

# CONSTITUTION

## Ichido Iaido Dojo

### 1. General

#### 1.1 Name of Body:

The name of the dojo is the Ichido Iaido dojo. The official abbreviation is Ichido.

#### 1.2 Ambit:

Striving to achieve power, precision and perfection in form and along the way, learning balance, grace and control both of the body and the mind.

#### 1.3 Domicile:

Johannesburg, South Africa.

#### 1.4 Mission:

Ichido shall be a recreational club. Ichido strives to adhere to the values as set out in section 9 of the Bill of Rights and will not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, language and birth.

#### 1.5 Registration:

All members of Ichido shall be registered members of the South African Kendo Federation ("SAKF") and its affiliates.

#### 1.6 Affiliations:

It is noted that the SAKF is affiliated to the International Kendo Federation ("FIK") and to the European Kendo Federation ("EKF") which includes the All Japan Kendo Federation ("AJKF").

## 2. Purpose and Activities

### 2.1 Purpose:

Ichido shall have as its main aim the promotion and development of Kendo and Iaido. It shall strive to foster mutual trust, respect and friendship amongst its members. It shall also aspire to the active participation by its members in national and international tours and competitions.

### 2.2 Activities:

2.2.1 Ichido shall utilise its available funds in order to achieve the aims set out in 2.1 above.

2.2.2 It shall be charged with the following activities:

2.2.2.1 To collect fees and seek donations and grants in order to fulfill its purpose.

2.2.2.2 To actively promote Kendo and Iaido through development and promotional programs in order to contribute to the moral and physical wellbeing of its members.

2.2.2.3 To assist its members to achieve their full potential through training.

2.2.2.4 To provide members with a safe environment within which to practice Iaido.

2.2.2.5 To organise seminars, workshops, internal dojo competitions and demonstrations.

2.2.2.6 To assist in procuring equipment and literature.

2.2.2.7 To exchange information and publish newsletters.

- 2.2.2.8 To assist individuals financially (when justified and/or necessary) for international tours and/or competitions which are undertaken for the purpose of training and/or grading.
- 2.2.2.9 To encourage new members to learn the arts of Kendo and Iaido and to actively pursue existing members with a view to keeping them motivated and encouraged to practice Kendo and Iaido.
- 2.2.2.10 To maintain a current register of members and affiliates.

### **3 The Management Committee**

- 3.1 The Ichido Management Committee ("the IMC") shall execute and validate matters incidental to the everyday running of the dojo.
- 3.2 The IMC shall meet at least quarterly and more often as required.
- 3.3 The quorum shall be 3 IMC members present and no proxies shall be entertained.
- 3.4 All decisions require a simple majority vote.
- 3.5 The Chairperson shall be the President, or in his absence, the Secretary. The Chairperson will have a casting vote.
- 3.6 The IMC is made up as follows:-
  - 3.6.1 President
  - 3.6.2 Secretary
  - 3.6.3 Treasurer
  - 3.6.4 Technical Director
  - 3.6.5 Development Director
  - 3.6.6 Armourer
- 3.7 All members of the IMC shall be elected on an annual basis at the AGM.

- 3.8 Nominations shall be accepted by the Chairperson at the AGM or by any member of the IMC prior to the AGM. Voting shall be by secret ballot. Candidates with the highest number of votes shall be elected to the post.
- 3.9 The IMC is empowered to co-opt any additional member/s to the Committee itself or may form any subcommittee it sees fit for the proper running of the dojo.
- 3.10 The IMC is responsible for:-
- 3.10.1 Considering and authorising membership applications;
  - 3.10.2 Conducting a hearing should an ex-member wish to reapply for membership;
  - 3.10.3 Taking disciplinary action against any member or affiliate, where it deems necessary;
  - 3.10.4 Constituting standing and/or ad hoc committees and appointing representatives to these committees;
  - 3.10.5 Authorising the settlement of disputes amongst members and/or affiliates;
  - 3.10.6 Reporting on their activities at the AGM; and
  - 3.10.7 Keeping proper financial records and preparing annual financial statements.
- 3.11 In case of the vacation for whatsoever reason of any of the positions of the IMC prior to the appointment of a new IMC as aforesaid, a new office bearer will be elected by the majority of the members of the IMC for the remainder of such term.

