



# **CONSTITUTION**

*As amended 10 January 2014*

# UMTENTWENI BOWLING CLUB CONSTITUTION

(As amended 10 January 2014)

## **1. THE NAME OF THE CLUB**

- 1.1. The name of the CLUB will be the UMTENTWENI BOWLING CLUB. Hereafter referred to as the Club.

## **2. AIMS AND OBJECTIVES**

- 2.1. The objectives of the Club shall be to fulfil all the ordinary functions of a Bowling Club and affiliate with BOWLS SOUTH AFRICA and KINGFISHER BOWLING ASSOCIATION.
- 2.2. It shall accordingly perform all such acts and carry out all such undertaking as may be necessary and incidental to the attainment of such objectives.
- 2.3. The sole and principal object is to provide social or recreational amenities for members.

## **3. COLOURS**

- 3.1. The Club colours shall be dark green and gold.
- 3.2. The Club blazer will be plain green or black with a Club pocket badge.
- 3.3. The hat band and pocket badges shall be of such design as existing at the time of the adoption of this Constitution or as may be approved, from time to time, in a General Meeting.
- 3.4. Hat bands and badges may be purchased only through, or on authority of the Club.

## **4. MANAGEMENT**

- 4.1. The management of the club, shall, subject to control in a General Meeting, be vested in the Management Committee consisting of ten elected bona-fide members.
- 4.2. Six will be elected to the posts of President, Vice President, Secretary, Treasurer, Greenkeeper and Development Officer, and four will be elected as committee members to perform the duties of Bar Convener, House Convener, Club Competition Secretary and Club Manager.
- 4.3. The ten elected members may be of any gender and as far as is practicable be reasonably representative of both genders.
- 4.4. The President, Vice President, Secretary and Treasurer will be Fiduciary Members.

## **5. NOMINATIONS FOR MANAGEMENT COMMITTEE MEMBERS**

Except as provided in clause 6.2 and 6.3), nominations for appointment shall be made:-

- 5.1. by means of the official nominations form which will be posted on the Club Notice Board at least fourteen (14) days prior to the Annual General Meeting.
- 5.2. Such nomination form shall be completed showing nominee's name alongside the relative post on the Committee, signature of the nominee, and signature of the proposer and seconder.
- 5.3. In the event that no nomination be received for a particular committee post, in terms of 5.1 above, the incoming committee may in terms of section 6.2, appoint a member to fill such vacancy.
- 5.4. All nominations shall be considered for election at the Annual General Meeting and where more than one nomination for any position is made, the appointment will be decided by ballot.
- 5.5. All appointments to the Management Committee are for one (1) year only and members elected thereto shall retire from office at the conclusion of the next Annual General Meeting, but shall be eligible for re-election.
- 5.6. Should the Committee for any reason whatsoever resign "en bloc", so as not to leave a quorum, ten members of the club in good standing and eligible to vote, shall be empowered to convene a Special General Meeting for the purpose of electing office bearers for the unexpired period of the club year.

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## **6. POWER OF MANAGEMENT COMMITTEE**

- 6.1. The Management is empowered, and it shall be its duty to manage the entire business and affairs of the club, in accordance with these rules, and more particularly, it may:-
- 6.2. Appoint from the members of the club, sub-committees and co-opt the services of other members for special purposes, and delegate to such sub-committees such powers and duties as it may deem necessary; provided the President, or if absent the Vice President, shall be an ex-officio member of all sub-committees.
- 6.3. Fill such casual vacancies as may occur in its members during its term of office.
- 6.4. Impose and regulate all club charges other than those fixed by clause 19.
- 6.5. Open and operate banking and/or saving accounts in the name of the club, and invest club funds.
- 6.6. Cheques and withdrawal forms, to be signed by two of the President, Secretary and Treasurer.
- 6.7. Engage and dismiss any employees of the Club, fix their remuneration and regulate their duties.
- 6.8. Ratify players grading and representative team selection:
  - 6.8.1 In keeping with the precept of an integrated Club, appoint a sub-committee of five (5) responsible members (at least two of any gender) to be responsible for the grading of players for Club social bowls.
  - 6.8.2 Selection of teams for leagues and representative matches shall be subject to ratification of the Management Committee.
- 6.9. In conformity with these rules, make, amend, rescind or add to the bylaws for all or any of the following purposes:
  - 6.9.1 Regulating and controlling play on the green.
  - 6.9.2 Regulating and controlling various Club functions and competitions, and the orderly control and maintenance of the Club premises and terrain.
  - 6.9.3 Provided that copies of all such bylaws shall be posted in the Club.
- 6.10. To appoint official delegates to represent the Club when necessary.

