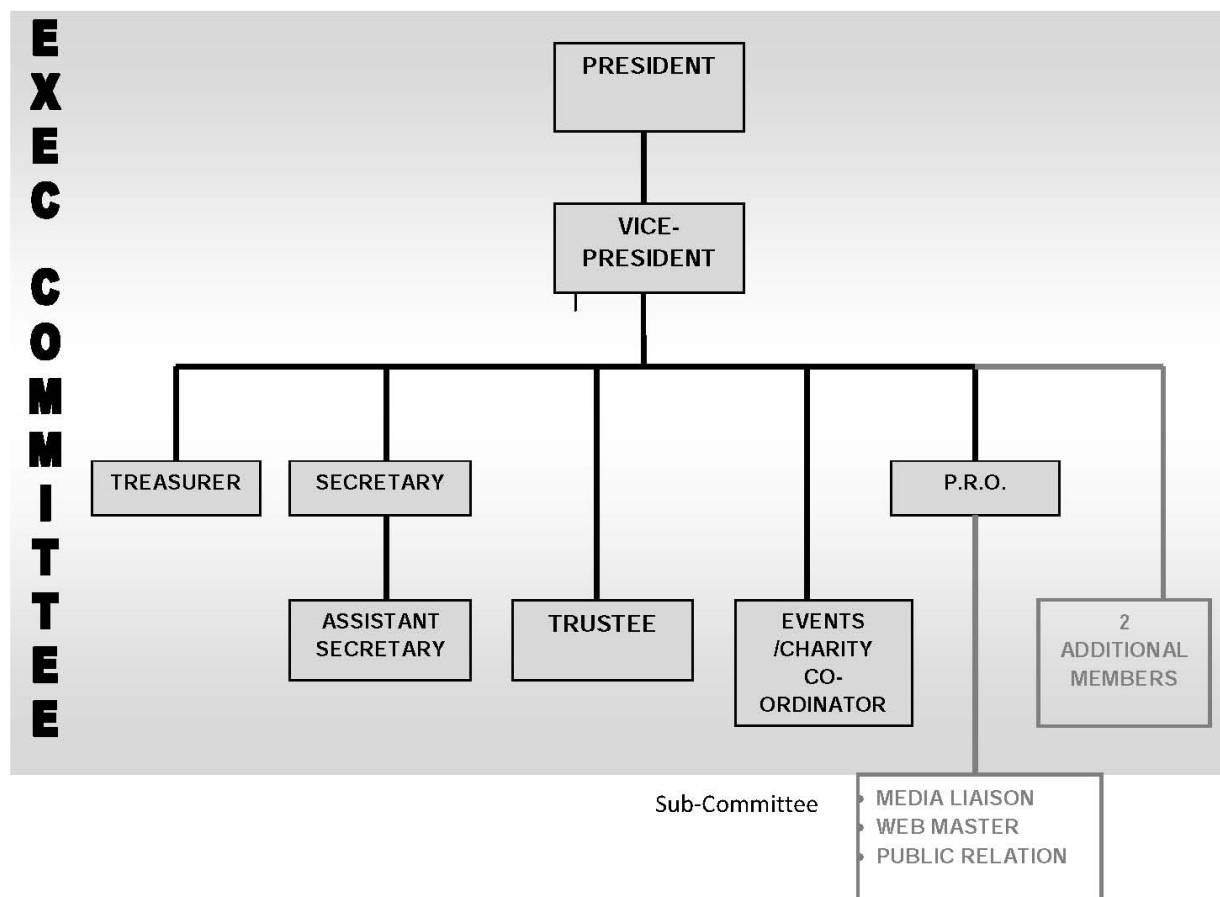
- 8.3.1 These can range from verbal warnings, fines, mandatory leave of absence, suspension or even expulsion as a MAWC member. However, it is given that MAWC disciplinary committee will exercise extreme prudence to ensure sanctions are appropriate to committed offences.
- 8.3.2 Unanimous decision of disciplinary committee may decide on a member/s membership of MAWC

