

CONSTITUTION OF THE KWA ZULU NATAL LADIES GOLF ASSOCIATION



KWA ZULU NATAL LADIES GOLF ASSOCIATION CONSTITUTION CONTENTS

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DEFINITIONS AND INTERPRETATION

In this Constitution, unless the context shall otherwise require:

ASSOCIATION shall mean KWA ZULU NATAL LADIES GOLF ASSOCIATION (“KZNLGA”) established to cater for the administration of Ladies amateur golf in the province of Kwa Zulu Natal.

AFFILIATED CLUB shall mean a Golf Club located or registered in the KZN Province, which has been admitted to membership of the KZN Ladies Golf Association.

AFFILIATION FEE shall mean the amount paid annually to KZNLGA by an Affiliated Club based on the number of Golf Clubs falling under the Affiliated Club’s jurisdiction.

CPI shall mean the most recent South African Consumer Price Index as published by Statistics South Africa.

DAY shall mean a calendar day and includes a Public Holiday.

DELEGATE shall mean a Golfing Member who is chosen to vote or make decisions on behalf of a group of other people (example an Affiliated Club), at a meeting.

PROXY DELEGATE shall mean a Golfing Member of an affiliated Club and is properly nominated and duly appointed for, and who acts in the absence of a delegate.

DEVELOPMENT OFFICER shall mean the person appointed by the Executive Committee whose specific portfolio shall be the Convener of the Golf Development Program in Kwa Zulu Natal.

DOMICILIUM shall mean the headquarters of KZNLGA and shall be in KwaZulu Natal which the Executive Committee shall decide from time to time.

EXECUTIVE shall mean collectively the President, 1st Vice President and 2nd Vice President.

EXECUTIVE COMMITTEE shall mean collectively the Executive and the 5 Regional presidents of the Association.

GOLFRSA shall mean the prevailing controlling body of amateur golfers in South Africa and any successor (currently GOLF RSA NPC, registration number 2016/185236/08, a non-profit company with limited liability duly constituted and registered in terms of the Companies Act 2008)

GOLF CLUB shall mean and include a Golf Club, a Sports Club or Country Club having a Golf section, and which owns a Golf Course or has a permanent right to the use of a Golf Course.

GOLF COURSE shall mean a golf course of not less than nine holes which has been assessed and rated by GolfRSA for handicapping purposes.

GOLFING MEMBER shall mean an amateur female Golf Member handicapped at any Affiliated Club.

JUNIOR GOLFING MEMBER shall mean a female Golf Member who has not yet attained the age of nineteen years.

KWA ZULU NATAL LADIES GOLF ASSOCIATION (“KZNLGA”) shall mean the Association established to cater for the administration of Ladies amateur golf in the province of Kwa Zulu Natal.

LEVIES shall mean the amounts due and payable by each Affiliated Club to GolfRSA, the Association and the Associations' Regions.

REGION shall mean one of the five regions KZNLGA and the Province is divided into.

PLAYER shall mean an amateur golfer participating in an event organized by the Association or one of its Regions.

PRESIDENT shall mean the President elected.

1ST VICE PRESIDENT shall mean the 1st Vice President elected.

2ND VICE PRESIDENT shall mean the 2nd Vice President elected.

PROVINCE means the area or district defined from time to time by Golf RSA (or its successor/s) in title. The Executive Committee shall have the power to sub-divide the Province into Regions.

SECRETARY shall mean the person appointed by the Executive Committee as Secretary of the Association.

TREASURER shall mean the person appointed by the Executive Committee as Treasurer of the Association.

In case of doubt as to the meaning of any paragraph in this Constitution, the interpretation of the Executive Committee shall be binding upon members and Affiliated Clubs until such time as the Association may otherwise determine at a General Meeting.

Any decision made by the Association at the 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 by the Executive.

1. STATUS AND NAME

- 1.1 The name of the Association shall be the Kwa Zulu Natal Ladies Golf Association and shall be known as the Kwa Zulu Natal Ladies Golf Association ("KZNLGA") or the Association in this Constitution.
- 1.2 The Association is subject to the overall jurisdiction of GolfRSA ("GolfRSA"), and such further structures as may be established by GolfRSA and subscribed to by the Association.

