

MIND SPORTS SOUTH AFRICA

CONSTITUTION

1. NAME: The name shall be MIND SPORTS SOUTH AFRICA (MSSA).
2. OBJECTIVES: The objectives of MSSA shall be:
 - 2.1 To encourage the sciences of figure gaming, board gaming, card gaming, eSports, Phygital, and Robotics.
 - 2.2 To stimulate public opinion in providing facilities for acquiring and practising these activities.
 - 2.3 To promote and control Competitions and Championships of the activities as detailed in Rule 2.1.
 - 2.4 To promote the uniformity of rules for the control and regulation of Competitions and Championships.
 - 2.5 To enforce the observance of the rules and bylaws of MSSA, and to deal with any infringement thereof.
 - 2.6 To affiliate to the relevant International Federations.
3. TITLE, LEGAL PERSONALITY AND MEMBERSHIP
 - 3.1 MSSA shall have perpetual succession and shall continue to exist notwithstanding changes in membership and office-bearers.
 - 3.2 MSSA shall own property and other possessions separate from its members.
 - 3.3 MSSA shall be able to be sued in its own name.
 - 3.4 MSSA shall exist in its own right separate from its members.
 - 3.5 That in order for MSSA to defend its status as an *Universitas*, no member shall carry on any business with the object of the acquisition of gain.
 - 3.6 Only clubs, societies, and associations as domiciled within the Republic of South Africa may be admitted as members.
4. AFFILIATION AND APPLICATION FOR MEMBERSHIP
 - 4.1 All applications for membership shall be made in writing to the General Secretary of MSSA, and must be accompanied by the amount of the annual subscription, which shall be refunded if the application be not accepted.
 - 4.2 All applications shall further be accompanied by a copy of the Constitution, Rules and Regulations of the applicant body and such other information, as MSSA shall require.
 - 4.3 Applications for affiliation may only be considered at a General Meeting of MSSA, and may only be accepted if passed by a 2/3 majority of those eligible to vote at such meeting. Notwithstanding the provisions of this sub-clause, the Management Board shall have the right, subject to the proper observance of the other sub-clauses of this rule to accept the affiliation of an applicant body temporarily and subject to confirmation by the requisite majority at the next Annual General Meeting of the Council. Prior to the presentation of such application to the General Meeting, the Management Board shall have satisfied itself that the applicant is strong enough to ensure the proper conducting of a province, club or society.

- 4.4 The name of the applicant body shall be approved of by MSSA.
5. ANNUAL SUBSCRIPTION: The Annual Subscription payable by all affiliated members shall become due and payable on 1 November of each year, or in the case of new members, on the day of election. The amount shall increase by the CPI every year. In addition affiliated members shall pay Registration fees (clause 27.5), and such are hereinafter provided for.
6. ORGANISATION OF MSSA
The constituted bodies of MSSA shall be the following:
 - 6.1 The Council of MSSA which shall be any General meeting of MSSA and in particular the National Convention.
 - 6.2 The Executive Committee of MSSA which shall act as the executive body of MSSA.
 - 6.3 The Board of MSSA which shall act as the management body of MSSA.
 - 6.4 Other standing and ad hoc committees of the Executive as determined in the Rules and Regulations of MSSA.
7. THE COUNCIL OF THE UNION
 - 7.1 Council is the highest authoritative body of MSSA and all Members shall be entitled to attend its meetings. Council may allow non-members to attend its meetings as observers with or without debating rights.
 - 7.2 The affairs of MSSA shall be conducted by a Council consisting of a President, Vice-President, Executive Officers, General Secretary, one vote per every five Registered Players of any affiliated Club or Society, one vote per every ten Registered Players of any affiliated School club, and two votes from each affiliated association which fulfils the minimum quota.
8. THE EXECUTIVE COMMITTEE: shall consist of;
 - 8.1 All members of the Management Board, Executive Director, a delegate representing such Student Association as recognised by Council, a delegate representing such Scholar's Association as recognised by Council and one nominated member from each affiliated member. The General Secretary shall be referred to as the Secretary.
 - 8.2 The President and Vice-President shall be ex-officio members of all sub-committees.
 - 8.3 Nominations for the elected officers of the Executive Committee as provided for in (7.2) and (9.2) Shall be made in writing and will be in the hands of the General Secretary 4 weeks before the National Convention, and shall be accompanied by a signed acceptance, from the said nominee, of his willingness to accept nomination. No nomination shall be valid unless made by an affiliated member in good standing or by the Executive Committee. All nominations shall be circularised at least twenty-one days before the National Convention, by the General Secretary, to all affiliated members and to any individual entitled to vote thereat.
 - 8.4 The Players' Representative shall not be elected at the AGM, but instead shall be elected by Registered Players who are in standing and who are fully-paid-up. It shall be deemed that all Registered Players have been notified of the election should the member clubs have been timeously notified.
 - 8.5 The election of the Players' Representative shall be conducted in the following manner:

- I. All Registered Gamers who have senior Provincial, National, and Protea Colours may send in their vote on the prescribed voting form for their choice of candidate.
 - II. The vote may be submitted either per facsimile or by e-mail.
 - III. Such vote must reach the General Secretary by the close of business on or before two days prior to the AGM.
- 8.6 Elected members of the Executive Committee shall hold office for the period between four consecutive National Conventions on a staggered basis.

