

MINUTES

NATIONAL CONVENTION OF CYCLING SOUTH AFRICA

17th February 2018, 09h30 OR Tambo Garden Court Hotel, Johannesburg

1. Welcome:

- WN welcomed everyone and opened the meeting at 09h45.

2. Attendance: William Newman (WN), Yster Xatasi (YX), Andre du Toit (AdT), Mike Bradley (MBr), Wynand Pretorius (WP), Greg Stedman (GSt), Mark Potgieter (MP), Julian Cox (JC), Corne Bence (CB), Theo Viljoen (TV), Hendrik Wagener (HW), Sias le Roux (SLR), Gregg Taylor (GT), Derksen Olivier (DO), Heine de Jager (HdJ), Alex Cooper (AC), Joseph Jongile (JJ), Bosseau Boshoff (BB), Brett Coates (BC), Margot Gerber (MG), Alasdair Garnett (AG), Bonga Ngqobane (BN), Deon Steyn (DS), Timothy Kock (TK), Chris Prinsloo (CP), Charles Kros (CK), Karen Lewies (KL), Corne Botha (CBo), Dirk Uys (DU), Gregory van Heerden (GvH).

3. Apologies: Charles Beukes (CBe), Mike Lombard (ML), Etienne Joubert (EJ), Craig Proctor-Parker (CPP).

4. To read the notice convening the meeting:

- GvH read the notice convening the meeting.

5. Presidents address:

- WN proceeded to read his address, see attached.

6. To read, confirm, amend or reject the Minutes of the previous Council Meeting:

- GvH confirmed that the minutes had been distributed as per the Constitutional requirements.
- WN requested approval from the floor.
- Proposed by CB, seconded by DO.
- Approved by the majority.

7. Matters arising from previous minutes:

- No matters tabled.

8. To consider, adopt or reject the following Resolutions:

8.1. Vote of no confidence:

8.1.1. President

- WN requested approval from the floor that this motion be entertained at this meeting.
- Proposed by WP, Seconded by NW

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- WN opened the debate to the floor, with Mpumalanga opening with their motivation for the motion.
- TV provided the motivation behind the motion which included that the AGM had needed to be postponed due to lack of financials, these will still in draft format, funds were still outstanding to the Provinces which has led to serious financial implications for these Provinces, no communication from the President to the chair of the province, letters of demand from creditors such as KZN Cycling and Velotex, UCI debt, and no support for our National teams.
- WP added that they were concerned that no performance management of elected Exco and senior paid staff had been carried out, nor were there clear job descriptions for some members of staff. The most serious issue however was the note on page 5 of the AFS's which alluded to unlawful acts being carried out by the organisation and the trading in an insolvent state.
- BN explained that he felt that the President had failed to lead the organisation, financial difficulties existed and there had been a reduction in levy collection, total lack of communication, certain Provinces were not functional, the riders participating in the AFCON Track Champs did not ride in National Kit, and there had been no evaluation of senior Exco and staff.
- DS raised concerns over the level of corporate governance under WN and the total lack of communication downwards.
- HW suggested that WN excuse himself from the meeting so that further debate could take place.
- ***WN responded that he wished to short circuit process and stated that he hereby resigns from his position. He thanked everyone for the opportunity and confirmed that he would continue to serve the sport in the areas in which his efforts were appreciated. He stated that he had had a good 5 years and wished the organisation all the best.***
- GvH informed the meeting that as per the constitution and in light of the absence of the Vice President (flight delayed) and the pending point 8.1.2 below a decision would be required from the Provinces on whether to submit nominations for a new president now and if none were forthcoming decide on who would be the interim president while due process is followed to fill the vacancy.
- ***GSt suggested that in light of the absence of the Vice President and the need for the meeting to continue that the SG take over the chair for the meeting and for us to proceed with the agenda points below, excluding 8.1.2 which can be dealt with once the Vice President arrives.***
- ***This was approved by the majority.***

