



CONSTITUTION OF THE KWAZULU-NATAL PRACTICAL SHOOTING ASSOCIATION

As approved at Special General Meeting on 3 April 2001

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CONSTITUTION OF THE KWAZULU-NATAL PRACTICAL SHOOTING ASSOCIATION

1. NAME:

The Association, a non-profit amateur sporting organisation, is known as The **KwaZulu-Natal Practical Shooting Association**, hereinafter referred to as the Association. No person or organisation shall use the name of the Association in any form unless authorised to do so by the Committee.

2. ADDRESS:

The address of the Association shall be that of the Secretary/Administrative Officer or such place as the Committee may, from time to time, determine.

3. LOCUS STANDI & LIABILITY:

- (i) The Association, in its own name, shall be capable in law of suing and of being sued, and of acquiring, holding and alienating property, movable and immovable.
- (ii) Save for a claim arising from the provision of Clause 14(i)(b) hereof, the liability of members for claims of whatever nature against the Association shall be limited to any unpaid membership or affiliation fees.

4. DEFINITIONS:

Unless the context indicates otherwise, words bear the meanings assigned to them in this Constitution and unless inconsistent with the context, all words and expressions importing the masculine gender shall include the feminine and the singular shall include the plural and *vice versa*. The following expressions shall have the following meanings assigned to them, namely :

Administrative Officer

the person appointed in terms of Clause 8(vi)

Affiliated Club

a club whose application for affiliation has been accepted and/or renewed in terms of Clause 7(i)

Amateur

a person who complies with the requirements of the definition of an amateur as defined by the SA Olympic and National Games Association.

Annual Meeting

the specifically designated meeting of the Council of Representatives held each year.

Auditor

an auditor registered under the Public Accountants' and Auditors' Act, 1951, as amended.

Committee

the Executive Committee of the Association as constituted in terms of Clause 9.

Council

the Council of Representatives of the Association as constituted in terms of Clause 8.

IPSC

International Practical Shooting Confederation

KNPSA

KwaZulu-Natal Provincial Shooting Association

KNIRO

KwaZulu-Natal Institute of Range Officers

Member

an individual who is an amateur practical shooter and who is a member of an affiliated club, and shall include a temporary member.

Notice

written notice given to or by the secretary of any affiliated club or the secretary/administrative officer of the Association, as the case may be, sent by an agreed upon method to the last address provided by the secretary of the affiliated club.

Practical Shooting

as determined by the International Assembly of the IPSC from time to time.

SAIRO & I

South African Institute for Range Officers and Instructors

SAPSA

South African Practical Shooting Association

Temporary Member

a visitor to a range of an affiliated club shall be considered a temporary member for such period as he is upon the range or participates in the activities of such affiliated club.

5. OBJECTIVES:

The objectives of the Association in general are:

- (i) to promote, organise and control amateur practical shooting in KwaZulu-Natal.
- (ii) to promote safety instruction within practical shooting.
- (iii) to organise and control provincial league shooting.

- (iv) to organise the KwaZulu-Natal Closed Practical Shooting Championships annually, and such other competitions and championships as may from time to time be decided upon.
- (v) to issue membership cards to all its members
- (vi) to select Practical Shooting teams to represent KwaZulu-Natal and to send teams to other provinces or countries to compete with teams of other provinces or countries.
- (vii) to provide insurance cover for its members and such other persons as may be decided upon from time to time.
- (viii) to conduct Range Officers and Safety Officers' courses, whether in conjunction with SAPSA/SAIRO & I or independently.
- (ix) From time to time to appoint for such periods as may be decided upon persons in honorary capacities.
- (x) To appoint employees for such periods and at such remuneration as may be decided upon.
- (xi) to purchase and store a reserve of targets and patches, for sale to affiliated clubs, individual members and/or such other instances as may be decided upon from time to time, for the promotion of the interests or objectives of the Association.
- (xii) to arbitrate on disputes which may arise between members or affiliated clubs or within affiliated clubs, if requested to do so.
- (xiii) to acquire, hire or lease immovable property if necessary for the promotion of the objectives of the Association.
- (xiv) to raise funds by levying membership or affiliation fees or otherwise by whatever lawful means, for the furtherance of the interests and objectives of the Association.
- (xv) to apply the funds of the Association to the promotion of the affairs of the Association exclusively as set out in this Constitution.
- (xvi) to co-operate with and co-ordinate its activities with those of SAPSA and any other body, Association or authority with objectives compatible with those of the Association.
- (xvii) to do other actions in furtherance of the sport of practical shooting as the Council may from time to time decide.

