

BOLAND LADIES GOLF CONSTITUTION

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1 Name

The name of the Union is and shall be Boland Ladies Golf.

2 Area

The area of Boland Ladies Golf shall comprise that part of the Western Cape as determined by Womens Golf South Africa (WGSA).

3 Liability

The financial liability of each affiliated club as member of Boland Ladies Golf shall be limited to the amount of its annual affiliation fees (and levies if applicable) due to the Union as determined under **clause 13**.

4 Legal status

The Union is and shall continue to be a distinct and separate legal entity with the power to acquire, to hold and to alienate property of every description whatsoever and with the capacity to acquire rights and obligations having perpetual succession. The Union is and shall be a juristic person and can act and be acted against in its own name. The property and funds of the Union vest in the Union as a juristic person and no member of the Union shall be liable for the debts of the Union.

5 Definitions and Interpretation

In this Constitution, except in a context indicating that some other meaning is intended,

- 5.1 "affiliation fee" means an amount paid annually to the Union by the Member;
- 5.2 "game" means the game of golf as defined in the Rules of Golf;
- 5.3 "member" means and includes an Affiliated Golf Club, which has been admitted to membership of the Union in terms of the Constitution;
- 5.4 "golfing member" means a lady golf member of a Club affiliated to an Affiliated Union;
- 5.5 "Levy" means an additional non-recurring per capita payment which may be required by WGSA at any given time;
- 5.6 "Rules of Golf" means the rules of golf and the Rules of Amateur Status as approved by R&A Rules Limited and the USGA;
- 5.7 "Union" means Boland Ladies Golf;
- 5.8 "WGSA" means Womens Golf South Africa;
- 5.9 expressions in the singular also denote the plural, and vice versa;
- 5.10 words and phrases denoting natural persons refer also to juristic persons, and vice versa; and

- 5.11 the headings shall not be treated as forming part of the Constitution, as such headings are for convenience of reference only.
- 5.12 In case of doubt as to the meaning of any paragraph hereof the interpretation of the Executive shall be binding upon Members, until such time as the Union may otherwise determine at an Annual General or Special General Meeting. Any decision made by the Union at an Annual General Meeting or a Special General Meeting, under the provisions of this paragraph, shall not affect the validity of any act done or omitted in terms of a prior valid ruling given by the Executive.
- 5.13 'Secretary' shall mean the Secretary of the Union.

6 Policy

The Union shall, in carrying out its objects and in all its activities and functions at all levels observe the principles that:

- 6.1 the game should be played, administered and promoted on a non-racial, non-political and democratic basis;
- 6.2 all persons, irrespective of race, colour, or creed, should have the right, in whatever capacity, to participate in the game and activities of the game; and
- 6.3 forbid any form of discrimination based on race, colour, or creed.

7 Objects

The main objects and powers of the Union are and shall be:

- 7.1 to administer, promote, foster and encourage the game;
- 7.2 to regulate Amateur Golf as defined by WGSА and the Rules of Golf;
- 7.3 to hold and arrange championships, provincial golf tournaments and any other events as may occur from time to time and to arrange for participation by golfing members at any of these events;
- 7.4 to arrange for, grant and contribute towards the provision of trophies, awards and distinctions;
- 7.5 upon such terms and conditions as the Union may deem fit, to purchase, sell, hire, let or otherwise acquire or dispose of or deal with any property, movable or immovable, which may be required for the purposes of, or be capable of being used in connection with, any of the objects of the Union, including, without limiting the objects and powers of the Union;
- 7.6 the erection, maintenance, improvement or alteration of any building, stands or structures considered by the Union to be necessary for fulfilling the objects of the Union;
- 7.7 to raise funds as it may deem fit, to administer such funds as herein provided, to make payments from such funds as may be necessary to carry out the objects of the Union, including grants and loans to its Members and payments to players, either as individuals or as members of teams, and officials representing the Union at authorised championships, events and functions. It may also make donations to approved causes or persons;
- 7.8 to enter into such arrangements with appropriate authorities as the Union may deem conducive to its objects or any of them, and to obtain from such authorities any rights, privileges and concessions which the Union may deem advisable to obtain; and, whenever the Union deems it necessary, to apply to any authority to authorise the doing and performing of any object of the Union, or for any authority deemed necessary in connection therewith;

- 7.9 to publish brochures, journals or publications and to conclude arrangements with other persons in order to publicise the activities of the Union and its members and to disseminate matters of interest to members.

