

Madibaz Chess Club

Constitution

Adopted 06 August 2018

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1. PREAMBLE:

We, the members of the University of Nelson Mandela Chess Club,

- View Afrikaans and English to be the, chosen, primary languages of this Club in a multi-lingual context as set out in NMU's official Language policy document.
- See the Chess Club as an institution through which the skills, pertaining to chess like analytical thinking, planning, strategy etc, can be developed and nurtured;
- Believe that the Chess Club should play an active role in the changing and developing times in which we, the students at the Nelson Mandela University, find ourselves through the promotion of social and intellectual interaction between the various members of the greater South African community.
- Commit ourselves to transparent and just conduct to any and all individuals or group of individuals.
- Strongly reject any and all forms of discrimination against any member of Club, in general, and any member of our Club, in particular.

2. DEFINITIONS

In this constitution, unless the context indicates otherwise:

"Executive Committee" – refers to the members of the Madibaz Chess Executive Committee, for the CLUB, elected to fulfil organisational and administrative functions for the Club during their term of office.

"Registered member", "member" – anyone who has been registered to be a member of the Madibaz Chess Club for at least one month.

3. NAME

This Club shall be known as the "Madibaz Skaakklub" or "Madibaz Chess Club" in Afrikaans and English respectively.

4. HEADQUARTERS

The headquarters of Madibaz Chess Club is the Tennis Clubhouse at North Campus, Port Elizabeth.

5. JURISDICTION

The jurisdiction where the Club will strive to achieve its objectives and fulfil its function will be within the following:

- 5.1. The campuses of North, South and Missionvale
- 5.2. Any other terrain which has been obtained by the University or the Club for either temporary or permanent use by the Club

All members and officials representing the Club outside the jurisdiction remain bound to the jurisdiction of the Club.

6. AFFILIATION

The Club affiliates to any Chess organization or institute where participation requires.

7. MEMBERSHIP

7.1. General

- 7.1.1. Membership commences at the payment of membership fees as set by the executive Committee.
- 7.1.2. The period of membership lasts as from the first day of the academic calendar. Should a person join during the course of the year, membership fees will not be adjusted for such a person, he/she will be liable for the full prescribed fee.
- 7.1.3. The Chess Club reserves the right to confer an honorary membership on past members and members of the general public for outstanding service to the Club.
- 7.1.4. Only registered members of the Club may attend its gatherings.
- 7.1.5. Only registered members of the Club may attend the annual general meeting.
- 7.1.6. All registered students and registered members of the Club may participate in official competitions, especially the Residential league.

7.2. Social Members

- 7.2.1. Social Members will participate in chess events and gatherings for the main reason to be part of a more social and informal atmosphere. The Social members may be part of the league or the Madibaz team and are allowed to participate in external tournaments.

7.3. League Members

- 7.3.1. The League Members will play in a Chess league.

7.4. Club Members

- 7.4.1. Club Members will participate in chess events and tournaments for the main reason to improve each person's chess ability. A Madibaz team will be chosen to represent the Nelson Mandela University in various occasions. The club members can also be part of the chess league and the chess gatherings if they so choose.

8. MEETINGS

8.1. Annual general meeting (AGM)

- 8.1.1. At the end of their term of office, the Executive Committee will host an annual general meeting (AGM) in any format they choose.
- 8.1.2. At this meeting the Chairperson, President, Treasurer and PR (Community and Social) is to submit an annual report. This report, which may be an interim report, should contain an unambiguous account as to the year's activities pertaining to their portfolios. These reports should also contain recommendations which should serve as guidelines to the new Executive Committee.
- 8.1.3. Registered Club Members and Residence League Representatives choose a new Executive Committee at the AGM of which 15 members must be present in order to form a quorum.
- 8.1.4. If a quorum should not be formed at the AGM, the new Executive Committee, as well as any other decisions made at the AGM which requires a vote, shall be approved by way of an electronic vote.
- 8.1.5. Notice of a pending AGM should be given to members at least ten (10) days in advance.

8.2. Extraordinary meetings (EM)

8.2.1. This meeting will take place in the event of either the chairperson, the Executive Committee requesting it, or if at least ten (10) members request such a meeting from the chairperson in writing showing just cause for such a request. The request will be put to the Executive Committee and must be voted upon.