9. THE MANAGEMENT BOARD

- 9.1 The Management Board of MSSA shall be responsible for the day to day running of MSSA.
- 9.2 The Management Board shall consist of the following:
- i. The President of MSSA.
 - ii. The Vice-President
 - iii. Five Executive Officers
 - iv. A member representing each discipline as per Rule 2.1.
 - v. A women's desk. This position shall only be held by a woman.
 - vi. The General Secretary
 - vii. The National Schools director. This position shall only be held by an Educator.
 - viii. A Legal Advisor
 - ix. The Executive Director – who shall not have a vote.
 - x. The Players' Representative. The Player's Representative shall have Protea Colours, and shall have represented South Africa in an International Competition, and shall not be over 30 years of age at the time of such election.
 - xi. A member to represent player's with disabilities.
- 9.3 Members of the Management Board appointed per Rule 7.2 shall be confirmed by the National Council and shall hold office for a period as determined in Rule 8.4.
- 9.4 The Management Board is empowered to make final decisions between meetings of the Executive Committee. All decisions shall however be submitted to the Executive Committee for confirmation at the next meeting.
- 9.5 The Management Board may undertake any essential investigation and refer matters to other committees of the Executive Committee.
- 9.6 The Management Board co-ordinates all recommendations of the standing and/or *ad hoc* committees for consideration by the Executive Committee and shall keep minutes of all meetings of such Committee.
- 9.7 No member shall be allowed to have more than 40% representation on the Management Board if other members have delegates who are standing for the available positions.
- 9.8 No male shall be allowed to stand for a position against a female if there is 50% or more male representation on the Management Board.
- 9.9 The Management Board shall deliberate over a private forum on the internet', or its equivalent, at which four days notice shall be given. After four days a simple majority is required to pass a motion. No quorum is required.
- 9.10 Any member of the Management Board that does not vote on four consecutive motions within a four day period, shall lose their right to vote on the Management Board, and shall

not count as being part of the quorum for the remainder of the year in which such infraction has occurred.

- 9.11 By 15 December of each year, the President shall decide which Executive Officer shall assume the functions of:
- i Development,
 - ii Umpiring,
 - iii Events,
 - iv Liaison, and
 - v National Team.
- 9.12 No person may stand, or be co-opted on, for the positions of President or Vice-President who has not already completed a full term of office (3 years) for which they were elected.
- 9.13 Only persons who meet the following criteria may be elected on to the Management Board:
- i Have served a full term on the Management Board, or
 - ii Have served a full term as Provincial Director, or
 - iii Have served two full terms as Regional Director, or
 - iv Have served two full terms on a Board of Control, or
 - v Have earned at least ten (10) Protea caps, or
 - vi Have served three years on the club committee of which they are currently a member.
- 9.14 Registered Players who have not completed the year for which they were co-opted or any term for which they were elected in the previous year and/or term shall not stand for election.
- 9.15 The Management Board may delegate any of its powers and functions to Committees which they appoint for any specific purpose and shall have the power to co-opt persons as deemed necessary to serve on such committees.
- 9.16 The Management Board may co-opt any Registered Player to fill any vacancy on the Management Board. However, such co-opted registered player may only serve on such Management Board to complete that year's term and not the full term of office. No male shall be allowed to be co-opted for a position if there is 50% or more male representation on the Management Board.
- 9.17 Where family members, within the first degree of consanguinity, sit on the Management Board, and a vote is required in any matter raised by, or concerning such family member/s, then all such family members shall excuse themselves from such discussion and vote.
10. APPOINTMENT OF DELEGATES
- 10.1 Delegates appointed by an affiliated member shall be members of that club and registered with MSSA.
- 10.2 Notice of the names of the delegates must be given by the affiliated member to the Secretary 48 hours before the date of the General Meeting, failing which such delegate may not take part in the meeting unless in the case of a new member.
- 10.3 A member may nominate two or more alternates in place of its appointed delegates to act in their stead where circumstances make it impossible for the appointed delegates to act, provided that rule 8.3 is complied with.

