

# **CONSTITUTION OF WEST COAST SWING CAPE TOWN**

## **1. NAME**

**1.1** The association hereby constituted will be called **WEST COAST SWING CAPE TOWN**

**1.2** Its shortened name will be **WCS CT** (Hereinafter referred to as “the Association”)

## **2. LEGAL STATUS**

The Association is a Voluntary Association which will:

- Exist in its own right, separately from its members.
- Continue to exist even when its membership changes and there is a different management committee (perpetual succession).
- Be able to own property and other possessions in its own name.

## **3. OBJECTIVES**

The primary objectives of the Association are:

- To promote and grow West Coast Swing in Cape Town.
- To foster a community for social dancing, learning, and competitive growth through dance classes, dance events and workshops.
- To manage funds solely for the benefit of the community and the sustainability of the Association.
- To align with the standards of the **World Swing Dance Council (WSDC)**

## **4. NON-PROFIT CHARACTER**

The Association is a non-profit group.

- All income and property of the Association shall be used solely for the promotion of its objectives.
- No portion of the income or property shall be paid or distributed directly or indirectly to any member or officer of the Association, except as reasonable compensation for services actually rendered.
- No remuneration may be determined as a percentage of any amounts received or accrued to the Association.

## **5. FIDUCIARY DUTY**

The Association shall at all times have at least three (3) natural persons, who are not connected persons in relation to each other as defined in the Income Tax Act, to accept fiduciary responsibility for the Association.

No single person may directly or indirectly control the decision-making powers of the Association.

## **6. MEMBERSHIP**

**6.1.** Membership is open to all individuals who share an interest in West Coast Swing and support the objectives of the Association. The Management Committee shall have the right to approve or decline any application for membership, and to revoke membership.

**6.2.** The Association operates on a model of **continual seasonal membership**. Any individual who registers for and attends a class, social, or community event shall be deemed an **Associate Member** for the duration of that season or event cycle. Members may not sell, transfer, or assign their membership rights or any entitlement arising from such membership to any other person.

**6.3.** In accordance with the 'Mutual Benefit' principle of a Recreational Club, all participants are entitled to the social and recreational amenities of the Association upon payment of the relevant attendance fee, which serves as a short-term subscription toward the collective costs of the Association's facilities and operations.

**6.4.** The Association shall maintain a register of all such members via its attendance records, which shall serve as the official membership roll for administrative and compliance purposes.

### **6.5. Voting Rights and AGM Eligibility**

**6.5.1.** While all participants are considered Associate Members for the purpose of recreational benefits, only Active Members, 18 years or older, shall have the right to vote at an Annual General Meeting (AGM) or Special General Meeting (SGM).

**6.5.2.** An "Active Member" is defined as an individual who has attended more than 60% (sixty percent) of all official Association events (classes or socials) made available to the member during a continuous period of at least 6 (six) months immediately preceding the date of the meeting.

**6.5.3.** Each Active Member shall have one vote. No proxy voting shall be permitted unless otherwise decided by the Management Committee.

## **7. MANAGEMENT COMMITTEE**

The affairs of the Association shall be managed by a Management Committee of at least three (3) members elected or ratified at a General Meeting. The Committee shall determine its own portfolio allocations and responsibilities from time to time as required.

## **8. POWERS OF THE COMMITTEE**

The Committee shall have the power to:

- Open and operate a bank account in the name of the Association.
- Determine membership fees and class prices.
- Pay for venues, equipment, and services required to run the Association.

- Make decisions by a simple majority vote. A quorum for a Committee meeting shall be a majority of serving Committee members.

## 9. FINANCE AND BANKING

- The financial year of the Association shall end on 28 February each year.
- The Association shall open a bank account.
- **Signatories:** The Committee shall appoint three (3) signatories for the bank account.
- **Authorisation:** Any transaction or withdrawal shall require the authorisation/signature of at least **two (2)** of the appointed signatories.

## 10. MEETINGS

**10.1 The Annual General Meeting (AGM)** must be held once every year, towards the end of the association's financial year. The meeting is open to all members, though voting is restricted to **Active Members** as defined in Section 6.5.2. The business of the AGM shall include:

- The presentation and adoption of the Annual Financial Statements;
- An annual review of the Association's activities and strategic performance;
- The consideration of any proposed amendments to this Constitution;
- The election of the Management Committee for the ensuing year, in accordance with the Association's established committee structure and principles.

**10.2 Special General Meetings (SGM)** may be called by the management committee or one-third of Active Members to handle urgent constitutional changes or high-level matters between AGMs.

**10.3** When convening an AGM, or a Special General Meeting, all active members and the management committee of the association must be informed of the meeting no less than fourteen (14) days before such a meeting

**10.4** Operational and strategic decisions are made by the Management Committee on a quarterly basis (or as required).

**10.5** A simple majority (50% + 1) carries a motion and majority of the relevant body (Committee or Active Members) must be present for a vote to be valid

## 11. AMENDMENTS TO THE CONSTITUTION

**11.1** This Constitution may be amended by a two-thirds majority vote of members present at a General Meeting, provided that at least fourteen (14) days' written notice of the proposed amendment has been given to all members.

**11.2** The Association undertakes to submit to the Commissioner of the South African Revenue Service a copy of any amendment to this Constitution within a reasonable period after such amendment is effected.

**11.3** No amendment shall be made that would cause the Association to cease to comply with the requirements for approval as a recreational club under section 30A of the Income Tax Act.

## **12. DISSOLUTION**

The Association may be dissolved by a two-thirds majority vote of members present at a General Meeting. Upon dissolution, any remaining assets after settlement of all debts shall be transferred to:

- (a) another recreational club approved by the Commissioner in terms of section 30A of the Income Tax Act; or
- (b) a public benefit organisation approved in terms of section 30(3) of the Income Tax Act; or
- (c) any institution, board or body exempt from tax under section 10(1)(cA)(i) of the Income Tax Act; or
- (d) the government of the Republic of South Africa in the national, provincial or local sphere.

No assets shall be distributed to any member.

---

## **ADOPTION OF CONSTITUTION**

This Constitution was adopted by the members at a meeting held at Cape Town(Place) on this day, the **30 of December 2025**.