



CAP CONSTITUTION

In effect from 18 Aug 2023





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SECTION 1 – GENERAL PROVISIONS

1. NAME

1.1. The Confederation shall be known as “**Confederation of African Pickleball**” (CAP).

1.1.1. In French, the name of the Confederation shall be **Confédération Africaine de Pickleball** (CAP).

1.2. CAP was established on 17th August 2023 with eleven founding Member Countries.

1.3. CAP is organised as a non-profit organisation consisting of Member Countries located on the continent of Africa.

1.4. CAP shall possess legal personality and have capacity to contract, to acquire and dispose of immovable property, and to institute and defend in legal proceedings.

1.5 CAP is the Continental Pickleball Federation for Africa, to be recognized as such by the eventual international federation when formed and having the sole and whole authority in Africa in general, and in the territories of the Members in particular, for all matters related to pickleball on the African level.

1.6 Pursuant to the authority to be recognized to it for Africa by the eventual continental federation, CAP has the sole and whole jurisdiction over organising a pickleball event using the denomination or title 'African', 'Africa', or similar, or authorizing the organisation of such an event.

1.7. The federation headquarters shall be based where the non-profit will be registered.



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2. LANGUAGES

- 2.1 The official spoken, and written language of CAP shall be English. However, French, Arabic, Swahili, and Portuguese may also be used for communications and publications.
- 2.2. In case of dispute or misunderstanding, the English version shall be accepted as the correct one.
- 2.3. Any document submitted for consideration shall be written in either English or French.
- 2.4. Discussions, presentations, or debates in any meeting shall be in either English or French.

3. PURPOSES AND OBJECTIVES

The objectives of CAP shall be to promote, develop and govern the sport of pickleball in Africa.

To achieve these objectives, CAP shall undertake the following activities in Africa:

- 3.1. Facilitate the growth of pickleball as a globally recognized sport, and promote the sport by demonstrating its physical, mental and social benefits for all people of all ages and abilities.
 - 3.1.1. Represent the best interests of CAP at the international level and of pickleball players in Africa.
- 3.2. Achieving general unity of action on the African continent in the sport of Pickleball.
- 3.3. Enabling mutual recognition of Member Countries in their dealings with each other.





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- 3.4. Encouraging the inclusion of new Member Countries and strengthening the bonds between existing Member Countries.
- 3.5. Making regulations for all CAP Tournaments held in Africa and publishing them as CAP competition regulations.
- 3.6. Ensuring the observance of the laws and regulations of Pickleball are adhered to in all competitions held in Africa.
- 3.7. Organizing, conducting, and presenting continental Pickleball competitions in cooperation with CAP Member Countries and they meet appropriate standards.
- 3.8. CAP shall observe the general and fundamental principles of Good Governance, the Sport Code of Ethics of the African Union sports Council, the Olympic Movement Code on the Prevention of the Manipulation of Competitions, the Olympic Movement Medical Code, the IF Anti-Doping Rules, the International Paralympic Committee (IPC) Handbook; and no provision of these by-laws shall be deemed to conflict with or derogate from those principles.
- 3.9. CAP shall co-operate with all other organisations that recognise it as the controlling and governing authority for pickleball throughout CAP.
- 3.10. Managing the funds of CAP in a responsible and sustainable way to achieve the objectives of CAP.
- 3.11. Advancing the interests of Pickleball from a continental point of view, and to achieve the objectives of CAP.



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4. PRINCIPLES

4.1. Autonomy

The autonomy of international sport is a fundamental principle.

CAP shall allow Member Countries complete autonomy in their own territory. It will have no part in purely national issues unless such issues affect the image of the confederation, international image, or the Olympic and Paralympic prospects of the sport in any way.

Member Countries must manage their internal affairs with total independence and ensure that no third party interferes in their operations. Member Countries must remain autonomous and resist political, religious, and financial pressure which may infringe their commitment to conform to CAP's Constitution. Any external form of interference or attempt shall be reported to CAP.

4.2. Equal Opportunity

Pickleball has equal representation of men and women on the field of play. CAP supports the active participation of women in Pickleball at all levels and the representation of both men and women in the affairs of CAP beyond the field of play.

4.3. Fair Play

CAP and its Member Countries shall take all reasonable care to ensure Tournaments and those participating in Tournaments respect "fair play". CAP promotes the highest degree of sportsmanship and integrity among the players, officials and administrators. Players at all levels must be able to participate in Pickleball which is free of drugs, violence, discrimination, technical manipulation, cheating and any form of exploitation in an attempt to win or to manipulate matches.