11. HONORARY LIFE MEMBERS: On the nomination of the Executive Committee only, the Council may, at the National Convention elect as Hon. Life Members, persons who have been prominently connected with the activity in the Republic of South Africa, and have rendered valuable services therein. Not more than one person shall be elected in at any one time. Such Hon. Life Members shall be entitled to attend meetings of the Council and shall have the power to vote at such meeting.
12. HONORARY VICE-PRESIDENT: All past Presidents, who have completed all their terms and who currently do not hold an elected position shall be awarded the position of Hon. Vice-President. Such Hon. Vice-President shall be entitled to attend meetings of the Council, and shall have power to vote at Executive and Management Board Meetings.
13. POWERS AND DUTIES OF THE COUNCIL: The Council may exercise any or all of the following powers:
 - 13.1 The Council shall maintain a banking account in the name of MSSA, which shall be operated upon by cheque signed by any one of the following:
 - 13.1.1 The President
 - 13.1.2 The Vice-Presidents
 - 13.1.3 The General Secretary
 - 13.1.4 The Executive Director
 - 13.2 The accounts of MSSA shall be audited by the Hon. auditors appointed at the National Convention.
 - 13.3 The Council shall at the National Convention elect the Executive and Hon. Life Members (as recommended by the Executive) consider all applications for affiliation and elect members of all sub-committees.
 - 13.4 The Council may at any General Meeting, alter amend, or revoke any of the Rules of MSSA, or motion, if a notice of motion in writing, setting out such proposed alteration, amendment or revocation, shall have been given to the General Secretary and circularised to all affiliated members not less than twenty-one days prior to such meeting. No such resolution shall become effective unless passed by 2/3 of the member clubs present and eligible to vote.
 - 13.5 Where it is not specified that a two-thirds vote is required, then a simple majority (50% + 1) is required.
 - 13.6 The Council may be held via internet should it be deemed necessary by the Management Board.
 - 13.7 The Council may purchase, or hire, moveable or immovable property in the name of MSSA, upon such terms as considered expedient, and shall further have the right to borrow money on mortgage or otherwise, for such purpose.
 - 13.8 The Council, subject to Rule 16.2, hereinafter contained, shall have the power to fine, reprimand or suspend any affiliated club or society, or member thereof, which or who, in its opinion, has been guilty of conduct warranting such action. This rule will also apply to associations.
 - 13.9 The Council's decisions shall be binding on all affiliated bodies and members thereof.
 - 13.10 The Council shall be empowered to deal with all matters arising out of or incidental to

the proper management or control of the affairs of MSSA or of the activity itself, not provided for in these Rules.

14. MEETINGS OF THE COUNCIL: All National Conventions and Special General Meetings shall be open to all affiliated members. The National Convention, of which twenty-one days notice in writing shall have been given by the General Secretary to all affiliated members, shall be held after the end of play on either the first or second day of any MSSA Offline Provincial or National Championships held within six months after MSSA's year-end as decided upon by the Management Board from time-to-time, at which the following business shall be transacted:
 - 14.1 To confirm the minutes of the previous National Convention.
 - 14.2 To receive and adopt the Annual Report of the Executive Committee.
 - 14.3 To receive and adopt the Reports of the Sub-committees.
 - 14.4 To receive the National and Provincial Tournaments Management reports.
 - 14.5 To consider and deal with any notices of motion to amend the Constitution.
 - 14.6 To consider and deal with any notices of motion to amend the Regulations.
 - 14.7 To elect the Executive Committee as per Rule 8.3 bearing in mind Rule 8.4 and Rule 8.5.
 - 14.8 In the event of insufficient nominations being received, the Executive Committee may fill vacancies that may exist. However, once an individual has assumed a position, he may not stand for, or be elected to another position.
 - 14.9 To consider applications for affiliation.
 - 14.10 Approval of the Calendar of Events.u4
 - 14.11 A Special General Meeting may be called:
 - 14.11.1 By the President, or in his/her absence, either of the Vice-Presidents, and twenty-one days written notice to be given, thereof to all affiliated members.
 - 14.11.2 On written requisition by at least half (1/2) of the members of Council. Notice of such meeting shall be dispatched to all affiliated members. Such meeting will be held twenty-one days after such requisition.
 - 14.11.3 At a General Meeting called within six months of the end of the Fiscal Year the following business shall be conducted:
 - I. To receive and adopt the Annual Report of the Executive Committee, and
 - II. To appoint Hon. Auditors for the ensuing season.
 - 14.12 No business shall be discussed at a General Meeting that does not appear on the Notice for such meeting.
15. CONDUCT OF COUNCIL MEETINGS:
 - 15.1 A quorum at all Council Meetings shall consist of delegates and proxies of no less than one quarter of the number of bodies affiliated to MSSA and in good standing. If within fifteen (15) minutes from the time appointed for any meeting of the Council, a quorum is not present, the meeting shall stand adjourned to the same day next week and at the same venue, members being notified of the time thereof. If the date of the adjourned meeting is a Public Holiday, the meeting shall be held on the next succeeding business day. If at

such adjourned meeting there is not a quorum present; the members then present shall be entitled to proceed. National Conventions cannot be adjourned

