

PROTOCOLS AND GUIDELINES

PROCEDURES TO START A NEW CLUB/ CHAPTER – WESTERN CAPE

The following Protocols, Rules and Guidelines were accepted by both the MAWC (Motorcyclist Association of the Western Cape) and the Western Cape Presidents Meet (WCPM) as being applicable to new clubs, new club chapters, etc wanting to start in the Western Cape.

It is therefore important for anybody wanting to start a new club/ club chapter to first understand all the protocols and rules and to follow the guidelines so as to avoid any confusion and/ or misunderstandings.

On 1 September 2013, a special **Bikers Task Team** was founded to manage the implementation of these protocols by guiding and educating proposed new clubs in the Western Cape. The Task Team operates as an independent body under the auspicious of the **MAWC** and the **WCPM** as a joint initiative to regulate, educate and screen new club applications and is the only body empowered to deal with new club applications. (see par.5 below)

No new club in the Western Cape will be allowed to start off as a MC. (see guidelines for reference).

1: GENERAL:

- 1.1. It is highly recommended that a person/ persons who intends starting a new club, first consider riding/ socializing with an existing club(-s) in their area in order to familiarize themselves with the protocols and/ or behaviors of the local biking community.
- 1.2. No new clubs or club chapters with any International affiliations will be allowed to open in the Western Cape.
- 1.3. No person(-s) will be allowed to wear a back patch indicating them as being part of the biking community without the consent of the Bikers Task Team.
- 1.4. **COOLING OFF PERIOD:**
 - 1.4.1. New clubs are often founded by persons who has left an existing club, whatever the reason might be. However, it is accepted practice that any person(-s) leaving a club, has to wait for a given time period before joining another club, bar the exceptions as indicated below. This is also applicable to such persons starting a new club or opening a new chapter on behalf of an existing club (irrespective of the existing club's rules re such a situation).

Clubs with several chapters normally have a stipulation in their Club Constitutions which determines a cooling off period with regard to members moving between chapters. However, irrespective of what their Constitutions determine, the local Governing Council/ Body within whose area they operate might stipulate a different period of time in which case the Governing Body's determination will take precedence irrespective of whether that particular club belongs to the Governing Council/ Body or not.

- 1.4.2. This time period is referred to as a “cooling off” period.
- 1.4.3. In the Western Cape the “cooling off” period has been determined and accepted by the local clubs to be a minimum of 6 months and is applicable in all situations, bar the exceptions as stipulated below.

1.4.4. **Exceptions:**

1.4.4.1. **Patch-Over:** This is where a whole club or club chapter is closed down thus no longer to be in existence and absorbed into another club or different chapter of the same original club. In such a scenario the members of the club/ chapter being closed down are absorbed into the other club/ chapter as full members. This normally entails a negotiated process between the relevant parties.

1.4.4.2. **Patch-up:** This is where an existing club/ chapter changes it’s name and colours with all reference and ties to the original club being removed. The group membership remains the same, but starts to operate under a different name with a different patch.

In both these scenarios the original club/ chapter will cease to exist.

1.5. **BAD STANDING:**

1.5.1. In general terms a person is considered to be in bad standing when through his actions, he shows total disrespect to his club, dishonours any of his club members, or where he brings the biking community as a whole into disrespect with the general public.

1.5.2. It is a “status” which should be very carefully considered before branding any person as being in bad standing.

1.5.3. A person who is found to be in bad standing, will be disavowed by the biker community and not be allowed to join another club, start a new club or to participate in any biking related events.

1.5.4. Such a status is normally for life and only the club that initiated the bad standing status can lift or change this status.

2: PROCESS FOR STARTING A NEW CLUB:

The period involved to start up a new club is 12 months and can be divided into 2 phases, i.e.

- The Application and Registration period (3 months); and
- The Approval and Probation period (9 months).

