

EDENVALE BOWLS CLUB

CONSTITUTION

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EDENVALE BOWLS CLUB

CONSTITUTION

This Constitution was duly enacted at the Annual General Meeting of Club Members held 16 November 2018 at the Edenvale Bowling Club. It succeeds all previous Constitutions and shall remain in force until altered, added to, or repealed in terms of Clause 15 of this Constitution.

1 HEADQUARTERS

The headquarters of the Club shall be Frank Marret Park, 171 - 6th Avenue, Edenvale 1609.

2 COLOURS AND EMBLEM

- 2.1 The Club colours shall be dark blue, gold and silver.
- 2.2 The emblem shall be a gold Sagittarius with silver bow and arrow.
- 2.3 Shirts or blouses of a different colour, as approved by the Club Committee, may be worn.

3 OBJECTS

- 3.1 The objects of the Club shall be the playing, promoting, and fostering of the game of bowls and social activities in connection therewith.

4 LAWS OF THE GAME

The game of bowls shall be played in accordance with the Laws of the Game laid down by Bowls South Africa.

5 AFFILIATION.

The Club shall affiliate to Ekurhuleni Bowls, and Bowls South Africa.

6 MEMBERSHIP

- 6.1 All Members of whatever class shall be subject to this Constitution and By-Laws. Membership of the Club is confined to persons of not less than twelve (12) years of age.

Members under the age of eighteen (18) years are not entitled to vote or use the Club's Bar facilities.
- 6.2 The maximum number of Members of the Club shall be determined from time to time by the Committee.
- 6.3 All members must be entitled to annual or seasonal membership.
- 6.4 Members are not allowed to sell their membership rights or any membership entitlement.
- 6.5 Membership does not, and shall not give any Member any right, title, interest, claim or demand in or to any of the money, property or assets of the Club, but shall confer upon such Member only the right and privilege of participating in and enjoying the facilities provided by the Club, and of entering in and upon the premises and grounds of the Club, subject to such reasonable restrictions as the Committee may impose and subject to this Constitution and Bye-Laws of the Club from time to time in force.

6.6 In the event of the Club being wound up, no liability shall be incurred by any Member other than in respect of unpaid subscriptions and any money owing to the Club.

6.7 APPLICATION FOR MEMBERSHIP

A candidate for election to any class of Membership shall apply in writing to the Honorary Secretary who will place the letter before the Committee for deliberation.

At the Committee's discretion the applicant shall either be invited to meet with the Committee or be informed that the application is unsuccessful.

After meeting with the applicant, the Committee, at its discretion, shall either provide the applicant with a prescribed application form or inform the applicant that the application is unsuccessful.

Every application shall be made on the relevant form, which shall be signed by the applicant, a proposer and seconder and be accompanied by a clearance certificate from the applicant's present or last club, where applicable.

Every application must be accompanied by payment of an entrance fee and subscription fee if applicable.

The signed application shall be deemed an acknowledgement by the applicant that on election the applicant will be bound by the Club Constitution and By-Laws.

6.8 EXHIBITION OF APPLICATION

Every application for Membership shall be exhibited on the Club Notice Board for not less than seven days prior to the Committee Meeting at which it will be considered.

Any objection to such application must be submitted in writing to the Honorary Secretary before the holding of the said Committee Meeting.

The Committee shall consider any such objection on its merits when deciding whether to accept the applicant.

6.9 ELECTION OF MEMBERS

The election of Members to the Club shall be vested in the Committee.

The Committee, whose decision shall be final, shall accept or reject a candidate without giving reason therefor.

The Honorary Secretary shall notify the applicant of the outcome of the application. If accepted, the new Member shall be notified in writing and furnished with a copy of the Constitution and By-Laws.

6.10 LIFE MEMBERS

The Committee may recommend for election to Honorary Life Membership at an Annual General Meeting a Member who has conferred some special benefit upon the Club. A Life Member shall be entitled to all the privileges of an ordinary Member.

6.11 HONORARY MEMBERS

Honorary Membership may be conferred by the Committee upon a person, holding some public office or who has conferred some special benefit upon the Club.

Honorary Members shall be entitled to all the privileges of an ordinary Member, except those of holding office, voting, proposing or seconding applicants for Membership, or taking part in the Club's Competitions, without payment of subscriptions.

The number of Honorary Members shall not exceed seven (7) at any one time.

Honorary Membership shall continue for a period of one year and shall be reviewed, continued, or changed by each succeeding Committee annually. New or discontinued Honorary Members shall be notified by post.

