



FREE STATE
PROVINCIAL SPORTS COLOURS REGULATIONS

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PREAMBLE

To introduce means aimed at regulating the award of Provincial colours preventing the misuse or abuse of Provincial colours; and generally to promote sport in the Free State Province through the effective control of Provincial colours; for that purpose to:

1. Prohibit certain acts in relation to Provincial colours;
2. Create offences and prescribe penalties in relation thereto;
3. Confer upon the board the necessary powers to regulate the award of Provincial colours and to promote and protect the Provincial colours from abuse or misuse;
4. Provide rules and procedures applicable to the award of Provincial colours;
5. Provide a code of conduct;
6. Provide for incidental matters.

SCHEDULE

1. DEFINITIONS

In these regulations, unless the context otherwise indicates;

"amateur" means a sportsperson who is an amateur in terms of the rules of the international body controlling the particular sport in accordance with the rules of the national controlling body;

"Board" means the Board referred to in Regulation 2;

"code" means the code for the award of Provincial colours adopted by the Free State Sports Council and its respective constituent members and as amended from time to time;

"FSSC" means the Free State Sport Confederation;

"executive committee" means the executive of the Board for the time being, as referred to in Regulation 6;

"PCB" means the Provincial Colours Board;

“national controlling body” means that body which administers or controls any sport at the national level and whose members are appointed by affiliated provincial or other constituent sporting association;

“provincial controlling body” means that body which administers or controls any sport at the provincial level and whose members are appointed by affiliated district or other constituent sporting association;

“provincial sports colours” means any or more of the following:

- (i) the name, title or designation: **Free State Sport Confederation Colours**;
- (ii) the word FSSC and or Cheetah used as a badge or emblem or part thereof on including formal and informal clothing including sports clothing, replica or anything related to Free State sport;
- (iii) the colours Navy, Gold, Green and White used as part of a prescribed uniform or dress in connection with sport;
- (iv) any name, badge, uniform, emblem, device, trade mark, design or similar matter in respect over which the Provincial colour board has any rights, *whether by virtue of registration or otherwise*;
- (v) **“provincial team(s)”**- means a team of one or more sportsmen and or sportswomen selected in terms of an approved selection process to represent the Free State Province , in a sporting contest involving a Provincial team of another Province or other Provinces;
- (vi) **“test match”** means a contest in sport between Provincial teams of two or more Provinces, held in terms of the rules and regulations of the National controlling body of such sport.
- (vii) **“Participation apparel”** – means match or contest clothing, apparel, uniform, kit or step-out apparel

“sport” – means any form of activity or activities which require(s) a significant level of aerobic or anaerobic involvement and in which participants engage in either a structured or unstructured environment for the purpose of declaring a winner or simply for relaxation, personal enjoyment, satisfaction, physical health, emotional growth and development.

2. OBJECTS OF THE BOARD

The objects of the board are:

- 2.1 to introduce a standard code for the award of Provincial colours;
- 2.2 to prevent any misuse or abuse of Provincial colours;
- 2.3 make provision for the resolution of disputes related to awards of Provincial colours;
- 2.4 generally, to promote sport in the Free State Province, through the usage and effective control of the Provincial colours;
- 2.5 ratify or refuse to ratify the award of Provincial colours to a person nominated therefore;
- 2.6 adjudicate in any matter referred to it;
- 2.7 promote the image, standing and repute of Provincial colours Provincially and Nationally;
- 2.8 co-operate and liase closely with persons, bodies, local authorities and Government departments concerned with the advancement of sport on a Provincial and National level;
- 2.9 advise the FSSC on the use of Provincial colours by any person, body or local authority by way of advertising or as a trade mark, or in connection with goods or services, or in any other manner on such terms and conditions as it may see fit;
- 2.10 monitor and maintain records of all awards of Provincial colours.