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8.1.2. Vice President

- GvH requested that Mpumalanga provide their motivation for the motion.
- TV presented Mpumalanga's reasons for the vote of no confidence, the core issues were; the postponed of the last AGM due to lack of financials, these will still in draft format, funds were still outstanding to the Provinces which has led to serious financial implications for these Provinces, no communication from the vice President to the chair of the provinces in terms of academies, letters of demand from creditors such as KZN Cycling and Velotex, UCI debt, and no support for our National teams.
- YX provided counter arguments to the points tabled as well as further information on the work that he has been involved in as the Vice President, please refer to the report contained in his email sent to Council members for the key focus areas.
- BC raised a concern over the validity of the motion against the Vice President as he in his role of vice president of Mpumalanga had not been party to any meeting and or minutes of a meeting at which the vote of no confidence had been discussed.
- TV suggested that if it was against the constitution of Mpumalanga he would withdraw the motion.
- JC added that it seemed that this may not be in line with constitutional requirements and that the constitution would need to be reviewed to determine the motions validity.
- MBr drew the meetings attention to the precedent set in 8.3.7 in which the motion was withdrawn due to it not being discussed and approved by the Eastern Cape Tech. Commission and President.
- BC agreed that a precedent had been set and stated that this motion be withdrawn.
- **TV agreed to withdraw the motion.**
- HW stated that he believed the motion was indeed in line with the constitution, as there is nothing requiring a motion to be approved by all members of Exco, or a requirement for minutes to be provided, and this motion was indeed approved by the management committee of the Province. BC was not consulted as he was the only member of Exco that was opposed to the motion and therefore irrespective of his input the motion would still have received majority backing and as such was submitted.
- GvH sought clarity on how to proceed with either the appointment of the Vice President as the Interim President or for nominations as per the constitution to be submitted and voted on.
- JC provided input from the new constitution which outlined that written nominations for the position of President would need to be submitted at the end of the AGM later today, and if no nominations were received or those received rejected then those members present would select one of their number in an acting capacity until such time as a nomination has been approved by the members. The current Vice President would be available for election as would any other member present pending written nomination at

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the end of the AGM but in the interim an acting President would need to be appointed until the end of the AGM.

- GvH requested nominations from the floor for an interim president pending written nominations at the end of the AGM.
- **GSt suggested that the appointment of a new president not be rushed as it needed to be considered seriously with a comprehensive process followed such as that done by the UCI to ensure the most effective person is appointed. He proceeded to propose that in light of this that the Secretary General be appointed as the Interim President and also tasked with overseeing the process of calling for nominations.**
- **This was approved by the majority.**
- GvH thanked everyone for the confidence being put in him and confirmed that a comprehensive process, such as that implemented by the UCI, would be followed to ensure that the appointed individual exhibited the qualities and skills required by the members.

8.2. Approval of amended Youth Gear Restrictions.

- GvH confirmed that the motion had been distributed and that the Technical Commission was in favour of the motion. He requested approval from the floor.
- The motion was approved by the majority.

8.3. Approval of Organisational and Constitutional changes.

8.3.1. Acceptance of Affiliate compliance requirements.

- GvH summarised the information presented.
- WP raised a concern that the Federation itself was not in good standing with all the Provinces due to the levies having not been paid across. He felt that we should first get our own house in order prior to implementing the documented requirements and remedial actions.
- GSt stated that KZN was not opposed to the concept of compliance and remedial action being taken with non-compliant provinces however he felt that the document in its current form contained some inaccuracies and was not ready for approval.
- MBr noted that at present the Federation was hamstrung by an inability to enforce compliance as there is no definition of “in good standing”.
- GSt suggested that the document be reviewed.
- JC agreed and requested that it be sent to the Constitution Committee for comment.
- BC requested approval from the floor that in principle Council was in agreement with the aims of the document.
- This was approved by the majority.
- **GvH as per the point approved above a counter motion was tabled referring the document to the Constitution committee for review.**
- **This was approved by the majority.**

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8.3.2. Changes to Constitution.

