



# **THE PARACHUTE ASSOCIATION OF SOUTH AFRICA (PASA)**

## **CONSTITUTION**

### **1. Preamble**

#### **1.1 Definitions and Interpretations**

- 1.1.1 The Association established by this Constitution is called the "Parachute Association of South Africa" and shall perform its functions as a legal entity.
- 1.1.2 The legal abbreviation of the Association will be "PASA" and will bear the insignia set forth in Schedule A.
- 1.1.3 The Association will function as a non-racial, non-profit, non-political organisation with complete control over its composition and destiny.
- 1.1.4 Words importing the singular shall include the plural and vice versa; and words importing the masculine or feminine gender shall include the neuter and vice versa.

#### **1.2 Mission Statement**

To foster, develop and facilitate sport parachuting, in all its facets, within South Africa, in the safest and most progressive manner, on behalf of its members.

#### **1.3 Principles and Aims**

- 1.3.1 PASA will promote the highest standards of safety amongst participants.
- 1.3.2 PASA will establish and maintain contact with all relevant bodies throughout the world in order that all technical and practical developments within the sport, whether of a safety, training, demonstration or competitive nature, are made known to the parachuting community.
- 1.3.3 PASA will establish and maintain contact with all relevant bodies throughout South Africa to ensure the smooth operation of local activities.
- 1.3.4 PASA will endeavour to foster interest in the sport and encourage new participation.
- 1.3.5 PASA will hold national competitions and select representative teams to participate in international competitions.
- 1.3.6 PASA will allow each discipline to operate independently, subject to the Basic Safety Regulations, by way of organising competitions, raising funding and promoting participation.
- 1.3.7 PASA may negotiate, stipulate for, grant and arrange reciprocity between and affiliation to other organisations.

### **2. Structure**

The structure of PASA consists of two subsidiary associations; The Association of Drop Zone Operators and the Sport Skydivers Association, each functioning autonomously.

## 2.1 The Association of Drop Zone Operators (ADZO)

### 2.1.1 Structure

- (I) All affiliated Drop Zone Operations shall have a seat on the management board which shall be ultimately responsible and accountable for delivery of the duties and responsibilities of the ADZO.
- (II) *Ad hoc* working groups/Sub-committees may be formed by the board as required.
- (III) Drop Zone Operations wishing to join the ADZO shall apply to the board, who shall assess and approve the application in accordance with the requirements as stipulated in their Standard Operating Procedures.
- (IV) Appoint on a temporary or permanent basis, any person to perform those duties and execute those functions allocated to him by the board, according to the remuneration agreed upon by both parties.

### 2.1.2 Duties and Responsibilities

- (I) To ensure the safe conduct of all parachuting activities at all affiliated Drop Zones.
- (II) To ensure that all instruction performed by affiliated Drop Zone Operations by way of first jump courses, using static-line, AFF or tandem methods, and the progression thereafter, conforms with internationally accepted safety standards and norms.
- (III) To train and develop the staff with the necessary skills and knowledge required to implement the safety standards and progression.
- (IV) To maintain the uniformity of minimum safety standards amongst all the affiliated Drop Zones and to ensure that these same remain current and appropriate including all Basic Safety Regulations and Standard Operating Procedures.
- (V) To facilitate communication amongst its members and with the authorities in regard to safety issues and developments.
- (VI) To implement the authorities and responsibilities as delegated to PASA by CCA care of the Aero Club of SA, as referenced in the Memorandum of Agreement between the afore said two parties dated 27/06/95 and as amended from time to time.
- (VII) To establish and maintain a code of conduct for all affiliated Drop Zone Operations which they all subscribe to and undertake to uphold as a condition of membership.
- (VIII) To establish and maintain a professional image and the provision of a professional service in the eyes of the public and the authorities.
- (IX) To facilitate reciprocity amongst its member Drop Zone Operations, by recognising the instruction and progression performed at the various member operations.
- (X) To raise such monies as are required by way of membership fees, donations and sponsorships. Such monies are to be used exclusively to implement and enact these duties and responsibilities.
- (XI) To prepare and submit to the management board for approval, an annual budget of income and expenditure.
- (XII) Proper accounts shall be kept according to generally accepted accounting practices, and an audited revenue and expenditure account as well as a balance sheet, shall be compiled annually at the closing of each financial year for submission to the Annual General Meeting. Such accounts shall be examined at least once a year.
- (XIII) The accounts, ledgers and vouchers of the ADZO shall be open for inspection by any member of the Association at any reasonable time.
- (XIV) True copies of all minutes of meetings of the board or any ad hoc working group shall be kept in a proper manner and available for inspection by any member of the Association.