- 15.2 The Chairman at all meetings of the Council shall be the President, and in his/her absence, the Vice-President. If both are absent, the Meeting shall elect a Chairman. The Chairman shall have authority on every point of order and shall be the sole interpreter of the Rules and Bylaws of MSSA for the purposes of such meeting. The Chairman in the case of equality of votes shall have a casting vote.
 - 15.3 The General Secretary shall keep a full record of minutes of the proceedings of the Council and all its committees. Copies of the minutes of Council Meetings shall be forwarded to each affiliated member and except for the Minutes of the National Convention (which shall be read at the first Executive Committee Meeting and initialled by the Chairman as a correct record) shall be read at the next meeting of the Council, and, after confirmation, be signed by both the Chairman and the General Secretary.
 - 15.4 Voting shall be by proxy, whether or not the member is at such meeting
16. POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE: The Executive shall have the following powers:
- 16.1 To decide on all cases of dispute not definitely provided for in these Rules.
 - 16.2 To ensure that the Disciplinary Board has been properly elected by the Management Board The Disciplinary Board shall deal with all matters of misconduct and if considered advisable, to recommend to the Executive, penalties by way of suspension, fines or expulsion. Clubs, Societies, or individuals so penalised shall have the right to appeal to the Executive Committee.
 - 16.3 To approve all competitions, championships, etc., as proposed by the various sub-committees.
 - 16.4 To control all monies of MSSA, approve accounts for payment and receive and consider the General Secretary's monthly financial reports.
 - 16.5 The Executive may refund all necessary expenses incurred by any person or body whilst engaged in the work of MSSA.
 - 16.6 The Executive may call upon any affiliated body to submit for inspection such documents, books and statements as may be required for any investigation considered necessary
 - 16.7 To act, as holders in trust all trophies, monies and other property of MSSA and to deal with the same as the Council may decide. To arrange the insuring of trophies, including receipts for possession. All trophies shall be insured by and at the expense of MSSA .
 - 16.8 To give and grant Honoraria and/or to make presentations to such persons as may be deemed advisable.
 - 16.9 To deal with any appeal.
 - 16.10 To appoint a SELECTION COMMITTEE from registered players, as nominated by members in good standing; for the purpose of choosing teams to represent MSSA in official fixtures.
 - 16.11 To appoint MANAGERS, in terms of Rule 40 and Schedule 3.9, to accompany officially selected teams.
 - 16.12 To arrange transport and accommodation for MSSA's official teams, or for visiting teams, attending any competition, championship or function.

- 16.13 The decisions of the EXECUTIVE COMMITTEE shall take immediate effect and shall be acted upon unless and until altered by a meeting of the COUNCIL of MSSA.
 - 16.14 To control the REFERENCE BOOK. This book shall be kept by the GENERAL SECRETARY of MSSA, and shall contain the names of such persons and members as are proved to have acted dishonourably to any of the affiliated members. Such members or individuals shall not participate in any disciplines of the activity while under suspension.
 - 16.15 To institute or defend legal proceedings on behalf of MSSA.
 - 16.16 To consider and confirm all matters dealt with, and decisions taken by the sub-committees.
 - 16.17 To appoint the DIRECTORS for each region after reviewing all the necessary applications for such position.
 - 16.18 To delegate such powers as may be deemed necessary to the Managers.
 - 16.19 To approve or reject by-laws for the various subcommittees as are necessary for the smooth running of such committees.
 - 16.20 To employ an Executive Director who shall be charge of the Secretariat. The Executive Director shall not be allowed to hold an elected office on MSSA.
17. MEETING OF THE EXECUTIVE COMMITTEE AND CONDUCT THEREAT
- 17.1 Meetings shall be convened by the President, or in his absence, the Vice-President, and upon requisition therefore signed by any three members.
 - 17.2 The Executive shall meet at least twice per year and written notice shall be posted at least 21 days in advance. Special Executive Committee Meetings may be called as per point 17.1.
 - 17.3 A quorum at any meeting of the EXECUTIVE shall consist of the President, or in his absence, any of the Vice-Presidents and 30 percent of all executive members having submitted their proxies or being present.
 - 17.4 Members who are unable to attend a committee meeting may put forward suggestions and vote by proxy if his intentions are clearly stated in writing, which must be in the Secretary's hands before the meeting.
 - 17.5 The GENERAL SECRETARY shall record the proceedings of the EXECUTIVE MEETINGS in the MINUTE BOOK, and copies of such minutes shall be circulated to all affiliated members and Hon. Life Members.
 - 17.6 Save, as herein provided, and as far as the same may be applicable, the provisions as laid down in RULE 11, shall also apply to the conduct of MEETINGS of the EXECUTIVE COMMITTEE.
 - 17.7 Where it is not specified that a two-thirds vote is required, then a simple majority (50 + 1) is required.
18. ABSENCE FROM MEETINGS OF THE EXECUTIVE COMMITTEE: If any Member shall absent himself from three consecutive meetings, after having received the customary notices and without having applied for leave or tendered his proxy vote, the seat of such member shall be declared vacant. Such vacancy shall be filled by the EXECUTIVE COMMITTEE by co-opting a member to fill such vacant seat.
19. SUSPENSION AND TERMINATION OF MEMBERSHIP