2. OBJECTS:

- 2.1 The objects of the Association shall be:
 - 2.1.1 To promote, advance, protect and foster the game of golf within its Province by maintaining the amateur traditions and uniform observance of the Rules of Golf by its Affiliated Clubs and their Golfing Members;

- 2.1.2 To safeguard, manage and administer the interests of the Association and its Affiliated Clubs;
 - 2.1.3 To bring about and maintain close co-operation between its Affiliated Clubs and their Golfing Members.
 - 2.1.4 To enforce the system of handicapping of GolfRSA as laid down from time to time.
 - 2.1.5 Promote and encourage the holding of golf competitions, championships, and tournaments on the Golf Courses of Affiliated Clubs and to assist in the conduct and control thereof.
 - 2.1.6 To consider and give decisions and rulings on all questions and disputes regarding golf which may arise and be submitted to the Association from time to time.
 - 2.1.7 To promote a drug free environment in the sport.
 - 2.1.8 To raise, administer and disburse funds in order to carry out the objects herein specified.
- 2.2 Promote and communicate the activities of the Association and its Regions to Affiliated Clubs. The Association shall have an existence independent of its Affiliated Clubs with perpetual succession. Affiliated Clubs shall not be liable to meet the debts, engagements, and liabilities of the Association and the liability of Affiliated Clubs shall be limited solely to the amounts due by them in respect of subscriptions and levies or other monies payable in terms of the Constitution.
- 2.3 The Association shall be capable of being registered as a Nonprofit Organization in terms of section 13 (read with section 1) of the Nonprofit Organization Act, Act No 71 of 1997.
- 2.4 The Association's income and property will not be distributable to its Affiliated Clubs or office-bearers, except as reasonable compensation for goods supplied and/or services rendered, and Affiliated Clubs or office-bearers will have no rights in the property or other assets of the Association solely by virtue of them being Affiliated Clubs or office bearers.

3. AFFILIATION FEES & LEVIES

- 3.1 All Affiliation Fees and Levies, as applicable, shall become due, owing and payable by Affiliated Clubs in accordance with the provisions of this Constitution, and to the extent not determined therein, then at the time determined by the Executive.
- 3.2 Each Affiliated Club shall, pay to the Association: -
- 3.2.1 the Annual Levies prescribed from time to time by GolfRSA, on the basis that the Association will account to GolfRSA in respect thereof; and
 - 3.2.2 the Annual Affiliation Fee and Levies as may be prescribed from time to time, by the Association at a General Meeting; and

the Annual Levies prescribed from time to time by the Regions. Regional levies may or may not be invoiced by the Association should the need arise.

- 3.3 Levies shall be based on the number of Golfing Members and Junior Golfing Members as at the 15th day of January of each calendar year as recorded on the South African Handicap Network System ("HNA").
- 3.4 The Executive shall be empowered to increase the Affiliation Fees and Levies once per annum by no more than three percent (3%) above CPI. An increase larger than three percent (3%) above CPI must be approved at an Annual General Meeting or at a Special General Meeting of the Association. The levy for the ensuing year will be tabled at the Annual General Meeting.
- 3.5 Liability for payment of Affiliation Fees and Levies, if and when prescribed, by Affiliated Clubs shall accrue as from the 15th day of January and these shall be paid by no later than 30 days from date of invoice in the same year.
- 3.6 No portion of any Affiliation Fees or Levies paid to the Association or Region is refundable in any circumstances whatsoever.
- 3.7 An Affiliated Club that fails or neglects to make timeous payment in full, of the Affiliation Fees and Levies, due by it shall, at the election of the Association, GolfRSA or HNA, be liable to have its membership of those bodies suspended until the outstanding amounts have been paid in full or, if such payment continues to remain outstanding, notwithstanding demand, to have such membership terminated, together with the consequent termination of the affiliation to those bodies of all Golfing Members belonging to it.
- 3.8 In addition to Affiliation Fees and Levies payable to the Association and Levies payable to its Regions by Affiliated Clubs, the Association also acts as collection agent for GolfRSA in respect of Affiliation Fees payable by Affiliated Clubs to GolfRSA.