2.1: APPLICATION AND REGISTRATION PERIOD:

2.1.1. This is compulsory for all new Clubs in the Western Cape.

- 2.1.2. Application for **registration** is made by posting the application on The Register on www.motorcyclists.co.za. from where it is then forwarded to the Bikers Task Team for their information.
- 2.1.3. The application is posted for a period of three (3) months and is open to public viewing and comments.
- 2.1.4. All applications must fulfill the necessary criteria such as proposed club name, full names of members, particulars of contact person(-s) and contact details together with an example of the proposed patch, etc.
- 2.1.5. No application for registration shall be entertained unless all required information is supplied.
- 2.1.6. An application for registration will be suspended until all the necessary information is supplied.
- 2.1.7. ***Where there is an objection against/ a dispute re the name, patch, etc, the application will not be suspended, but the registration period will be extended for the time until all such objections/ disputes has been properly dealt with to the satisfaction of the Task Team.***
- 2.1.8. A suspension as referred to above, will only be lifted once all queries/ objections has been cleared/ resolved to the satisfaction of the Task Team. The 3 month period will then only come into effect on the date upon which the suspension is lifted.
- 2.1.9. Where a suspension has been lifted, the application for registration will be re-posted and dealt with as a new application.
- 2.1.10. **NO CLUB NAME, PATCH OR ANY CLUB IDENTIFICATION WILL BE ALLOWED TO BE WORN BY ANY OF THE PROPOSED MEMBERS OF THE PROPOSED NEW CLUB DURING THIS PERIOD.**
- 2.1.11. The fact that the application has been made, does not mean an automatic acceptance of the proposed Club.
- 2.1.12. On registration being accepted, the Western Cape Bikers Task Team will introduce the prospective new Club to the existing clubs at the first meeting of the relevant Governing Body for that area following the date of registration.

2.2: PROBATION AND APPROVAL PERIOD:

- 2.2.1. Upon registration being approved after the 3 month period, the proposed new Club will do a nine (9) month probation period.
- 2.2.2. ***IT IS IMPORTANT TO NOTE, THAT ALTHOUGH THE REGISTRATION OF THE NAME AND PROPOSED PATCH HAS BEEN APPROVED AND REGISTERED, THE CLUB AS SUCH HAS NOT YET BEEN APPROVED.***

- 2.2.3. During the probation period, the members of the new club will only be allowed to wear a small front patch on the left top of their jackets – no rockers, depiction of type of club or patch on the back will be allowed. The front patch is compulsory and serves to identify the club as a new prospecting club.
- 2.2.4. During the probation period, the new club must attend **either** at least 6 meetings of the Local Governing Body (MAWC ~~or Presidents Meetings or both~~) **in that area as guests** in order to familiarize themselves with the current situation within the local biking community.
- 2.2.5. On completion of the probation period, the club must indicate to the Task Team which type of club they intend to be.
- 2.2.6. On proof of having fulfilled all the necessary criteria and requirements in respect of the type of club they wish to become, the task Team will make a determination at the end of the full term period and allocate them the status for which they qualify.
- 2.2.7. Once approved, the club members will be allowed to progress to wearing a full back patch with all their necessary club depictions.
- 2.2.8. Upon approval by the Task Team, the club will once again be introduced at the **MAWC Local Governing Body meeting and ~~Presidents Meet meetings~~** as having fulfilled the criteria and be allowed to operate as a fully fledged club. **A list of new clubs which has fulfilled the criteria in terms of the Protocols and has qualified as a club, will also be made public at the first following meeting of WCPM for the cognizance of all clubs.**

3. NEW CLUB CHAPTERS

- 3.1. Starting a new Chapter of a club is a recognized way of expanding the membership base of a club. However, in the Western Cape **no new Club Chapter** will be allowed to open unless it has been sanctioned by the Task Team, irrespective of the type of club or what the Club's Constitution/ Rules may determine.
- 3.2. Any Club wishing to open a new Chapter in the Western Cape must inform the Local Governing Body or the Task Team directly, of their intention before taking the steps to start a new Chapter. A fully motivated proposal shall be presented to the Task Team for consideration.
- 3.3. **No new Club Chapters** will be allowed to open without the approval of the Task Team.
- 3.4. **No Club which is not registered on the Register on www.motorcyclists.co.za. will be allowed to open a new Club Chapter in the Western Cape.**
- 3.5. **The opening of a new Club Chapter will only be considered if it is to operate under the guidance and leadership of a fully patched member of the same club who has been a fully patched member**

of the club for a minimum period of one (1) year. Such a member must be present (living or working) in the area where the proposed new chapter is to be based.