#### **4 An Annual General Meeting of Members**

- 4.1 The President of the IMC shall call an Annual General Meeting ("AGM"), which meeting shall be held once a year and shall be chaired by the President.
- 4.2 A quorum for the AGM of members shall be 51% of voting members (which shall include any proxies received).

- 4.3 All decisions require a simple majority except in the case of Constitutional Amendments which require 75% of voting members or their proxies.
- 4.4 In the absence of a quorum, a new meeting shall be called with seven days notice, at which no quorum shall be required.
- 4.5 A Special General Meeting may be called on 7 (seven) days notice by:
- 4.5.1 the presentation to the President of a request for such a meeting signed by more than 66% (sixty six percent) of registered, paid up members; or
- 4.5.2 at its discretion by the IMC. Such a meeting is called to handle extraordinary situations or to resolve disputes and/ or deadlocks and, if necessary, to elect a new IMC.

## 5 **Functions**

### 5.1 President

- 5.1.1 The President shall represent the dojo at all SAKF meetings.
- 5.1.2 The President shall be responsible for the running, order and attention to business of all Ichido affairs in regards to dealings with the SAKF.
- 5.1.3 The President shall be responsible for organising the dojo's participation in workshops and any other Iaido events.

### 5.2 Secretary

- 5.2.1 The Secretary shall be responsible for all filing, minutes of meetings and other matters of a secretarial nature (which shall include the maintenance of an updated membership register).
- 5.2.2 The Secretary shall keep a register and submit to the IMC and to the Secretary of the SAKF on the last working day of every month in the format requested.

5.2.3 The Secretary shall ensure all new applicants are to complete a Ichido application form.

5.2.4 The Secretary will capture all members' details in an electronic database and have on hand whenever any IMC member requires it.

### 5.3 Treasurer

5.3.1 The Treasurer shall be responsible for ensuring that a proper set of financial books are maintained and kept current.

5.3.2 The Treasurer shall be responsible for opening and controlling banking accounts for Ichido and for the collection of registration and affiliation fees.

5.3.3 The Treasurer shall be responsible for all financial matters.

5.3.4 The Treasurer shall ensure that all financial transactions are authorised by a minimum of one other IMC member.

5.3.5 The Treasurer shall be also be responsible for the finances related to ordering of new equipment.

5.3.6 In the event that sponsorships are obtained from any organisation or body, the Treasurer shall be responsible for preparing audited financial accounts.

### 5.4 Technical Director

5.4.1 The Technical Director is responsible for grading, coaching, referees, syllabus and demonstrations.

5.4.2 She/He will insure that technical documentation is available to members and will be responsible that the standard and practice of Kendo and Iaido is consistent with those laid down by the FIK.

### 5.5 Development Director

- 5.5.1 The Development Director shall be responsible for development of the dojo.
- 5.5.2 This will be done by concentrating on retaining existing members and by actively recruiting new members.
- 5.6 Armourer
  - 5.6.1 The armourer shall be responsible for ordering new equipment and for the storage of any existing dojo equipment.
  - 5.6.2 The armourer shall capture all existing dojo equipment in an electronic data base and have on hand whenever any IMC member requires it.

## 6 **Membership**

- 6.1 All individual Kendo and Iaido practitioners are eligible for membership and must be fully paid up members of Ichido in order to vote, obtain recognized grades or take part in recognized competitions.
- 6.2 The rules relating to membership are set out in the Rules and Regulations of the dojo.
- 6.3 A minimum of **80%** training attendance at Ichido is required by all Iaido practitioners if they wish to obtain and retain membership. Membership to Ichido can be withdrawn at any time by the IMC should the member not meet the minimum training requirements.
- 6.4 Membership to Ichido must be made on the appropriate application form to the President.
- 6.5 As set out above, the IMC will be responsible for approving membership applications.
- 6.6 The IMC shall be entitled to deny membership to any person who applies.
- 6.7 A member may terminate his membership at any time in writing to the IMC.

- 6.8 A member's membership may be suspended and/or terminated by a majority vote of the IMC.
- 6.9 The IMC shall have the power, in its sole and absolute discretion, to suspend and/or terminate a members membership if a member is guilty of conduct detrimental to the Constitution and/or interests and/or purpose or mission of Ichido or if the member, after written notice by the IMC, fails to pay the prescribed membership fee that may be due and payable or the member after reasonable written notice fails to comply with all or any of the terms and conditions of membership determined by the IMC from time to time.
- 6.10 The IMC shall notify a member of such suspension and/or termination and shall furnish its reasons for suspending and/or terminating a member's membership to that member, in writing.
- 6.11 A member whose membership has been terminated shall remain liable for all sums that may at the date of termination of his membership be due by him and shall not be entitled to any refund of any monies already paid nor have any claim against Ichido of whatever nature and for whatever cause.
- 6.12 Suspension shall be for a defined period of time whereafter the IMC shall hold a hearing to consider the member's re-application.