- 19.1 Membership shall be terminated on the grounds of nonfulfilment of financial obligations. Once membership has been terminated, a full calendar year shall elapse before an application for membership may again be submitted. Such member remains responsible for all his financial obligations towards MSSA that may be outstanding at the date of the termination of membership
- 19.1.1 Membership which is terminated on the grounds of non-fulfilment of financial obligations shall only become effected if fees are more than three months in arrears.
- 19.2 Membership may become suspended on the grounds of failure to submit required documentation and statements, contravention of prescribed organisational, behavioural and disciplinary codes and/or conflicting constitutional practices. All individuals being investigated by the disciplinary code will automatically be suspended. While under suspension no affiliated member, Registered Player, Associate Player to whom the suspension applies, will be allowed to take part whatsoever in the affairs of MSSA, or any of its affiliated members. Should an affiliated member or any Registered or Associate Player be engaged in any of the aforementioned fixtures prior to suspension, then upon suspension such member/player shall be debarred from continuing to be so engaged. Should contraventions not be rectified within three months from the date of suspension, membership will automatically terminate and such registration of such player will also be terminated. A full calendar year shall elapse before an application for membership may be submitted or registration forms for such player may be submitted. Such member and/or player remain responsible for all obligations towards MSSA that may be outstanding at the date of termination of membership or registration.
- 19.3 Members of the Management Board may be removed from the Management Board should such member have failed to submit required documentation and statements, contravention of prescribed organisational, behavioural and disciplinary codes and/or conflicting constitutional practices by a two-thirds vote of all Board Members so eligible to vote. Such Board Member shall have right of appeal to a General Meeting, which shall be called within three months of such removal. Should the General Meeting agree with the appeal, on a simple majority vote, such removal shall be set aside, and such member reinstated to his/her position. Should the General Meeting not agree with the appeal, on a simple majority vote, such removal shall stand.
20. **WITHDRAWALS:** Any member of MSSA who wants to terminate his membership shall give written notice of termination to the Executive Committee. Such member remains responsible for all his financial obligations towards MSSA that may be outstanding at the date of the termination of membership.
21. **EXPULSION:** If at a Meeting of the Council, a resolution be passed by vote of three-quarters of those present that an affiliated member or member thereof, has rendered itself unworthy to belong to MSSA, the membership of such member or person shall thereupon cease. Any member being expelled shall have the right to appeal to MSSA's Executive.
22. **APPEALS:** All appeals, except in the case of expulsion, must be accompanied by a deposit of such amount as approved of by Council. Such deposit shall be forfeited should the appeal be

deemed by the Executive to have been frivolous.

23. NOTICES OF MEETINGS: All notices of meetings for both Council and Executive meetings must contain the motive and reason for any proposed motion. Business not appearing on the Notice of Meeting will not be dealt with.
24. LIABILITY FOR INJURIES: No liability whatsoever shall attach to MSSA for any damages sustained as a result of injury or in any other manner, by any person whether a member of an affiliated body or not, whilst competing in a competition held by or on behalf of MSSA or whilst participating in any of the affairs or business of MSSA.
25. COLOURS AND BADGES
 - 25.1 COLOURS AND BADGES OF THE UNION
 - 25.1.1 The colours of MSSA shall be old gold and felt green for members of Senior Teams.
 - 25.1.2 The colours of MSSA shall be silver and felt green for members of Junior Teams.
 - 25.1.3 The blazer shall be felt green.
 - 25.1.4 The badge shall be the double headed knight inset in the circle surround, and shall bear the word "MIND SPORTS".
 - 25.1.5 The official tie shall be felt green.
 - 25.1.6 The honours badge shall be the double-headed knight with a laurel surround.
 - 25.1.7 The Umpire's badge shall be the double headed knight with a circle surround surmounting a scroll bearing the word "UMPIRE".
 - 25.2 ELIGIBILITY TO WEAR MSSA'S COLOURS
 - 25.2.1 SENIOR COLOURS :
 - 25.2.1.1 The badge and blazer shall be worn by any person selected to represent MSSA, or has won all his/her games at the S A National Championships.
 - 25.2.2 JUNIOR COLOURS:
 - 25.2.2 The badge and blazer shall be worn by any person selected to represent MSSA, or has won all his/her games at the S A National Championships or SA School Championships..
 - 25.2.3 HONOURS BADGE. The Honours Badge and Tie shall be worn by any individual who has been selected to represent MSSA, or has qualified to wear the Badge, Blazer and Tie at least three times.
 - 25.2.4 THE MERITORIOUS BADGE. This shall be the Honours Badge and bear the words "MERITORIOUS SERVICE". This may be awarded to any individual who may have rendered TEN years outstanding service to the activity in South Africa, or in any other special circumstances, on the recommendation of the Executive Committee. This award may only be made by the Council on the recommendation of the Executive.
 - 25.2.5 COLOURS FOR COMPETING INTERNATIONALLY. This shall be the emblem as agreed upon by the Sports Confederation as defined by the Sports

and Recreation Act of 1998 (as amended). Such award shall only be made in terms of the Sports Confederation's code and any other relevant legislation and/or Ministerial Regulations, for the award of such Colours. However, should the award be withheld by the Minister, the Sports Confederation or any other of their agents, MSSA shall award the emblem as per the Bureau of Heraldry's certificate, number 2460.

- 25.2.6 COLOURS FOR UMPIRES. Any umpire who has been appointed as the senior umpire at any national championships during a wargames year (as defined in the Constitution) shall be entitled to wear the badge and blazer.
- 25.2.7 GENERAL REGISTERED PLAYERS. Any registered player shall be entitled to wear tracksuits, windbreakers, jackets, blazers, or shirts with the logo (as defined in Schedule 25.1.3) in any colour, excluding green or gold, as approved by the President. The President shall first consult with the Management Board prior to giving such approval.