## **7. GENERAL MEETINGS**

- 7.1. The Annual General Meeting shall be held during the month of July in each year, for the purpose of receiving the President's report and Annual Financial Statements for the past year, the election of office bearers, and the transaction of such other business as may be necessary.
- 7.2. A special General Meeting may be convened at such time and place as the Committee may determine, either by the Committee or by a requisition in writing, signed by no fewer than ten (10) members in good standing and specifying the object of such meeting.
- 7.3. Notice of such meeting to be provided as in paragraph 7.6 below.
- 7.4. The proposer, or one of the assenting members of the subject to be discussed must be present at the meeting to consider the same, in order to introduce the subject, otherwise it will not be discussed.
- 7.5. No business other than that for which a Special Meeting is called, will be transacted at such meeting.
- 7.6. Notice of any General Meeting shall be deemed to have been sufficiently given to each member, if posted on the Club Notice Board, and either handed personally to the member, or sent prepaid to his registered address, or sent by e-mail, and/or text message at least twenty one (21) days previous to the date set for the meeting.
- 7.7. The quorum for all General Meetings shall be one quarter of the total number of members of the club eligible to vote and in good standing.
- 7.8. If no quorum is present within fifteen (15) minutes after the time fixed for the meeting, it shall be adjourned.
- 7.9. Those present at such an adjourned meeting shall decide upon the date and time for the adjourned meeting to be held.
- 7.10. At the adjourned meeting those present shall form a quorum and transact the business for which the meeting was originally called.

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- 7.11. Notices for such adjourned meeting shall be given in terms of paragraph 7.6 however the notice period shall not be less than seven (7) days previous to the date of such a meeting.
- 7.12. If the meeting was called by requisition of members, if no quorum is present at the time originally fixed, it shall not be adjourned but definitely dissolved; and the subject matter shall not again be brought forward, by requisition, for a period of six (6) months.

## **8. MANAGEMENT COMMITTEE MEETINGS**

- 8.1. Management Committee Meetings shall be held at least once per month, and at other times should be necessary, or on written request by three members of the Committee, clearly stating the purpose of such meeting.
- 8.2. Any member absenting themselves, without leave, from four (4) consecutive meetings, shall forfeit their office.
- 8.3. For all Management Committee Meetings four (4) Committee Members shall form a quorum.

## **9. ALL MEETINGS**

Chairperson

- 9.1. At all meetings the President or if absent, the Vice President, shall chair the meeting.
- 9.2. Should both of these officers be absent, those present for that meeting shall decide a deputy, by show of hands.
- 9.3. All other voting shall be by show of hands or by secret ballot, as the Chairperson may decide.
- 9.4. In all cases of an equality of votes, the Chairperson shall have a casting vote.
- 9.5. The Secretary shall keep a correct record of all meetings in the minute book.
- 9.6. Minutes of each Committee meeting shall be read at the following Committee Meeting, and on each Annual General Meeting at the following Annual General Meeting, and confirmed in each case by the signature of the Chairperson.

## **10. AGENDA OF ANNUAL GENERAL MEETING**

The business of the Annual General Meeting shall proceed substantially in the following order:

- 10.1. Read the Notice Convening the meeting.
- 10.2. Obituary.
- 10.3. To read and confirm the minutes of the last Annual General Meeting and any Special Meetings, and to deal with any business arising therefrom.
- 10.4. To deal with any correspondence.
- 10.5. To read and adopt the Annual Financial Statement.
- 10.6. To receive the President's report.
- 10.7. To elect office bearers for the ensuing year.
- 10.8. To elect Honorary Vice President.
- 10.9. Notice of motion for which due notice has been given.
- 10.10. To transact any other business.