## 2.2 The Sport Skydivers Association

### 2.2.1 Structure

- (I) SSA shall consist of Sub-committees for each one of the FAI recognised disciplines and Wing Suiting, and three Non-Executive Directors.
- (II) Each Sub-committee must consist of a minimum of 3 members who are all fully paid-up members of PASA and their respective disciplines.
- (III) In the event of there being insufficient members willing to serve as office bearers on any individual Sub-committee, that discipline shall have no representation.

### 2.2.2 Representative Sub-committees

- (I) Duties and Responsibilities
- (a) To organise and promote their respective discipline within South Africa.
  - (b) To raise such monies as are required by way of membership fees, donations and sponsorships. Such monies are to be used exclusively for:
    - Organising and holding of regional and national championships, where applicable.
    - Selection and support of National teams/representatives to represent South Africa at International Championships
    - Organising and holding seminars and training camps to improve the standards of participation within each discipline, whether at a junior, intermediate or senior level, both locally and abroad.
    - Keeping up to date with, and disseminating to all members, information relating to new techniques and practices which may improve standards of performance within each respective discipline.
    - Purchase and use of equipment to further the discipline.
    - Appropriate re-imburement of expenses incurred in carrying out these responsibilities.
  - (c) Each Sub-committee is responsible for the general conduct of its own members.
  - (d) To prepare, and submit to the Non-Executive Directors and their membership base, for approval, an annual budget of income and expenditure and activities plan.
  - (e) To apply for approval from the Non-Executive Directors, when necessary disbursements exceed limits of authority.
  - (f) The accounts, ledgers and vouchers of the Sub-committee shall be open for inspection by any member of that Discipline at any reasonable time.
  - (g) True copies of all minutes of meetings of the Sub-committee shall be kept in a proper manner recording all decisions taken by the Sub-committee.
  - (h) Each Sub-committee is required to abide by the limits of authority as laid down in Section 4.
- (II) Rules
- (a) The office bearers shall be elected during the Annual General Meeting by paid-up members of that particular discipline.
  - (b) Each office bearer shall have a term of office of one year.
  - (c) Any office bearer may, at any time, resign his position by giving notice in writing to the Sub-committee, 30 days prior to his resignation date provided that he shall be liable for any out-standing fees, dues, monies or any other amounts due to the respective discipline up to the last date of membership - acceptance of resignation must be done in writing.
  - (d) A quorum shall consist of a minimum of 2 office bearers of the Sub-committee.
  - (e) No more than fifty percent of office bearers of the Sub-committee may originate from any one Drop Zone Operation.

### 2.2.3 Non-Executive Directors

- (I) Duties and Responsibilities
- (a) To oversee the operations of the various Sub-committees, to ensure that they comply with the requirements of this Constitution, and their budgets and activity plans for the year.
  - (b) Approve any and all disbursement of monies by the various Sub-committees. Approval is automatic up to, and including, limits of authority (see Section 4).
  - (c) Ensure that one or more trust accounts are opened in the name of the Sub-committees and to operate and overdraw the same, and to draw, accept or endorse other negotiable instruments connected with the business of these said Sub-committees.
  - (d) Organise and cause to be held all Annual General Meetings and Special General Meetings as are required by the terms of this constitution.

- (e) If upon winding up or dissolution of the any one of the Sub-committees, there remain, after the satisfaction of all its debts and liabilities, any assets whatsoever, the same shall not be paid or distributed amongst the members of the Discipline, but shall be dealt with as may be decided by the Non-Executive Directors in such manner that these assets should benefit sport parachuting in general.
  - (f) The decision of the Non-Executive Directors or, as the case may be, of any special or annual meeting as provided for in this Constitution shall be final precluding any appeal law.
- (II) Rules
- (a) The Directors shall be elected at the AGM by all members of the different disciplines, for a period of one (1) year.
  - (b) The Directors may not be drawn from any of the office bearers of the various Sub-committees.