4. MEMBERSHIP

- 4.1 Any recognized and properly constituted Golf Club within the Province of the Association is eligible for membership of the Association, (subject to the approval of the Executive Committee and GolfRSA) shall entitle these Affiliated Clubs to all privileges and advantages of the Association and its Regions.
- 4.2 Subject to the approval of the Executive Committee and GolfRSA, Golf Clubs outside the Province, may be admitted to membership.

- 4.3 Application for membership by Non-Affiliated Golf Clubs must be made in writing 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) Affiliated Clubs within that region and the applicant shall submit a copy of its Constitution and rules, a list of the executive officers of the Golf Club, and a statement showing the number of members of the Golf Club.
- 4.4 Affiliated Clubs shall adhere to the Rules of Golf of the R&A Rules Limited.
- 4.5 Affiliated Clubs shall pay such Affiliation Fees and other Levies decided at a General Meeting or Special General Meeting.
- 4.6 Female Golfing Members and Female Junior members joining an Affiliated Club during the year, who have not previously paid Levies are liable to pay pro rata.
- 4.7 Should an Affiliated Club resign or become defunct, such club may apply at subsequent time for re-affiliation.
- 4.8 Club secretaries shall forward by the 15th of January in each year their total Golfing Members at that date. Any changes of personnel or address of an Affiliated Club shall be communicated to the Secretary / Treasurer of the Association when it occurs.

5. MANAGEMENT

The affairs and activities of the Association shall be managed by the Executive Committee acting under the authority conveyed to it by this Constitution or by any mandate given to it by the Affiliated Clubs in an Annual General Meeting or Special General Meeting.

6. THE EXECUTIVE COMMITTEE

a. Executive Committee

- 6.1 The affairs of the Association shall be managed by the Executive Committee.
- 6.2 The Executive Committee shall be domiciled in the KZN Province.
- 6.3 The President, 1st Vice President and 2nd Vice President shall be elected to office in terms of clause 9.11.6. Each Region may propose nominees for each vacant position of President, 1st Vice President and 2nd Vice President on the Executive Committee. Such nominees shall be submitted to the Secretary of the Association twenty-eight (28) Days prior to the Annual General Meeting. The Association shall, no later than seven days

before the relevant meeting, notify all Affiliated Clubs of the Association of the names of the nominees and the Affiliated Clubs to which they belong.

- 6.4 The Executive Committee shall have the power to consult any person who it considers will be able to contribute to its deliberations or activities and co-opt such person(s) to the Executive Committee for as long as necessary, but such person(s) shall have no vote.
- 6.5 If a Member is absent for each of THREE (3) consecutive meetings without leave of absence having been granted to her, such Executive Committee member shall be deemed to have forfeited her position on the Executive Committee and the vacancy so caused shall be deemed a casual vacancy. Refer Clause 7.1.5 to fill vacancies in respect of the unexpired period of an Executive Committee Member's term of office.
- 6.6 Executive Committee members may participate in events managed by the Association, at the discretion of the Executive Committee. Any Executive member, with the exception of the President, 1st Vice President and 2nd Vice President who has been selected to represent KwaZulu Natal in GolfRSA events, will be allowed to participate in such events.
- 6.7 The President shall not hold office for a period 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 be eligible again for election to the Executive Committee.
- 6.8 The 1st Vice President and 2nd Vice President may serve no more than two consecutive years in their applicable position and after serving one year shall be eligible for re-election without nomination for the second year.
- 6.9 The Development Officer shall be appointed by the Executive to such position annually and shall not have voting rights and will only attend Executive Committee meetings by invitation.
- 6.10 The Secretary and Treasurer shall be appointed by the Executive Committee and shall be ex-officio members of the Executive Committee and shall not have voting rights.
- 6.11 The KwaZulu-Natal Representative of the executive committee of GolfRSA shall be elected by the Executive Committee. The representative shall at all times be a member of the Executive. The President of the Association shall have the right of first refusal.
- 6.12 The number of votes according to the Regions for the purpose of electing members to the Executive Committee shall be as follows:

Durban Region	Four (4) Votes
Southern Coast Region	Three (3) Votes
Midlands Region	Two (2) Votes
Northern KZN Region	One (1) Vote

Northern Coast Region One (1) Vote

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

b. Regions

- 6.13 For the purpose of this Constitution Affiliated Clubs shall be deemed to be domiciled in the Regions as per the Register of Affiliated Clubs.
- 6.14 Any Affiliated Club may apply in writing to the Executive Committee requesting a transfer to domicile from one Region to another. The Executive Committee may accept or refuse such an application.
- 6.15 The Regional Handicap Manager shall be appointed by the respective Regional committees.

7. POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

- 7.1 The Executive Committee shall have the power to do all things necessary to carry out and promote the objects of the Association. Without limiting the powers and duties of the Executive Committee and in addition to such other powers as are conferred upon the Executive Committee in this Constitution, the powers and duties of the Executive Committee shall include the following:
 - 7.1.1 to adopt, amend or rescind bylaws for the regulation and administration of the affairs of the Association and its Affiliated Clubs;
 - 7.1.2 to have minutes be recorded of all resolutions and proceedings at Executive Committee meetings, Annual General meetings, Special General Meetings and disciplinary hearings. Minutes shall be kept on file.
 - 7.1.3 to appoint personnel to assist in the administration of the affairs of the Association.
 - 7.1.4 to consider applications by Golf Clubs for membership to the Association and to accept or reject same;
 - 7.1.5 to fill vacancies in respect of the unexpired period of an Executive Committee Member's term of office. The Executive Committee shall notify all Affiliated Clubs of the name of the person appointed to fill the vacancy of President, 1st Vice President or 2nd Vice President and a Region shall notify the Executive Committee where a regional president vacancy is filled.

- 7.1.6 to appoint sub-committees from among its number, or otherwise, for such purposes and upon such terms as may be considered desirable and to delegate such powers thereto as may be necessary.
- 7.1.7 to call, at any time, a Special General Meeting of the Association.
- 7.1.8 to receive money and authorize expenditure in accordance with the objects of the Constitution;
- 7.1.9 to cause proper books of account to be kept reflecting the financial affairs of the Association;
- 7.1.10 to open banking accounts in the name of the Association; and
 - 7.1.10.1 to resolve the manner in which such accounts may be operated;
 - 7.1.10.2 to ensure that the financial transactions of the Association are conducted by means of such banking accounts; and
- 7.1.11 to authorize office bearers of the Association to act on its behalf in the acquisition and alienation of property and in the conduct of any legal or other proceedings brought by or against the Association;
- 7.1.12 to prescribe rules for the conduct of golfing events arranged by the Association or its Affiliated Clubs and to issue rulings and interpretations on any matters submitted to it or falling within the jurisdiction of the Association.
- 7.1.13 To deal with any matter, condition and circumstance arising for which specific provision is not made in the Constitution;
- 7.1.14 To consider and decide upon all questions and disputes submitted to the Association and arising out of play in the Association, Regional or Affiliated Club competitions. The Executive Committee shall also be constituted as a Committee of Appeal to obtain interpretations when required, upon the rules of golf, and to decide any questions arising in any game of golf, and the decision of the Executive Committee thereon shall be accepted as final and binding, by all clubs;
- 7.1.15 to institute, conduct or defend any legal proceedings by or against the Association or the member of its Executive Committee acting in their capacity as such;
- 7.1.16 to select Golfing Members and teams to represent the Province in golf matches or competitions and to determine the manner in which colours shall be awarded;
- 7.1.17 to organize, promote and stage golf tournaments, championships and competitions;

7.1.18 to select teams to represent the Province in matches arranged against other Unions, Associations, Provinces, Clubs and Organizations

7.2 All documents required to be signed by or on behalf of the Association shall be signed by at least 2 (two) members of the Executive Committee (one of whom shall be the President) or by such person appointed to do so by the Executive Committee. The day-to-day management of the Association shall be done by the Executive Committee and such person(s) appointed by the Association, and which shall have such powers and duties as provided for in this Constitution or as delegated to it by the Executive Committee.