4.4. Harassment Free Sport

All those working and participating in Pickleball including players, coaches, technical officials and administrators have a right to compete, work and participate in a harassment-free environment. CAP shall ensure there are no forms of harassment whether that be physical, psychological or other.

4.5. Non-Discrimination

CAP shall not allow any form of discrimination to affect its decisions or actions, be it discrimination based on race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

4.6. Transparency

CAP shall operate in a transparent way so that its decisions and actions are open to scrutiny by its membership and the general public. Comprehensive information on its decisions, regulations, policies and programmes shall be available to all.

5. DEFINITIONS

- 5.1. **AGM** – Annual General Meeting of Member Country representatives as described in Clause 9.
- 5.2. **CAP** –Confederation of African Pickleball.
- 5.3. **CAP Member Countries** – means any Member Countries or Associate Member Countries of CAP from the Continental Confederation of Africa who automatically become Member Countries of CAP.





5.4. **Council** – the governing board elected by the AGM as defined in Clause 11.1 with its roles and responsibilities described in Clause 13.

5.5 **Covered Persons:** means Officials, Players, and Related Persons and also:

- Includes Member Countries of CAP, as well as any natural person or organisation that has accepted CAP's jurisdiction.
- Any person who ceases to be a Covered Person for any reason shall for all purposes under these rules be deemed to be and to remain a Covered Person in respect of any investigation or allegation into conduct while that person was a Covered Person, and:
- Any person who became a Covered Person shall be deemed to be and to remain a Covered Person for a continuous period of 12 months after the date, on each occasion, upon which that person became a Covered Person.

Any person who is not otherwise a Covered Person but who engages in conduct which would amount to conduct which is a breach of the Statutes shall be deemed for the purposes of these Procedures as a Covered Person but shall be liable only to the Sanction(s) of a Suspension and/or a Venue Exclusion Order.

5.6. **Delegate** – means the physical person officially appointed on the delegate form by a Member Country to be its official representative in a General Meeting.

5.7 **EGM** – Extraordinary General Meeting of Member Country representatives as described in Clause 10.

5.8. **Executive Board** – the board appointed by the Council composed of the President, the Secretary General, the Director of Finance and four other members of the Council and whose duties are described in Clause 16.3.





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- 5.9. **General Meeting** – an Annual General Meeting or an Extraordinary General Meeting attended by delegates of Member Countries.
- 5.10. **Judicial Panel** – means the judicial body established by the Council under Clause 13.2.7 who shall be responsible for hearing and deciding on any potential breaches of CAP Statutes under its competency.
- 5.11. **Member in Good Standing** – means a Member Country who:
- Is duly registered,
 - does not have any CAP subscriptions due.
 - is not under suspension by CAP.
 - has submitted a completed Schedule A to CAP for the current year.
- 5.13 **Official** means any person (whether paid or unpaid) who is an employee, office holder (including a nominated candidate) or representative of CAP or who officiates, is a technical official or who is part of the workforce in any Tournament.
- 5.14 **Player** means any player who enters or participates in any Pickleball tournament under the auspices of CAP.
- 5.15 **Related Person** means any coach, trainer, therapist, physician, management representative, agent, family member, tournament guest, business associate or other affiliate or associate of any Player, or any other person who receives accreditation at a Pickleball Tournament at the request of the Player or any other Related Person.
- 5.14. **Statutes** – means CAP constitution and the full body of regulations of CAP, accordingly, in force at any relevant time, and as published.



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- 5.15. **Schedule A** – means the form submitted to the Secretary General by Members annually which contains such information required for purposes of administration and publication including but not limited to the names, addresses and contact information of its principal officers, the number of member clubs / associations, the total number of registered players affiliated to the Member and a declaration that the provisions of Criteria for Membership continue to be met.
- 5.16. **Tournaments** means Pickleball tournaments recognised by CAP in accordance with the General Competition Regulations
- 5.17. **Votes Cast** – means votes by a show of hands or valid votes that have been submitted in a secret ballot. Blank voting slips, blank pieces of paper or void voting papers are not “Votes Cast”. Similarly, an abstention in a show of hands does not count as a Vote Cast. Voting majorities shall be calculated only on a basis of Votes Cast.
- 5.18. Words signifying persons in this Constitution include corporations and all legal persons including any other entities or bodies whether incorporated or not.
- 5.19. Words signifying the masculine gender in this Constitution include the feminine and neuter genders and vice versa.
- 5.20. Any deadline referred to in this Constitution shall mean midnight on the day of the deadline at the location of CAP headquarters.