### **3. Membership**

#### **3.1 Categories of membership**

Membership of PASA shall consist of the following categories:

##### **3.1.1 Casual member**

An individual who is a paid up member of any Drop Zone Operation which is affiliated to the ADZO. Membership is renewable annually via the same route.

##### **3.1.2 Temporary member**

Temporary membership is issued to every student performing a first parachute descent by way of a static line, AFF or tandem progression course at an affiliated Drop Zone Operation. Such membership is valid for a period of 12 months or until such time as, due to his progression, he is required to become a casual member, whichever occurs first, where after casual membership must be applied for.

Temporary membership must also be issued to any visiting sport parachutist who is a current member of a foreign NAC affiliated to the FAI and who wish to participate in any activity related to sport parachuting in South Africa for a maximum period of 90 days.

##### **3.1.3 Sport Member**

Any casual member of PASA who is a paid up member of one or more of the SSA Discipline Sub-committees.

##### **3.1.4 Drop Zone Operators**

Drop Zone Operations may become members of PASA after application to and acceptance by the ADZO, membership renewable annually.

#### **3.2 Rules and Privileges of Membership**

3.2.1 The acceptance of sporting membership shall be automatic upon receipt of an annual form of application but shall only be effective upon receipt of prescribed fees, such fees being due to the respective SSA Sub-committees by the due date in the year of membership.

3.2.2 Annual fees will be established at the Annual General Meeting or any special meeting convened for this purpose and upon recommendation of the individual Sub-committees.

3.2.3 Only casual and sport members, and affiliated DZOs, shall be entitled to vote at an Annual or Special General Meeting.

- 3.2.4 No member or affiliated DZO may make use of the name of the association or its address or its insignia in any advertisement or in any court of law or for any business matter without the express authority of the Non-Executive Directors, or the ADZO whichever is applicable, given in writing.
- 3.2.5 Only members of PASA shall be allowed to wear any ties, blazers, badges, uniforms or other articles of identification of PASA.
- 3.2.6 Only Sport Members shall have full representation at FAI and IPC.
- 3.2.7 It is noted that only those members who have paid their membership fees to a specific discipline, may participate in any events organised by that Sub-committee e.g. National Championships.
- 3.2.8 Only affiliated DZ operations shall be entitled to host events organised by the SSA Sub-committees.
- 3.2.9 All members are required to adhere to the standards of operation as laid down by the ADZO.
- 3.2.10 Only jumps performed at, or the participation in courses conducted at, PASA affiliated operations shall be accepted by other affiliated clubs for the purposes of continuing progression, as pre-qualification for approved PASA courses, or for the purposes of obtaining licences and ratings through PASA.

## **4. Limits of authority**

### **4.1 General**

- 4.1.1 No unilateral decisions by either the Non-Executive Directors or individual Sub-committees may be taken which may undermine the minimum requirements of the standing statutes of PASA's parent organisations i.e. Aero Club of South Africa and the National Sports Council eg:
- (I) National Colours Emblem
  - (II) National Colours Awards - designated sports and activities
  - (III) National Colours Awards - citizenship and residency requirements

### **4.2 Income**

- 4.2.1 All methods of raising funding must be approved by the Non-Executive Directors; this will allow for the co-ordination of e.g. National Sports Grants.
- 4.2.2 There will be no mandatory cross-subsidisation of income between disciplines.
- 4.2.3 All income due to PASA will be placed in PASA accounts, and no Sub-Association will be allowed to establish or operate individual accounts.

### **4.3 Expenditure**

- 4.3.1 Each Sub-committee is authorised to spend up to a maximum per financial year as per their submitted and accepted budget, or up to the per payment limit, before approval must be sought from the Non-Executive Directors.
- 4.3.2 The proviso to these spending limits is that the specific Sub-committee does have such monies at its disposal from funds raised.
- 4.3.3 All expenditures beyond said limits will be routed via the Non-Executive Directors, and the Non-Executive Directors reserve the power of veto over any such expenditure which exceeds the funds at disposal of the specific Sub-committee.
- 4.3.4 Both applications for expenditure and approval must be given in writing, and will be subject to delivery of an updated annual income and expenditure account by the appropriate Sub-committee.
- 4.3.5 The maximum limits will be reviewed annually at the Annual General Meeting or at a Special General Meeting of the specific Sub-committee convened for this purpose.

