

**NAMBIAN LOCAL AUTHORITY SPORTS AND RECREATION ASSOCIATION**

# **CONSTITUTION**

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## **1.0 NAME**

1.1 The name of the association shall be “NAMIBIAN LOCAL AUTHORITY SPORTS AND RECREATION ASSOCIATION”.

1.2 The official abbreviation of the association is “NALASRA”

## **2.0 PREAMBLE**

2.1 The local authorities of Namibia having realised the importance of creating an atmosphere of friendship, goodwill, and cooperation between one another, in so doing hereby establish an association to promote such an atmosphere through Local Authority Sport and Recreation.

## **3.0 OFFICIAL SEAT AND HEADQUARTERS**

3.1 The official seat and headquarters of NALASRA shall be situated in such a place as may from time to time be determined at a general assembly of the association.

## **4.0 LEGAL STATUS AND BODIES**

4.1 NALASRA is a non-governmental, non-profitable, non-discriminatory association of Local Authorities.

4.2 NALASRA shall have full legal status

4.3 The Constitution of NALASRA shall not go against the laws of the Republic of Namibia.

4.4 Bodies of NALASRA shall be the National General Assembly and the National Executive Committee

4.5 Nothing herein shall constitute Members of NALASRA as partners for any purpose. No member, officer, agent, or employee of NALASRA shall be liable for the acts or failure to act on the part of any other member, officer, agent, or employee of NALASRA. Nor shall any member, officer, agent, or employee be liable for his/her acts or failure to act under these statutes, except only acts or omissions to act arising out of his/her wilful misfeasance.

4.6 The Constitution of NALASRA shall govern the association.

## 5.0 NALASRA AUTHORITY

- 5.1 NALASRA is the supreme authority of the different sports, and recreation activities of Local Authority ***employees and employers*** in NAMIBIA.
- 5.2 The association shall affiliate to any sporting body recognized nationally, regionally or internationally.
- 5.3 Its duration is indefinite.

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## 6.0 AIMS AND OBJECTIVES

- 6.1 The aims and objectives of the association are:
  - a) To engage in sporting activities with a purpose of creating a spirit of friendship through sports and culture.
  - b) To create an environment that will promote exchange and sharing of ideas between the members of the association through different forums like getting together, workshops, recreational trips etc.
  - c) To act as a governing body for the different sporting codes.
  - d) To promote identity of unity among members of the association
  - e) To do all that is feasible, legal, ethical, moral and worthy for the good of the association and to the benefit of its members.
  - f) To created a body that will oversee the objectives and aims of the association with great prudence, accountability and professionalism.
  - g) To discuss matters raised by its members on questions of common interests in relation to sports and recreation activities carried under the mandate of NALASRA.
  - h) To coordinate and defend the common interests of its members in the above context.
  - i) To act as mouthpiece on behalf of its members in matters relating to Local Authority sports and recreation in General
  - j) To maintain the authority, independence and autonomy of its members and to ensure respect of the decisions made by the General Assembly
  - k) To ensure the widest possible participation in NALASRA programs and Projects
  - l) To actively support the inclusion of the sports and recreation of its members in the Local Authority sports and recreation program

- m) To create an environment that will promote a healthy lifestyle through sport and recreational activities for Local Authority employees and employers.

**6.2** Other Aims and Objectives may from time to time be defined by the General Assembly

- 6.3** The objects set forth above shall be restrictively construed, but the widest interpretation shall be given thereto, and they shall not, except when context expressly so requires, be in any way limited or restricted by reference to, or inference to, from any other object set forth in any section or subsection in this constitution.

## **7.0 ADMINISTRATIVE ORGAN**

**7.1** The following shall be the administrative organs of the association:

- a) The General Assembly
- b) National Executive Committee
- c) National Consultative Committee

## **8.0 POWERS**

**8.1** NALASRA through the relevant administrative bodies mentioned in article 7.0 above shall have powers:

- a) To enforce its Rules and Regulations to all its members.
- b) To stipulate and control conduct of its members.
- c) To form and have interest in any association or organization (s) which have the same or similar objectives to NALASRA. This shall be directly or indirectly calculated to benefit NALASRA.
- d) To remunerate any person or persons in cash or service rendered in helping to realise the aims or objectives of NALASRA.
- e) To open and operate bank accounts and to draw, accept, endorse, discount, execute and issue bills of exchange, cheques, promissory notes, and other negotiable or transferable instruments and guarantee the payment of any money in the name of the NALASRA.
- f) To do all such things as are incidental or conducive to the attainment of the NALASRA aims and objectives.