6. IPSC AND SAPSA CONSTITUTIONS:

The Association shall recognise and accept the authority of the IPSC Constitution and the SAPSA Constitution.

7. AFFILIATION AND MEMBERSHIP:

(i) Club Affiliation

(a) Any club, consisting of a group of individuals that gather at regular intervals within KwaZulu-Natal to participate in shooting matches on approved ranges, may apply for affiliation to the Association, provided the application for affiliation submitted to the Committee shall be accompanied by:

- (1) a certified copy of the constitution, which must include an indemnity clause;
- (2) a list of names and addresses of the officers and all members of the applicant club;

- (3) the affiliation and/or membership fees as prescribed from time to time.
- (b) The Council must be satisfied that the applicant club is properly constituted and has not less than five (5) current paid-up members who participate in practical shooting.
 - (c) A club shall not be affiliated until such time as the application has been accepted by the Council and the affiliation fees have been paid.
 - (d) A club which has applied for affiliation and appears to have complied with all the provisions of this clause may, at the discretion of the Committee, immediately enjoy the privileges of such affiliation pending acceptance by the Council.
 - (e) Renewed annual membership of the Association is subject to the payment of affiliation fees within 2 (two) months of the end of the previous membership year referred to in Clause 14(iii).
 - (f) The Council shall, where it considers it to be in the interest of the Association, be entitled to refuse or suspend the affiliation of a club.
 - (g) Liability of an affiliated club for debts incurred by the Association shall be limited to the amount of their unpaid membership fees.

(ii) Individual Member Affiliation

- (a) A person wishing to affiliate to the Association must be a paid up member of an Affiliated Club.
- (b) Affiliation fees shall be paid through the club secretary of the club to which the member belongs. The club to which such fee is paid shall be liable to pay same to the Association.
- (c) Continued membership of the Association is subject to the payment of annual affiliation fees as prescribed from time to time.
- (d) Should a member not renew his membership within 2 (two) months of the end of the previous membership year referred to in Clause 14(iii), his membership of the Association shall be deemed to have been forfeited as if the said member had resigned.
- (e) The Council shall, where it considers it to be in the interest of the Association, be entitled to refuse or suspend the affiliation of an individual.
- (f) Members of the Association shall *ipso facto* be subject to the control and authority of the Association.
- (g) Liability of the members for debts incurred by the Association shall be limited to the amount of their unpaid membership fees.

8. COUNCIL OF REPRESENTATIVES:

- (i) The management and control of the Association shall vest in the Council.
- (ii) The ownership and control of all the assets of the Association shall vest in the Council which shall have the authority to take decisions and act on behalf of the Association in all matters concerning it and to do all things not inconsistent with the objectives of the Association or the provisions of this Constitution.

- (iii) In particular, the Council shall be responsible for:
 - (a) general policy making of the Association, within the ambits of which the Committee shall act;
 - (b) the ratification of acts and actions performed and taken by the Committee, and
 - (c) any disciplinary action which may be taken against any club or member in terms of Clause 13 hereof.
- (iv) The Council shall be constituted as follows:
 - (a) the members of the Committee, elected in terms of Clause 9(vi). The voting power of Committee members at Council meetings shall be as provided for under Clause 10(vi)(c); and
 - (b) the representatives nominated by the various affiliated clubs in terms of Clause 10(v).
- (v) The Council may decide to appoint persons in honorary capacities from time to time for such periods as may be decided upon.
- (vi) The Council may appoint an Administrative Officer to provide the duties assigned to the Treasury and/or Secretary of the Association. The duties and remuneration of the Administrative Officer shall be agreed upon by the Council and recorded in writing. In such an instance, the offices of Secretary and Treasury on the Committee should not be filled. The Chairman shall be responsible for the overseeing of the Administrative Officer.
- (vii) The Council may decide to appoint other employees for such periods and at such remuneration as may be decided upon. The purpose, duties and remuneration of such employee shall be agreed upon by the council and recorded in writing.