8.3.3. Changes to Organisational structure.

- GvH noted that as stated by JC a new constitution had been tabled with Exco in 2017, and the meeting would need to determine whether the changes outlined in 8.3.2 and 8.3.3 would be heard or referred to the Constitution committee for comment and review.
- DS referred to the point requesting approval of a resolution requiring SASC to become an associate member of the each of the Provinces. He stated that SASC was not opposed to this and requested that each of the Provinces constitutions be amended to allow for this, furthermore this would require each Province to implement a child privacy policy as per the law.
- GSt raised a concern over whether this would also apply to USSA, as a precedent would be set if this was required of SASC.
- DS added that in the roles and responsibilities of their Provincial chairs it was mandatory for them to attend meetings with the Provincial structures in order to ensure effective channels of communication.
- JC tabled that until we have dealt with the approval of the new constitution submitted in April 2017 we could not deal with any other constitutional matters or changes to the organisational structure.
- JC proposed that new resolutions tabled today not be dealt but referred back to the constitution committee.
- BC confirmed that the new constitution had been distributed to all the Provinces and no feedback had been received, therefore should we not re-send it to everyone and then proceed with its approval in a month's time.
- JC countered this as the document had been in circulation since April last year and ample time had passed, therefore we should proceed with approval at this meeting.
- GvH tabled the counter motion to approve the new constitution and then pending that approval for the constitution committee to convene to discuss the deferred motions and provide Exco with recommendations on their incorporation or exclusion from the new constitution.
- ***The new constitution was approved by the majority.***
- ***The proposal for the constitution committee to review the deferred motions and any potential changes to the new constitution was approved by the majority.***

8.3.4. National Academy Forum associate member approval.

- GvH confirmed that all the necessary documentation had been received and was in order.
- MBr provided a summary of the background of the Academy forum and its role going forward.
- GSt raised a concern over the need for this forum to be situated outside of the Federation as this should be within the organisation under the Transformation and Development Commission.
- BN provided input into the reasoning for the associate membership request and noted the role of the academies in developing cycling on the ground.

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- GSt countered that a duplicate structure outside of the organisation did not make sense.
- MBr added that very little transformation had taken place in the last 25 years and the Forum had made significant strides in bringing existing academies and development work to our attention. It was time that these structures were recognised.
- GSt agreed that recognition was important but that this should fall under our Federation and not be outsourced.
- YX provided input on the lack of cycling in townships and rural areas and outlined the requirements for academies to be recognised by CSA. He has been travelling around South Africa verifying the academies.
- GvH summarised the discussions and requested a decision from the members on the motion.
- **The motion was not approved.**
- GvH requested that a meeting be held with the Forum to determine how to bring them under the Transformation and Development commission, provide them with the necessary support to continue their work, promote open and clear communication, and ensure that they have a strong voice at Exco level.

8.3.5. Adoption of updated rules of cycling.

- GvH confirmed that the rules had been circulated and approved by the Technical committee.
- JC summarised the input received from DS and adjustments made.
- DS added concerns over the benefits to event organisers from having to appoint Comms. As well as the lack of refresher courses facilitating the flow of information downwards to the Comms.
- GvH recognised the points raised by DS, the shortage of Comms and the need to update skills etc. was important and requested that these be addressed by the Technical committee.
- **GvH requested approval from the meeting on the adoption of the updated rules.**
- **The majority approved the rules.**

8.3.6. Change to membership requirement making it necessary for all members to be affiliated to a cycling club.

- GvH provided background to the motion presented by ML.
- CBo added support to this motion as it is a requirement from DCAS and local sports councils that individuals be members of clubs in order to receive recognition.
- BC suggested that it would be a big mistake to go back to requiring members to join clubs, we will lose memberships and this will have a negative impact on our finances, it was up to clubs to provide reasons/benefits for people to join them.
- MBr confirmed that all our licenced riders did have to be members of clubs therefore that met the DCAS requirements however he questioned the value proposition that was on offer by clubs, by forcing our members to join clubs we would be left with only the three thousand odd members who currently took out licences.