## 9.0 CONDITIONS

- 9.1 The surplus if any or other income shall be for promoting the aims and objectives of the NALASRA and no dividend will be paid to any member.
- 9.2 Winding or giving out of the NALASRA's remaining assets shall be determined by the members of the NALASRA at or before the time of its dissolution, or failing such determination by the executive committee of the NALASRA.
- 9.3 The income and property of the NALASRA, where so ever derived, shall be solely applied towards the promotion of its aims and objectives.

## 10.0 LANGUAGES

The official language of NALASRA shall be English.

## 11.0 LOGO

The National Executive Committee shall prepare and propose a logo and official colours to the General Assembly for approval.

## 12.0 MEMBERSHIP

- 12.1 Primary membership is open to all local authorities -within Namibia.
- 12.2 Applications for membership shall be submitted through the Secretary General of the NALASRA and shall be decided by the National Executive Committee of the NALASRA.
- 12.3 All members as defined herein shall be entitled to one vote per delegate as defined in 15.2
- 12.4 After suspension of a member by the Disciplinary Committee of NALASRA, reinstatement may be considered by the National Executive Committee after the period of suspension has lapsed.

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## 13.0 TERMINATION OF MEMBERSHIP.

13.1 Membership to NALASRA may be terminated if:

- a) Any member fails to pay the required [subscription membership](#) fee.
- b) Any member is found guilty of misconduct in terms of the code of discipline.
- c) Any member resigns from the NALASRA by letter.
- d) Any member is expelled from the NALASRA.

- 13.2 In case of resignation or expulsion for any reason whatsoever, no refund of ~~either joining fee or subscription~~ membership fee shall be made.

#### 14.0 INDEPENDENCE AND AUTONOMY OF MEMBERS

- 14.1 Each member of NALASRA as described in article 11 above maintain full independence and autonomy in the administration of their own sports and sporting codes.
- 14.2 Each member shall observe the decisions taken by the General Assembly in relation to the common interests as stated in this constitution.
- 14.3 The fundamental principles of municipal sport and recreation shall prevail in all actions taken by NALASRA, members, and affiliates. Rules and regulations issued by NALASRA shall not conflict with or derogate from those principles.
- 14.4 That all members of the Association uphold and defend the Constitution of NALASRA.

#### 15.0 ~~SUBSCRIPTION~~ MEMBERSHIP FEE

- 15.1 Members shall pay such ~~subscriptions~~ membership as the General Assembly determines.
- 15.2 In determining the ~~subscription~~ membership levels the General assembly shall stand advised by the Treasurer and budget of approved activities.

#### 16.0 THE GENERAL ASSEMBLY

- 16.1 The General Assembly shall be the highest decision making authority of NALASRA and shall have all the powers which according to proper law or the constitution of NALASRA, have not been given to other organs of NALASRA.
- 16.2 The general assembly shall be composed of:
- a) Up to two (2) delegates from primary members.
  - ~~b) To be in line with NALASRA broad objective of inclusiveness delegates from special members shall be:~~
  - ~~c) One (1) delegate from Councillors or Board Members duly elected in a council or Board meeting.~~
  - ~~d) One (1) delegate from the General Workforce duly elected or appointed by senior management.~~
  - ~~e) b)~~ Members of the National Executive Committee.
  - ~~f) c)~~ The President Emeritus, without voting rights.

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- ~~g)~~d) Other persons may attend the General Assembly at the discretion or invitation of the National Executive Committee without voting rights.