6.12 COUNTRY MEMBERS

A Member, who takes up permanent residence not less than fifty (50) kilometres from Edenvale, may become a Country Member upon giving notice to that effect in writing to the Honorary Secretary.

Country Members shall have no voting powers, but they shall be entitled to all the other privileges of an ordinary Member

6.13 SOCIAL NON – PLAYING MEMBER

Any person, whether or not a Member of the Club, may make application to the Committee for enrolment as a Social Non-playing Member at a reduced subscription fee as determined by Clause 10.7 hereunder.

Social Non-playing Members may not play in any form of organised bowls at the Club and shall have no voting rights. They may partake in the management of the Club as a voluntary member of a sub-committee, and they shall be entitled to all other rights and privileges of Ordinary Membership.

A Social Non-Playing Member may, at the discretion of the Committee or upon application, be declared or reinstated as an Ordinary Member and will then be liable for affiliation fees and subscriptions applicable to an Ordinary Member.

The maximum number of Social Non-playing Members shall be determined by the Committee from time-to-time.

The Honorary Secretary shall maintain a separate list of such Members.

6.14 RECIPROCAL MEMBERS

A person who does not permanently reside within fifty (50) kilometres of the Club, may, with the sanction of the Committee, be elected as a Reciprocal Member, and shall be entitled to use the facilities of the.

Affiliation fees payable to District and National Bodies shall be levied upon such Members.

6.15 AFFILIATE MEMBERSHIP

Club Membership specifically for members of other sporting bodies or groups who wish to use the club as a base for their specific activities.

Affiliate membership would carry the same benefits as social membership, but with no access to the club bowling greens or bowling facilities.

Affiliate membership subscription fees shall be as determined under Clause 10.7 hereunder, such members shall not be liable for district or Bowls South Africa Affiliation fees.

6.16 **STUDENT MEMBERSHIP**

Club Membership may be recognised for students registered at a recognised educational institution on a full-time basis.

Student membership subscription fees shall be at a reduced rate, as determined under Clause 10.7 hereunder, such members will be liable for district and Bowls South Africa affiliation fees.

6.17 **NOVICE MEMBERSHIP**

Club Membership for new members who have no previous bowling experience or previous membership of another bowling club.

Novice membership subscription fees shall be at a reduced rate, as determined under Clause 10.7 hereunder, Novice members will be liable for district and Bowls South Africa affiliation fees.

Novice members will automatically migrate to **Ordinary Membership** after losing Novice status or after 3 years whichever is the sooner.

6.18 **RESIGNATION OF MEMBER**

A Member may at any time resign from the Club provided that such resignation shall be in writing but shall remain liable for all monies due to the Club at the date of resignation.

Should the resignation be received by the Honorary Secretary later than the 30th September the Member shall be liable for the subscription for the season then commencing. However, the Committee has the right to waive such subscription in whole or in part if, in its opinion, the circumstances warrant such waiver.

6.19 **REINSTATEMENT**

The Committee may upon written application and upon such terms as they deem fit, reinstate Membership to a person who has ceased to be a Member of the Club whilst in good standing.

6.20 **DISCIPLINARY CODE OF CONDUCT**

If the Committee is satisfied that any Member has been guilty of:

Improper, dishonest, or unsportsmanlike conduct or of conduct which is offensive to Members or to the Committee, or which is unbecoming or detrimental to the interests or reputation of the Club, whether within the Club's precincts or elsewhere.

A wilful offence against the Constitution or By-Laws, or of an offence against /disregard of the authority of the Committee, they may, after asking for an explanation of the Member's conduct, and hearing evidence advanced in defence thereof:

- warn such member as to their future conduct.
- suspend such member for such a period as the Committee, in its sole discretion, may deem fit.
- call upon such member to resign and on non-compliance within 7 days of the request expel such member.
- expel such member and declare the member ineligible for re-election.

6.21 **RIGHT OF APPEAL**

Any member suspended, expelled, or called upon to resign shall forthwith be deprived of all the privileges of the Club but shall have the right to appeal within a period of Thirty (30) days from the date of suspension or expulsion.

The appeal must be made in writing, signed by the member and Twenty (20) ordinary Members in good standing and submitted to the Honorary Secretary, who shall, on receipt of the appeal, convene a Special General Meeting of Members as laid out in Clause 8.3.1

6.22 **CLAIM ON CLUB**

No Member ceasing to be a Member for any reason whatsoever has any right or claim upon the Club nor upon its funds or effects.

7 **COMMITTEES**

7.1 **CLUB COMMITTEE**

7.1.1 The management and control of the Club shall be vested in the Club Committee which shall be elected at every Annual General Meeting.