8 Limitations

The assets, funds, profits and gains of the Union shall be utilised solely for investment or for the objects of the Union as set out in this Constitution. They shall, in no circumstances, be distributed to any person, except under the provisions of **clause 7**.

9 Affiliation

The Union shall be and remain affiliated to WGSA.

10 Membership

Membership shall consist of the following:

- 10.1 Every Golf Club (Ladies Section) within the area as defined in **clause 2**;
- 10.2 Every sporting club having a ladies golf section within the area as defined in **clause 2**;
- 10.3 Honorary life members.

11 Qualification for membership

- 11.1 Any club as defined in **clause 10.1 & 10.2** who makes a written application to the Secretary to become a member of the Union and whose application is accepted by the Executive Committee shall be and become a member of the Union up and until such membership is finally ratified by voting of the majority of the members of the Union present at the Annual General Meeting.
- 11.2 An honorary life member shall be a person proposed by the Executive Committee or member and who has been so elected at an Annual General Meeting of the Union by reason of having rendered outstanding service for the betterment of the game of golf and to the Union.

12 Application for membership

- 12.1 Any club applying for membership shall be required to complete such membership application form as may be prescribed by the Executive Committee from time to time. The application shall in all respects comply with the provisions of this Constitution.
- 12.2 Applicants for membership shall be obliged to agree to be bound by this Constitution and the rules and regulations made in terms thereof.
- 12.3 The Executive Committee shall be entitled, but not obliged, to take into account any of the objections received from members to the acceptance of a member.
- 12.4 The rights, duties and privileges of membership shall only become effective after the payment of the relevant annual affiliation fee.

- 12.5 An applicant may withdraw or amend its application at any time before the meeting of the Executive Committee to consider same.

13 Affiliation fees

- 13.1 Each member shall pay to the Union an annual affiliation fee for each golfing member and such levies as may be prescribed from time to time. The Executive Committee shall give notice to all members of its intention to increase any annual affiliation fees by **31 August each year** and such increase shall be effective on the date stipulated by the Executive Committee.
- 13.2 Annual affiliation fees and any levy shall be due and payable annually in advance by **31 March** of each year.

14 Rights and privileges of members and golfing members

- 14.1 A member (excluding honorary life member) who has discharged all its duties in terms of this Constitution shall be entitled to speak and vote at a General Meeting of the Union subject to the provisions contained in **clause 26**.
- 14.2 A golfing member will be eligible to be elected as a member of the Executive Committee of the Union subject to the provisions contained in **clauses 16 & 17**.
- 14.3 Members will be entitled to all the rights and privileges derived from their membership of the Union.
- 14.4 Membership of the Union does and shall not give to any member any right, title, interest, claim, demand in or to any of the monies, properties or assets of the Union.
- 14.5 Any member who has been accepted as a member of the Union shall be bound by the Constitution, regulations and rules of the Union.

15 Termination or suspension of membership

- 15.1 A member may resign from the Union but must do so on written notice to the Secretary **at least two months before the end of the calendar year**. Such member shall not be entitled to a refund of any fees or amounts paid in respect of any period after the date of resignation. The resignation shall only have effect from the following year.
- 15.2 If a member should fail to pay any amount owing to the Union, whether for subscriptions, levies, goods or services supplied by the Union, or otherwise, howsoever arising, then its membership of the Union may be terminated by the Executive Committee on written notice to its last known address. The Executive Committee may in its discretion reinstate such member on the payment of all arrear amounts and upon such terms as the Executive Committee may decide.
- 15.3 No member who has not paid its affiliation fee by 31 March is allowed to remain a member while its affiliation fee is unpaid.
- 15.4 The Executive Committee shall have the power to take such steps (see **clause 15.4.2**) as it may deem fit against any member failing to comply with or contravening this Constitution, any of the regulations or rules of the Union, any resolutions adopted and rulings made by the Union or its Executive Committee, any contract entered into by the Union, any competition established by the Union, or the Rules of Golf; and in general, to take such steps against any member whose actions, or lack of action in its sole opinion are/is detrimental to the best interests of the Union and the game.