8.2.2. Only motions in writing, pertaining to the reason for this meeting, will be considered. Formal meeting procedures will apply at all times, unless otherwise determined by the Executive Committee in consultation with the Residence-representatives Committee. This regulation will apply in particular to motions of mistrust by a member, of either the Executive Committee, any of its members, or the Club and must be made available to all parties concerned.

8.2.3. In all other aspects, regulations, rules and powers are the same as for that of the AGM.

8.3. Executive Committee meetings (ECM)

8.3.1. The Executive Committee shall meet at least once every month when the university is in session.

8.3.2. An Executive Committee meeting may be called by the Chairperson at any time provided that proper notice (5 working days) is given.

8.3.3. The administrator must issue a proper notice, either by e-mail or telephone call, to the Executive Committee members no less than twenty-four (24) hours prior to such a meeting.

8.3.4. Formal meeting procedures are in effect during all such meetings unless determined otherwise by the chairperson.

8.3.5. Meetings are mandatory for all members. Members are only allowed to excuse themselves with the permission of the chairperson, vice-chairperson or administrator.

8.3.6. Decisions may only be taken by means of a majority of votes of the members present. A quorum is fifty-percent (50%) plus one (1) of the total members of the Executive Committee. The chairperson holds a common vote, as well as a casting vote.

8.4. Residence-representatives Committee meetings (RCM)

8.4.1. Meetings shall take place at least twice a year.

8.4.2. Meetings shall be convened by the league president, the chairperson or the vice-chairperson.

8.4.3. Proper notice must be given, by the administrator, at least two (2) days prior to the meeting.

9. MANAGEMENT

Composition

9.1. Executive Committee

9.1.1. Shall consist of a possible five (5) to eight (8) members, with the following portfolios; chairperson, vice-chairperson, residence league president, social league president, treasurer, administrator, database administrator (IT), Madibaz team representative and the PR (community and social).

9.1.2. The chairperson may add or take away from these portfolios as he/she sees fit, in accordance to the Club's needs.

9.2. Residence-representative Committee

9.2.1. Shall comprise of all the representatives of the participating residences and private sectors.

10. TERMINATION OF MEMBERSHIP

10.1. General

10.1.1. A member ceases to be part of the Club when such a person submits a written resignation to the chairperson.

10.1.2. The Executive Committee retains the right to terminate or suspend the membership of any member of the Club should such a person be found guilty by the Disciplinary Committee of any serious misconduct towards the Club of its good name.

10.1.3. Any registered member of the Club has the right to appeal any decision made by the any structure of the Club.

10.1.4. A person will be fined for any inappropriate behaviour that will influence the Club negatively.

Procedures:

- Apply to Executive Committee
- Apply to Club management
- Apply to the Sport Bureau
- Apply to the Student Court

10.2. Executive Committee

10.2.1. A member ceases to be part of the Executive Committee when he/she:

10.2.1.1. submits a written resignation to the chairperson; or

10.2.1.2. is discharged from an office in terms of a valid motion of mistrust, asset out in the article below.

10.2.2. In order for a motion of mistrust to be valid, it must be suitably motivated by the registered member proposing it, must be seconded by at least 2 other registered members, and must be approved by a common majority of registered voters at either an AGM or EM. Should a quorum fail to form at such a meeting then the motion of mistrust must be approved by means of a vote.

10.2.3. The Executive Committee retains the right to take disciplinary action against or dismiss any member of the Executive Committee who neglects to carry out any duty assigned to him/her.

10.2.4. The Executive Committee retains the right to dismiss any member who missed two consecutive Executive Committee meetings lacking any official or prior leave or pardon.

10.2.5. Any member of the Executive Committee has the right to appeal his/her removal from the Executive Committee.

10.3. Vacancies

- 10.3.1. If a vacancy in the Executive Committee arises, then the Club must be notified, in writing no less than fourteen (14) days after the fact, and the Executive Committee has the authority to then appoint a new member to the Executive Committee.
- 10.3.2. Where the chairperson's membership was terminated the vice-chairperson will immediately become the new chairperson, subject to the approval of all the Executive Committee members.
- 10.3.3. Where the vice-chairperson's membership has been terminated then the Executive Committee shall elect a new vice-chairperson from within their ranks.

