

# CONSTITUTION OF THE KWAZULU-NATAL LADIES GOLF ASSOCIATION

AMENDED MARCH, 2019

1. **NAME**

The name of the Association shall be “KWAZULU-NATAL LADIES’ GOLF ASSOCIATION” and shall be referred to either as such or as the Association in this Constitution.

2. **TERRITORY**

The territory under the control of the Association shall be within the boundary (ies) of KwaZulu-Natal and the Executive committee shall have the power to sub-divide the territory into regions.

3. **HEADQUARTERS**

The headquarters of the Association shall be in DURBAN or at any other place which the Executive Committee shall decide from time to time.

4. **OBJECTS**

The objects of the Association shall be:

- a. To promote, advance and protect the interests of ladies’ golf within the territory under it’s’ control.
- b. To affiliate with the Governing Body of Ladies’ Golf in South Africa; to accept the decisions and to enforce the system of handicapping of that body as laid down from time to time.
- c. To obtain funds for any purpose calculated to promote the interests and objects of the Association and to administer such fund in such manner as may be determined by the Executive Committee from time to time.
- d. To formulate, control and regulate conditions governing golf championships and competitions held under the auspices of the Association.
- e. To consider and give decisions and rulings on all questions and disputes in regard to golf which may arise or be submitted to the Association from time to time.
- f. To give advice to all affiliated members and to afford means whereby disputes and differences between affiliated members may be settled.
- g. To further and safeguard the interests of the Association and its’ members and to take such steps as are deemed necessary or expedient for this purpose.

5. **DEFINITIONS AND INTERPRETATIONS**

In this Constitution, unless the context shall otherwise require:

ASSOCIATION shall mean KWAZULU-NATAL LADIES’ GOLF ASSOCIATION.

EXECUTIVE – shall mean the Executive of the KwaZulu-Natal Ladies’ Golf Association – clause 10.

DEVELOPMENT OFFICER – shall mean a member of the Executive Committee whose specific portfolio shall be the Convener of Golf Development in KwaZulu-Natal.

SECRETARY – shall mean the Secretary of the Association.

TREASURER – shall mean the Treasurer of the Association.

MEMBER OR MEMBER CLUB – shall mean and include an affiliated Club.

GOLFING MEMBER – shall mean a member of a ladies' Golf Section of an affiliated Club.

COUNTRY MEMBER – shall mean a Golfing Member of a Member Club who resides outside a given radius from that club as determined by the Committee of that Member Club.

CLEAR DAYS- shall mean Mondays to Fridays inclusive of consecutive weeks

In case of doubt as to the meaning of any of this Constitution, the interpretation thereof, from time to time, by the Executive Committee shall be binding upon members.

## **6. ACCEPTANCE OF RULES**

Members shall accept and be bound by this Constitution from the date of election to membership of the Association.

### **6.1 DISPUTE CLAUSE:**

Any disputes arising out of or in connection with the enforceability of this Constitution or the application and interpretation of the provisions thereof or any dispute:

- a. BETWEEN the KWAZULU-NATAL LADIES GOLF ASSOCIATION and a National Sports Federation,  
OR
- b. BETWEEN a member of the Executive Committee of the said Association and the Executive Committee of the said Association,  
OR
- c. BETWEEN the Executive Committee of the said Association and a Member of the said Association, shall be referred to the Arbitration Foundation of Southern Africa for resolution through mediation or expedited arbitration in terms of the Rules and Procedure for the Resolution of Disputes in sport prevailing at the time such dispute is so referred. In the event of arbitration in terms of the afore going, such resolution shall be final and binding on the parties.

## **7. LIABILITY OF MEMBERS**

The Association shall be a Body Corporate having an existence independent of its Members with perpetual succession and all its assets shall be held and registered in the name of the Association. The assets, funds, profits and gains of the Association shall be utilized solely for investment or for the objects of the Association as set out in this Constitution and shall in no circumstances be distributed to any person except under provisions of 4c. Member(s) shall not be liable to meet the debts, engagements or commitments of the Association and the liability of Members shall be limited solely to the amounts due by them in respect of affiliation fees or other monies payable in terms of this Constitution.