9. EXECUTIVE COMMITTEE:

- (i) The Committee shall be responsible for the management and administration of the affairs and activities of the Association and shall be constituted in accordance with Clause 9(vi).
- (ii) The Committee shall have full authority to act between Council meetings on behalf of the Association but, notwithstanding any other provisions of this Constitution, will be answerable to the Council for all actions taken or acts performed by it.
- (iii) The Committee shall be the Selection Committee.
- (iv) The Committee shall be elected at the AGM of the Association and shall hold office until the next AGM when the Chairman declares all offices vacant. All office bearers of the Committee, other than co-opted members, will be eligible for re-appointment.
- (v) The offices shall be filled by a separate affiliated member, preferably from separate affiliated clubs. Any member is eligible for election to the Committee.
- (vi) Office Bearers of the Committee
 - (a) The Committee shall comprise of the following offices:
 - (1) Chairman
 - (2) Vice-Chairman

- (3) Secretary
- (4) Treasurer
- (5) Stats Officer
- (6) KNIRO Representative

(b) If the duties of the following positions cannot be performed by elected members of the committee, the committee can, at its discretion co-opt the following non-voting officers:

- (1) Awards Officer
- (2) Equipment Officer

(c) The duties of the officers bearers of the Committee shall *inter alia* be as follows:

(1) CHAIRMAN:

- (A) The overall co-ordination and control of the affairs, business and interests and active advancement of the objectives of the Association.
- (B) Liaison and negotiation with SAPSA in particular, as it relates to the advancement of and protection of the interests of the Association and its members.
- (C) To deal with club and member disputes.
- (D) To launch and co-ordinate new projects.
- (E) To foster the formation of new clubs and assisting with the constitution and affiliation of such new clubs and to render assistance to such newly affiliated clubs where required.
- (F) To preside at Council and Committee meetings.

(2) VICE-CHAIRMAN:

- (A) To act in the absence of the Chairman.
- (B) To assist the Chairman in general and in particular to attend to such defined duties of the Chairman as may be delegated to him.
- (C) To assist other committee members where possible.

(3) SECRETARY:

- (A) To liaise closely with and assist the Chairman in all matters within the scope of the duties of that officer and to deal with such correspondence and administration as may relate to or arise there from.

- (B) To arrange and convene the meetings of the Council and Committee and to prepare and distribute the agenda for and minutes of such meetings.
- (C) To keep affiliated clubs informed of all KNPSA shoots and the results of such shoots, developments and projects;
- (D) To maintain a record of all members and to issue membership cards to such members.
- (E) To perform such duties as are imposed upon him in this constitution.

(4) TREASURER:

- (A) To attend to all matters relating to the finance and expenditure of the Association.
- (B) To prepare a financial report monthly and to present this to monthly committee meetings
- (C) To prepare a balance sheet annually and to present this at the Annual Meeting together with his report.
- (D) To raise funds.

(5) STATS OFFICER

- (A) To calculate the scores and results of all KNPSA shoots.
- (B) To provide the Secretary with the results of such shoots for distribution to affiliated clubs.
- (C) to maintain a record of the results of all shoots in order for the Committee to determine the selection of KwaZulu-Natal teams and gradings and colours awards of shooters in accordance with the criteria established for such purposes.
- (D) to maintain a record of the results of all shoots in order for the Awards Officer to determine the allocation of trophies and awards.