The Committee of not less than seven nor more than ten Members shall comprise:

President who shall have served at least 12 months on the Committee.

A Vice President who shall have been a full Member of the Club for at least 12 months.

An Honorary Secretary who shall have been a full Member of the Club for at least 12 months.

An Honorary Treasurer who shall have been a full member of the Club for at least 12 months.

Not less than THREE nor more than SIX ordinary Member.

The number of members to be elected shall be determined by the Committee depending on the number of nominations received.

A member may be elected to fill two offices, but this shall not reduce the total number of the Committee below seven (7).

7.1.2 **NOMINATION**

The nomination of a Member for election to the Committee shall be in writing, signed by a proposer, a seconder and by the Member, who by his/her signature shall consent to the nomination.

A notice calling for nominations for election to the Committee shall be displayed on the Club notice board at least 30 days prior to the Annual General Meeting.

Details of all duly completed nominations received shall be listed on the notice board as soon as practical after receipt by the Secretary.

Nominations shall close 14 days prior to the Annual General Meeting.

Should, however, no nominations be notified, or should those notified be insufficient in number to fill the minimum number of Committee members, the Meeting shall proceed

to elect Committee Members from the floor to fill vacant offices for which no nomination shall have been received.

7.1.3 ABSENTEES: RESIGNATIONS: CASUAL VACANCIES

Any Committee Member absent from three consecutive ordinary Meetings, without leave or condonation, shall be deemed to have resigned from the Committee.

A Member of the Committee may resign by giving notice in writing to the Honorary Secretary.

Casual vacancies arising on the Committee may be filled by the Committee.

A Member appointed to fill a vacancy in terms of this clause shall hold office for the remainder of the term for which his/her predecessor was elected.

The Committee may co-opt a Member to the Committee. Such co – opted Member shall not have a vote.

7.2 SELECTION COMMITTEES

Ladies and Men shall have separate Selection Committees.

Each Selection Committee shall comprise:

- a convener nominated by the Committee.
- four (4) members elected by their own genders at the Annual General Meeting.
- should any Member of a Selection Committee become unavailable, that Selection Committee may Co-opt a Member of the Club in good standing.

7.3 SUB – COMMITTEES

The Committee may, at any time, establish or disband a sub – Committee for any specific purpose and delegate to it such powers, excluding the powers granted by clauses 6.9 and 15 As it deems fit.

The President and the Vice-President shall be ex-officio members of any Sub-Committee.

7.4 GREENKEEPER

The Greenkeeper shall be a Member of a Greens Sub-Committee and shall supervise the greens and arrange for their proper maintenance. The Greenkeeper shall have full control of the playing area, but his decision may be overruled by a Controlling Body using the greens for competitions. In the absence of the Greenkeeper, all Members of the Committee on the premises shall decide on the fitness of the greens for play.

7.5 GENERAL POWERS OF THE COMMITTEE

The Committee shall be empowered to do any act, matter or thing which could or might be done by the Club, excepting such matters as are in the Constitution specifically reserved to be dealt with at a General Meeting.

The Committee shall authorize the President or any suitable Club Member to institute and defend any action at law in the name of the Club

7.6 INDEMNITY

Members of the Committee and Sub-Committees shall be held personally indemnified in respect of their bona-fide official acts.

Any claim by process of law or otherwise arising through any bona-fide official act of the Committee or Subcommittee or any of its Members shall be met by the Club as a body.

7.7 EN BLOC RESIGNATION OF COMMITTEE

Should the Committee, for any cause whatever, resign en bloc, twelve (12) Members of the Club in good standing shall be empowered to convene a Special General Meeting for the purpose of electing office bearers for the remainder of the Committee's term of office.

8 MEETINGS

8.1 CHAIRPERSON

At all Meetings, the President shall take the Chair, but in the President's absence the Vice-President shall take the Chair, failing whom a Chairperson shall be elected by the Members present.

8.2 ANNUAL GENERAL MEETING

An Annual General Meeting of Members shall be held no later than 7 September each year.

The business of the Annual General Meeting shall be: -

- Notice convening Annual General Meeting.
- Apologies.
- Welcome.
- Obituaries.
- Confirm the minutes of the previous Annual General Meeting and any subsequent Ordinary and Special General Meetings.
- Consider any matters arising therefrom.
- Receive and consider the President's Annual Report.
- Receive and consider the Honorary Treasurer's Annual Report together with Financial Statements for the year ended 30 June.
- Receive and consider the Honorary Treasurer's Budget for the forthcoming year.
- Consider entrance fees and Subscriptions as recommended by the Committee.
- Consider Honoraria as recommended by the Committee.
- Elect a Committee as provided for in Clause 7.1
- Elect a Ladies Selection Committee.
- Elect a Men's Selection Committee.
- Elect an Honorary Auditor

- Consider any Notices for which due notice has been given.
- Consider any other Club business.
- Install the new Committee Members.