- 15.4.1 Notwithstanding anything to the contrary contained in this Constitution the Executive Committee may delegate its powers in terms of this paragraph to a committee, or tribunal, or an *ad hoc* committee established from time to time for a specific purpose and for a specific period of time, and may for this purpose issue regulations regarding any matter which shall or may be prescribed in terms of this paragraph, including procedure to be observed in the conduct of hearings, the right of appeal, and in general, with regard to any other matter which it deems necessary or expedient to prescribe in order to achieve or promote the objects of this paragraph.
- 15.4.2 The term "such steps" shall specifically include termination, suspension a reprimand and/or caution.
- 15.5 The Executive Committee may cause the name of any member/golfing member whose membership is terminated or who is suspended to be circulated to other affiliated members.

16 The Executive Committee

16.1 Members of the Executive Committee:

The members of the Executive Committee of the Union shall be:

- 16.1.1 The President;
- 16.1.2 The Vice-President;
- 16.1.3 Honorary Treasurer; and
- 16.1.4 5 Additional members

all of whom have to be golfing members of an affiliated club within the area defined in **clause 2**. The Executive shall have the power to co-opt additional members to the Executive in order to comply with **clause 16.1** for the advancement of women's golf. A co-opted member's term of office will expire at the AGM following her co-option to the Executive. At the AGM such co-opted member may be nominated and voted for by the Membership in terms of clause 17. A co-opted member will have the same voting rights as provided for in clause 19.

16.2 The position of Secretary, which does not have to be filled by a lady golfer, is a non-executive position with no voting rights.

16.3 Powers of the Executive Committee:

16.3.1 The management and control of the affairs of the Union shall vest in the Executive Committee which shall have full power and authority to do any act, matter or thing which could or might be done by the Union, excepting where such matters are in this Constitution specifically reserved to be dealt with by a Annual or Special General Meeting of members. The Executive Committee shall have the powers and authority required to achieve the objects of the Union. The Members may in an Annual or Special General meeting repeal, approve or amend any decision of the Executive Committee but no such decision of the Members shall invalidate any action taken by the Executive Committee in accordance with this Constitution.

16.3.2 Without in any way limiting such powers and authority the Executive Committee shall have the following further special powers:

- 16.3.2.1 to adopt, amend or rescind bye-laws for the regulation and administration of the affairs of the Union and its Members including rules providing for the procedures to be followed to exercise the powers provided for in **clause 15.4** above; subject nevertheless to the provisions of the Constitution and to such regulations, bye-laws, rules, resolutions or decisions, not being inconsistent with the Constitution, as may be prescribed by the Union in an annual or special general meeting; no regulation, bye-law, rule, resolution or decision adopted by the Union in an annual or special general meeting shall invalidate any prior act of the Executive Committee which would have been valid if that regulation, bye-law, rule, resolution or decision had not been adopted;
- 16.3.2.2 to form or appoint sub-committees for special or general purposes and to delegate powers to such sub-committees and to delegate to any sub-committee or sub-committees all or any of the authorities conferred on the Executive Committee by this Constitution. The President shall *ex officio* be a member of each sub-committee.
- 16.3.2.3 to appoint members of any sub-committee including no more than two (2) persons who are not members of the Union, with such powers as may be conferred on it at the time of appointment or thereafter by the Executive Committee, to be subject in all respects to such rules or instructions as may from time to time be framed, given or approved by the Executive Committee;
- 16.3.2.4 to cause the Union's books of account to be audited by a duly elected auditor who shall audit the books of the Union at such intervals as the Executive Committee may require and at least once in each financial year;
- 16.3.2.5 to establish and to obtain quotes regarding the charges of the Union's auditor annually;
- 16.3.2.6 to issue rulings and interpretations on any matter submitted to it or falling within the jurisdiction of the Union;
- 16.3.2.7 to appoint, remove or suspend employees of the Union upon such terms and conditions as may be considered desirable; and subject to a resolution passed at an Annual General Meeting or at a Special General Meeting of the Union by a two-thirds affirmative vote of the delegates present (in person or by way of proxy) and entitled to vote after due notice has been given;
- 16.3.2.8 to invest, re-invest and deal with any moneys of the Union not immediately required for the purposes of the Union upon such securities and on such terms as it may think fit; and from time to time to vary or realise such investments;
- 16.3.2.9 to appoint and authorise officers of the Union to act on its behalf in the acquisition and alienation of property; to lease and/or purchase any immovable property for the benefit or advancement of the Union's objects; and subject to a resolution passed at an Annual General Meeting or at a Special General Meeting of the Union by a two-thirds affirmative vote of the delegates present (in person or by way of proxy) and entitled to vote after due notice has been given;
- 16.3.2.10 to institute, conduct, defend, oppose, settle or abandon any legal proceedings by and against the Union, or its officers or otherwise concerning the affairs of the Union; and also to settle and allow time for payment in satisfaction of any debts due, and of any claims or demands by or against the Union;
- 16.3.2.11 to refer any claim or demand by or against the Union to arbitration;