7.3 All assets of the Association shall be held or registered in the name of the Association and all liabilities shall likewise be incurred in the name of the Association but only with the prior authorization by the Executive Committee.

7.4 Disciplinary Powers

The Executive Committee shall have the power to appoint, at such times and for such purposes as the Executive Committee may deem fit, a sub-committee dealing with disciplinary matters ("the Disciplinary Committee") which shall consist of at least three Executive Committee members (other than the President and Vice President). This sub-committee shall have the following powers:

7.4.1 to convene a disciplinary enquiry to enquire into the conduct of a Region, an Affiliated Club, a Golfing Member or a Player.

7.4.2 to summon a player or representatives of Affiliated Clubs or Regions to attend such enquiry.

7.4.3 to determine the rules of procedure of such enquiry, provided that such rules of procedure comply with the rules of natural justice;

7.4.4 to determine, by majority vote if the members of the Disciplinary Committee are not unanimous, whether such conduct is:

7.4.4.1 if committed by an Affiliated Club or Region, amount to the conduct of such Affiliated Club's affairs or Region, being in breach of the provisions of this Constitution;

7.4.4.2 a breach of the Rules of Golf or the Rules pertaining to Golf; or

7.4.4.3 a breach of the Rules of Amateur Status; or

7.4.4.4 a breach of the Code of Conduct in the Terms of Competition of a tournament administered or run by the Association; or

7.4.4.5 where an Affiliated Club's operations are no longer aligned to their Constitution originally submitted to the Association when application for membership was made.

7.4.4.7 any combination of the above.

7.4.5 to impose one or more of the following sanctions:

7.4.5.1 suspension or termination of the membership of an Affiliated Club or Golfing Member or Junior Golfing Member;

7.4.5.2 a formal reprimand;

7.4.5.3 a formal warning;

7.4.5.4 suspension of an Affiliated Club, Player or Golfing Member from playing in or attending Association competitions for a period of time.

7.4.5.5 removal of a Golfing Member from representative teams or from Union Office;

7.4.5.6 suspension of a Golfing Member from selection for representative teams for a period of time;

7.4.5.7 any combination of the above.

7.4.6 Any person found to have committed any of the offences set out in Clause 7.4.4 above and is sanctioned in terms of Clause 7.4.5 shall have the right of appeal against the finding and/or sanction.

Such appeal shall be heard by an Appeal Committee, consisting of three members of the Executive Committee, of which these members shall not have been part of the original Disciplinary Committee who made the finding and imposed the sanction. The members of the Appeal Committee who hear the appeal, must include at least the President and Vice President.

Such appeal shall be noted by the giving of written notice to the Executive Committee of such appeal within fourteen days after the handing down of the findings of the Disciplinary Committee, unless the Executive Committee shall have granted an extension of such time period in which case, the Executive Committee shall lay down the extended time limit.

8. MEETINGS OF THE EXECUTIVE COMMITTEE

8.1 A meeting of the Executive Committee shall be called by the President within thirty (30) Days of the Annual General Meeting.

8.2 The Executive Committee shall meet no fewer than four times per annum to deal with the business of the Association. These meetings might also be conducted via video conference which decision will be determined by the Executive Committee.

8.3 The President:

8.3.1 may, at any time; and

8.3.2 shall, on a written request of at least three members of the Executive Committee;

Convene a Special meeting of the Executive Committee. Such request shall state the purpose for which the special meeting is to be convened.

8.4 At least three (3) days' notice of Executive committee Meetings shall be given to all members of the Executive Committee.

8.5 At all meetings of the Executive Committee the President or, in her absence, each of the Vice Presidents shall be Chairperson in rotation; but should both be absent, the Executive Committee Members present shall appoint a Chairperson from amongst their number.

8.6 Each member of the Executive Committee shall have one vote, and in the event of an equality of votes the Chairperson shall have the second or casting vote.

8.7 At any meeting of the Executive Committee, five of the voting members of the Executive Committee shall constitute a quorum for the transaction of business.