(6) KNIRO REPRESENTATIVE

- (A) To ensure there are sufficient suitably qualified range officers for all KNPSA shoots
- (B) To co-ordinate and control the range officers at such shoots;
- (C) To co-ordinate, and prepare range officer and safety officer courses in KwaZulu-Natal;
- (D) To obtain and approve the course of fire for KNPSA shoots KwaZulu-Natal Closed and National league, and
- (E) to arrange with the Secretary to have the course of fire distributed to all affiliated clubs.

(d) In the event that the Committee elects to fill co-opted positions, these duties shall be as follows:

(1) AWARDS OFFICER

(A) To maintain a record of the trophies, awards and certificates presented by the Association.

(B) To maintain a record of to whom the trophies and awards have been presented.

(C) To arrange that such trophies and awards are suitably engraved/marked or printed before their being re-awarded at the prize giving ceremony of the Association.

(2) EQUIPMENT OFFICER

(A) To keep a reserve of targets and patches to be kept for purchase by affiliated clubs, individual members or other instances.

(B) To arrange for the safekeeping of KNPSA equipment, (e.g. timers and clipboards).

(vii) Vacancies on the Committee:

In the event of a vacancy occurring in whatever way in the ranks of the Committee, the Council shall within two months, appoint a successor whose term of office will continue to the date or moment when his predecessor's term office would normally have come to an end.

10. COUNCIL MEETING PROCEDURES:

(i) Notice and agenda of Council Meetings

(a) At least fourteen (14) days notice shall be given of Council meetings and such notice state the date, time and place of the meeting, provided

(1) that the Council may determine a regular venue, day, month and time for Council meetings, and

(2) that in the event of a necessary change of a regular venue and/or date and/or time of such fixed meetings, due notice shall be given of such change if possible.

(b) The agenda for the meeting shall be provided to affiliated clubs and the Committee two weeks prior to the date of the meeting. Late items will be considered if possible.

(ii) Frequency of Council Meetings

The Council shall convene as far as practical once every three months.

(iii) Quorum at Council Meetings

The Chairman or the Vice-Chairman and the members of the Council who are present shall constitute a quorum unless more than half of the members of the Council are not present. In which case, the meeting will be adjourned for half an hour after the lapse of which the meeting will proceed with those members present.

(iv) Conduct at Council Meetings

(a) The Chairman or Vice-Chairman and the Secretary or Administrative Officer of the Committee shall act as Chairman and Secretary respectively at Council Meetings.

(b) Any individual member shall be entitled to request that any matter be considered by the Council, subject thereto that such request:

(1) shall be in writing, be addressed to the Secretary/Administrative Officer clearly define the subject matter of the request and contain a motivated recommendation;

(2) shall be accompanied by the endorsement of such recommendation of at least one (1) other members; and

(3) shall be considered by the Committee who may, at their entire discretion, place the matter before the Council for consideration together with its own report and recommendation.

(v) Representation at Council Meetings

(a) An affiliated club shall be entitled to nominate one representative only to the Council irrespective of the strength of its' membership.

(b) A member elected to the Committee shall not be deemed to be a representative of the club of which he is a member as long as he holds such office on the committee.

(c) A nominated representative of an affiliated club need not be a member of the committee of such club, although it is recorded that it is recommended that he is, in the interests of close co-operation and liaison between the Club and the Association.

(d) Club members shall be represented on the Association by representatives nominated by the individual affiliated clubs.

(vi) Voting at Council Meetings

(a) Only items which appear on the agenda will be put to the vote.

(b) The details of matters proposed under General which require a vote, will be circulated to affiliated clubs before the next Council Meeting to enable members to consider them and to give their delegates the necessary mandate.

(c) Members of the Committee are entitled to one (1) vote on all matters except ratification of Committee decisions.

- (d) Matters requiring a decision by the Council shall be decided by majority vote.
- (e) The Chairman shall not have a deliberate vote but shall, in event of an equality of votes, have a casting vote.
- (f) Individuals who are members of affiliated clubs shall be deemed to be members of the Association but they shall have no voting rights in their own name.