16.3 The agenda for the General assembly shall include at least:

**Opening.**

- a) Composition of General Assembly (Roll Call) to determine number of present votes.
- b) Approval of the Agenda.
- c) Endorsement of three (3) scrutineers.
- d) Approval of minutes of the previous General Assembly.
- e) Report (s) of the President and/or Secretary General.
- f) Financial Report (s) [Report of the Treasurer]
- g) Approval of the accounts and discharge of the National Executive Committee.
- h) Appointment of auditors.
- i) Budgets
- j) Fixing Date, Time and Place of the next General Assembly.

16.4 Any other item which have been proposed by the National Executive Committee or by one or more members. These items should have reached the Secretary General at least 30 days before the date of the General Assembly.

16.5 The General Assembly may debate only those matters appearing on the approved agenda.

16.6 The President shall preside over the General Assembly:

- a) The President may request the meeting to appoint a Chairman in his/her place if need be.
- b) If the President is absent, the Vice President shall preside over the General Assembly.
- c) If also the Vice-President is absent the Secretary General shall open the General Assembly and request the delegates to appoint a member of the National Executive Committee to take the Chair.

16.7 The Quorum at the General Assembly shall be one half (1/2) plus one (1) of the total number of members of NALASRA.

16.8 Each delegate shall be entitled to one vote.

16.9 Voting at the General Assembly shall be dealt with as follows:

- a) A simple majority is the majority of votes cast, excluding abstentions.
- b) An absolute majority is more than half of the votes present.



- c) A special majority is more than two-thirds (2/3) of the votes present.
- d) Voting by a proxy vote is not permitted.
- e) All voting on business matters shall be taken by show of hands, and all voting on matters concerning persons shall be by secret ballot, unless the meeting, by simple majority, determine a different form of voting.
- f) If voting is by ballot, the scrutineers will open the ballot papers and decide on the validity of each vote cast.
- g) Alterations to the constitution require a special majority
- h) Endorsement of the scrutineers requires a simple majority.
- i) Election of National Executive Committee members requires a simple majority, with the exception of the provisions for unopposed nominations.
- j) Initial approval of the agenda of the general assembly shall be by a simple majority. The approved agenda may only be modified by a special majority.
- k) All other decisions of the General Assembly require a simple majority.
- l) No postal or absentee voting shall be allowed.

16.10 Election at the General Assembly shall be dealt with as follows:

- a) The National Executive Committee shall recommend a competent and independent electoral officer who shall be approved by the General Assembly by simple majority.
- b) The President, the Vice President, the Secretary General, the Vice Secretary General, the Treasurer, and members shall be elected in that order.
- c) With due regard to ~~46.9.4~~ 16.10.d) below, in the event of unopposed nominations, the candidates nominated shall be declared elected.
- d) The nomination of a candidate may be deprived of its binding nature by a resolution passed by a special majority.
- e) If no one is nominated, or if the General Assembly resolves to deprive a nomination of its binding nature in accordance with the provisions of ~~46.9.4~~ 16.10.d) above, the electoral officer may call for new nominations at that instant.

16.11 Balloting at the General assembly shall be dealt with as follows:

- a) The electoral officer shall call for voting in the order specified in ~~46.9.(b)~~ 16.10.b) above, in turn.
- b) Ballot papers shall be distributed one per member.
- c) On the first ballot each voting member shall cast one vote for each vacancy.
- d) The candidate who receives a simple majority shall be declared elected.

- e) If any vacancy still remains there shall be a second and subsequent ballots until all vacancies have been filled. In each such ballot the number of remaining candidates shall be reduced (if necessary) by removing those candidates receiving the least number of votes so that there are no more than twice the number of vacancies as there are remaining vacancies. On the second and subsequent ballots, each voting member shall cast one vote for each remaining vacancy.

16.12 Decisions taken by the General Assembly take immediate effect unless the Assembly decides otherwise by a special majority

16.13 Extraordinary General Assemblies shall be held at a place and on a date determined by the National Executive Committee:

- a) When requested by a decision of the ~~National Executive~~National Executive Committee.
- b) Within 30 days of the receipt by the National Executive Committee of a requisition by not less than ~~one~~ two-third (2/3) of its members.