8.8 The President shall *ex officio* be a member of all sub-committees.

8.9 Decisions and actions taken, other than those of a routine nature, shall be recorded in the form of minutes.

9. GENERAL MEETINGS

9.1 The Annual General Meeting of the Association shall be held within five months of the end of each financial year. Notwithstanding the foregoing, the Executive shall have the power to fix the date of the Annual General Meeting at some other reasonable time in extraordinary circumstances.

9.2 A Special General Meeting of the Association may be called by a resolution of the Executive Committee or by a requisition signed by an appointed representative of the governing bodies of at least ten percent of Affiliated Clubs.

9.3 The meetings are open to all Affiliated Clubs, Golfing Members and Junior Golfing Members.

9.4 The Constitution does not limit or restrict the authority of the Association to conduct any General Meeting or Special General Meeting of the Association by electronic communication. Any costs incurred by attendees will be for their own account.

9.5 Delegates

Every Affiliated Club shall be entitled to appoint delegates to General Meetings as follows:

9.5.1 Each Affiliated Club shall, irrespective of the size of its membership, be entitled to at

least one delegate, subject to a maximum of four delegates, calculated on the basis of the number of Golfing Members and Junior Golfing Members as at 15th January that year for that Affiliated Club consisting of:

9.5.1.1 50 and less members shall have one (1) delegate;

9.5.1.2 51 to 100 members shall have two (2) delegates;

9.5.1.3 101 to 200 members shall have three (3) delegates;

9.5.1.4 More than 200 members shall have four (4) delegates.

9.5.2 The names of the delegates must be given by Affiliated Clubs in writing to the Secretary not less than sixty (60) minutes before the Annual General Meeting.

9.5.3 No delegates shall represent more than one Affiliated Club.

9.5.4 Any Affiliated Club unable to send a delegate, can be represented by a Proxy Delegate, such Proxy Delegate must have a mandate signed by two duly authorized representatives of the Member Club she represents. Notification of appointment of a Proxy Delegate must be received by the Association at least 24 hours before the start of the meeting.

9.6 **Notice**

The Secretary shall give Affiliated Clubs thirty (30) days' written notice of any General Meeting, by electronic mail. The notice shall specify the venue, date, and time of the meeting and include the previous General Meeting minutes.

9.7 **Business**

9.7.1 Any Affiliated Club wishing to:

9.7.1.1 propose a motion for decision at the General Meeting:

9.7.1.2 place an item for discussion and/or voting on the Agenda of a General Meeting; and/or

Shall advise the General Meeting not less than fourteen (14) Days before the date of such General Meeting of such item and shall state precisely the nature of business to be dealt with.

9.8 **Agenda**

The agenda together with the independently compiled Financial Statements for the previous financial year and specifying the business to be discussed at any General Meeting

shall be sent to Affiliated Clubs by electronic mail at least ten (10) Days prior to the date upon which the meeting is to be convened.

9.9 Voting at General Meetings

- 9.9.1 Each delegate/s representing an Affiliated Golf Club shall cast her vote/s *en bloc*, based on the membership of said Affiliated Club at the 15th January in the previous year.
- 9.9.2 With the exception of the election to the Executive Committee, which shall be by ballot, all matters, including Resolutions shall be determined by a show of hands, unless a ballot be demanded by the delegates from ten percent (10%) of Affiliated Clubs.
- 9.9.3 The scrutineer, who shall be appointed by the Chairperson, need not be a delegate.
- 9.9.4 All decisions are taken by a majority vote by the delegates and any proxy delegates except that any amendments to the Constitution will require a two thirds majority vote.

9.10 Quorum

The Delegates, whether in person or by electronic communication, of ten (10) member clubs shall form a quorum at all General and Special General meetings.

9.11 Business of the Annual General Meeting

The business of the Annual General Meeting shall be:

- 9.11.1 to read the notice convening the Meeting.
- 9.11.2 to confirm the Minutes of the previous Annual General Meeting and any Special General Meeting held during the year.
- 9.11.3 to read and confirm the Report of the Executive Committee.
- 9.11.4 to read and confirm the independently compiled financial statements for the previous year.
- 9.11.5 to confirm the affiliation fees and levies to be paid by the Affiliated Clubs of The Association for the next financial year.
- 9.11.6 to elect the members of the Executive Committee in terms of Clause 6.1.3.
- 9.11.7 to consider and pass (without amendment) resolutions amending and altering the Constitution of the Association for which due notice has been given and tabled on the agenda.