25.3 COLOURS AND BADGES OF THE PROVINCES

25.3.1 SENIOR PROVINCIAL COLOURS

- 25.3.1.1 The colours shall be Black and Old Gold.
- 25.3.1.2 The Blazer shall be Black.
- 25.3.1.3 The Badge shall be the double headed knight with the circle surround and shall bear the word " MIND SPORTS".
- 25.3.1.4 The official tie shall be Black.

25.3.2 STUDENT PROVINCIAL COLOURS

- 25.3.2.1 The colours shall be Black and Silver.
- 25.3.2.2 The Blazer shall be Black.
- 25.3.2.3 The Badge shall be the double headed knight with the circle surround and bear the words " MIND SPORTS, STUDENTS".
- 25.3.2.4 The official tie shall be black.

25.3.3 SCHOOL PROVINCIAL COLOURS

- 25.3.3.1 The colours shall be Black and Silver.
- 25.3.3.2 The Blazer shall be Black.
- 25.3.3.3 The Badge shall be the double headed knight with the circle surround and bear the words " MIND SPORTS, SCHOOLS".
- 25.3.3.4 The official tie shall be black.

25.4 ELIGIBILITY TO WEAR PROVINCIAL COLOURS

31.1.1. PROVINCIAL COLOURS. Provincial Colours shall be worn by any person who;

- 25.4.1.1 Has been selected by MSSA to represent the Province in which he/she is ordinarily resident in a team, or
- 25.4.1.2 Has fulfilled the following conditions in any one wargaming year:
- Won all games played at a Provincial Championship, or
 - Played in Nationals and ended in the top 50%, and
 - Played in at least one official Premier Provincial Championship and the player played in MSSA

- Nationals, and
 - d. Ended in the top 50% in such Provincial Championships.
 - 25.4.2 STUDENT TEAM COLOURS. Student Provincial Colours shall be worn by any person who;
 - 40.1.1.1. Has been selected by MSSA to represent the Province in which he/she is ordinarily resident in a team, or
 - 40.1.1.2. Has fulfilled any of the following conditions in any one wargaming year:
 - a. Won all games played at a Provincial Championship, or
 - b. Played in Nationals and one "Premier" Regional Championships (in the same period) and ended in the top 50% of students competing, and/or
 - c. Played in at least two official "Premier" Regional Championships (in the same period) and ended in the top 50% of scholars competing.
 - 25.4.3 SCHOOL PROVINCIAL COLOURS. School Provincial Colours shall be worn by any person who;
 - 25.4.3.1 Has been selected by MSSA to represent the Province in which he/she is ordinarily resident in a team, or
 - 25.4.3.2 Has fulfilled any of the following conditions in any one wargaming year:
 - a. Won all games played at a Provincial Championship, or
 - b. Played in Nationals and one "Championship" Provincial Championships (in the same period) and ended in the top 50% of scholars competing, and/or
 - 25 Played in at least two official "Championship" Provincial Championships (in the same period) and ended in the top 50% of scholars competing.
 - d. Where "Championships" are not played. Premier championships shall count towards colours.
- 25.5 COLOURS AND BADGES OF THE REGIONS
 - 25.5.1 REGIONAL COLOURS
 - 25.5.1.1 The colours shall be Black and Red.
 - 25.5.1.2 The Blazer shall be Black.
 - 25.5.1.3 The Badge shall be the double headed knight with the circle surround and shall bear the word " MIND SPORTS".as well as the category being either "Premier", "Student" or "Schools".
 - 25.5.1.4 The official tie shall be Black.
- 25.6 ELIGIBILITY TO WEAR REGIONAL COLOURS
 - 29.1.1 REGIONAL COLOURS. Regional Colours shall be worn by any person who;
 - 25.4.1.1 Has been selected by MSSA to represent the Region in which he/she is ordinarily resident in a team, or
 - 25.4.1.2 Has fulfilled the following conditions in any one wargaming year:
 - a. Played in and won all of his/her games in such Regional