SECTION 2 – MEMBERSHIP

6. MEMBERSHIP

- 6.1. National associations which are recognised and mandated by the sports authority of their country to promote and govern the game of Pickleball and which abide by the fundamental principles of the Confederation of African Pickleball can apply for membership and become Member Countries of CAP.
- 6.2. The territorial region of CAP shall consist of all the countries of Africa including the adjacent islands.
- 6.3. CAP shall only recognise one association per country.
- 6.4. Member Countries shall operate in such a way as to enable the participation of their players in CAP sanctioned competitions without discrimination.
- 6.5. In case of dispute on matters of jurisdiction within a given territory or country, CAP Council shall be referred for a decision.
- 6.6. Every Member Country shall supply to CAP Secretary General, not later than 5th of April each year, a list of their current office bearers and their contact details and the name and contact details of a specific person with whom CAP will conduct all official business for the said Member Country.
 - 6.6.1. Every Member shall supply to CAP Secretary General, not later than 30th September each year, a CAP Schedule A document.
- 6.7. The African countries shall be grouped for operational reasons into 5 regions, as delimited by the UN Geoscheme for Africa. These will be: North Africa, Western Africa, Central Africa, Eastern Africa and Southern Africa.





6.8. For each region, the countries shall appoint one Regional Director. The Regional Directors shall preferably be from their own respective regions.

6.9. Each Regional Director shall oversee the activities of his region.

SECTION 3 – GOVERNMENT

7. STRUCTURE

The following bodies shall govern the affairs of CAP.

- The Annual General Meeting (AGM) or the Extraordinary General Meeting (EGM).
- The Council.
- The Executive Board (EB).

8. GENERAL MEETINGS

- 8.1. The ultimate decision-making body is a General Meeting (AGM or EGM) of CAP.
- 8.2. A General Meeting may delegate to the Council or the Executive Board, to take specific decisions or actions in the interval of the next General Meeting.
- 8.3. General Meetings shall be conducted in conformity with CAP Constitution.
- 8.4. The Chair shall have the final decision upon all points of order and matters of procedure but shall not have the power to rule on matters of substance without the consent of the meeting.





- 8.5. A General Meeting may take any decision on proposals for which due notice has been given and which appear on the agenda circulated to the membership. Any other matter may be discussed in other business and if necessary, a delegation may be made to Council to take action before the next General Meeting.

9. ANNUAL GENERAL MEETING

- 9.1. The AGM shall be held once a year no later than 30 June at a physical or virtual location and time decided by the Council.

Notice of the AGM and Deadlines

- 9.2. The Notice of the AGM shall be sent to the membership by the Secretary General no later than twelve (12) weeks before the date of the AGM.
- 9.3. The Notice of the AGM shall include a) the date of the AGM, b) the physical or virtual location and c) the closing date for submitting proposals and nominations for elections.
- 9.4. The closing date for submitting proposals and nominations for elections shall be no later than eight (8) weeks before the date of the AGM.
- 9.5. The Agenda for the AGM including a) proposals submitted by Member Countries in Good Standing and seconded by another Member Country in Good Standing, b) proposals by Council and c) any nominations for election submitted by Member Countries in Good Standing and seconded by another Member Country in Good Standing before the deadline shall be sent to the membership of the AGM no later than six (6) weeks before the date of the AGM.
- 9.6. Accidental omission to give notice in Clause 9.2 to any party shall not invalidate the proceedings of a General Meeting.





Business of the AGM

- 9.7. To confirm the minutes of the last General Meeting.
- 9.8. To receive the report of the Council.
- 9.9. To consider and approve the accounts, duly audited, for the previous year.
- 9.10. To receive the annual budget for the current year and forecast for the following year.
- 9.11. To receive the strategic plan of CAP.
- 9.12. To elect Member Countries of the Council as and when that is due.
- 9.13. To consider and deal with proposals for which due notice has been given which are under the competent business of the AGM and which have not been specifically delegated to Council or any other body under the constitution.
- 9.14. To appoint a registered auditor as per recommendation of CAP Council.
- 9.15. To discuss other business.