## 9. TERMINATION OF MEMBERSHIP TO THE MAWC

- 9.1 50 % plus one vote taken at a legitimate MAWC meeting may decide on the termination of a member's membership of the MAWC. The acting President or Vice-President shall chair this meeting, except where the committee decided that the severity of the incident needs immediate actions. In this case the MAWC committee will have the power to implement disciplinary actions as set out in section 8.3.
- 9.2 Member Clubs walking out of meetings and stating that they are resigning, will appear in front of disciplinary committee. If an application for re-admittance is lodged, the exec committee shall reconsider the application and member will follow the application procedure as stipulated in section 4.
- 9.3 All MAWC assets remains the property of MAWC and must be returned ASAP
- 9.4 If any member terminates their membership, they forfeit all benefits and privileges provided by the MAWC with immediate effect.
- 9.5 If an existing member club is a chapter and for any reason resigns from the parent body or changes its club name, this club shall be dealt with as a new application. If a club forms a new chapter, that chapter will not have to re-apply for membership to the MAWC. This chapter, if it conforms to the membership criteria, will automatically be a member of the MAWC and will be subjected to all the procedures and monies as stipulated in this document.
- 9.6 If an existing member club resigns from the MAWC and decides to join again at a later stage, that club will follow the joining procedures as stipulated in section 4.

## 10. COMMITTEE STRUCTURE OF THE MAWC

The Committee shall consist of the following elected members:



### 10.1 President

The President is the CHAIRMAN of the Executive Committee and the Chief Executive Officer

of MAWC. All matters concerning relations between the club and any outside person or organization should be routed to the President for appropriate action. The President or his delegate shall assume the Chair at all general meetings. He is responsible for controlling the meeting and keeping order.



## 10.2 Vice President

The Vice President shall coordinate all committees and supervise plans for all club events. The Vice-President shall act as an intermediary between the President and the Members and Prospects. All questions or comments concerning any club business not specifically related to the duties of the other officers should be brought directly to his/her attention. Additionally, the Vice-President is the Second-in-Command to the President, and shall assume all responsibilities and duties of the President in their absence.

## 10.3 Treasurer

The Treasurer must provide income and expenditure statement and balance sheet at the general meeting. A comprehensive financial report must be captured in minutes of general meeting. Bank statement must be available on request

## 10.4 Secretary

The Secretary is responsible for making and keeping all MAWC records. The Secretary must notify Active Members of special or emergency meetings, and must notify all the members of any appointments or elections in their absence.

## 10.5 Assistant Secretary

To take minutes at all monthly meetings and special meetings. To assist the main secretary when and where necessary.

## 10.6 Public Relations Officer (PRO)

Public Relations Officer is responsible for handling all aspects of planned publicity campaigns and all external aspects of PR activities The PRO will have a subcommittee consisting of Media Liaison, Web Master, etc.

## 10.7 Events/ Charity Coordinator:

Planning & organising all practical aspects of MAWC events. Managing key supporter relationships with significant Clubs & also identifying opportunities to up sell.

## 10.8 Trustee

The Trustee is responsible and liable for all MAWC assets and keeps an inventory of movement of the assets.

## 10.9 Two Additional Members

These positions are elected by Exec committee

## 10.10 Sub committee

These positions are elected by Exec committee, .i.e.

- Media Liaison: -To serves as a link between the media and the biking fraternity. The responsibility of this person is to inform and educate the public by facilitating communication of activities and News via print or digital media
- Webmaster: Responsible for maintaining MAWC website and mailing lists. Ensure site is functioning properly and are available to users.

## 11. MAWC COMMITTEE AUTHORITY

11.1 The MAWC Committee shall have power to nominate other members, should it be deemed necessary, to serve on the Committee. The floor will approve this appointment.

11.2 The MAWC Committee is only a voice for its members. The Committee is not here to dictate to any of the member Club Presidents as to how to run their clubs



11.3 The Vice-president will provide a summary of MAWC committee at monthly meeting.

11.4 Any MAWC Committee member, who is absent for more than two consecutive meetings of the Committee without notice, shall cease to be a Committee member, provided that the Committee may grant a member leave of absence from not more than three consecutive ordinary meetings of the Committee.

11.5 No club colours shall be worn by any of the Committee members at monthly and / or special meetings. These persons represent the MAWC and not their individual clubs.