- Championship,
 - b. Finished in the top three if an individual event in such Regional Championship,
 - c. Finished in first place if a team event in such Regional Championship,
- 25.7 HONOURS BADGE FOR PROVINCES AND REGIONS. The Honours Badge and Tie shall be worn by any person who has qualified to wear Colours at least three times. The Honours Badge shall also bear the name of the Province or Region represented.
- 25.8 THE MERITORIOUS BADGE FOR PROVINCES AND REGIONS. This shall be the Honours Badge and bear the words "MERITORIOUS SERVICE" as well as the name of the Province or Region for which it is being awarded. It shall be made in terms of Rule 25.2.4.
- 26. REGIONAL AND GENERAL MOTIONS
 - 26.1 All motions included in the Motion for Council or Executive Committee Meetings will be divided into Regional or General Motions.
 - 26.2 Only regions directly involved with such issue may vote, but other regions may express an opinion on any such motion.
 - 26.3 Regional and General Motions are defined as follows:
 - 26.3.1 A regional vote deals exclusively with the issues arising from any one region, for example, the organising of regional competitions and championships.
 - 26.3.2 A general vote deals with the issues of MSSA as a whole.
- 27. NEW LAWS: The Executive is empowered to introduce new laws, bye-laws or conditions relating to the laws of any Discipline, Period, Genre, or Game as may be necessary from time to time.
- 28. GAMING YEAR: Each gaming year shall be reckoned as from 1 January to 31 December.
- 29. REGISTRATION
 - 29.1 Before any person may represent an affiliated member, in any event whatsoever, such person shall be registered, with that member as either a Registered or School player. The General Secretary of MSSA shall keep such Registration book.
 - 29.1.2 A Registered player is a member, in good standing, of an affiliated member, in respect of whom the full registration fee applicable to a Registered Player has been received.
 - 29.1.3 An Associate Player is a player who has been given permission to register to MSSA by the Management Board without being affiliated to any member.
 - 29.1.4 A School player is a member, in good standing, of an affiliated member based at a school that exclusively accepts members from learners and educators from such school, in respect of whom the full registration fee applicable to a School Player has been received.
 - 29.2 A person may only be registered as representing one affiliated member at any one time, and such registration shall have the effect of making that person a first claim member of

the Club or Society by whom the person is so registered.

29.2.1 Application for affiliation shall be made to MSSA in the form provided for that purpose and lodged by the Secretary of the Club or Society applying for registration.

29.2.2 Registration of a member, once accepted, shall continue of full force and effect from season to season.

29.2.3 Persons may become a first claim member of another club or Society once the General Secretary of MSSA has been so informed.

29.3 Registered players shall have the following rights:

29.3.1 A Registered player shall be entitled to:

1. Enter any competition under the jurisdiction of MSSA against payment of such fee as the Executive may decide and subject to the rules of the competition as the Executive may decide,
2. Receive a copy of each edition of any newsletter published by MSSA,
3. Be registered by MSSA, with such international body as the Executive may decide,
4. Become eligible for the award of such National or Regional Colours as are awarded by MSSA.

29.3.2 A School player shall be entitled to:

1. Enter any competition under the jurisdiction of MSSA against payment of such fee as the Executive may decide and subject to the rules of the competition as the Executive may decide, Become eligible for the award of such Regional Colours as are awarded by MSSA.

29.4 Individuals shall only be allowed to represent a club or Society, including all regional competitions and championships, held under the auspices of MSSA, if that person is registered with MSSA or the International body to which we are affiliated.

29.5 A fee shall be levied against all Registered and School Players who are registered to Clubs and Societies affiliated to MSSA. Any increase in the fees shall be ratified at a meeting of the Council. The fees are due and payable in each season as defined. The Clubs and Societies shall be responsible for the collection thereof and payment to MSSA.

30. DIRECTORS

30.1 PROVINCIAL DIRECTORS

30.1.1 Provincial Director's for any Province shall be elected at the National Convention using a regional vote.

30.1.2 Provincial Directors shall have a term of two years.

30.1.3 Should, for any reason, a Provincial Director not be elected at the National Convention, then the Registered Player who is the Chairman of the club with the largest number of fully-paid-up Registered Players in such Province as at 28 February be automatically appointed as the Provincial Director.

30.1.4 Provincial Directors are responsible to the Management Board, and will submit monthly reports of their progress.

30.1.5 Provincial Directors are empowered to appoint assistant directors but will still be held accountable for such assistant directors.

- 30.1.6 Provincial Directors shall be held liable for any loss incurred by MSSA due to his/her own negligence.
- 30.1.7 The Provincial Director will be held responsible for the running and organisation of all Provincial competitions and championships.
- 30.1.8 The Executive Committee shall be empowered to relieve a Director, or assistant director, from his/her duties should it be deemed necessary.

30.2 REGIONAL DIRECTORS

- 30.2.1 Regional Director's for any Region shall be elected at the National Convention using a regional vote.
- 30.2.2 Regional Directors shall have a term of one year.
- 30.2.3 Should, for any reason, a Regional Director not be elected at the National Convention, then the Registered Player who is the Chairman of the club with the largest number of fully-paid-up Registered Players in such Region as at 28 February be automatically appointed as the Regional Director.
- 30.2.4 Regional Directors are responsible to the Management Board, and will submit monthly reports of their progress.
- 30.2.5 Regional Directors are empowered to appoint assistant directors but will still be held accountable for such assistant directors.
- 30.2.6 Regional Directors shall be held liable for any loss incurred by MSSA due to his/her own negligence.
- 30.2.7 The Regional Director will be held responsible for the running and organisation of all Regional competitions and championships.
- 30.2.8 The Executive Committee shall be empowered to relieve a Director, or assistant director, from his/her duties should it be deemed necessary.

31. DISSOLUTION

MSSA may be dissolved should this be supported by a two-thirds majority of those eligible to vote at a Council Meeting.