Meeting Procedures

- 9.16. Delegates, representing at least 40% of all CAP Member Countries in Good Standing with voting rights, shall form the quorum for a General Meeting.
- 9.17. The President shall act as the Chair of all General Meetings.
- 9.18. In the President's absence, the Secretary General shall act as Chair. In case both the President and Secretary General are absent, the meeting shall appoint a Chair of the meeting.





- 9.19. All matters that need voting shall be decided by simple majority of Votes Cast except for Clauses 27 and Clause 28.
- 9.20. Except for elections which shall be by secret ballot only (Clause 12.13), voting shall take place by a show of hands or secret ballot, if requested by a Delegate and approved by a simple majority of Votes Cast.

Proposals and Amendments

- 9.21. Notice in writing of any proposals to be considered by the General Meeting may be submitted in writing by any Member Country in Good Standing. It must be seconded by another Member Country in Good Standing to be valid.
- 9.22. The proposals and its seconding shall be sent to the Secretary General so as to reach him at least eight weeks before the date fixed for that meeting.
- 9.23. Any valid proposal received by the appropriate date must be circulated to Member Countries at least six weeks before the date fixed for the General Meeting.
- 9.24. Before the proposal is sent out as per Clause 9.23, the Secretary General together with the proposer shall ensure that the wording and intended meaning of the proposal is clear so as to ensure that, if the proposal is accepted by the AGM, it could be directly incorporated in the Statutes.
- 9.25. The Council is allowed to make proposals to be considered by the General Meeting with the same deadlines as for proposals by Member Countries in Good Standing. Proposals made by the Council do not need to be seconded but need to be explained.
- 9.26. Before a valid proposal is discussed and voted upon, the Chair will invite the delegate from the proposing Member Country to present it to the meeting. Thereafter the chair will ask delegates to speak in turn either “for” the





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proposal or “against” the proposal until such time as the Chair puts the proposal to the meeting for a vote.

- 9.27. The Chair of the meeting shall not accept any amendment, other than one of wording, which does not alter the meaning or intent of the original proposal, unless it has been sent to the Secretary General at latest four weeks in advance of the meeting. The Secretary General shall circulate the amendments received to Member Countries before the meeting.

Representation and Voting Strength.

- 9.28. Each Member Country in Good Standing has the right to appoint not more than two delegates to represent it at a General Meeting. Both delegates shall have the right to speak, but only one of them shall be permitted to vote in a General Meeting.
- 9.29. A delegate may either be the President, the Secretary General or any other elected officer of the Member Country’s association he is nominated to represent; or a staff member of the Member Country’s association who has been employed for no less than 12 months.
- 9.30. It is the responsibility of Member Countries to make sure their delegate nomination form is correctly filled and is received by the Secretary General at latest 24 hours before the starting time of the General Meeting.
- 9.31. Member Countries are entitled to one vote.
- 9.32. Delegates of Member Countries whose annual subscriptions for the current year have not been paid at latest 24 hours before the starting time of the General Meeting shall not be allowed to vote at the meeting.’
- 9.33. No person shall act as the delegate of more than one Member Country.



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- 9.34. Delegates from non-financial Members, Associate Member Countries have no voting rights, but have the right to attend and speak at General Meetings.
- 9.35. The Chair has authority to admit observers to a General Meeting. Such observers are not permitted to speak at the meeting, unless authorised by the Chair.

10. EXTRAORDINARY GENERAL MEETING (EGM)

- 10.1. An EGM may be called for at any time by the Council or must be called for by the Secretary General on a date within 12 weeks of the receipt of a requisition in writing to that effect given by 50% of Member Countries in Good Standing at the time of the immediately preceding AGM.
- 10.2. Every such requisition and the calling notice shall specify the business for which the meeting is to be convened.
- 10.3. The Council can call an EGM to consider any proposal, provided due notice of 8 weeks is given.
- 10.4. The quorum and meeting procedures shall be the same as for AGMs.
- 10.5. The minutes of EGMs shall be presented to the next General Meeting for approval.