16.14 Not less than 30 days shall be given to convene a General Assembly and such notice shall specify the place, date, and time of the meeting and include an invitation to the members to submit items to the agenda at least 15 days prior to the meeting. The agenda of the meeting shall be sent out at least 7 days prior to the meeting.

## 17.0 NATIONAL EXECUTIVE COMMITTEE (NEC)

### 17.1 Authority

- a) The NEC shall be responsible for directing the policy, management and activities of NALASRA and for ensuring proper performance and observance of the objectives of NALASRA and its Constitution and decisions.
- b) The NEC shall subject to the directions of the General Assembly, have full power and authority to manage the affairs of NALASRA and exercise all its powers including the power to engage such agents as may be necessary for the performance of its duties. In general the NEC shall decide on all matters not otherwise reserved for the General Assembly by the Constitution.

### 17.2 Composition

- a) The NEC shall consist of:
  - I. The President
  - II. The Vice-President
  - III. The Secretary General

- IV. The Vice-Secretary General
- V. The Treasurer
- VI. The Vice-Treasurer
- VII. Five (5) Additional Members

- b) Candidates may be nominated for multiple positions with due observance that they can only be elected to one position. If a candidate is elected for a position, nominations of this candidate for other positions are automatically deemed to be withdrawn.
- c) All members of the NEC shall hold office for a term of **three (3) years**, unless the NEC members are appointed or elected in a vacancy resulting before the term is completed. In that case they shall hold office until the end of the term of their respective predecessors. At the proposal of the NEC, the General Assembly may decide to limit the term of an NEC member at election to a term of shorter than three (3) years.
- d) Members of the NEC are eligible for re-election at the end of any term of office with due observance of any limitations that may be imposed by the General Assembly by special majority vote.
- e) That if the first three (3) positions in the NEC or five additional members' positions mentioned in ~~47.2.4~~ 17.2 are vacant, the NEC shall not be regarded as a competent body and that an Extra-Ordinary General Assembly be called.
- f) If a member of the NEC resigns or is dismissed from a local authority his membership with NALASRA is automatically terminated.

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### 17.3 Meetings

- a) The NEC shall meet at least thrice (3) each year at such a time and place as the President decides
- b) Any member of the NEC who fails to attend more than three (3) consecutive meetings of the NEC without a valid reason shall be deemed not to be a member of the NEC and his/her position will be regarded as vacant.

### 17.4 Vacancies

- a) If the President resigns or becomes permanently incapacitated, the Vice-President shall assume the office as Acting President until the next General Assembly. The Acting President shall be entitled to all responsibilities and privileges and be responsible for all duties of the President.
- b) If the Vice-President, Vice Secretary General and Vice Treasurer relinquishes office, the President in

consultation with the members shall appoint the Acting Vice-President, acting Vice Secretary General and acting Vice Treasurer out of the remaining NEC members save for the Secretary General and Treasurer.

- c) If the Secretary General relinquishes office, the vice-Secretary general shall assume office as Acting Secretary General.
- d) If the Treasurer relinquishes office, the Vice Treasurer shall assume office as the Acting Treasurer.
- e) Within the framework of the authority given to the NEC, it may delegate its day-to-day affairs to the President, the Secretary General, or one of its other members.
- f) The President, Secretary General, and Treasurer are empowered within the limits of their responsibilities to enter jointly into legal binding transactions on behalf of NALASRA not exceeding the budget allocated in each line item of the approved budget. For any transactions exceeding this amount, approval of the NEC shall be required.

#### **17.5 Duties of the National Executive Committee**

- a) Execute and fulfil policies, decisions and directives of the membership of the NALASRA.
- b) Employ such officers or agents as it may deem necessary or desirable for the effective discharge of the function.
- c) Acquire by the way of purchase, domination aid or grant or lease any property movable or immovable and dispose of the same by way of lease, domination or other lawful means.
- d) Enter into contract on behalf of the NALASRA.
- e) Negotiate for sponsorship for competition and for the funding of the NALASRA.
- f) Determine allowance payable to person in the executive committee and sub committee.
- g) Delegate powers and functions to a sub committee as seems expedient, to deal with special matters arising during the course of the management of the NALASRA.
- h) Draft rules and regulations in line with the constitution for adoption at the General Assembly.