10.4. Effects Of Termination

- 10.4.1. Member loses all rights associated with membership.
- 10.4.2. Member may not use his/her position in any official correspondence pertaining to future employment, e.g. CV.
- 10.4.3. Member loses all positions he held due to his membership of the Club.

11. POWERS AND DUTIES

11.1. EXECUTIVE COMMITTEE

- 11.1.1. General powers and duties of all the Executive Committee members
- 11.1.2. Every member of the Executive Committee is directly answerable towards the chairperson and the Club members for maintaining, enforcing and promoting the spirit of this constitution.
- 11.1.3. Every member of the Executive Committee is directly answerable and accountable towards the chairperson and the Club members for performing the duties required by the portfolio assigned to him/her.
- 11.1.4. Each and every one of the Executive Committee is expected to actively help, in any way possible, any other member(s) of the Executive Committee.
- 11.1.5. Ad hoc members may be appointed by the Executive Committee for a specific project or purpose. This appointment must be:
 - Due to a request by a member of the Executive Committee.
 - Approved by a common majority vote within the Executive Committee.
 - These ad hoc appointees will enjoy equal status to that of an Executive Committee member for the duration of the project or duty he/she has been appointed.
- 11.1.6. Each member of the Executive Committee has the right to call for applications and set up a sub-committee to assist him/her in their portfolio. He/she has exclusive powers in terms of the composition and selection of such a committee.
- 11.1.7. Every member of the Executive Committee is expected to:
 - Attend all functions and events organized by the Club unless unable to do so due to academic commitments;
 - Read and act timelessly on minutes and action lists;
 - Make them available for duty within the Club.
- 11.1.8. Each member, as previously mentioned, of the Executive Committee is to submit a year-end report to the administrator and chairperson within two weeks of the conclusion of their term of office.

- 11.1.9. If the Club must be represented or has a seat on any forum or structure, with the exception of management of the Club, the Executive Committee must nominate a member for this purpose.

11.2. Chairperson

- 11.2.1. Is the ultimate authority of the Club and is thus ultimately responsible for the Club's actions.
- 11.2.2. He/she will see to it that the members of the Executive Committee execute their duties and will facilitate meetings.
- 11.2.3. The chairperson has the authority to refuse to sign off on any and all amendments to the constitution as long as he/she can suitably motivate his reasons for his/her refusal to the Oversight Committee's satisfaction.
- 11.2.4. The chairperson will, when and if nominated, represent the Club in negotiating and co-operating with other societies, and with the students' representative council (SRC).
- 11.2.5. The chairperson will see to it that the Club complies with the rules and regulations as set out by the Societies Council (SC) and will compile an end of year report for submission to the SC as per their regulations.
- 11.2.6. Must represent the Club on the Societies Council
- 11.2.7. Must ensure that the Club is seen as relevant productive body at the Nelson Mandela University.
- 11.2.8. Has the power to disband the Executive Committee, with proper motivation, after consultation with the Sport Bureau.
- 11.2.9. Has the power to remove a member of the Executive Committee.

11.3. Vice-chairperson

- 11.3.1. The vice-chairperson shall act on behalf of the chairperson when he/she is unable to do so. In the chairperson's absence the vice-chairperson will assume all the powers and duties pertaining to the position of the chairperson.
- 11.3.2. The vice-chairperson shall endeavour to assist the chairperson in any way possible.
- 11.3.3. He/she is responsible for the resolution of any and all disputes in the Executive Committee.
- 11.3.4. He/she shall set up general and specific rules to govern the Club as a whole which will facilitate the smooth running of the Club.
- 11.3.5. He/she is responsible for structuring and keeping the Constitution up to date during his/her term as vice-chairperson.
- 11.3.6. He/she is responsible of the internal supervision of the committee members.

11.4. Residence league President

- 11.4.1. The residence league president is in charge of the residential league.
- 11.4.2. He/she must formulate and implement all rules regarding the functioning of the league.
- 11.4.3. He/she will sit in judgement in any and all disputes relating to matches which falls within his/her purview.
- 11.4.4. The residence league president in consultation with the residence representatives, administrator, vice-chairperson and chairperson must set up all dates; tournaments, matches etc. for the upcoming year.

11.4.5. He/she must also set up meetings with the Res-representatives during which he/she must:

Listen to any and all grievances

Advise as to the proper execution of their duties.