11.6 Exec will have the authority (of majority vote) for any emergency in the interest of its members

## **12. MEETINGS OF THE MAWC**

- 12.1. All members have the right to vote on any matters requiring a vote, provided that these members are in good standing with MAWC.
- 12.2. General meetings shall be held each month except for the month of December and January and at a date determined by the Executive Committee.
- 12.3. Members shall at all times conduct themselves at meetings in a dignified and orderly manner. Any member who persists in conducting himself / herself inappropriately shall leave the meeting immediately when so ordered by the Vice-President or President.
- 12.4. Each member should complete the attendance register at each meeting. Members that do not complete the register shall be marked as absent.
- 12.5. Apologies for not attending a meeting should reach the Committee member before the start of the meeting.
- 12.6. When a member is absent from three consecutive meetings, without an apology, they will be summoned to a disciplinary meeting, after which a letter of dismissal, if applicable, will be sent to this Club and / or individual and / or business.
- 12.7. Each monthly meeting to be opened with a minute of silence or when deemed necessary.
- 12.8. Meetings may not be held if a quorum is not present. A quorum is 50% plus one of the existing paid up members at that time.
- 12.9. Special meeting with the Executive Committee, before a monthly meeting or otherwise, shall be arranged with the Secretary. No person or club will be attended to unless procedures are followed. No meeting will be held without notification from the parties involved.
- 12.10. Member clubs should make sure that responsible people attend the monthly meetings and that these reps report back to their clubs ASAP. Only three (3) per club or business shall be allowed to attend a monthly meeting. All other members will be asked to leave the premises.
- 12.11. The MAWC committee will decide if visiting non-members can attend an entire meeting.

## **13. AGM AND ELECTION OF MAWC COMMITTEE**

- 13.1. The quorum of the AGM, which is held each year in March, shall be 50% plus one of members who are in good standing, is present.
- 13.2. The existing Committee shall each submit a final report for the term of office.
- 13.3. The President shall thank the Committee and ask them to step down.
- 13.4. The President shall ask for an Electoral Officer to take over until a new Exec committee is elected.
- 13.5. The Secretary should receive new nominations, in writing, for the MAWC Committee two weeks before the Annual General Meeting.
- 13.6. The Electoral Officer shall read out nominations for the new Committee.
- 13.7. Each nominated member shall be appointed by a ballot vote.
- 13.8. The following sequence shall be followed: President, Vice-President, Treasurer, Secretary,





- PRO, Trustee, Assistant Secretary, and Events/Charity Coordinator.
- 13.9. The Electoral Officer has the casting vote for President and Vice-President
- 13.10. The new Committee shall immediately take office once elections are completed.
- 13.11. All nomination forms to be disposed of by an independent person.

#### **14. TERM OF OFFICE OF THE MAWC COMMITTEE**

- 14.1 Elections will be held every 2 years at the ELECTIVE AGM to elect the Exec Committee. Exec Committee will serve for a minimum of two years.
- 14.2 Any Exec Committee member, including the President, may be relieved of office by calling an emergency meeting, which shall be attended and chaired by the President or Vice-President, as well as 50 % plus one of all members, in good standing.
- 14.3 Should the President not complete his full term of office, for whatever reason, the Vice-President shall automatically fill the position till the next AGM.
- 14.4 In the event of an Exec Committee member Vice-President being relieved of his / her position at this meeting, immediate election for a replacement shall take place.

#### **15. AMENDMENTS TO CONSTITUTION**

- 15.1 This constitution may only be amended and adopted, if application is made in writing, two weeks before the Annual General Meeting, 2/3rd (two thirds) vote taken by members in good standing.
- 15.2 All members to hand in a signed copy of the MAWC constitution, with each page initialled, at the June meeting of each year. Immediate suspension of membership shall follow if this document is not handed in by latest JUNE meeting.

#### **16. RULES OF ORDER OF THE MAWC**

- 16.1 The Secretary will be notified in writing, 7 working days prior to the meeting, of any matter(s) that need to be discussed.
- 16.2 Each matter to be discussed shall be called by the President and an orderly debate held and controlled by the President.