8.3 SPECIAL AND ORDINARY GENERAL MEETINGS

8.3.1 A Special General Meeting may be called by the Committee or upon the written requisition signed by Twenty (20) Members in good standing, addressed to the Honorary Secretary stating the object of the Meeting. The date and hour of such a Meeting shall be fixed by the Committee.

No business other than that for which the Special General Meeting is called for shall be transacted at such a Meeting.

8.3.2 An Ordinary General Meeting is to be held within six months of the previous Annual General Meeting.

8.4 COMMITTEE MEETINGS

The Committee and any Sub-Committees shall hold meetings not less than once every calendar month.

8.5 NOTICE OF MEETINGS

8.5.1 ANNUAL OR SPECIAL GENERAL MEETING

A notice stating the business of an Annual or Special General Meeting together with any proposed resolution of which notice has been given in terms of Clause 15 hereof, shall be sent, by mail or electronically, at least 14 days in advance of the meeting to the registered address of each Member eligible to vote at the Meeting.

8.5.2 Notice of an Ordinary General Meeting shall be placed on the Club Notice Board not less than 14 days nor more than 30 days in advance of such Meeting.

8.5.3 SPECIAL COMMITTEE MEETINGS

The Honorary Secretary, on the instruction of the President, or in the President's absence the Vice-President, or upon written request of at least three Members of the Committee, shall convene a Special Committee Meeting.

8.6 MINUTES

The Honorary Secretary shall produce to the Committee the minutes of the Annual General Meeting no later than 30th November following the holding of such meeting, which shall be approved by the sitting Committee and the previous season's President who shall be invited to the meeting if he is not a member of the sitting Committee.

8.7 QUORUM

8.7.1 No business shall be enacted at an Annual General Meeting or a Special General Meeting unless a quorum of Members is present.

8.7.2 A quorum of Members for the transaction of business for an Annual or Special General Meeting shall be one fourth of the total of Members entitled to vote.

- 8.7.3 A quorum for Ordinary General Meetings shall be 30 Members in good standing at the time of such Meeting.
- 8.7.4 If within twenty minutes from the time appointed for the holding of any General Meeting the quorum of Members shall not be present, the Meeting (if convened upon the requisition of the Members) shall be dissolved.
- 8.7.5 In any other case it shall stand adjourned until the same day and hour of the following week and those Members then present shall form a quorum

8.8 VOTING

- 8.8.1 Every Member entitled to vote shall have one vote.
- 8.8.2 Every Proposal submitted to a General Meeting shall be decided by a majority on a show of hands. Postal votes will be included.
- 8.8.3 Postal votes will only be allowed from those Members who have been called away by Bowls SA or the Eastern Gauteng District to play or officiate on the day of the General Meeting.
- 8.8.4 A ballot shall be acceded to if demanded by any Member present, in which event two or more scrutineers shall be appointed by the Chairperson of the Meeting.
- 8.8.5 In the event of an equality of votes the Chairperson, both on the show of hands or at a ballot, shall have a deliberative and a casting vote.
- 8.8.6 All questions arising at any Meeting of the Committee, except when a ballot is called for, shall be decided by a majority on show of hands. In the event of an equality of votes the Chairperson shall have a casting vote.

9 LICENCES

The Club's liquor and other licenses shall be held in the name of the Club.

10 FINANCE

The financial affairs shall be carried out in a non-profit manner.

The financial year of the Club shall be 1 July to 30 June.

10.1 BANKING

All Club monies shall be lodged in the name of the Club with such registered financial institution/s as the Committee shall decide. The Committee shall have the power to invest any funds of the Club, not immediately required, in a registered financial institution. Subject to any condition which the Committee may determine, no Member of the Club, the Committee or its employees shall be entitled to enter into any contract or incur any liability or expense, affecting the Club.

10.2 AUTHORISATION OF EXPENDITURE

All accounts for payment for normal goods supplied to the Club shall be authorised by the Committee Members designated by the Committee for that purpose.

10.3 CAPITAL EXPENDITURE

Capital expenditure and abnormal expenditure, which does not constitute part of the monthly trading and maintenance Budget of the Club, must be authorised by the Committee.