16.3.2.12 to subscribe to or become a member of or affiliated to any other body having objects similar or in part similar to the objects of the Union;

17 Nomination and election of Executive Committee members

- 17.1 The members of the Executive Committee shall be elected annually at the Annual General Meeting of the Union. Each so elected member shall serve on the Executive for a period of two years and be eligible for re-election for a further period of one year. All such persons must be properly nominated as provided for in **this clause**. The Secretary shall request all affiliated clubs by notice, not later than six weeks before the Annual General Meeting, to forward nominations for the Executive Committee.
- 17.2 Nominations in writing of members to be elected as members of the Executive Committee shall be delivered to the Secretary of the Union at least **twenty one (21) days** before the date of the holding of the Annual General Meeting, at which the election is to take place, provided that the current members of the Executive Committee shall be eligible for re-election without nomination to their respective offices.
- 17.3 Candidates for the Executive for the ensuing year may be nominated by the Executive or any affiliated club subject to the consent of the nominee.
- 17.4 Nominations for membership of the Executive Committee shall be signed by the proposer and a seconder and shall be accompanied by acceptance in writing by the candidate.
- 17.5 No more than two members of a club with less than 40 golfing members will be eligible to serve on the executive, including the President, Vice-President and Honorary Treasurer, for any year at any time.
- 17.6 No more than three members of a club with golfing membership greater than 40 will be eligible to serve on the executive, including the President, Vice-President and Honorary Treasurer, for any year at any time.
- 17.7 If at the Annual General Meeting there are more nominations than vacancies for the respective positions, voting for the election of Executive Committee members shall be by way of ballot in the discretion of the President.
- 17.8 An Executive Member's term of office will run for the period for which she was elected, starting at the AGM at which she is elected and concluding at the AGM of her final year of office.

18 Election of President and Vice-President

- 18.1 The President shall be nominated from within the current Executive or must have previously served on the Executive, by the members and/or the Executive and voted for at the Annual General Meeting should there be more than one nomination. In the event that none of the existing members of the Executive or a previous member of the Executive is willing to accept such nomination, nominations from outside of those categories will be accepted and voted for at the Annual General Meeting should there be more than one nomination. The need for such outside nomination must be reflected in the Notice of the Annual General Meeting sent to all Members in accordance with **clause 21**.
- 18.2 The Vice-President shall be nominated either from within the Executive or from within the affiliated membership and voted for at the Annual General Meeting should there be more than one nomination.
- 18.3 The President shall hold office for not more than two (2) consecutive years at the end of which period she shall retire but shall be eligible for re-election for a further period of one (1) year if properly nominated as provided for in **clause 17**.