3.6. A new proposed Club Chapter must present a letter of confirmation from the mother chapter/ main club confirming that approval has been given by them for a new chapter and indicate the following information as well:

3.6.1. The area where the new proposed chapter will be based.

3.6.2. The name of the each prospective member who will be part of the new chapter.

3.6.3. The name and contact details of the individual under whose supervision and guidance the proposed new chapter will be run during the probation period.

3.7. The proposed new Club Chapter, if approved by the Task Team, will have to go through a probation period. This probation period will, however, be determined by the Task Team in conjunction with the Mother Chapter of the proposed new Chapter but will not be for a period less than **6 months** and will be subject to specific criteria regarding supervision, display of colours, etc.

3.8. Clubs have their own pre-requisites regarding the opening of new chapters within their clubs. However, irrespective of who the Club is, they have to also abide by the rules of the Local Governing Body and the protocols followed by the biking community in the area where they plan to open a new Chapter.

3.9. As is the case with any new club, a new club chapter must also fulfill the minimum criteria applicable to the type of club it constitutes with regard to minimum membership being key holders.

3.10. No new Club Chapter will be allowed to open up within **a 120 km radius** from an already existing Club Chapter of the same club. However, it is the prerogative of the Task Team to enforce this condition and the Task Team can, upon considering a full written motivation from a club who wishes to start another Chapter, relax this condition in the manner they deem fit where circumstances warrants such a relaxation. Nobody has the right to demand such a relaxation and any relaxation is considered a privilege.

4: NON COMPLIANCE WITH PROTOCOLS:

4.1. Any Individual/ Club or Club Chapter not complying with the protocols and/ or any requirements which may be stipulated by the Task Team, will be considered to be in breach of the protocols.

4.2. Where a Club/ Chapter has been found to be in breach of the protocols, that Individual/ Club/ Chapter's full particulars will be published and made available to all existing Clubs in the Western Cape for their information.

- 4.3. A Club/ Chapter / individual, which has been found to be in breach will not be acknowledged and will automatically be black listed and prevented from attending any biking events in the Western Cape until such time as they comply with the protocols.

5. CHANGE IN CLUB STATUS:

- 5.1. Where an existing club wants to change its status upwards, i.e. from a SC or a RC to a MCC, application has to be made to the Task Team in writing who will then consider the application by taking all the criteria and protocols relevant to that specific status into consideration.
- 5.2. Upon satisfying themselves that the club fulfills all of the specific criteria relating to the type of club status applied for, a status upgrade will not be unreasonably denied.
- 5.3. The Task Team has the right to down grade a club in status where it is clear that the club has failed or cannot maintain itself in terms of the criteria applicable to that club. This will only be done after affording the club a reasonable time to conform, such time period to be decided upon by taking all relevant circumstances of the club in question, into consideration.
- 5.4. All status changes must be relayed to the local governing body for their information and the necessary changes brought about on the register on Motorcyclist.co.za.

6. BIKER TASK TEAM:

- 6.1. The Task Team is mandated to operate as an empowered body to inter alia deal with the whole process of and all matters pertaining to the establishment and maintenance of new Clubs/ Chapters within the Western Cape Region.
- 6.2. The Task Team performs its duties in terms of the above protocols and must ensure that all new clubs/ club chapters conform to the protocols and guidelines. This mandate has also been extended by the clubs supporting both MAWC and Presidents Meet platforms to now include existing clubs/ chapters of clubs.
- 6.3. It inter alia deals with all matters pertaining to the establishment of new clubs as regarding Club Name, Patch Design, Slogans, Membership, etc.
- 6.4. The Task Team will monitor new Clubs/ Chapters from the moment the application for registration is received up to the fulfillment of the pre-requisite probation period before such a Club/ Chapter are to be acknowledged and recognized and has the full authority to impose the necessary sanctions on those Clubs/ Chapters which refuse to follow protocol.
- 6.5. The task team can be contacted at: info@wcbtaskteam.co.za

7. CONFLICT OF PROTOCOLS WITH LOCAL GOVERNING BODY CONSTITUTION:

Where there is a conflict between the above protocols and the Constitution/ Rules of the local governing body, the Protocols will take precedence until such time as the Constitution/ Rules of the Local Governing Body can be amended to reflect same.