## **5. General Meetings**

### **5.1 Occurrence and notification**

- 5.1.1 The Annual General Meeting (AGM) shall be held within 6 months after the end of the financial year (currently 31 March in any one year) at such date, time and place as the Non-Executive Directors may determine, on a minimum of 14 days notice to all members.
- 5.1.2 The Non-Executive Directors may, at any time, call a Special General Meeting (SGM) of its members by giving not less than 14 days notice in writing specifying the purpose, date, time and place of the meeting. The Non-Executive Directors shall, in like manner, call a SGM upon receipt of a motion (requisition) signed by not less than 25% of the membership, specifying the particular purpose, date, time and place for such a meeting.
- 5.1.3 The omission of receipt of notice of meeting to any member, or affiliated body shall not invalidate the meeting.
- 5.1.4 Motion of any proposal to be put to the AGM other than ordinary business, must be lodged with the Secretary 48 hours prior to the meeting and must be included by him in the agenda.

### **5.2 Business of the Annual General Meeting**

- 5.2.1 The business of the AGM shall be as follows:
  - (I) To confirm the minutes of the previous meeting.
  - (II) To receive and consider the individual Sub-committees' reports on
    - (a) the statement of accounts for the previous year.
    - (b) the activities for the previous year.
  - (III) To elect the incoming Non-Executive Directors.
  - (IV) To elect the office bearers of the Sub-committees. It should be noted that only fully paid-up members of a specific discipline may vote for the office bearers of that discipline.
  - (V) To deal with proposals and motions concerning the affairs of the PASA of which due notice has been given and to deal with any such business concerning the affairs of the Association which is brought under consideration by report of the Non-Executive Directors.
  - (VI) To set the limits of expenditure for the individual Sub-committees.
- 5.2.2 Any member may, however, with the consent of the Non-Executive Directors, bring forward without prior notice, any business which requires attention or action from PASA
- 5.2.3 Every matter submitted to a meeting shall be decided by majority vote by a show of hands, the Chairman of the meeting having a deliberative as well as a casting vote. Should the majority of members desire it, a secret ballot may be taken.
- 5.2.4 Proxy votes are acceptable as long as such votes have been lodged, in writing, at least 24 hours prior to the commencement of the General Meeting with the Non-Executive Directors, and shall be applicable to specific agenda points on a point by point basis. Any one member shall be allowed to carry a maximum of one proxy vote per agenda point.
- 5.2.5 All General Meetings shall be chaired by one of the Non-Executive Directors or, in their absence, any member elected by the members present at such a meeting.

### **5.3 Availability of Members for Election**

- 5.3.1 All, and only, fully paid-up members of each respective discipline (as defined by "Membership" within this constitution), are eligible for election onto that respective Sub-committee.
- 5.3.2 All persons complying with the relevant membership requirements are available for election, subject to the above restrictions, and may serve on any one Sub-committee or as a Non-Executive Director for a maximum of 36 consecutive months, after which he must stand down for a minimum of 12 months.
- 5.3.3 Every member of every Sub-committee and the Non-Executive Directors automatically retires at the end of every year, at the Annual General Meeting, and just prior to the election of new members for each respective Sub-committee.

**5.4 Quorum at General Meetings**

5.4.1 A quorum for a General Meeting of members, shall consist of members representing not less than 50% of the affiliated clubs and organisations, as well as all disciplines

5.4.2 Should a quorum not be present for a general meeting, after 30 minutes of the designated starting time, the meeting shall be postponed for 14 days, to be held at the same time and place, or at a time and place determined by the Non-Executive Directors. Members present at the second meeting shall constitute the quorum.

**5.5 Amendments to the Constitution**

No amendment or alteration shall be made to this Constitution save at the Annual General Meeting or Special General Meeting. Notice of any proposed amendment shall be lodged with the Non-Executive Directors not later than 14 days prior to the said meeting at which the proposal is to be considered. Any amendments of this constitution shall be passed by a majority vote.

**6. Indemnifications**

6.1 PASA shall not be responsible for any accidents or injuries whatsoever to members or other persons during parachuting activities.

6.2 The current office-bearers and Non-Executive Directors members of PASA shall be indemnified and secured harmless out of the assets of PASA from and against all actions, costs, charges, losses, damages and expenses which they or any of them may incur or sustain by or by reason of any act done, concurred in or omitted in or about, the execution of their respective duties or supposed duties shall incur or sustain by or through their own wilful neglect or default respectively, and none of them shall be answerable for the acts, receipts, neglects or defaults or the other of them or for any Treasurer, Banker or other persons with whom monies or effects belonging to PASA shall be placed out or invested or for any other loss, misfortune or damage which may happen by or through their own wilful neglect, default or dishonesty respectively.