19 Meetings of the Executive Committee

- 19.1 The President, or in her absence the Vice-President, shall act as the Chairperson of the Union and the Executive Committee.
- 19.2 Should both the President and Vice-President not be present at any meeting of the Executive Committee the Members thereof present shall elect a Chairperson from their number at that meeting.
- 19.3 The Executive Committee shall meet from time to time as required.
- 19.4 A majority of the members of the Executive Committee shall form a quorum at any meeting of the Committee.
- 19.5 Any decision by the Executive Committee shall be by majority vote by show of hands of the members present at the meeting.
- 19.6 Each person entitled to be present and to vote shall have one vote. The President shall have a casting vote additional to her deliberative vote. No voting by proxy shall be permitted.
- 19.7 The President shall cause for minutes to be kept of the names of the members of the Executive Committee present at any meeting together with minutes of all resolutions and all proceedings taken at such meeting. All such minutes shall be duly entered into books/files properly kept and provided for that purpose. Any such minutes or an extract thereof, signed by the Chairperson shall be *prima facie* evidence of the matters therein stated.
- 19.8 A resolution in writing, which is signed by all the members of the Executive Committee and inserted in the minute book of the Executive Committee, shall be as valid and effective as if passed at a meeting of the Executive Committee. Any such resolution may consist of several documents in the same form, each of which is signed by one or more of the members of the Executive Committee and shall be deemed (unless the contrary appears from the resolution) to have been passed on the date it was signed by the last member of the Executive Committee entitled to sign it.

20 Termination of office of Executive Committee members

- 20.1 An Executive Committee member shall cease to hold office as such if—
- 20.1.1 she resigns her office by notice in writing to the union;
 - 20.1.2 she is or becomes of unsound mind;
 - 20.1.3 she is convicted of an offence which involves dishonesty;
 - 20.1.4 she ceases to be a member of the Union.
- 20.2 In the event that an Executive Committee member ceases to hold office for any of the reasons stated in clause 20.1; a new member will be co-opted on to the Executive in the form and manner as provided for in clause 16.1

21 Annual general meeting

- 21.1 An Annual General Meeting of members of the Union shall be held in November of each year.
- 21.2 An Annual General Meeting shall be convened by the Secretary giving notice in writing to all members.
- 21.3 Notice of the date, time and place for the holding of the Annual General Meeting shall be posted by letter or e-mailed to each of the members of the Union at its registered address or e-mail address as appearing in the register of members at least **14 (fourteen) days** before the date fixed for the holding of such meeting.

- 21.4 The omission to send by post or e-mail any such notice to any member shall not invalidate the holding of the meeting or the passing of any resolution thereat.
- 21.5 Notice of the terms of any resolution or motion to be proposed at an Annual General Meeting shall be lodged with the Secretary at least **twenty one (21) days** before the date fixed for such meeting.
- 21.6 Notice of any proposed resolution adding to, rescinding or amending any part of this Constitution shall be given as provided in **clause 30** below.
- 21.7 Each member shall notify the Secretary, in writing, at least two weeks prior to the date of the Annual General meeting of its intention to send a delegate or delegates who will attend and represent it at the Annual General Meeting. The omission to do so shall disentitle the delegate or delegates of the member from voting at such meeting.

22 Proceedings at annual general meetings

- 22.1 The ordinary business to be done at the Annual General Meeting shall be as follows:
- 22.1.1 Receive credentials submitted by delegates or their proxies;
 - 22.1.2 Hear and confirm minutes of the preceding Annual General Meeting and any Special General Meeting/s;
 - 22.1.3 Ratify applications from Clubs seeking membership;
 - 22.1.4 Hear and adopt the President's annual report;
 - 22.1.5 Hear and adopt the financial statements;
 - 22.1.6 Select a venue for the following year's championship;
 - 22.1.7 Consider motions to amend, modify or amplify the Constitution;
 - 22.1.8 Consider motions to amend, modify or amplify the Rules and Regulations governing the competitions controlled by Boland Ladies Golf;
 - 22.1.9 Consider other motions of which notice has been given;
 - 22.1.10 Deal with correspondence and any other business;
 - 22.1.11 Elect an Executive Committee consisting of a President, Vice-President, Honorary Treasurer and five additional members for the year.
- 22.2 The Chair at an Annual General Meeting shall be taken by the President of the Union or in her absence by the Vice-President. Should both be absent, the members shall elect a Chairperson for the meeting from among the other members of the Executive Committee present.
- 22.3 The Chairperson or any other person acting as Chairperson of the Annual General Meeting shall have a casting vote additional to her deliberate vote.
- 22.4 At the Annual General Meeting any decisions shall be taken by voting as provided in **clause 26**.
- 22.5 No business or resolution of which due notice has not been given shall be discussed at the Annual General Meeting provided that it shall be competent for the Chairperson, in her discretion, to allow any amendment of the wording of any resolution to be moved notwithstanding that due notice has not been given of the intention to move such amendment.