### **18.0 DUTIES OF THE NATIONAL EXECUTIVE COMMITTEE MEMBERS**

#### **18.1 DUTIES OF THE PRESIDENT**

- a) Preside over all meetings sanctioned by the NALASRA.
- b) That the President represents NALASRA in any Legal matters.
- c) Oversee the operation of the NEC to ensure that all the policies of the association are carried out accordingly.
- d) Enter into lawful transactions for and on behalf of NALASRA in consultation with the NEC.
- e) To be accountable direct to the General assembly.
- f) Enlist the assistance of any member of the NEC or delegate such powers to any member of the NEC.
- g) To be custodian of the NALASRA constitution.
- h) Authorize the release of all the press statements reflecting on the NALASRA.
- i) To supervise any officer employed in the business of the NALASRA.
- j) Shall be a member of any other body, which the association subscribes to or has an interest in.

#### **18.2 DUTIES OF THE VICE PRESIDENT**

- a) Act in the absence of the president to perform such duties as the president would have performed
- b) To oversee all tournaments and activities organised and / or sanctioned by the NALASRA.
- c) To perform such duties as the NEC may from time to time assign him.

#### **18.3 DUTIES OF THE SECRETARY GENERAL**

- a) Take minutes and be responsible of all the General Assembly meetings and National Executive Committee meetings. In either case it shall be the responsibility of the Secretary General to move that minutes are adopted.
- b) To convene all NEC meetings in consultations with the president.
- c) Receive and reply to all correspondence with members, sponsorship, donors, etc.
- d) Issue press statement that concern NALASRA sanctioned by the President.
- e) Act as a public relations officer for the NALASRA.
- f) Responsible for the drafting of plans, policies and strategies to the NEC.
- g) Shall be a member of any other body, which the association subscribes to or has an interest in.

#### **18.4 DUTIES OF THE VICE SECRETARY GENERAL**

- a) Act and perform all duties of the secretary general during his or her absence.
- b) Prepare and write reports on all tournaments organized, run or sanctioned by the NALASRA.
- c) Keep minutes for all the subcommittees
- d) To carry out secretarial duties of the NEC and the association in general.
- e) To do publicity work of the association.
- f) To ensure safekeeping of the associations records.

#### **18.5 DUTIES OF THE TREASURER**

- a) To ensure the proper bookkeeping of all the finances of the association.
- b) To prepare and make available all the necessary books of accounts for auditing purposes.
- c) To collect receipts and safe keep all the money of the association.
- d) To establish a bank account for the association.
- e) To do the entire debit and credit transactions of the associations account.
- f) To account directly to all the structures of the associations on the income and expenditures of the associations account.
- g) To produce and dispose assets, equipments, perishable etc of the association according to the established policy.
- h) To do other duties relevant and appropriate for this post.
- i) Shall be a member of any other body, which the association subscribes to or has an interest in.

#### **18.6 DUTIES OF THE VICE TREASURER**

- a) Act and perform all duties of the Treasurer during his/her absence.
- b) Responsible for funds during competitions and tournaments.
- c) Perform all other duties as may be assigned by the Treasurer and or NEC.
- d) Assist the Treasurer on Budgeting processes.
- e) Be responsible to obtain quotations for the association.
- f) Be responsible for the Petty Cash of the Association.
- g) To carry out financial duties of the organisation.

#### **18.7 DUTIES OF ADDITIONAL MEMBERS**

- a) To participate in all debates, voting and other activities of the NEC. To carry out its NALASRA General Assembly mandates and any other duties as prescribed by the NEC.

## **19.0 SELECT COMMITTEES**

- 19.1 The select committee shall be determined by the National Executive Committee for specific long term, medium term or short term activities or projects as directed by the Financial Policy.
- 19.2 They shall be given terms of reference by which they shall carry out their intended duty.
- 19.3 Members of the Select Committees may be elected or appointed depending on the nature of their responsibility and the term they shall serve.
- 19.4 The General Assembly at its instance may call for the election of a General Assembly Select Committee by special majority vote, in which case the terms of reference shall be determined by the General assembly.