## **8. MEMBERS**

Any recognized and properly constituted Golf Club within the territory of the Association shall be eligible for membership of the Association, subject to the approval of the Executive Committee and the Governing Body of Women's Golf South Africa, clubs outside the province of KwaZulu-Natal may be admitted to membership.

**9. APPLICATION FOR MEMBERSHIP**

- a. Application by Non-affiliated Clubs for membership must be made to the Secretary / Treasurer of the Association, and the acceptance or rejection of such application shall be at the discretion of the Executive Committee whose decision shall be final. Such Non-affiliated Clubs applying for membership must be proposed and seconded by two (2) Member Clubs, within that region, and the applicant shall submit a copy of its constitution with the application.
- b. Members shall adhere to the Rules of Golf of the R & A Rules Limited.
- c. All Members shall pay such entrance fees, subscriptions and other levies as may be decided by a General Meeting.
- d. Should an affiliated Member resign or become defunct, such club may apply at a subsequent time for re-affiliation.
- e. Club Secretaries shall send by the first day of January in each year, a list of their Office Bearers, with the addresses, and at the same time declare their total golfing membership at that date. Any change of personnel or address shall be communicated to the Secretary / Treasurer when it occurs.

**10. EXECUTIVE COMMITTEE**

**a. Executive Committee**

- (i) The Affairs of the Association shall be managed by an Executive Committee consisting of: President, first Vice-President, second Vice-President and the five Regional Presidents and shall be domiciled within the territory as defined under Para. 2 hereof.

The President, first Vice-President and second Vice-President shall be elected to office in terms of clause 11c (ix). Each region may propose 1 nominee for each vacant position of President, first Vice-President and second Vice-President on the Executive committee. Such nominations shall be submitted to the Secretary of the Association 28 clear days prior to the Annual General Meeting.

- (ii) If any Executive Member is absent for each of THREE (3) consecutive meetings without leave of absence having been granted to her such Executive member shall, at the discretion of the majority of other Executive members be deemed to have forfeited her seat.
- (iii) Executives may play in KZNLGA events, at the discretion of the Executive Committee. Furthermore any Executive who has been selected to represent KwaZulu Natal in Women's Golf South Africa events, must be allowed to play in the WGSA Interprovincial and 72 Hole Strokeplay but with the exception of the President, Vice President or 2nd Vice President who may not make themselves available for selection during their term of Office, due to the commitments that they may be called upon by WGSA, to fulfil at these events.
- (iv) No Executive Officer may hold office on Club ladies or Regional Committees.
- (v) The President shall not hold office for a period of more than TWO (2) consecutive years at the end of which time she shall retire from the Executive Committee for a minimum period of ONE (1) year. Thereafter she shall again be eligible for election to the Executive Committee.
- (vi) The 1st Vice-President and 2nd Vice-President shall hold office for a period of 2 years and thereafter shall be eligible for re-election.
- (vii) The Development Officer shall be co-opted onto such position annually and shall not have a vote and shall not attend Executive Committee meetings

(viii) The Secretary / Treasurer shall be appointed by the Executive Committee and shall be an ex officio member of the Executive Committee, without a vote.

b. **Regions**

(i) For the purpose of this Constitution Member Clubs shall be deemed to be domiciled in the Regions as per the Register of Member Clubs.

(ii) Any Member may apply in writing to the Executive Committee requesting a transfer of domicile from one Region to another. The Executive Committee may accept or refuse such application as it, by resolution, shall determine.

(iii) The Regional Handicap Managers shall be appointed by the respective Regional Committees.

11 **POWERS OF THE EXECUTIVE COMMITTEE**

a. The Executive Committee shall meet at least once a month for the transactions of the business of the Association at such time and at such place as may from time to time be determined by the said Committee. All meetings of the Executive Committee shall be presided over by the President or failing her for any reason then the 1st Vice-President.

b. The quorum for meetings of the Executive Committee shall be FIVE (5).

c. Except as may be otherwise provided in the Constitution all the Powers of the Association shall be vested in the Executive Committee more particularly the following:

(i) To carry out the objects of the Association as specified in Clause 4 (except such of them as can only be dealt with at a General Meeting) and to make, maintain and publish all necessary regulations, standing orders and instructions therewith.