23 Special general meetings

- 23.1 The Executive Committee may at any time through the Secretary call a Special General Meeting upon receipt of a requisition submitted through the secretaries of at least three affiliated clubs. Not less than **twenty (20) days'** notice in writing must be given to members.
- 23.2 The Secretary shall post to each member at her registered address or send by way of e-mail a copy of such notice specifying for what object or objects the meeting is called in terms of **clause 23.1**.
- 23.3 At a special general meeting no business shall be transacted other than that for which the meeting is called.
- 23.4 The omission to send by post or e-mail any such notice to any member shall not invalidate the holding of the meeting or the passing of any resolution thereat.
- 23.5 The Chair at a Special General Meeting shall be taken by the President of the Union or in her absence by the Vice-President. Should both be absent, the members shall elect a Chairperson for the meeting from among the other members of the Executive Committee present.
- 23.6 The Chairperson or any other person acting as Chairperson of the Special General Meeting shall have a casting vote additional to her deliberate vote.
- 23.7 At the Special General Meeting any decisions shall be taken by voting as provided in **clause 26**.

24 Quorum at general meetings

- 24.1 a Majority of the Executive together with delegates from five affiliated Clubs shall constitute a quorum provided that if no quorum be present within 30 (thirty) minutes after the time fixed for the meeting, it shall, in the case of an Annual General Meeting or a Special General Meeting called by the Executive Committee, be postponed to the same day and hour the following week and at such adjourned meeting the members present shall be deemed to be a quorum for the transaction of the business of the meeting.
- 24.2 In the case of a Special General Meeting called by a requisition of members, if no quorum (as stated in **clause 24.1**) is present upon the date fixed within 30 (thirty) minutes of the time fixed for the meeting, it shall be dissolved.

25 Adjournment of general meetings

The Chairperson of any General Meeting may, with the consent of the meeting decided by majority vote of members of the meeting, adjourn the meeting from place to place and from time to time. No business shall be transacted at any adjourned meeting other than that business left unfinished at the meeting from which the adjournment took place.

26 Voting

- 26.1 Every affiliated club shall be entitled to appoint 1 delegate to the Annual or Special General Meetings whom shall hold all of the votes of that affiliated club.
- 26.2 Votes shall be cast in accordance with the following arithmetical formula, based on the membership of the said affiliated club as at **31 October** of that year:

$$26.2.1 \quad 100 / \text{total golfing membership of Union (full members)} = \% \text{vote}$$

- 26.2.2 total golfing membership of club x % **vote** = votes (rounded off to nearest whole number)
 - 26.2.3 Each affiliated club shall have a minimum of one (1) vote.
 - 26.2.4 No delegate shall represent more than one affiliated club.
 - 26.2.5 Each Executive Member,(including co-opted members) shall have one(1) vote.
 - 26.2.6 Any affiliated club, unable to send a delegate to a General Meeting or an Executive Member who is unable to attend the General Meeting may vote by proxy. The affiliated club / Executive Member requesting proxy representation shall specify in writing its / her voting requirements.
- 26.3 Voting at the Annual or Special General Meeting shall be subject to the following:
- 26.3.1 Voting shall be by way of show of hands or by way of ballot at the discretion of the Chairperson.
 - 26.3.2 The Chairperson or any other person acting as Chairperson shall have a casting vote additional to her deliberate vote.
 - 26.3.3 Ballot may be demanded by a majority of those present and entitled to vote at the meeting.
 - 26.3.4 Should any such ballot be demanded it shall be taken in such a manner and at such time and place as the Chairperson of the meeting may direct.
 - 26.3.5 Save as is otherwise provided in this Constitution, all resolutions put to an Annual General Meeting shall be held to be valid and effectual if carried by a majority of votes cast by those present and entitled to vote.