3. FUNCTIONS, POWERS AND DUTIES OF THE BOARD

The functions of the Board shall be to achieve its objects with the means at its disposal, and for the purpose of achieving those objects the Board may:

- 3.1 to act as an advisory and supervisory body of the FSSC with regard to all matters effecting Provincial colours, the control and use thereof, and to make rules in regard thereto;
- 3.2 to prevent any abuse or misuse of Provincial colours and to protect same against any infringement or limitation;
- 3.3 to determine whether any activity falls within the ambit of the concept of sport as envisaged in the code and in the event in which sportspersons participate in national events;

- 3.4 to take disciplinary or legal action against any association, body or individual (or to ensure that the appropriate controlling body does so) as a result of any conduct, action, or statement which, in the opinion of the Board or any disciplinary sub-committee appointed for that purpose, is considered to be in breach of the code, or be an abuse or misuse of the emblem, or to bring the emblem into disrepute;
- 3.5 to take such action or steps as may be necessary or desirable to achieve the foregoing and to co-operate and liaise with any government department or any authority to that end;
- 3.6 to maintain full and complete records of all awards of Provincial colours both past (to the extent that this is possible) and in future;
- 3.7 to do whatever it deemed necessary or expedient in order to fulfil the purpose and objects for which the Board is established.

4. CONTROL OVER AND MANAGEMENT OF THE AFFAIRS OF THE BOARD

- 4.1 The Board will be appointed by the Executive Committee (Exco) of the FSSC and will include Historically Disadvantaged Individuals (HDI).
 - 4.1.1 The affairs of the Board shall be managed by the Exco,
 - 4.1.2 FSSC Exco shall determine the policy and objectives of the Board and shall exercise control generally over the performance of its functions, the exercise of its powers, and the execution of its duties.
- 4.2 the Board shall consist of:
 - 4.2.1 a Chairperson appointed by the Exco.
 - 4.2.2 a Secretary, appointed by the Exco.
 - 4.2.3 no fewer than three but not more than five other members, which shall include non elected members appointed by the Exco and;
- 4.3 A member of the Board shall hold office for a period not exceeding four (4) years but shall be eligible for re-appointment but not for more than two (2) cycles.
- 4.4 The Chairperson and members of the Board shall be persons who have special knowledge or experience in relation to some respect of the Board's functions.
- 4.5 The Chairperson, or in his or her absence, a member of the Board elected by the members present, shall preside at any meeting of the Board.

5. MEETINGS OF THE BOARD

- 5.1 The meetings of the Board shall be held at such times and places as the Board may determine.
- 5.2 The Chairperson may at any time call a special meeting of the Board, which shall be held at such time and place as he or she may direct.
- 5.2 The quorum for a meeting of the Board shall be a majority of its members.
- 5.3 A decision of the Board shall be taken by the resolution of the majority of the members present at any meeting of the Board and, in the event of an equality of votes on any matter, the person presiding at the meeting in question shall have a casting vote in addition to his or her deliberative vote as a member of the Board.
- 5.4 Resolution of in terms of 5(3) above shall have a binding effect to all members.

6. OWNERSHIP OF INTELLECTUAL PROPERTY IN PROVINCIAL COLOURS

The rights in all Provincial colours and emblem shall vest in the FSSC, which shall make such Provincial colours available for use in the public interest.

7. THE DELEGATION OF FUNCTIONS AND POWERS

- 7.1 The Board may:
 - i. delegate to the Chairperson, Secretary or other members of the Board any power conferred upon the Board on such conditions as the Board may determine in writing; or
 - ii. authorise the Chairperson, Secretary or any other member or employee of the FSSC to perform any duty assigned to the Board by or under these regulations.
- 7.2 The Secretary may:
 - i. delegate to an employee of the FSSC any power conferred upon the Secretary by or under these Regulations; and
 - ii. authorize that employee to perform any duty assigned to the Secretary by or under these Regulations.
- 7.3 Any delegation under sub-regulation (1) or (2) does not prohibit the exercise of a power in question by the Board or the Secretary, as the case may be.

8. RECOGNITION OF AWARDED COLOURS

- 8.1 If at the commencement of these regulations any matter has not been disposed of by the FSSC or a committee thereof entrusted with the awarding of Provincial colours, the Board may continue with the disposal of the matter in accordance with the provisions of these regulations, and anything done in connection with that matter shall be deemed to have been done by the Board.
- 8.2 Any Provincial colours awarded by the relevant bodies prior to the commencement of these regulations shall continue to enjoy recognition, as though awarded in terms of these Regulations.

9. OFFENCES

A person may not:

- 9.1 without the necessary authority, use the Provincial colours or any colours confusingly or deceptively similar thereto in the course of trade or otherwise;
- 9.2 project himself or herself as representing the Free State Province in a sporting authority without written consent from the FSSC;
- 9.3 unlawfully and without the authority of the Board misrepresent that he or she is entitled to wear Provincial colours;
- 9.4 commit any act or causes the commission thereof, which brings the Provincial colours into disrepute.
- 9.5 If an offence is alleged to have been committed, the Board may proceed in terms of section 3.4 of these regulations.