(ii) To accept or reject applications by clubs for membership of the Association and to suspend or expel any Member Club which, in the opinion of the Executive Committee contravenes any of the provisions hereof, or the rules promulgated hereunder.

(iii) To appoint officials and committees as may be necessary to manage Open Tournaments.

(iv) To delegate such of their duties as they think necessary to standing or sub-committees, to be appointed from their Executive Members, or such other co-opted members as the Executive Committee shall determine.

(v) To prohibit the holding of unauthorized Championships or competitions in KwaZulu-Natal.

(vi) In the event of a vacancy on the Executive Committee it shall have the power to co-opt a person on the said Committee until the date of the next Annual General Meeting and it shall further have the power to co-opt to the said Committee any person it deems necessary for the advancement of ladies golf and any related matters.

(vii) The Executive Committee shall cause minutes to be recorded in books of all resolutions and proceedings at General and Executive Committee meetings, and shall also cause proper books of account to be kept reflecting the financial affairs of the Association.

(viii) To appoint officers on behalf of the Association, to fix the reimbursement and suspend or dismiss them at its discretion.

(ix) The number of votes accorded to the Regions for the purpose of electing members to the Executive Committee shall be as follows :-

Durban Region	Four	(4) votes
Southern Coastal Region	Three	(3) votes
Midlands Region	Two	(2) votes
Northern KZN Region	One	(1) vote
Northern Coastal Region	One	(1) vote

This shall be decided by a majority of votes. but in the case of equality the President, or her nominee shall have a casting vote.

- (x) The KwaZulu-Natal Representative of the Executive Committee of the Governing Body of Women's Golf in South Africa shall be elected by the Executive Committee. The representative shall at all times be an Executive Member of the KwaZulu-Natal Ladies Golf Association. The President of the Executive Committee shall have the first refusal.

12 **SELECTION COMMITTEE**

The Selection Committee shall consist of:

The full KZNLGA Executive Committee members plus any other persons the Executive may wish to appoint, to make an input, (e.g. coach). However, the Executive will have the final say in selecting the players.

13 **GENERAL MEETINGS**

a **Annual General Meeting**

- (i) The Annual General Meeting shall be held at such time and place as the Executive Committee may decide.
- (ii) To read and confirm the minutes of the previous Annual General Meeting and / or any Special General Meeting.
- (iii) To read and adopt the report of the Executive Committee.
- (iv) To submit and approve the audited accounts for the Association year.
- (v) To announce the President, 1st Vice-President, 2nd Vice-President and 5 Regional Presidents as the Executive Committee for the ensuing period of office.
- (vi) To elect Honorary Auditors for the ensuing year.
- (vii) To announce members of the Selection Committee in terms of clause 12
- (viii) To amend, modify or amplify this Constitution and to consider any proposals which may be brought up by the Executive Committee and / or any two affiliated Members, of which due notice has been given in terms of clause 13 c (I) and 13 c(ii) respectively.
- (ix) To propose possible venues for the next KZN Ladies Amateur Championships as decided by the Executive Committee. The proposed dates and venues to be confirmed at the next Inter-Club Players Meeting.
- (x) To confirm the proposed date and venue for the next KwaZulu-Natal Inter-Club Championship, as decided by the Executive Committee.
- (xi) To deal with General Business.

b. **Special General Meetings**

Special General Meetings may be convened by the Secretary / Treasurer of the Association at the request of the Executive Committee, or at the written request, signed by the Captain and Secretary of four Affiliated Members. The special business to be brought forward must be stated in the notice convening the meeting which business may include any proposal to amend this Constitution in terms of clause 13 c.