27 Books of account

- 27.1 The Executive Committee shall cause proper books and records to be kept by the Honorary Treasurer in which a true and satisfactory account of all transactions shall be recorded. Any statements required shall be extracted and prepared therefrom and certified by the Chairperson and auditor.
- 27.2 All such accounts and records shall be audited annually. The financial year shall commence on 1 November and expire on 31 October each year. The retiring Executive will be responsible for producing audited statements that must be available for scrutiny by clubs by 31 January of the following year. An interim statement shall be presented at the Annual General Meeting.
- 27.3 All moneys received must be deposited to the credit of the Union in its banking account or held as petty cash and all disbursements must be by petty cash, electronic transfer or cheque signed by any two of the three delegated signatories of the Executive Committee.

28 Register of members

The names and addresses of the Captain, Secretary and Match Secretary of every affiliated club must be forwarded to the Secretary of the Union immediately after each affiliated club's annual general meeting.

29 Exclusion of liability and indemnity

- 29.1 Neither the Union, employees nor the members of the Executive Committee shall be responsible or may be held liable for any loss, damage or injury including consequential losses, suffered by or caused to any person or property anywhere on or about the Union's property or premises, whether or not such loss, damage or injury is occasioned by any act or omission of the Union, employees or the members of the Executive Committee, or anyone else for whose actions they or any of them would be liable in law, or by reason of *vis major, casus fortuitus*, rain or water, riots, strikes, theft or burglary with or without forcible entry, or by reason of any condition on or off the grounds of the Union or any building structures, or any defective facilities of the Union or by any other cause of whatsoever nature and howsoever arising.
- 29.2 Each member of the Union shall, at all times, hold the Union, employees and the members of the Executive Committee indemnified against and harmless from and shall in no manner whatsoever seek to hold any of them liable for any injury, loss or damage suffered by such member of the Union as a result of personal injury or patrimonial loss arising directly or indirectly from the participation of any person in any match or practice or related activity or any other activity of the Union or any of the members of the Union whether or not such injury, loss or damage can be attributed directly or indirectly to negligence of whatsoever nature or degree on the part of the Union, and/or any of their officials, employees and/or agents.

30 Amendments to the constitution

- 30.1 The Constitution of the Union or any part thereof as contained herein shall not be rescinded, added to or amended, save by a resolution, adopted by a two thirds majority of the parties present and entitled to vote at an Annual or a Special General Meeting of members for which due and proper notice has been given.
- 30.2 Notice of the intention to rescind, add to or amend the Constitution, if required to be dealt with at an Annual General Meeting of the Union, shall be given, in writing, by the intending mover thereof, to the Secretary of the Union not later than **twenty one (21) days** prior to the date fixed for such meeting; and the Secretary shall give written notice of the intended amendment, rescission, addition or amendment to all its members at least **fourteen (14) days** prior to the date of the relevant meeting. If it is required that any such rescission, addition or amendment be dealt with at a Special General Meeting of the Union, written notice thereof must be given to the Secretary and the Secretary shall within ten (10) days of receipt of such notice, call a Special General Meeting of the Union by giving at least twenty (20) days' notice thereof and of the intended rescission, addition, or amendment in writing, to all its members.

31 General

A copy of this Constitution and any rules or regulations and of any rescinding, addition or amendment thereto or new rule or regulation effected from time to time shall be available for the inspection of members upon application to the Secretary.

32 Dissolution

- 32.1 Boland Ladies Golf may not be dissolved, wound-up, or placed in liquidation except at a Special General Meeting called for that purpose and accepted by a Resolution of two-thirds of the parties present and entitled to vote at such meeting.
- 32.2 If at a Special General Meeting it is resolved that Boland Ladies Golf be dissolved, wound-up, or placed in liquidation, a liquidator shall be appointed at the Meeting. If after the payment of debts and liabilities of Boland Ladies Golf any property of whatsoever nature remain, the same shall be given to some other Union or Association within the Republic of South Africa having objects similar to those of the Union.

33 Arbitration Clause

Should any dispute arise which involves the Union, its officials, any clubs affiliated with the Union, and any officials, players or members who are subjected to the rules of this Constitution, pertaining to any matter arising from the interpretation or implementation of the Constitution, or arising from the sports governed by this Constitution, then such dispute shall be referred to the Arbitration Forum of the Western Cape Provincial Government, to be dealt with in accordance with the Rules of that Forum.

The provision of Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum rules.

THIS CONSTITUTION REVISED AND UPDATED FEBRUARY 2014