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SECTION 4 – COUNCIL

11. COUNCIL STRUCTURE

11.1. The AGM shall elect a Council which shall have administrative powers to carry on the work of CAP between AGMs. The Council shall consist of:

- The President
- Secretary General
- Director of Finance
- Director of Sports Development
- Director of Events and tournaments
- Regional Directors

12. ELECTION OF COUNCIL

12.1. The President, Secretary General, Director of Finance, Director of Sports Development, Director of Events and Tournaments, as per Clause 11.1, shall be elected in that order, at the AGM and will serve for a term of office of four (4) years *[with the current interim Council elections being 2024 being for a one (1) year term]*.

12.2. The President shall automatically appoint regional Directors from regional nominations.

12.3. The nomination for election as President, Secretary General, Director of Finance and as other members of the Council shall be made in writing by a Member Country in Good Standing.



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- 12.4. A different Member Country in Good Standing from the proposer shall second the nomination in writing.
- 12.5. Nomination for appointment as regional Director shall be made in writing by regional member countries, individually to the Secretary General.
- 12.6. Such nomination and seconding letters shall be sent to the Secretary General so as to reach him no later than the date fixed for receipt of proposals and nominations [clause 9.4] for the General Meeting where elections will be held.
- 12.7. The Secretary General shall circulate the list of candidates for the elections at latest six (6) weeks before the date fixed for the General Meeting where the elections will be held.
- 12.8. Council shall put in place guidelines to be followed by all the stakeholders concerned with elections.
- 12.9. Whenever a vacancy occurs on the Council, it shall be filled through election as stipulated in Clauses 12.4 to 12.7.
- 12.10. Whenever a replacement election is held, the term of office of the elected candidate(s) will be to only complete the remaining term of office of the vacant position(s).
- 12.11. Council may decide not to call for an election to fill a vacancy if such an elected Council member cannot serve on Council for at least 18 months of the original term.
- 12.12. At election, in case of parity of votes between two or more candidates, a second round of voting shall be held for them.





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- 12.13. Each delegate should vote for as many candidates as there are vacant seats. Voting slips containing more or fewer names than the exact number of vacant seats will be invalid.
- 12.14. Only a maximum of two candidates from the same Member Country may be elected on Council, if there are more than two, only the two with more Votes Cast for them will be considered as elected.
- 12.15. Voting at elections shall be done by secret ballot. Electronic voting will be used for virtual meetings.
- 12.16. Council members assume office immediately following the conclusion of the General Meeting at which they were elected, and they remain in office up to the conclusion of the General Meeting at which new elections are held.

Conditions and Terms of Appointment

- 12.17. Council members are not the representatives of any Member Country on the Council.
- 12.18. The term of the President, Secretary General, and Director of Finance shall be a maximum of two (2) consecutive terms of 4 years each. *[The one (1) year transition term, starting in 2023 and ending in 2024, shall not count as a full term, and such officers shall be eligible for election for two consecutive terms].*

13. COUNCIL ROLE AND RESPONSIBILITIES

- 13.1. The Council has the responsibility to conduct and oversee the day-to-day affairs of CAP between AGMs.
- 13.2. The role of the Council is to:
- 13.2.1. Take the necessary steps to achieve the objectives of CAP.



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- 13.2.2. Implement the decisions of General Meetings.
- 13.2.3. Uphold and ensure observance of the Statutes.
- 13.2.4. Appoint one Director for each of the Regions, the number of which shall be as decided by the AGM.
- 13.2.5. Determine the Standing Committees, their Terms of Reference and elect the Chairs of Committees.
- 13.2.6. Determine regulations, codes, guidelines and policies that are not under the competent business of the AGM and communicate these to Member Countries and publish these on CAP website.
- 13.2.7. Appoint a Judicial Panel which shall be responsible for hearing and deciding on potential breaches of CAP Statutes under its competence.
- 13.2.8. Decide who will determine questions which may arise as to the interpretation of the Statutes and whose decisions will be final.
- 13.2.9. Oversee the administrative and financial matters of CAP.
- 13.2.10. Develop and approve a four-year strategic plan and monitor progress against the objectives and performance indicators.
- 13.2.11. Receive reports from Standing Committees, the Judicial Panel and Commissions.
- 13.2.12. Formulate proposals for the AGM.
- 13.3. The Council may co-opt not more than five other members without voting rights to assist them with their work and these may, include:





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- African members serving in various capacities of pickleball international federations or associations, who are not elected members of CAP Council.
- Any other people with skills or expertise in specific areas as may be decided by Council.