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- KL felt that this requirement would give regions more control over revenue collection as this would force clubs to affiliate with the regional structures.
- DO raised a concern that in Free State the clubs were owned by Cycle Shops and offered little incentive to give back to cycling.
- WP reaffirmed that our national sporting structure started at club level, and this needed to be safe guarded.
- MBr highlighted that CSA had never said that clubs were not important, and going forward we would gladly help market the clubs to our members through our system and push notifications, but in order to do this we need the up-to-date info on what clubs exist in the Provinces.
- CP agreed that it was vital for us to find ways to assist the clubs in establishing themselves and drawing in members.
- CBo tabled a concern over what needed to be done in the case of juniors who did not need racing licences and were therefore excluded from the requirement to be a member of a club, yet they still required recognition at regional, provincial and national championships.
- ***MBr suggested that going forward we put a rule in place that all juniors become members of clubs to bring them in line with requirements of the licenced riders yet without the requirement for them to actually obtain a racing licence.***
- GvH summarised the discussion and tabled a counter motion in which the membership and licencing committee be asked to review the request and determine the financial implications of this motion.
- GSt requested that this be finalised in the next 3 months as we would need to notify all the Provinces well in advance of the 2019 season.
- WP suggested that ML be instituted as the head of the Licencing and membership committee and he could then set up the new committee.
- ***GvH tabled that this matter be referred to the licencing and membership committee chaired by ML to ascertain the viability and way forward.***
- ***This was approved by the majority.***

8.3.7. Proposal to revise Rules of Cycling Part 7 Technical and Commissaires regulations to include a sliding scale for different event categories for official's rates.

- GvH explained that a letter had been submitted by the Eastern Cape Technical committee suggesting that this motion had not been discussed with them and was not supported by their committee.
- WP added that this motion had not been approved by the necessary structures and the President of the Eastern Cape was also not aware of the motion.
- This was confirmed by JJ.
- ***GvH requested approval from the floor to withdraw the motion from the agenda.***
- ***This was approved by the majority.***

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9. To consider, adopt or reject the 2018 Budget:

9.1. KZN VAT query

- GvH explained that a meeting had taken place with KZN cycling and it had been agreed to pay over the VAT portion that had been held back. The first payment had been done with the balance being paid on receipt from SARS. As this matter had already been concluded no further discussion took place

9.2. Adoption of the 2018 Budget

- MBr proceeded to present the budget to the members, please refer to the presentation for details.
- GvH requested questions from the floor.
- Queries concerning the Velotex issue were tabled.
- MBr provided explanations on the contractual disagreement and explained that the disputed amount was reflected in our financials.
- WP enquired into whether we had been able to secure advertising income via our website and or app.
- MBr explained monetising our website has been a challenge, there is currently no formal rate cards for this and it was very difficult to get buy in from potential clients. Our new app however was showing more promise, and we would be examining all possibilities around this.
- GSt asked about the outstanding amount from the Load sponsorship and the line item "other income" on the financials.
- MBr confirmed that ZenOne had instituted legal action against them to recoup the unpaid amounts as per their contractual agreement, and that the "other income" item referred to vat claims, income received back from Road World champs and some other income. This was an anomaly for this year and not something to be expected to be coming in going forward.
- JC asked who would be carrying the cost to pursue Load.
- MBr confirmed that this would be done by ZenOne, with no financial risk/liability to us.
- CBo requested confirmation that the liability and accident insurance was in place for sanctioned events.
- MBr confirmed that this was in place.
- KL raised a concern over the lack of control that the region has in terms of event organisers loading their events directly with CSA.
- MBr explained that the system should still send a request for approval to the Province to enable them to control this.
- KL replied that this was not currently the case.
- **MBr requested that all Provinces provide the Office with their updated contact details of the person responsible to approve events to ensure that the authorisation mails were received.**
- GSt asked about the increase in employee costs as reflected in the AFS's

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- MBr explained that there had been a misallocation of travel expenses into this line item by the Auditors which he had asked to be rectified and he would follow up on this.
- MBr added that until such time as we had recouped our losses as shown on the AFS's we would continue to receive a notification from the Auditors in terms of trading in an insolvent state.
- GSt requested that the Auditors provide an additional note to the AFS's explaining this so that anyone reading the financials would be fully aware that this was the reasoning behind the reportable irregularity and comments on insolvency and that we were not simply continuing in the same vein.
- MBr agreed to request this from Mazars.
- **GvH requested approval from the floor to adopt the budget for 2018.**
- **The Budget was accepted and approved by the majority.**

10. Closing:

- GvH thanked everyone for their input and closed the meeting at 13h00



5/03/2018

Mr Gregory van Heerden Interim President Cycling South Africa

Date Approved

William Newman (**President**), Zamuxolo Xatasi (**Vice President**), Andre du Toit (**Financial Trustee**)

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