Any person convicted of an offence referred to in article 9 shall be punishable with a fine.

10. ELIGIBILITY RULES AND REGULATIONS

- 10.1 Provincial colours shall be awarded to members of Provincial federations who are affiliated members of the Free State Sport Confederation and are recognised as such by the FSSC.
- 10.2 Subject to 10.1 above may only apply as such only for sportsmen and sportswomen who represent the Free State Province in National and or competitions of the required nature and standard as recommended by the Provincial federation and National body and approved by the FSSC.
- 10.3 Provincial colours shall be awarded to the elected Executive members with the wording "EXECUTIVE" appearing under it.

11 . APPLICABLE CONDITIONS FOR AWARDING FREE STATE COLOURS

11.1 Fair selection process

- 11.1.1 Provided that Provincial competition and an approved selection process were held or conducted in order to select such Provincial teams and that fair and equal opportunities were provided for every participant that qualified, to participate in such trials.

- 11.1.2 A selection process shall be deemed unfair and inequitable if:
 - 11.1.2.1 qualifying players are excluded from such Provincial team on the basis of them not being able to finance their participation in the Provincial team;
 - 11.1.2.2 qualifying players are excluded from such Provincial team(s) on the ground of their religion, colour or creed.

11.2 Participation as requirement

Colours will be awarded specifically to the players or athletes who actually play or participate as a member of a representative team and to the official reserves, if merited and as determined by the technical rules and regulations of the PF concerned and its National federation.

11.3 Authority to award Provincial colours and duty of protection

- 11.3.1 The authority to award Provincial colours to any individual vests with the Provincial colours Board, acting on recommendation from the Provincial federations concerned.
- 11.3.2 Notwithstanding 11.3.1 above, all Provincial federations have a duty to ensure the prestige of Provincial colours and to protect them against abuse.

11.4 First time applicant's policy submission

The FSSC and the Board do not act as selectors but will at all times require proof of the standard and nature of the particular Provincial competition, details about the selection panel and the method employed regarding the selection process. It is required from a PF applying for the first time for the award of Provincial colours, to submit to the Board its policy with regards to the award of PROVINCIAL COLOURS (JUNIOR AND SENIOR).

11.5 Exception to the rule

The supporting or non-competing and managerial component of a Provincial team or individual athletes will not be awarded Provincial colours, except for managers and coaches. In the case of large teams or in the case of multi-faceted codes of sport and sport for the disabled, a motivated request may be submitted to the Board for the award of colours also to Assistant Managers and/or Assistant Coaches.

11.6 Specific exclusion

Other members of the support/management team such as medical staff, physiotherapists, trainers, heads of delegation, media representatives, skippers, etc. do not qualify for Provincial colours. In the event of multi-coded sports events, i.e. teams representing the Province in events such as the SA Games, an exception is made regarding the award of colours also to the Chef-de-Mission, and to such other selected officials as the Board may from time to time decide.

11.7 Nationality

Provincial colours will only be considered for sportsmen and sportswomen who can submit proof that they are South African nationals, i.e.

- 11.7.1 They must be in possession of a valid South African ID document.
- 11.7.2 Athletes with South African resident permits only are not eligible.
- 11.7.3 are residing in the Free State Province.
- 11.7.4 attending a School in the Free State Province full time.
- 11.7.5 attending a tertiary institution in the Free State Province.

This rule does not apply to managers and coaches.

11.8 Junior Provincial colours

A category for "junior" colours has been instituted for those codes of sport who can substantiate that in the National rules of their particular discipline, provision is made for e.g. bona-fide junior National championships, junior continental championships, test matches, etc. A maximum age, which differs from sport to sport, is usually prescribed. Junior Free State colours are not intended for "age-group" competitions and such colours shall have the designation "Junior" underneath the prescribed insignia.

The applicable National rules must be lodged with the FSSC and should form part of the POLICY document referred to in article 11.3.1 above. All other eligibility regulations as described herein for Senior colours, are also applicable to the award of Junior colours.

12. PROCEDURES

12.1 Application forms

- 12.1.1 The official application form annexed herein as annexure "A" for the award of Provincial colours is obtainable from the FSSC's offices.
- 12.1.2 Only applications properly completed will be considered. All applications for Provincial colours should be submitted within **(30) Thirty** days of the event for which Provincial colours are applied for.