**7. Validation**

This Constitution was approved by the members of the Association in terms of Section 5 - General Meetings, at a properly constituted Annual General Meeting held at Grand Central Airport on the 29th day of June 2006 the list of those present being attached.

Signed on behalf of the Association at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
For PASA Interim Executive

### Terminology and abbreviations

- I. *PASA* : Parachute Association of South Africa as established by this constitution
- II. *Association* : Unless the context otherwise implies, "Association" implies PASA
- III. *Constitution* : The constitution of PASA
- IV. *Member* : Any individual or organisation accepted as a member of PASA in terms of this constitution
- V. *Parachutist* : Any individual as defined in Annexure 1 of the Sporting code approved by the International Parachuting Committee of the Federation Aeronautique International
- VI. *Affiliation* : By payment of the prescribed fee, the club or organisation agrees to abide by the Constitution, the BSRs and the SOPs as laid down by PASA.
- VII. *BSRs* : Basic Safety Regulations as laid down by the ADZO
- VIII. *SOPs* : Standard Operating Procedures as laid down by the ADZO
- IX. *FAI* : Federation Aeronautique International
- X. *IPC* : International Parachuting Committee being the controlling body for all competitions for sport parachuting
- XI. *NAC* : National Aero Club being the controlling body for sport aviation
- XII. *CCA* : The Commissioner of Civil Aviation with the Department of Transport.



### Discipline

#### 1. General

- 1.1 Should any member, as a result of a request by any member in writing, in the opinion of the Non-Executive Directors, commit any breach of the Code of Conduct or Rules and Regulations of the Association or commit any act prejudicial to the interests, reputation or good name of the Association, the Non-Executive Directors shall have the following powers :
  - 1.1.1 To call upon such member in writing to appear before themselves and to give reasons for his conduct. The Non-Executive Directors and the individual has the power to call any other person as witness to testify for or against.
  - 1.1.2 To expel such member and to terminate his membership after 1.1.1.
  - 1.1.3 To call upon such member to resign, and if he fails to resign within seven days, to expel such member, after 1.1.1.
  - 1.1.4 To impose such other sentences upon a member as the Non-Executive Directors deems fit.
- 1.2 The ADZO or its nominated individuals, or anyone empowered by the BSRs shall have the right to suspend any members (including both individuals and organisations) from participating in or affording others the opportunity to participate in parachuting activities under the following conditions :
  - 1.2.1 Said member has contravened the Code of Conduct of PASA.
  - 1.2.2 Said member has contravened any Rule or Basic Safety Regulation of PASA as laid down by the ADZO.
- 1.3 The ADZO or its nominated individuals have the right to impose such lesser conditions of suspension e.g. verbal or written warnings, as are deemed appropriate at its own discretion.
- 1.4 The Non-Executive Directors' decision in respect of any matter of discipline shall be final provided that the member's right of appeal to the Aero Club of South Africa is not precluded by this provision.

#### 2. Appeals

- 2.1 In the case of all disciplinary decisions by the Non-Executive Directors of PASA, appeal may be lodged with the Executive Committee of the Aero Club of South Africa in which case:
  - 2.1.1 such appeal must be lodged in writing within 21 days after the decision of the Non-Executive Directors of PASA;
  - 2.1.2 the member has the right of appearance during the hearing of the appeal; and
  - 2.1.3 he may be assisted by a representative, legal or otherwise.
- 2.2 In the case of all disciplinary decisions by the ADZO or its nominated individuals, appeal may be lodged with the Non-Executive Directors of PASA in which case :
  - 2.2.1 such appeal must be lodged in writing within 21 days after the decision.
  - 2.2.2 the member has the right of appearance during the hearing of the appeal; and
  - 2.2.3 he may be assisted by a representative, legal or otherwise.
- 2.3 In the case of point 2.2. where the appeal is turned down, point 2.1 applies.
- 2.4 Once a disciplinary decision at the ADZO level or the Non-Executive Directors of PASA level has been delivered, that decision is deemed to rule, notwithstanding any appeals that may be lodged, for the duration of the decision or until any appeal is upheld.