- 31.2 Notice of the proposed dissolution must be in writing, in accordance with Rule 13.3, and circularised to all affiliated members.
- 31.3 Assets are to be realised by members delegated to the task.
- 31.4 Funds and assets remaining after the settlement of any debts shall be donated to an union, association, club or society that agrees to pursue MSSA's objectives.
- 31.5 A statement detailing assets realised and donated, and how the proceeds of realised assets were disposed of shall be submitted to members.

32. DEFINITIONS

32.1 MINIMUM QUOTA

- 32.1.1 For any affiliated Association to vote, such Association shall consist of at least three (3) clubs of five (5) registered players each.

33. CANDIDATES STANDING FOR ELECTION

- 33.1 Any candidate standing for election must present all the delegates at any NATIONAL

CONVENTION with curriculum vitae of all past achievements.

34. FINANCIAL YEAR: The Financial Year of Mind Sports South Africa will be reckoned from 1 November to 30 October of each year.
35. PROVINCES AND REGIONS
 - 35.1 The Provincial and Regional boundaries are to be the same as the political regions as defined by the current South African Constitution.
36. RECOGNITION OF AUTONOMY: MSSA undertakes to respect and recognise the autonomy of every member and institution to an exclusive jurisdiction over its own internal matters provided that the member shall function throughout in accordance with the spirit of the objectives of MSSA.
37. AFFIRMATIVE ACTION: Any person from a disadvantaged community (that is blacks or women) be placed into the National Team should they have qualified and entered for National Team Trials, until there is demographic representivity at such National Team Trials, provided that sufficient places are available in the team.
38. DISCIPLINE: Proscription shall be applied to disciplinary action should MSSA not have taken any action a three-year period.
39. REPRESENTATION ON SUB-COMMITTEES
No member shall be allowed to have more than 40% representation on any sub-committee if other members have delegates who are standing for the available positions.
40. NATIONAL TEAM MANAGERS
 - 40.1 National Team Managers shall be appointed by the Selection Committee from Registered Players who are:
 - a. Current or past members of the Management Board, or
 - b. Have held office for at least three years in an administrative or technical capacity for MSSA, or
 - c. Have already served as a National Team Manager, or
 - d. Have earned Protea Colours.
 - 40.2 Team Managers shall be appointed on a contractual basis to be determined by the Selection Committee.
 - 40.3 All such contracts shall require ManCom approval.
 - 40.4 The Selection Committee may dismiss a National Team Manager for non performance.
 - 40.5 Members of the Selection Committee shall not be eligible for selection.
41. INTERPRETATION OF THE CONSTITUTION AND REGULATIONS
Should any doubt arise concerning the meaning and interpretation of any provision of the Rules or Regulations of MSSA, the interpretation of the President, or in his/her absence, the Vice-President, based on the English version of the Rules and Regulations shall be final and binding on all members of MSSA.

42. DISPUTE RESOLUTION CLAUSE

1. Any dispute arising out of or in connection with the enforceability of this constitution, or the application, and interpretation of the provisions hereof, or any dispute between any members of Mind Sports South Africa (MSSA) or between a member and an elected office bearer of MSSA itself, shall be referred to the Arbitration Foundation of South Africa (AFSA) for resolution through mediation or expedited arbitration in terms of the Rules and Procedures for the Resolution of Disputes in Sport, prevailing at the time such Disputes is so referred. In the event of arbitration in terms of the afore-going, such resolution shall be final and binding on the parties to the dispute.
2. In recognition of the desire to resolve all disputes in the sporting fraternity as amicably and as effectively as possible, it is required of all existing and future members of MSSA to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as clause 1 (as above) of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided for by the Arbitration Foundation of Southern Africa (AFSA).

43. UNDERTAKING BY OFFICE BEARERS

All individuals wishing to stand for office, of whatever nature, in Mind Sports South Africa, shall sign an undertaking to only express the official view of MSSA during their term of office when not participating in a Committee Meeting of Mind Sports South Africa.

44. ELIGIBILITY OF OFFICIALS

1. The Provisions of Schedule 69 of the Companies Act, number 71 of 2008 in regard to the ineligibility and disqualification of directors shall apply to all MSSA office-bearers.

45. INDEMNITY

All other office-bearers of MSSA are hereby through, and by means of, the funds and property at MSSA indemnified from and against all losses, claims, costs, compensations and other costs and obligations which they may incur or meet with regard to or in relation to the execution of their various obligations as office-bearers of MSSA, and none of them shall be held responsible for any action of neglect on the side of any one of them or for a shortage or inadequacy of any proprietary right or security, and they are also not held responsible for any loss that may be caused, accident that may occur or damage that may be done or that may arise in the execution or their various official duties or as a consequence thereof: provided, however, that any such loss, accident or damage was not caused by action in bad faith or by deliberate negligence of such office-bearer.

46. APPLICATION OF FUNDS

The income and property of MSSA from whatever source obtained, shall be devoted exclusively towards the promotion of its objectives, and no portion thereof may either directly-or indirectly be paid or transferred by way or dividend; bonus or in any other manner whatsoever in the form of profit to members: Provided that nothing herein contained shall prevent the payment of any reward made in good faith to any officer or servant of MSSA or any member thereof in return for

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services actually rendered to MSSA or any prize awarded for outstanding achievement.