## **7 Powers**

- 7.1 Ichido shall be a juristic person capable of acquiring rights, incurring obligations, entering into legal transactions and of suing and being sued in its own name. Immovable property acquired by Ichido shall be registered in the name of Ichido.
- 7.2 Ichido, all its committees and members shall be subject to the Constitution and rules and regulations as defined and modified from time to time and shall be subject to the Constitution and rules and regulations of the SAKF.

## **8 Financial**

- 8.1 Financial Institutions – Ichido shall open and operate accounts at financial institutions as recommended by the Treasurer and ratified by the AGM.
- 8.2 Income - The expenses of Ichido shall be financed from registration fees, affiliation fees, membership fees, sale of equipment, demonstration fees, donations and other income.
- 8.3 Fees - The amount of registration, affiliation and annual membership fees shall be determined at the AGM. If membership fees are not paid by the date of the AGM, that member will not be entitled to vote.
- 8.4 Financial Year - The financial year shall run from 1st March to end of February.
- 8.5 Domestic/International workshops, tournaments, amour, and other Kendo and Iaido related items may be entitled to some form of financial sponsorship. Sponsorship shall be weighted against training attendance as per a sliding scale. The measurement and parameters of this scale is based on the sole discretion of the IMC, although the potential grant ultimately is at the President's discretion.

## 9 **General**

### 9.1 Liability of Members

The liability of members shall be limited. Every voting member undertakes upon the dissolution of Ichido to pay an amount not exceeding one Rand to cover the debts and obligations of Ichido incurred whilst they were a member and the costs of liquidation. There shall be no liability attached to the non-voting members.

### 9.2 Indemnity

9.2.1 Each new member shall sign an indemnity form when registering with Ichido.

9.2.2 In addition, each member of the IMC is indemnified out of and from the funds and property of Ichido against all losses, charges, costs, damages and other liability which that member may suffer or incur as a result of executing his/her duties as a member of the IMC, save to the extent that such member acted negligently or fraudulently.

9.2.3 No member of the IMC shall be answerable or deemed to be in any way responsible for any act or default of any other member or for any deficiency or insufficiency of any title or security whatsoever taken by the IMC, save to the extent that such member acted negligently or fraudulently.

9.2.4 No member of the IMC shall be liable for any losses occasioned by the commercial bank or other persons with whom monies or securities of the IMC are deposited or entrusted for safe custody, investment or otherwise, nor for any loss, misfortune or damage which may happen or take place in the execution of that member's duties or as a result thereof, save to the extent that such member acted negligently or fraudulently.

### 9.3 Usage of Funds

The funds and property of Ichido from whatever source obtained, shall be devoted exclusively toward the promotion of its objectives and no portion thereof may either directly or indirectly be paid or transferred by way of dividends, bonus or in any other manner whatsoever in the form of profit to members; provided that nothing herein contained shall prevent the payment of any reward made in good faith to any officer or servant of Ichido or any member thereof in return of services actually rendered to Ichido.

### 9.4 **Dissolution**

9.4.1 Ichido shall have continuous succession and shall continue to exist, notwithstanding changes in its membership, until two-thirds of the number of members at a general meeting or at a special meeting called for that purpose or at the AGM either in person or by proxy decide to dissolve Ichido, provided that the dissolution appeared on the agenda which accompanied notification of the AGM.

9.4.2 Should there in the event of dissolution of Ichido and after all debts, remain any assets, these shall not be divided amongst the members, but shall be transferred to another body or bodies with similar objectives, appointed by the members before or during dissolution.

## 10 **Conflicting Rules**

Should these rules and regulations in any way conflict with the rules and regulations as laid down by the SAKF, the rules and regulations of the SAKF shall prevail.

## 11 **Alteration of the Constitution**

This Constitution or any part thereof may be altered by a resolution passed by not less than 75% (seventy five percent) of Ichido members present at a general meeting or a special meeting convened for this purpose, provided that at least 14 (fourteen) days' notice of such special meeting is given to members.