(vii) Records of Council Meetings

The minutes shall be submitted with the agenda and notice of next meeting. If the minutes of any meeting are accepted as correct, they shall be confirmed by the signature of the Chairman and Secretary of the meeting.

11. SPECIAL COUNCIL MEETINGS:

- (i) The Secretary/Administrative Officer shall convene a Special Council Meeting:
 - (a) at the request of the Chairman, or
 - (b) on receipt of a request in writing addressed to the Chairman and signed by at least one quarter of the members of the Council, excluding the Committee.
- (ii) Such request shall state the object of the meeting and such matters as are specified in the request will be dealt with before any other matters at the Special Council Meeting.
- (iii) The meeting shall be convened within a month of the request.
- (iv) At least seven days notice of a meeting so convened shall be given. The notice shall state the reason for the meeting

12. COMMITTEE MEETING PROCEDURES:

A decision was taken at the A.G.M. of 2006 to run the Associations business through Council Meetings and not hold monthly Committee Meetings.

- (i) Notice of Committee Meetings
 - (a) Due notice of at least seven days written, or three days verbal shall be given to members of the Committee of Committee meetings. Such notice shall state the date, time and place of the meeting. However, the Committee may waive such notice and further may determine a regular venue, day of the month and time for committee meetings.
 - (b) In the event of a change of a regular venue, and/or day of the month and/or time for Committee Meetings, either due notice shall be given to members of the Committee of such change or alternatively a venue, date and time of the meeting which is acceptable to all members of the Committee may be arranged by the Secretary/Administrative Officer.

(ii) Frequency of Committee meetings

The Committee shall convene as far as practical once every month.

(iii) Quorum at Committee Meetings

The Chairman or the Vice-Chairman and the members of the Committee who are present shall constitute a quorum unless more than half of the members of the Committee are not present. In which case the meeting will be adjourned for half an hour after the lapse of which the meeting will proceed with those members present.

(iv) Conduct at Committee Meetings

(a) The Chairman or Vice-Chairman and the Secretary/Administrative Officer shall act as Chairman and Secretary respectively at Committee Meetings.

(b) Matters requiring decision by the Committee shall be decided by a majority vote.

(c) In the event of an equality of votes, the Chairman shall have a casting vote in addition to his deliberate vote.

(v) Records of Committee Meetings

(a) The meetings of the Committee must be properly minuted.

(b) Copies of the minutes of Committee Meetings shall be sent to all affiliated clubs, within a period of one month after the meeting.

13. ADDITIONAL POWERS OF THE COUNCIL AND COMMITTEE:

(i) The Council shall, where it considers it to be in the interest of the Association, be entitled,

(a) refuse an application for affiliation;

(b) suspend the membership of any member;

(c) expel any member;

(d) refuse the affiliation of a club;

(e) suspend the affiliation of a club;

(f) expel an affiliated club, or

(ii) The Council shall take such other disciplinary measures as may in the circumstances be deemed appropriate, including the imposing of a monetary fine upon any affiliated club or individual member.

(iii) In the exercise of its discretion in terms of the previous sub-clause, the Council may appoint a representative Disciplinary Committee from within its own ranks, to act on its behalf.

(iv) Before a member/affiliated club is expelled or suspended, such member or club, through two members of its Committee shall be given the opportunity to state his/its case to explain or defend himself/itself either in writing or verbally.

(v) A member or affiliated club who has been expelled or whose affiliation/membership has been suspended has no claim against the Association for the reimbursement of any monies paid.

(vi) The reasons for refusal will be made available on request.

(vii) Investigation by the Committee:

Any member of the Committee shall at all reasonable times and as deemed necessary for the performance of their duties or with regard to the business or affairs of the Association:

- (a) have the right of access to the books of account, accounts and vouchers, minute books, scorebooks and all other correspondence and records of any affiliated club;
- (b) be entitled to require from the officials or members of affiliated clubs such information and explanations as he may require;
- (c) enter upon the range and other club premises of affiliated clubs;

(viii) Formulation of Rules and Regulations:

The Council may from time to time as may be deemed necessary, formulate rules and regulations, and to amend the same, to regulate matters falling within the authority of the Association, with due regard to the IPSC rules.