12.2 Certification and ratification

Application forms must be completed even if the athletes in question have previously received colours. After the award of colours has been ratified, the names of the recipients are entered onto the central Provincial colours Register (data base). Certificates for recipients of Provincial colours are issued by the FSSC.

12.3 Documentary proof of National status

Documentation providing the necessary proof of the status of the National event in question must accompany the application. The Board may, at its own discretion, consult the National Federation in order to ascertain the status of the particular event.

12.4 Written confirmation

The applicant Provincial federation will be advised in writing of the outcome of its application for the award of Provincial colours within 10 days of the date of the application. In all instances the decision of the Board will be final.

12.5 Purchasing

Relevant insignia and material can be purchased directly from the approved official suppliers. Silk screening or any other form of reproduction of the official badge or emblem on commemorative/special award medals/trophies, must be approved by the FSSC to ensure quality control.

12.6 Code specification

- 12.6.1 Applicants must clearly indicate the preferred code of sport identification that will appear on the badge. The words COACH and/or MANAGER will appear under the name of the sport where applicable.
- 12.6.2 Upon the awarding of Provincial colours, the Provincial federation concerned shall inscribe, beneath the Provincial emblem, the name of the sport in which the person who has been awarded the Provincial colours will participate in. In the case of a Manager and/or Coach, the words MANAGER and/or COACH (as the case might be) shall also be inscribed.

12.7 Hand-over of Provincial colours

In order to afford the necessary status to the award of Provincial colours, it is strongly recommended that Provincial federations arrange a proper handover function to which a delegated representative of the FSSC or PCB member may be invited in order to hand over the Provincial colours prior to the participation of the athletes. At this occasion, the Provincial federation in question must also hand to all recipients of Provincial colours, a copy of the federations Code of Conduct in order to ensure that team members behave in a manner that suits their status when accepting Provincial colours. A copy of the code must also be filed with the PCB.

13. LICENSING AND MERCHANDISING

- 13.1 The FSSC may appoint a licensing agent to handles all aspects relating to the licensing and merchandising of the Provincial emblem and enter inter alia into agreements with Provincial federations or persons regarding the use of the emblem on merchandise.
- 13.2 No person or organisation including members of the FSSC, are entitled to the use of the Provincial emblem in whatever form without written approval of the FSSC.
- 13.3 All Provincial participation apparel must be approved by the FSSC.

14. PROVINCIAL FEDERATION COLOURS

- 14.1 Provincial federations (PF's) are entitled to their own colours, emblems and insignia which they award and use as they please. This also applies to USSA and Free State School Sport. "Federation" colours can be used in the case of invitation matches, "B"- and Veteran (Master)- sides, "Development" teams competing against other Provinces in friendly matches honorary/long service awards, etc.

- 14.2 No Provincial federation is allowed to use the Free State emblem, or any combination thereof as PF's colours or in a manner similar to that of the FSSC Provincial colours.
- 14.3 Provincial federations are allowed to incorporate in their designs the Free State emblem, and a combination thereof, provided that such inclusion will not demean the Provincial emblem, nor create an impression that such a design is in fact a Provincial emblem.
- 14.4 "Provincial colours" are reserved for National participation only, i.e. not for domestic competitions and as such are reserved for the very best athletes representing the Free State Province in competitions of the highest level (National championships, or "test matches" against fully representative teams or individuals from another Province/Provinces. Provincial colours can be awarded in the form of colours (the badge is embroidered in Navy, Gold and Green).
- 14.5 The Provincial badge consists of the logo with the wording FREE STATE appearing under it followed by the name of the code of sport, e.g. Athletics. The only other wording allowed on the badge is the designation "MANAGER" /"Assistant Manager" and/or "COACH"/ Assistant Coach. In the case of multi-coded teams the additional wording e.g. "SOUTH AFRICAN GAMES 2007" will also appear on the badge.