## **11. FINANCE**

- 11.1. The Treasurer shall deal as instructed by the, Management Committee, with all matters pertaining to the finances of the Club,
- 11.2. Shall collect all monies as may from time to time fall due to the Club.
- 11.3. Submit at least monthly to the Committee meeting: a financial reconciliation, accounts for payment, and pay such as are authorised.
- 11.4. At the end of each year compile a detailed account of the affairs of the Club for the year, and presentation of the Annual Financial Statements at the Annual General Meeting.

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- 11.5. This Financial Statement shall be prepared timeously to enable it to be reviewed, submitted to the Committee and exhibited on the notice board for at least seven (7) days prior to the Annual General Meeting.

## 12. ACCOUNTANT

- 12.1. An Accountant who shall examine the books and vouchers in the hands of the Treasurer shall be appointed by the Committee each year, to compile the Annual Financial Statements of the Club.  
12.2. A report from the Accountant shall be endorsed on the relative financial statement for that year.

## 13. CLUB YEAR

The Club year shall be from the 1<sup>st</sup> July to the 30<sup>th</sup> June following.

## 14. MEMBERSHIP

- 14.1. There shall be two (2) main types of members, namely bona fide and non bona fide members.
- 14.1.1 *BONA FIDE MEMBERS.*  
These members shall be of two (2) categories, both of which shall have full voting power for the direction and control of Club affairs.  
14.1.1.1 Ordinary Members liable for full subscriptions, levies and fees.  
14.1.1.2 Honorary Life Members with full privileges but not liable for annual subscriptions.  
14.1.1.3 At the discretion of the Management Committee, Honorary Life Membership may be conferred on members who have, during the membership, rendered exceptionally valuable service to the Club.
- 14.1.2 *NON BONA FIDE MEMBERS.*  
These members shall be of two (2) categories without voting powers.  
14.1.2.1 Country Members. A playing member who does not desire to become an Ordinary Member, and who is not ordinarily resident less than fifty (50) kilometres, by the shortest travelling route to the Club.  
14.1.2.2 Associate Members. Persons wishing to participate in social functions of the Club as non-playing members, may be accepted by the Management Committee as Associate Members.

## 15. HONORARY VICE PRESIDENT

- 15.1. The Office of Honorary Vice President may be conferred by the Club at the Annual General Meeting only, on a non-member holding some public office, or who has rendered exceptional services on behalf of the Club and for the ensuing year only.  
15.2. He/she shall be subject to the rules and regulations of the Club and entitled to all the privileges without payment of subscriptions, except that he/she may not take part in the Management of the Club, or have any vote, or compete for Club trophies or play in Club matches.  
15.3. The office of Honorary Vice President without executive powers may also be conferred by the outgoing committee of the Club at the Annual General Meeting only, on a member who has rendered exceptional services to the Club.  
15.4. This honour may be renewed annually at the discretion of the outgoing committee.  
15.5. The committee may at any time request the incumbent to carry out duties on behalf of the club.

## 16. VISITING BOWLERS

- 16.1. Visiting bowlers shall be charged green fees as may be determined, from time to time, by the Management Committee.  
16.2. Members who introduce visitors shall be responsible for due payment of fees as before mentioned.  
16.3. Visiting bowlers shall have no vote, or part in the management of the Club.

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## 17. NUMBER OF MEMBERS

- 17.1. The maximum number of members of the Club shall be regulated by the Management Committee when deemed necessary.

## 18. APPLICATION FOR MEMBERSHIP

- 18.1. Applications for membership must be made in writing, to the Management Committee, in the form prescribed by Bowls South Africa, and shall include the full name and address of the applicant, and the signatures of the members by whom the applicant is proposed and seconded.
- 18.2. The application shall be posted on the noticeboard for at least twenty one (21) days and if no objection is lodged, and after approval by the Management Committee. the applicant shall be deemed to have been duly elected and shall be so informed by the Secretary.