Listen to any and all suggestions as to the smoother running of the residence league.

11.4.6. He/she is responsible for organizing the residence league finals and semi-finals for each residence league and also the annual prize-giving ceremony.

11.4.7. He/she, in the absence of both the chairperson and vice-chairperson, will represent the Club at all main campus events.

11.4.8. He/she has the authority to remove the directors of the residences if they fail to execute their duties to his/her satisfaction. This removal must be upheld by the chairperson.

11.4.9. He/she must incorporate PSO students and non-student members into the social league, either through a PSO team or have a league where members compete individually running con-currently with the residence league.

11.5. Social league president

11.5.1. The social league president is in charge of the social league.

11.5.2. He/she must formulate and implement all rules regarding the functioning of the league.

11.5.3. The social league president in consultation with the administrator, vice-chairperson and chairperson must set up all dates; tournaments, matches etc. for the upcoming year.

11.5.4. He/she will sit in judgement in any and all disputes relating to matches which falls within his/her purview.

11.5.5. He/she is responsible of organizing the yearly Madibaz Open.

11.6. Treasurer

11.6.1. The treasurer must understand and be comfortable with the financial- and bookkeeping system of the University, and is responsible for the settling of all accounts.

11.6.2. The treasurer must set up a preliminary budget for the Club.

11.6.3. The treasurer shall be responsible for the administering of the Club's cost-point account with the Sport Bureau.

11.6.4. The treasurer is to assist the chairperson in representing the Club to all existing or potential sponsors and donors. The treasurer is also responsible for providing the sponsors/donors with reports as to how their contributions have been spent if necessary.

11.7. Administrator

11.7.1. He/she is responsible for the administration of the Club as a whole.

11.7.2. The administrator shall also take minutes at every Executive Committee meeting.

11.7.3. He/she shall register new members and compile and administer a membership database.

11.7.4. The administrator shall set up action plans and duty lists in order to promote efficiency in the Executive Committee.

11.7.5. He/she is responsible for the official communication of the Club, be it internal or external.

11.8. PR (Community and Club)

- 11.8.1. Responsible for shaping the public image of the Club in consultation of the chairperson.
- 11.8.2. He/she must find ways in which the Club can play an active and meaningful role in the development of the greater Port Elizabeth community.
- 11.8.3. He/she must find ways to make the general student body aware of the Club.
- 11.8.4. He/she must find ways to attract sponsors from inside and outside of the Nelson Mandela University.
- 11.8.5. He/she, in the absence of both the chairperson and vice-chairperson, will represent the Club on all off-campus events.
- 11.8.6. He/she is responsible for organizing community interaction events in consultation with the chairperson.

11.9. Database Manager (IT)

- 11.9.1. Shall be responsible for the setting up, maintenance and updating of the Club's website.
- 11.9.2. Shall ensure that the Executive Committee members are able to update their relevant sections on the website.
- 11.9.3. He/she shall liaise with the administrator and find ways to use the website as a means of centralised communication between the registered members and the organs of the Club.

11.10. Madibaz Team Representative

- 11.10.1. He/she will be responsible to organize practice sessions for the Madibaz Team as well as monitoring their progress and making sure that they keep up their high performance.
- 11.10.2. He/she will be responsible for organizing coaching for the Madibaz Team and maintain a good relationship between the coach and the Madibaz Team.
- 11.10.3. He/she, together with the coach, is responsible for the selection of the Madibaz Team.
- 11.10.4. The Madibaz Team Representative's responsibilities towards the Executive Committee:
 - Gives weekly updates on the progress of the Madibaz Team.
 - Listen to any and all suggestions as to the smoother running of the Madibaz Team.
 - He/she must be prepared and willing to implement these suggestions.

11.11. RESIDENCE REPRESENTATIVES

- 11.11.1. He/she must appoint a captain to represent and manage every team that are taking part of the league.
- 11.11.2. Has the authority to remove any and all captains who are not executing their duties.
- 11.11.3. Must ensure that all captains are fully aware of the rules and regulations pertaining to the Club as a whole, matches in particular and their particular duties in relation to their positions.
- 11.11.4. He/she must collect the original membership forms from the members under his/her purview.

- 11.11.5. He/she must enforce the rules as set out by the president and the Executive Committee.