15. COMPETITION APPAREL OR BATTLEDRESS FOR PROVINCIAL TEAMS

- 15.1 The approved colour combination for Provincial teams is Navy blue, white, gold and green.
- 15.2 PF's must adhere strictly to the approved colour combinations, being predominantly Navy blue. PF's may deviate from this only in cases where, in a code of sport, a specific colour uniform is mandatory (e.g. test cricket) and then only through written approval from the FSSC.
- 15.3 The Provincial badge referred to above (being the FSSC Colours) must be visibly displayed in the apparel on the chest on the left hand side. The FSSC is aware of the expectations of sponsors for the display of their logos on uniforms. To this extent, the technical sponsor logos may appear on the right side of the competition apparel but may not exceed the size of the Provincial badge. The minimum acceptable size of the Provincial badge at any given time on the apparel must be 7cm in length and 6,5 cm high, excluding the designation.

16. CODE OF CONDUCT

- 16.1 In accepting the Provincial colours as the sports insignia of the Free state, sportsmen and sportswomen, their coaches, managers and other officials involved in the participation of the Free State Province in the National sports arena accept to conduct themselves at all times in a manner that will benefit and do credit to the insignia under which they have been chosen to represent their sport. They also agree to do the same for the FSSC as the custodian of the Provincial colours and finally their Province, in whose name they participate.
- 16.2 In order to ensure that recipients of Provincial colours behave in a manner that suits their status, the FSSC expects from a Provincial federation to set its own Code of Conduct to which its representative athletes and officials adhere; after all, a representative side or the individual participants are ambassadors of that particular code of sport. A representative sports group must be furnished with a copy of such a code when they accept the Provincial colours in which they will compete. It is furthermore the duty of the management to ensure that everyone concerned strictly adheres to such a code and to introduce fitting disciplinary measures if, as, and when necessary.
- 16.3 Apart from the above, the FSSC itself has the responsibility to ensure that the Free State Province representative sports groups are a credit to the Province and at all times worthy ambassadors while representing the high ideals that the FSSC had set for sports participation. Whilst there is due regard for the fact that representative sports teams vary in make-up, that there are certain set traditions in others, or that young athletes need to be treated differently from adult participants, there are certain generally acceptable and basic norms that need to be upheld at all times.
- 16.4 The following guidelines have been compiled by the FSSC to serve as broad criteria for all those involved in representative participation in order to ensure basic uniformity, group unity, discipline and a friendly and comfortable disposition within the group or team. An appeal is made to all those involved (Provincial federations, office bearers, officials/tour management, participants, and coaches) to observe their Code of Conduct at all times. In the interest of the Free State Province and of sport in general, it is vital that the conduct of those representing the Province will at all times be above reproach. If anyone should infringe the Code, disciplinary steps in the discretion of the Provincial federation and the Board may be taken against such a person. It is important to note that under special circumstances, the Board reserves the right to withdraw Provincial colours awarded at the time for good cause.
- 16.5 Travelling nationally is often a new experience for some. There are different customs and attitudes to adapt to, language barriers to overcome, media to face, and many more. Provincial federations must ensure that team management consists of seasoned and responsible adults who can provide the necessary guidance to young and/or inexperienced team members.

- 16.6 National participation is the end result of long hours of hard training, of sacrifices and of absolute dedication. Only the very best in a sport can achieve this level. To represent one's Province is a singular honour reserved for a selected few and the ultimate honour would be to be adjudicated the victor. At all times however and without exception, this honour must only be bestowed on him or her who competed fairly. Under no circumstances ever must such a victory, or for that matter the mere participation in an event, be enhanced due to unfair methods being employed be it by cheating, unsportsmanlike behaviour, or worse, by employing methods (like doping) to enhance one's performance, thus providing an unfair advantage over fellow competitors.
- 16.7 It is the unconditional view of the FSSC that indulgence in the use of alcohol and tobacco is not part of the make-up of the serious sportsman or sportswoman. Officials in charge of participants have a particular responsibility in this regard to set the right example.
- 16.8 Acceptable behaviour has many facets, all of them important for the ambassador of his or her Province to adhere to. It will include:
- 16.8.1 when to use the official dress of the team: At departure and arrival of teams and at official receptions, etc;
 - 16.8.2 the sports wear, leisure wear, competition gear of participants and officials;
 - 16.8.3 the neat appearance of team members at all times;
 - 16.8.4 general conduct: Language, rowdy behaviour (even when celebrating a victory), singing of vulgar songs, etc;
 - 16.8.5 respect for fellow travellers on aircraft, in public places, at hotels, towards staff or hosts, for public and other people's property; and
 - 16.8.6 good table manners, and respect for speakers at officials receptions.

17. Short Title

These Regulations shall be called the Free State Provincial Sports Confederation Colours Regulations, 2011.