c. **Procedure for Annual General and / or Special General Meetings**

- (i) Seven weeks clear written notice shall be given, to Affiliated Members of the Annual General Meeting or Special General Meeting, specifying:-
  - (a) the place, day and hour of the meeting, and
  - (b) any amendment, modification or amplification of this Constitution to be brought forward by the Executive Committee.
- (ii) Twenty eight days clear notice in writing to be given to the Secretary / Treasurer of the Association by any two Member Clubs of any business which they may wish placed on the Agenda, stating precisely the resolution to be submitted.
- (iii) All written notices and resolutions for General or Special General Meetings must be in writing and must be signed by the Captain and Secretary of each of the two Clubs proposing such resolution(s) or The President and one other member of each of any TWO (2) Regional Committees proposing such resolution.
- (iv) Names of delegates must be handed in, in writing to the Secretary / Treasurer of the Association before the meeting.
- (v) The President, failing whom the 1st Vice-President, failing whom the 2nd Vice-President of the Executive Committee, shall preside at every General or Special General Meeting.
- (vi) At all General or Special General Meetings, every question shall be decided by a show of hands, or by ballot if so requested by the delegates of the two clubs.
- (vii) The delegates of TEN (10) Member Clubs shall form a quorum at all General or Special General Meetings.
- (viii) A copy of the Financial statement will be available for scrutiny at the KZN Natal Championships prior to the Annual General Meeting and at the Annual General Meeting.
- (ix) The meetings are open to all golfing members.

d. **Delegates and Votes**

- (i) At all General Meetings, Clubs in good standing with a playing membership as at 1st of January of the current year, of 50 and under shall be entitled to ONE vote, over 50 and up to 100 -TWO votes, over 100 and up to 200 - THREE votes over 200 FOUR votes. This does not include Country Membership. A Country membership of 100 or more shall entitle a member to ONE additional vote.
- (ii) Any Member Club unable to send a delegate may be represented by a Proxy, such Proxy must have a mandate signed by the Captain and Secretary of the Member Club she represents.

- (iii) Each Executive Committee Member shall be entitled to ONE (1) vote at all meetings, and the President, in addition, shall have a casting vote, in the event of an equality of votes.
- (iv) No other member at the meeting is entitled to a vote.

14 **ALTERATION TO THE CONSTITUTION**

Alterations to the Constitution may only be effected after a Resolution to the effect has been passed by a two-thirds majority at the Annual General Meetings or at a Special General Meeting called for this purpose. Notice of any such meeting specifying in detail the proposed alteration or amendments shall be given in accordance with the provisions of Clause 13(c)(iii). Any amendments or alterations to this Constitution shall be circulated to all Member Clubs and to the Commissioner of Inland Revenue.

15 **FINANCE**

a. **Financial Year**

- (i) The Financial year of the Association shall end on the 31st of December of each year, and the Secretary / Treasurer shall prepare a statement of the accounts for such year, which shall be audited. Clubs, who wish to do so, may obtain a copy of the Financial Statement, on request, from the Secretary / Treasurer.
- (ii) An auditor shall be appointed each year by the Association at the Annual General Meeting but the retiring Auditor, if willing to act, shall not require renomination. The auditor shall have the right to access, at all times, to the books, accounts and vouchers of the Association, and shall be entitled to require from the officers of the Association such information and explanations as may be necessary for the performance of his duties.

b. **Payment**

- (i) All cheques shall be signed by any two of the following Executive Committee members:  
  
President, 1st Vice-President, Secretary/Treasurer or Nominee
- (ii) The Secretary / Treasurer of the Association and the Hon. Auditors shall receive re-imbusement as may be decided by the Executive Committee from time to time.
- (iii) Reasonable expenses may be paid to the Executive Committee and Secretary or Treasurer when officiating at KZNLGA tournaments and when carrying out other official KZNLGA duties.

16. **SUBSCRIPTIONS**

- a. Annual subscriptions for all Affiliated Member Clubs shall be due to the Association on the 1st day of January in each year, and must be paid not later than 28th February each year.
- b. The scale of subscription fees may be prescribed from time to time at the Annual General Meeting or Special General Meeting.
- c. Member Clubs and their Golfing Members who have failed to pay annual fees on or before 31st March shall not be permitted to compete in events promoted by the Association, nor to be represented at any General or Special General Meeting of the Association.
- d. If any member shall be ONE (1) year in arrear with its annual fees, or any other debt to the Association, the Executive Committee shall have the right to strike the Member Club's name off the list of members of the Association.