## **20.0 EXPENSES OF NATIONAL EXECUTIVE COMMITTEE MEMBERS**

- 20.1 All expenses incurred by NEC members in the execution of their mandated functions shall be carried by NALASRA within the budget estimates approved by the General Assembly.
- 20.2 Financial Policies and Control of such budget expenditure shall be under the control of the Treasurer.

## **21.0 ACCOUNTS**

- 21.1 The NEC shall be obliged to maintain such records of accounting that the financial position of NALASRA can be ascertained at all times.
- 21.2 The records of accounting shall be expressed in national currency.
- 21.3 The NEC shall submit its annual report including a Balance Sheet and a Profit and Loss Account to the General Assembly and present fully documented report of its management in the previous financial year. The financial year shall begin 1 July the one year and end on 30 June the next year.
- 21.4 Acceptance of the Annual Accounts by the General Assembly shall release the NEC from liability for all acts apparent from the annual accounts.
- 21.5 The NEC shall operate an account with a Commercial Bank determined by the NEC.
- 21.6 The Signatories to such accounts shall be The President, The Treasurer, and Secretary General. Only two signatures of the herein named officers shall be required at a time.

## **22.0 DISPUTES OF INTERPRETATION**

- 22.1 In all cases in which application of the Constitution leads to dispute regarding the interpretation thereof, the NEC shall decide the matter, with the right to appeal to the next General Assembly.

## **23.0 MATTERS NOT PROVIDED FOR**

- 23.1 In urgent cases, not provided for in the Constitution, the NEC shall be empowered to decide until the matter is tabled for discussion at the next General Assembly.

## **24.0 MODIFICATION AND/OR AMMENDMENTS OF THE CONSTITUTION**

- 24.1 The Constitution may be amended, added to, or rescinded by a resolution of the General Assembly passed by a Special majority. No such resolution shall be submitted to the General Assembly unless it complies with 25.3 below.
- 24.2 Any amendments of the Constitution must be proposed by a member or by the NEC.
- 24.3 The Proposal to Amend must reach the Secretary General not later than 30 days before the date of a Scheduled General Assembly.
- 24.4 The Secretary General shall communicate any proposal to the members.
- 24.5 A proposal may be withdrawn at any time but a withdrawal by a member must be in writing.

## **25.0 DISSOLUTION AND LIQUIDATION**

- 25.1 NALASRA may only be dissolved at an Extraordinary General Assembly Convened for the purpose and by a resolution supported by a special majority.
- 25.2 If dissolved, all debts and liabilities legally incurred on behalf of NALASRA shall be fully discharged and the remaining assets, if any, shall be distributed to the members at the time of the resolution dissolving NALASRA.
- 25.3 If following a resolution dissolving NALASRA, no liquidators are appointed; the NEC shall carry out the liquidation procedure.
- 25.4 After dissolution, NALASRA shall continue to exist in so far as it is necessary for the liquidation of its assets. During the liquidation procedure, the provisions of the constitution shall remain in force. In documents and announcements issued by NALASRA, the words in liquidation must be added to the name.



25.5 As soon as a proposal calling for the dissolution of NALASRA is submitted this article in its entirety may not be altered.

## **26.0 FINAL PROVISIONS**

26.1 This Constitution was adopted by the Members of the NALASRA General Assembly of 10 May 2008 in Okahandja, Namibia. In accordance with the decision of the General Assembly, it comes immediately into effect.

26.2 Further to 26.1 above, any amendments to this constitution in accordance with article 25.0 shall be duly recorded in this section as and when approved by the General Assembly. Such amendments shall be numbered sequentially and the Article specified in the amendment document.

## **27.0 AUTHORISED SIGNATURES**

27.1 Given hereunder by authority of the General Assembly on this 10<sup>th</sup> Day of May 2008:

**Signed:**

1. President: ..... 2. Secretary General:

**Witnesses**

1. ....

2. ....=