##### **The following agenda shall be adopted:**

- Welcome
- Attendance Register & Apologies.
- Guest Speaker (s).
- Introduction and/or Voting in of new Clubs
- Confirmation of minutes
- Correction and Omission of minute
- Matters arising from previous minutes.
- Correspondence
- Treasurer Report.
- PRO Report
- Events Co-ordinator report.
- General
- Next meeting.
- Close of meeting

#### **17. EVENTS CALENDAR OF THE MAWC**

- 17.1 The MAWC shall co-ordinate an annual calendar of dates for rallies held by members of the MAWC and publish all function dates for all motorcycle clubs in South Africa, stipulating MAWC dates.
- 17.2 Dates vacated by MAWC members to make event list lighter shall be used by the MAWC



Committee, at their own discretion.

- 17.3 The MAWC shall host fund raising events.
- 17.4 MAWC members may host one official function, over a weekend, once a year. If they would like to host a second, this must not be on a Saturday.
- 17.5 MAWC members should avoid clashing of event dates except when arranged prior to functions with all parties concerned and permission from the Committee.
- 17.6 MAWC clubs that wishes to host a rally will get preference in summer times at beginning of each year. Function dates paid and booked will not be asked to change dates.
- 17.7 Only MAWC events will be promoted at MAWC meetings.
- 17.8 When a member would like to host a function, the Events Co-coordinator in conjunction with the MAWC Committee must first approve the date.
- 17.9 The MAWC shall co-ordinate and liaise with organizations or individuals that want to stage rallies or events for the purpose of fund raising. These organizations or individuals shall specify their charity's intentions and a charity number is required from them.
- 17.10 New members shall belong to the MAWC for one year before applying to host a day function or sleepover and two years before applying to host a rally.
- 17.11 Every Club hosting a day function or Rally must contribute R100.00 towards a Day Function and R250.00 towards Rally to book their Official function date on the events list.

## 18. GENERAL

- 18.1 All relevant MAWC information, including the events calendar, shall be published on the Website except contact details for security reasons.
- 18.2 All privileged MAWC info sent out to members is for the benefit of members only.
- 18.3 The MAWC shall provide advertising for MAWC members only.
- 18.4 All other advertising rates will be at the discretion of the MAWC Committee.
- 18.5 The onus rests on each member to abide by the Road Traffic Act.
- 18.6 MAWC equipment **may be used at no cost by a member** (in good standing) and will be replaced at own cost, if lost or damaged. **Fire Extinguishers used will be refilled at the cost of the member/club.**
- 18.7 Only written, faxed or e-mailed correspondence addressed to the MAWC will be attended to
- 18.8 The Exec Committee shall regularly visit clubs as well as call an exit meeting with Clubs who have resigned

## 19. INTERPRETATION

- 19.1 Save where the context otherwise requires, singular words shall be deemed to import the plural and vice-versa and the masculine gender shall be deemed to include the feminine and vice-versa.
- 19.2 The word "member" could also be interpreted as meaning "club".
- 19.3 The President should be responsible for the interpretation of the constitution.

## 20. THE ORGANISATION SHALL

Exist in its own right, separately from its members. Be able to own property and other possessions. Be able to sue and be sued in its own name.

## 21. DISBANDMENT

Upon the winding up of the MAWC, any assets remaining after satisfaction of the liabilities of the MAWC, shall be distributed amongst such other organizations, having as their objects, the development and upliftment of underprivileged communities and persons in the broader Metropolitan Cape Town area, and which are authorized to collect contributions in terms of the fund-raising Act 107 of 1978, as may be decided upon by the members at the meeting at which it was decided to terminate the MAWC.



**DECLARATION OF UNDERSTANDING AND COMMITMENT**

By signing this Constitution, the signatory(-s) certify that they are authorized to do so on behalf of their club and that they as a member club agree to uphold the Constitution and as such consider themselves bound by the contents thereof.

In doing so, it is also understood that as a member, that they subscribe to the protocols applicable to clubs as set out in addendum "A" of the Constitution (refer par.3.1.1.) and thus commit themselves to upholding same.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

**NAME OF THE MAWC MEMBER (CLUB NAME IN BLOCK)**

\_\_\_\_\_  
Club Vice-President

\_\_\_\_\_  
Club President

\_\_\_\_\_  
MAWC President

\_\_\_\_\_  
MAWC Secretary