14. COUNCIL PROCEDURES

- 14.1. The President and Secretary General shall assume the role of Chair and Vice Chair of Council respectively.
- 14.2. The quorum for the Council meeting shall be Seven members present and no proxies are allowed.
- 14.3. The Secretary General, on the instructions of the President, shall call Council meetings with at least six weeks' notice.
 - 14.3.1. For virtual meetings (via video conference), notice shall be at least one week.
- 14.4. Between two (face-to-face) meetings, the Council may make decisions by email or by video conference.
- 14.5. All the official documents that commit CAP financially or legally such as contracts and other agreements shall be signed by any two of the President, the Director of Finance and the Secretary General.



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15. COUNCIL COMMITTEES

- 15.1. The Council shall appoint such Standing Committees and Sub- Committees with such terms of reference as may be deemed necessary.
- 15.2. The Standing Committees of the Council shall be composed of elected members of the Council.
- 15.3. The Chair of each Committee shall oversee the activities related to the Committee.
- 15.4. The Chair of the Standing Committees shall submit an annual report, which will be tabled in the AGM as part of the Council report.

SECTION 5 – EXECUTIVE BOARD

16. EXECUTIVE BOARD

- 16.1. The Executive Board (EB) shall be composed of the President, the Secretary General, the Director of Finance, Director of Sports Development and the Director of Events and Tournaments.
- 16.2. The Executive Board shall not have more than three members from Member Countries from the same Region.
- 16.3. The Executive Board is authorised:
 - 16.3.1. To take any urgent decision on the interpretation of the Confederation's rules.
 - 16.3.2. To act on behalf of the Council between its meetings.





16.3.3. To nominate representative(s) to the international organization(s) sub-committees or to any other continental, regional or international body as and when needed.

16.4. The EB shall be responsible and deal with all staff/human resources matters.

17. PRESIDENT

17.1. The President shall preside over all meetings (except Standing Committees where another person is appointed as Chair) and has a casting vote in case of parity, except when voting at elections.

17.2. If the President is absent, incapacitated or has resigned, the Secretary General shall act as President. If both are absent or incapacitated or have resigned, the General Meeting or the Council shall appoint someone as acting President.

17.3. He shall coordinate the work of the executive board.

17.4. He shall make an annual report to the AGM as part of the Council report.

18. THE SECRETARY GENERAL

18.1 Council shall appoint a Secretary General who shall be responsible for the effective day to day management of CAP, within the policies and objectives approved by the Council and in accordance with the Statutes and the decisions of the Member Countries at General Meetings.

18.2. be the head of the administration, responsible for the day-to-day management and be the head of the staff.

18.3. send notice for all meetings, where notice is required.





- 18.4. send invitations for all events and other activities held under the aegis of CAP.
- 18.5. organise and attend the meetings of the Executive Board, the Council, and the General Meeting.

19. THE DIRECTOR OF FINANCE

- 19.1. He shall be responsible for all financial matters.
- 19.2. He shall prepare and/or supervise the preparation of the annual accounts, financial report, financial development plan and the annual budget to be considered by the General Meeting.
- 19.3 He shall be responsible for identifying and distributing opportunities for financial development of the CAP and member countries such as grants, investors, and philanthropy.

20. SPORTS DEVELOPMENT DIRECTOR

- 20.1 they are responsible for the development of sport and sports programs within the CAP territories.
- 20.2 this includes recruitment of new CAP member countries and supporting national association recommended priorities to help them become legally recognized by the sports governance organs in their country.

21. EVENTS AND TOURNAMENT DIRECTOR

- 21.1 They are responsible for all CAP events and tournaments, including regional tournaments.





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SECTION 6 – ADMINISTRATIVE PROVISIONS

22. STAFF

22.1. The Executive Board shall employ staff as is deemed necessary.

SECTION 7 – FINANCIAL PROVISIONS

23. FINANCE

23.1. The financial year shall close on 31st December each year.

23.2. The Executive Board shall ensure the audited financial statements are available not later than four months after the close of the financial year.

23.3. A registered auditor shall be appointed by the General Meeting to audit the accounts.

Subscription

23.4. Each Member shall pay a CAP subscription as decided by CAP AGM.

23.5. Member Countries must not have any CAP subscriptions due and have completed CAP Schedule A for the current year to be in Good Standing.

23.5.1. If a General Meeting is held between the time CAP issues the subscription invoices in November and when CAP subscriptions are due on 31 January, Member Countries who have paid the current years' subscription (for year ending 31 December) and who have submitted the current Schedule A due (as of 31 December), shall be considered in Good Standing for the meeting.