- e. Clubs that have been struck off the list of the Association for arrears or have resigned, or have been expelled from the Association, must pay a fee equivalent to that paid by a new member for re-instatement. Any such Clubs wishing to rejoin may apply to the Executive Committee for re-instatement at any time.
- f. The Association may not be dissolved, wound up or placed in liquidation except by a resolution passed at a Special General Meeting of the Association called for that specific purpose, which resolution shall be passed by not less than two-thirds of the votes cast by those present and entitled to vote.
- g. If at a Special General Meeting of the Association it is resolved that the Association be dissolved, wound up or placed in liquidation, a liquidator shall be appointed at the meeting. If after payment of all debts and liabilities of the Association any property of whatsoever nature remains, the same shall be given to some other Union or Association within the province of Natal having objects similar to those of the Association.

17. **MEMBERSHIP LEVIES**

All affiliated Member Clubs shall be required to forward to the Secretary / Treasurer of the Association on or before 28th February each year a sum representing a per capita levy for each Golfing and Country Member. This amount may be prescribed from time to time at an Annual General Meeting or Special General Meeting.

18. **NOMINATION OF HOME CLUB**

- a. The first Club to which any player is elected is her Home Club and shall remain so until she nominates another Club of which she is a playing member as her Home Club. Such nomination may only be made by giving notice in writing to the Secretaries of the present and intended Home Club not later than the 31st December in any year, to take effect on the 1st January in the following year unless :-
  - i. She ceases to reside in the town in which her Home Club is situated, or;
  - ii. She resigns from her Home Club.
- b. No playing member may serve on the Committee of, or represent any Member Club other than her Home Club, except with the written consent of her Home Club or Provincial Association.

19. **CHAMPIONSHIPS**

a. **The KZN Ladies' Amateur Championships**

- (i) The Championship shall be open to all Amateur golfers whose certified Handicap Index is not higher than 6.5.
- (ii) No player on a temporary handicap may compete.
- (iii) The Championship shall be governed by the Executive Committee.
- (iv) There shall be a Tournament Committee whose duties shall be to set out in the rules governing the KZN Ladies Amateur Golf Championships. The Tournament Committee shall be the Executive Committee of the KZN LGA. The Captain and Secretary of the Ladies' Golf Section on whose Course the Tournament is held shall be co-opted to the Tournament committee in matters relating to the pre-tournament arrangement and during the tournament in matters concerning the Host Club. The Executive Committee has the right to co-opt further golfing members to the Tournament Committee.
- (v) The Championship shall be held annually at a venue and time decided by the Executive Committee and shall be held in the Durban Region or its periphery or Pietermaritzburg as may be determined by the Executive Committee from time to time.



- (vi) The quorum for the draw of the championship shall be TWO (2) Executive Committee members.

***b. The KZN Ladies Inter-Club Championships***

- (i) The KZN Ladies Inter-Club championship shall be open to all Member Clubs affiliated to the KwaZulu-Natal Ladies Golf Association.
- (ii) The KZN Ladies Inter-Club Championship shall be governed by the Executive Committee.
- (iii) There shall be a Tournament Committee whose duties shall be set out in the Rules Governing the KZN Ladies Inter-Club Championships. The Tournament Committee shall be the Executive Committee of the KZNLGA. The Captain and Secretary of the Ladies Golf Section on whose Course the Tournament is being held shall be co-opted to the Tournament Committee in matters relating to the pre-tournament arrangements and during the tournament in matters concerning the Host Club. The Executive Committee has the right to co-opt further golfing members to the Tournament Committee.
- (iv) The KZN Ladies Inter-Club Championship shall be held annually at a venue and time decided by the Executive Committee and restricted to Member Clubs of 18 hole courses with adequate facilities. Such courses shall be situated outside Durban Region and its periphery and outside Pietermaritzburg.
- (v) The quorum for the draw shall be TWO (2) Executive Committee Members.