14. FINANCIAL ARRANGEMENTS AND ACCOUNTS:

(i) Members of the Council or of the Committee:

(a) shall not be entitled to any remuneration, or other fee, in respect of services rendered in their capacity as members of the Council or Committee but may be granted an honorarium at the end of their term of office.

(b) and every officer or official appointed by the Association, shall be and are indemnified by the Association against all claims, proceedings, cost and expenses incurred in connection with or arising from or relating to the affairs of the Association not arising from their dishonesty or fraud.

(ii) The Council shall insure the Association against loss resulting from the negligence of any of its officials, if such insurance can be obtained on a practical and economical basis.

(iii) The financial year of the Association shall be from the first day of January to the thirty first day of December. of the following year.

(iv) The Committee shall ensure that such accounts, entries, registers and records as are necessary for the proper working of the Association are kept. The books of accounts shall be made up at the end of each financial year and shall be audited by an Audit Officer when deemed necessary by Council.

(v) The Association shall maintain a banking account/s with a registered commercial bank. All moneys received shall be deposited to the credit of the Association's account/s and all payments shall be made by cheque under signature of the persons' authorised by the Committee to sign cheques drawn on the Association's account, or by electronic internet banking.

(vi) The Council shall appoint an Auditor or a person capable of auditing the books of account of the Association (hereinafter referred to as a bookkeeper) when deemed necessary by Council.

(a) a resolution is passed by a majority of members of the Council present at such Council Meeting appointing another auditor or person capable of auditing the books of account of the Association in his stead or providing expressly that he shall not be re-appointed, or

(b) he has given the Association notice in writing of his unwillingness to be re-appointed.

(vii) The auditor or bookkeeper of the Association shall have the right of access at all times to the books and accounts and vouchers of the Association and shall be entitled to require from the officials of the Association such information and explanations as he thinks necessary for the performance of his duties. The auditor or bookkeeper shall submit an audited statement of the financial affairs of the Association to the Council when required.

(viii) Membership and affiliation fees and any other monies which become due and payable shall be paid by members and/or affiliated clubs within 60 days.

(ix) Receipts shall be issued for all monies received and shall be in a form to be determined by the Committee from time to time.

(x) Affiliation/Membership fees, if levied, shall be paid to club secretaries who shall submit such fees to the Association.

(xi) The portion of affiliation fees collected from affiliated clubs and individual members in respect of SAPSA affiliation fees and SASU membership, shall be paid to SAPSA.

15. **AMENDMENT OF CONSTITUTION:**

(i) This Constitution may only be amended by a two-thirds majority vote of the members of the Council present at a special Council or Annual General Meeting of which due notice has been given.

(ii) Proposals of amendment shall be circulated to affiliated clubs at least one month before the Meeting at which the amendment of the Constitution is to be considered.

16. **INCOME AND PROPERTY OF THE ASSOCIATION**

The income and property of the Association, however derived, shall be applied solely towards the promotion of the objectives of the Association and no portion thereof shall be paid or transferred, directly or indirectly to any member of the Association unless approved unanimously by Council.

17. **ARBITRATION:**

In the event of a dispute arising to which the Association is a party and an affiliated club and/or a members/s is/are the other party or parties, such dispute will be settled in terms of the Arbitration Act, No. 42 of 1965, as amended from time to time.

18. **DISSOLUTION:**

The Association shall only be dissolved other than by operation of law upon resolution by a two-thirds majority of the votes of the members of the Council. Once a resolution of dissolution has been passed the Council will decide on the disposal of assets after debts and/or claims, if any, have been satisfied and will also decide on the application of the proceeds.

19. **AFFILIATION TO OTHER BODIES:**

The Council may from time to time affiliate to other bodies and/or associations in furtherance of the aims and objectives of the Association.

20. **HEADINGS:**

The headings to clauses hereof are inserted to facilitate reference and shall not be considered in or effect the interpretation of any clause.

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