The protocols also take precedence over a club's constitution/ rules **in respect of probation time periods re new Club Chapters opening in the Western Cape region.**

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GUIDELINES REGARDING TYPES OF CLUBS:

1. MC:

- Must have a constitution
- Minimum licensed riders: 6 (each with own bike)
- No patch holders/ members under the age of 18
- Minimum hang around period: 3 months (club to decide in terms of Constitution)
- Minimum prospect period: 12 months (club to decide in terms of Constitution)
- Minimum bike capacity: 600 cc
- ***Minimum period for any new club to become an MC: 3 years from date of club registration.***
- MC status to be approved by minimum of 3 existing senior MC's in conjunction with the Task Team in area where the club is to be situated.

2. MCC:

- Minimum licensed riders: 6 (each with own bike)
- No patch holders/ members under the age of 18
- Minimum hang around period: 1 month (club to decide in terms of Constitution)
- Minimum prospect period: 6 months (club to decide in terms of Constitution)
- Minimum bike capacity: 600 cc
- Must have a constitution

- Colours must be approved and registered

3. RC: (Riding Club)

- Must have a set of basic club rules or constitution
- No patch holders/ members under the age of 18
- Minimum licensed riders (keyholders): 6 (each with own bike)
- Minimum hang around period: 1 month (club to decide in terms of Constitution)
- Minimum prospect period: 3 months (club to decide in terms of Constitution)
- Minimum bike capacity: 400 cc
- Colours must be approved and registered

4. SC/ SMC (Social/ Family Club):

- Must have a set of basic club rules or constitution
- Minimum hang around period: 1 month (club to decide in terms of Constitution)
- Minimum prospect period: 3 months (club to decide in terms of Constitution)
- Minimum members (not riders): 6
- Minimum licensed riders (keyholders): 3 (Ratio of 50% of total membership at all times)
- Minimum Bike capacity: 250 cc
- Colours must be approved and registered

5. FRATERNAL MOTORCYCLE CLUBS:

5.1. LEMC (Law Enforcement Motorcycle Club)

- A Law Enforcement Motorcycle Club referred to as **LEMC** or in short **LE**, being a club which is structured to accommodate serving - as well as ex-members of the Law Enforcement fraternity (Police, Metro Police, Traffic Police) who share an interest in motorcycles, irrespective of the basis of its membership, must also comply with all the protocols pertaining to motorcycle clubs in the Western Cape.
- For the purpose of these protocols, a LEMC/ LE shall be considered as being on the same level as a RC and must therefore fulfill the same criteria as applicable to a RC.

- A LEMC/ LE can never be an MC/ MCC.

5.2. Motorcycle Ministry: (MM)

- Motorcycle Ministries, are clubs where the members are either members of the same church group or religious background sharing common ground in spreading the gospel as per their religion and must also comply with all the protocols pertaining to motorcycle clubs in the Western Cape.
- For the purpose of these protocols, a MM shall be considered as being on the same level as a SC/ SMC and must therefore fulfill the same criteria as applicable to a SC/ SMC.
- A MM can never be an MC/ MCC.

5.3. Brand Clubs/ Associations

- Groups/ Associations which are formed to accommodate members riding the same brand/ type of motorcycles, are also classified as Fraternal Clubs for the purpose of the protocols and are as such also subject to the protocols pertaining to motorcycle clubs in the Western Cape and can never be an MC or MCC, but
- Harley Owners group (HOG), the Blackbird Association, Ducati Owners Group, etc are examples of such groups.

GENERAL:

- Minimum period for any new club to qualify for acknowledgement as a full back patch club, is 9 months from the date on which the club registration is formally approved. The full process entails a 12 month period, being the 3 month awaiting approval for registration period plus 9 months probation period from date of registration.
- It is important to note that a club that wishes to become a MC, will first have to operate as one of the other types of clubs and will have to fulfill all the criteria with regards to an MC in that period of 3 years.
- The general requirement with regards to forming a new club is 6 riding members. However, given the changing circumstances within the biking community, and with the providing for a SC or SMC club, this remains the same with the exception that a SC or SMC club only needs a minimum of 6 members of which 3 must be riding members. However, the ratio for key holders in a SC/SMC must always be a minimum of 50% of the total membership.