Any such expenditure in excess of **R50 000.00** must be approved at a Special General Meeting.

10.4 PAYMENTS

10.4.1 Payments made by cheque shall be signed by any two Committee Members designated by the Committee for that purpose.

10.4.2 Proof of any payments made electronically shall be countersigned by the President.

10.5 HONORARY AUDITOR

10.5.1 An Honorary Auditor, not being a Member of the Committee, shall be appointed at the Annual General Meeting.

10.5.2 The audit shall be conducted in accordance with generally accepted auditing standards.

10.6 CONTROL OF PROFIT

10.6.1 No profit derived from sale of liquor or any other commodities shall accrue to any individual.

10.6.2 All profit made by the Club, save such as is donated to any charitable organisation, shall be used solely for Club purposes and shall not be appropriated to the use of any individual.

10.6.3 The Club shall be prohibited from directly or indirectly distributing any surplus funds to any person. Such surplus funds shall be retained for asset replacement and contingencies.

10.6.4 The Club shall not pay any remuneration to any person, which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered, nor may any remuneration be determined as a percentage of any amount received or accrued to the Club.

10.6.5 The Club shall on dissolution transfer its assets and funds to any other recreational Club, which is approved by the S A Revenue Services, or to any other approved benefit organization.

10.7 FEES AND SUBSCRIPTIONS

10.7.1 The subscription fees may be varied from time-to-time by a resolution passed at a General Meeting of Members of the Club.

10.7.2 An entrance fee, as determined by the Committee, shall be payable by Ordinary Members who are eighteen (18) years and older. There shall be no entrance fee in respect of other classes of Member.

10.8 FINANCIAL HARDSHIP

The President, in confidential conversation with the Honorary Treasurer and/or the Honorary Secretary, may reduce the subscription payable on application by a Member on proven grounds of financial hardship. Any reduction in subscription so authorised shall be recorded.

10.9 NON – PAYMENT OF SUBSCRIPTIONS

Subscriptions shall be payable in advance and shall be due on the 1st day of October each year. Any Member failing to pay the subscription before 30th November shall cease to be a Member of the Club but shall nevertheless remain liable for the subscription for the full current year. Such a person may however, be reinstated as a member by the Committee upon payment of all arrears and such re-entrance fee as may be imposed by the Committee. In the event of default by any Member, the Committee is obliged to advise the relevant District Bowling Association that such Member is not in good standing with the Club.

10.10 INSURANCE

The Committee shall insure the property of the Club against loss by fire, burglary or any other cause and shall not be **responsible for any loss not covered.**

11 REPRESENTATIVES TO GOVERNING BODIES

The Club's Representatives to governing bodies and other associations to which the Club is affiliated shall be nominated by the Committee.

12 BYE – LAWS AND AMENDMENTS

12.1 The Committee shall be empowered to pass, amend, or rescind By-Laws to govern the day-to-day running, good order and discipline of the Club provided that such By-Laws do not over-rule matters specifically reserved in the Constitution for discussion and voting at an Annual or Special General Meeting of the Members.

12.2 Club By-Laws and any amendments thereof are to be permanently displayed on the Club notice board.

13 CLUB COMPETITIONS

13.1 Club Competitions shall be as covered in the By-Laws.

13.2 Club Competition fees are payable with subscriptions.

14 DISTRICT TOURNAMENTS

14.1 The Club shall enter such Tournaments as decided by the Tournaments Committee.

14.2 The Selection Committees shall be responsible for selecting all the Club representatives.

15 AMENDMENTS TO AND INTERPRETATION OF CONSTITUTION

15.1 No amendment of or addition to the Constitution shall be made except at an Annual General Meeting or at a Special General Meeting called for that purpose.

A Member wishing to move a resolution for amendment in or addition to the Constitution shall, if the resolution is to be moved:

- At an Annual General Meeting, lodge with the Honorary Secretary notice in writing of the proposed resolution before 30 June in the form in which it is intended to be accepted and which must be seconded by another Member.
- At a Special General Meeting proceed as provided for in Clause 8.3.1 hereof.

- Any such proposed resolution or amendment thereto shall be adopted if agreed to by not less than two-thirds of the Members present and entitled to vote. Notice of any amendment or addition adopted in terms of this Constitution shall be placed on the Club notice board.
- 15.2 In case of doubt as to the meaning of any Clause of the Constitution and By-Laws, the interpretation of the Committee shall be final and binding upon the Members.
- 15.3 The Club shall submit to the S A Revenue Services a copy of any amendment to the Constitution or other written instrument under which it is established.