## 19. ENTRANCE FEES AND SUBSCRIPTION

- 19.1. Entrance fees and subscriptions for ordinary, country, and associated members shall be as determined at the Annual General Meeting.
- 19.2. In addition, ordinary and honorary life members who are active players, shall be liable for all levies, registration and affiliation fees which become payable.
- 19.3. New members elected after the first day of September in any Club year shall pay a pro-rata share of the annual subscription for the remaining period of the year.
- 19.4. The annual subscription shall be due and payable in advance on the first day of July in each year, but in the case of new members it shall be due for payment with the entrance fee on the date of their election.
- 19.4.1 Members allowing their subscription to remain unpaid for three (3) months after due date shall therefore, unless granted extension of time by the Committee, not be eligible to vote or play in any competition or match until such subscription be paid.
- 19.4.2 Such members shall be notified in writing of default and after a lapse of one (1) month from the date of such notice the subscription still being unpaid, may at the discretion of the Management Committee be declared a non-member.

## 20. RESIGNATIONS

- 20.1. Members failing to give written notice to the Secretary prior to the 1st day of July of their intention to withdraw from membership of the Club shall be liable for payment of the subscription for the ensuing year.
- 20.2. In what may be considered exceptional circumstances, the Management Committee in its discretion may wave the enforcement of this rule.

## 21. ENTRANCE FEES AND SUBSCRIPTION

The Committee shall have the power to expel any member:

- 21.1. Whose conduct is, in their opinion, is offensive or disagreeable to other members and contrary to the interest of the Club.
- 21.2. Who wilfully commits a breach of the rules or bylaws of the Club, provided at least six (6) of the Management Committee vote for such expulsion.
- 21.3. A member under sentence of expulsion shall have the right to appeal against the decision of the Management Committee, in which case a General Meeting of members shall be called for the purpose of hearing such appeal.
- 21.4. Notice of appeal must be given in writing to the Secretary within seven (7) days from the date on which the decision of the Committee was intimated to the appellant, in which case a General Meeting of members shall be called for the purpose of hearing such appeal.

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## 22. COMPLAINTS AND SUGGESTIONS

Any member wishing to make a complaint or is desirous of making any suggestion for consideration by the Management Committee, shall forward the same in writing to the Secretary.

## 23. NOTICE OF MOTION

Notice of motion to be moved to the Annual General Meeting or a Special General Meeting shall be delivered to the Secretary at least twenty one (21) days before the date of such meeting, provided that if the motion has reference to any alterations to the rules, contained herein, it shall reach the Secretary not later than fifteenth June preceding the Annual General Meeting.

## 24. INTERPRETATION OF RULES

Should any doubt arise with regard to the interpretation of any rule or bylaw of the Club, the interpretation of the Management Committee shall be final, but subject to appeal, on notice of motion properly given to a General Meeting of members.

## 25. ALTERATION OF RULES

25.1. No amendment or alteration of these rules, or the Constitution of the Club shall be made except at an Annual General Meeting or Special General Meeting of the Club and shall not be effective unless at least two thirds of the vote cast by members present and eligible to vote are in favour thereof.

25.2. The Commissioner (SARS) must be notified immediately of any changes to the constitution.

## 26. INSURANCE

26.1. The building and property of the Club shall be insured against loss in respect of fire or storm damage.

26.2. Any other insurance cover shall be at the discretion of the Management Committee.

26.3. The Club accepts no responsibility in respect of loss of any private property in any circumstances.

## 27. LIABILITY OF MEMBERS

The liability of any member shall be limited to any unpaid portion of the current year's subscriptions or dues.

## 28. RESPONSIBLE PERSONS

The property of the Club shall be vested in two (2) responsible persons, namely the President and Secretary, for the time being who shall have power to institute and defend actions at law in the name of the Club.

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## 29. GENERAL

- 29.1. The club may not knowingly be party to or knowingly permit itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy.
- 29.2. A copy of this Constitution, Rules and Bylaws shall at all times be kept posted in the Club. Copies may be available to members upon payment of a fee to be fixed by the Managing Committee.
- 29.3. This Constitution and rules therein, shall take the place of any previous constitution or rules of the Club, and shall be in force and effective from the date of their adoption.

## 30. DISOLVEMENT OF THE CLUB

- 30.1. The club may be wound up by a resolution passed at a special general meeting specifically Called for that purpose. Such resolution must be approved by a TWO THIRDS majority of those present and eligible to vote.
- 30.2. Upon winding up of the club any surplus assets after paying costs and creditors in full shall dissolve upon and become the assets of the KINGFISHER BOWLING ASSOCIATION to which the club is affiliated and will not be distributed amongst the members.