12. SCHEDULES:

Chess League Rules 2018

12.1. General

- 12.1.1. All matches are played weekly, on Mondays, and begin at 17h00 and end at 19h00.
- 12.1.2. In case a team is unable to play a match, the five marks will be obtained by the opposing team and the team who is unable to play will be rewarded naught.
- 12.1.3. In the case of a dispute during or after the match, the captains of each team should agree on a reasonable decision. If a mutual decision can not be agreed upon, a written claim from each captain concerning the dispute should be submitted to the Executive Committee.
- 12.1.4. Only players who have registered with the chess Club are eligible to take part in the league. The membership forms should be filled in at the beginning of the year. Spot checks will be carried out regularly to ensure that no unregistered players have played in the teams. In the case of the above rule being breached, the Chair/Vice-Chair will decide on an appropriate penalty.
- 12.1.5. Should any form of ambiguity or non-clarification arise from within the rules, the discretion is held by the Chair/Vice-Chairperson to decide upon an appropriate decision.

12.2. Scoring System

- 12.2.1. The League operates on a Single Round Robin System (Each team will play each other team in the same group once).
- 12.2.2. The positions of the teams in the league are calculated by the total number of individual game victories. In the case of a tie, the total number of match victories will decide the positions. If the positions still cannot be deduced, a tie-breaker match will be scheduled.
- 12.2.3. An officially scheduled final match will be held between the top 2 teams of leagues comprising one group of teams.
- 12.2.4. In the case of a section with 2 groups of teams, a semi-final will be held for the top two teams within each group (semi-finals) and a final will then be held between the top team of each group.
- 12.2.5. In the case of a tie in either a tie-breaker match, semi-final or final, a Blitz playoff (5 minutes per each player) will be held between the teams until a clear winner is determined.

12.3. Equipment

- 12.3.1. Each one of the hosting hostels' representative is responsible for twenty chess sets and only the A and B league's representatives will be responsible for five clocks, which they will be fined for in the case of any loss of pieces or damaging of equipment.
- 12.3.2. All residences are obligated to return the chess sets, provided by the club, before the occurrence of the Madibaz Open or any Madibaz chess event.

12.4. Game Rules

- 12.4.1. One of the teams plays white on board 1, with colours alternating on the other boards.
- 12.4.2. Time control is set at 45 minutes per player for the entire game (except for Blitz Playoff games).
- 12.4.3. The Standard FIDE rapid-play rules are to be followed. A full copy of the rules is available from all the team captains.

12.5. Prizes

- 12.5.1. Prizes will be given according to what the Executive Committee decides on.

12.6. Madibaz Team

- 12.6.1. The Madibaz Team is responsible for representing the club at the yearly USSA tournament.
- 12.6.2. The Madibaz Team is responsible for representing the club at all external chess competitions in the surrounding area and with other academic institutions.
- 12.6.3. It is compulsory for the Madibaz Team to participate in the Open tournament hosted by the club.

13. AMENDMENTS TO THE CONSTITUTION

This constitution may be provisionally amended or altered by a two-thirds majority of the Executive Committee. Such an amendment must be upheld by the Oversight Committee and must subsequently be declared valid by fifty-percent plus one majority of all registered members at an AGM or EM. All registered members must also be presented with the provisional changes by means of a notice at least two (2) weeks before the AGM or EM. Should no quorum be present at the AGM or EM then a postal/electronic vote requiring fifty-percent plus one majority of all registered voters shall be needed to nullify any and all provisional amendments or alterations.

14. INTERPRETATION

This entire constitution is subject to the regulations and procedures regarding students and Club members as laid out in the Sport Bureau of the Nelson Mandela University, the Sport Bureau Constitution and the Rules for Students at the Nelson Mandela University.

The chairperson shall be called upon to judge any dispute arising from any clause pertained in this constitution.

Should any dispute arise concerning the interpretation of a clause in this constitution, which is outside of the chairperson's scope, he/she or any registered member of the Club may approach the Student Court for a declaratory order. The Student Court should, in so far as it is possible, interpret this constitution by using the standard rules of interpretation, subject to the principles of natural justice.

15. REVOCATION AND RETRACTION

This constitution revokes all previous constitutions of the Nelson Mandela University Madibaz Chess Club.

Signed by:

Madibaz Executive Committee:

Chairperson

Madibaz Chess Sport Manager