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23.6. CAP may have more than one bank account in any country and in any currency as may be decided by the Council.

23.7. The signatory to the CAP bank accounts shall be any two of the President, the Director of Finance, and the Secretary General.

SECTION 8 – JUDICIAL PROVISIONS

24. JURISDICTION

24.1. Covered Persons shall recognise and accept the following:

24.1.1. CAP Statutes and their mandatory nature.

24.1.2. CAP's authority within its sphere of activity concerning Pickleball in the region of Africa including its jurisdiction and its right to make decisions and impose sanctions based on CAP Statutes.

24.1.3. the requirement to abide by the decisions of CAP, without attempting to hinder their application.

25. JUDICIAL AUTHORITY

25.1. The following bodies of CAP have judicial powers in accordance with CAP Statutes:



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- The General Meeting.
- The Executive Board
- The Council.
- The Judicial Panel

25.2. The judicial bodies have the power to make decisions and impose penalties in their areas of duty set out in CAP Statutes.

26. JUDICIAL PROCEDURES

26.1. Judicial bodies recognize and shall follow the procedures and principles as set out in CAP Judicial Procedures.

26.2. CAP judicial bodies shall provide fair procedures to all parties involved and shall respect their fundamental rights.

26.3. All processes undertaken shall respect the following principles:

26.3.1. Presumption of innocence.

26.3.2. Right to a fair hearing, within reasonable time, by an impartial hearing panel.

26.3.3. Right to be represented by lawyer.

26.3.4. Right to be informed of nature and cause of charges, as well as the possible consequences.

26.3.5. Right to call witnesses and give evidence in his/her defence.

26.3.6. Right to have an interpreter.

26.3.7. Right to a timely, written, reasoned decision; and



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26.3.8. Right to appeal a decision where such decision is appealable under the AUSC Judicial Procedures.

27. JUDICIAL PANEL

- 27.1. The Judicial Panel shall have general jurisdiction on any dispute, in particular, hearing and deciding on potential breaches of CAP Statutes related to governance matters.
- 27.2. The Judicial Panel shall be composed of five members appointed by the Council. Two members shall be CAP Council members (elected or appointed) and the other three shall be external and independent of CAP. The three external and independent members shall have knowledge of sports law and governance.
- 27.3. The members of the Judicial Panel shall serve a four-year term. Casual vacancies shall be filled by Council as and when required.
- 27.4. The Council shall appoint a Chair from the two Council members on the Judicial Panel.
- 27.5. The Chair of the Judicial Panel shall appoint three members of the Judicial Panel to form a hearing panel to hear a particular case. One member shall be from the two Council representatives and the other two shall be selected from the external members on the Judicial Panel.

28. SANCTIONS

- 28.1. The Judicial Panel shall have the power on behalf of CAP to impose penalties, within CAP's competence, on any Covered Person who acts against the interest of CAP, who breaches CAP Statutes, or who fails to comply with a decision by CAP or any of its bodies.
- 28.2. The following penalties may be imposed by a Judicial Panel on Covered Persons:





- a) Reprimand.
- b) Suspension of Officials and Related Persons.
- c) Dismissal.
- d) Venue Exclusion Order.
- e) Fine; and
- f) Administrative Fines and Administrative Sanctions.

SECTION 9: TRANSITIONAL CLAUSE

29. TRANSITION

29.1 All members present during the resolution of this constitution assume provisional membership of the CAP.

29.2 All CAP members are automatically members of good standing, and no dues are payable for the next two years.

29.3 The transition clause also authorizes the interim committee to assume the roles of the executive committee until when their term expires, and new board is elected at the AGM.

SECTION 10 – FINAL PROVISIONS

30. ALTERATION OF THIS CONSTITUTION

30.1. Proposal or motion to alter or change the Constitution can only become effective with a two-thirds majority of votes cast.

30.2. Amendments to the Constitution shall become effective the day after the General Meeting unless amendments are decided with implementation conditions.





31. DISSOLUTION

- 31.1. CAP shall not be dissolved except at an EGM specially convened for that purpose and the proposal or motion shall be carried by a majority of four-fifths of the votes cast in that respect.
- 31.2. All the assets and the balance of funds in hand or in bank, if any, shall be transferred to entities declared during dissolution.