9.11.8 to confirm the appoint of the independent compiler of the Association's financials.
and

9.11.9 to transact any other business of which due notice has been given.

9.12 The President, or in her absence, either of the Vice Presidents shall preside at all Annual General Meetings and, in the event of all being absent, the meeting shall appoint a Chairperson.

10. FUNDS AND ACCOUNTS

10.1 The Association shall provide the necessary bookkeeping and financial accounting to enable the Executive Committee to perform its function.

10.2 The Association shall keep full, proper, and true accounts of all revenue and expenditure and shall submit to each Annual General Meeting properly verified financial statements of the Association.

10.3 The Association shall operate the banking account and any other funds of the Association. All payments made through the Association bank account shall be authorized by any two members of the President, 1st Vice President or 2nd Vice President. No payment may be authorized by them if the payment exceeds more than ten percent (10%) of the budgeted amount without seeking approval from the Executive Committee, which may be via electronic communication.

10.4 The funds of the Association shall be invested in the name of the Association and operated in such a manner as the Executive Committee may direct.

10.5 The financial year of the Association shall be 1 January to 31 December each year.

10.6 The Association shall ensure that the annual financial statements of the Association be independently compiled and submitted to the Annual General Meeting.

10.7 The income and monies of the Association, from whatever source derived, shall be applied solely towards the promotion of the objects of the Association as set forth in the Constitution provided. However, nothing herein shall prevent the re-imbursement by the Association to any Golfing Member or person in respect of the remuneration and/or expenses for services rendered to the Association.

11. INDEMNITY / LIABILITY

Membership of the Association shall not give to any Affiliated Club or member of the Executive Committee any individual right, title, claim or demand in or to any of the moneys, property, or assets of the Association.

12. RULES OF GOLF AND AMATEUR STATUS

- 12.1 The Association accepts and is bound by GolfRSA, the Rules of Golf and the Rules of Amateur Status together with such amendments or additions thereof as may from time to time be adopted by GolfRSA and the Royal and Ancient Rules Limited and their decisions which they may from time to time take on the interpretation of the Rules of Golf and the Rules of Amateur Status and all competitions shall be played in accordance with such Rules.
- 12.2 It shall be a condition of affiliation to the Association that the Affiliated Club accepts, and is bound by, GolfRSA, the Rules of Golf and the Rules of Amateur Status as set out in sub-clause 12.1.

13. TEAM SELECTION POLICIES

The team selection and qualifying criteria shall be established and amended by the Executive Committee and published by the Association from time to time.

14. AMENDMENTS OF CONSTITUTION

All provisions of this Constitution shall be binding in all respects on Affiliated Clubs and shall not be altered or amended except at the Annual General Meeting or at a Special General Meeting called for the purpose and at which a motion for the amendment of the Constitution has been proposed in terms of the provisions of clause 9.11.7.

15. DISSOLUTION OF THE ASSOCIATION

- 15.1 The Association may not be voluntarily dissolved, voluntarily wound up or placed in voluntary liquidation except at an Annual General Meeting or Special General Meeting called for that purpose and except by a resolution of two-thirds of the delegates of Affiliated Clubs present and voting at such meeting.
- 15.2 If at an Annual or Special General Meeting of the Association it is resolved that the Association be dissolved, wound up or placed under liquidation, a liquidator shall be appointed at the meeting, and instructions given as regards the disposal of property of whatsoever nature remaining after the payments of debts and liabilities of the Association.
- 15.3 Any property remaining after all the liabilities of the Association have been met must be transferred to another golfing body or another nonprofit organization having similar objectives.

16. DISPUTE RESOLUTION

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 between:

- 16.1 the Association and another National Sports Federation, or
- 16.2 a member of the Executive Committee of KZNLGA and the Executive Committee of the Association, or
- 16.3 the Executive Committee of KZNLGA and an Affiliated Club or Golfing Member or Junior Golfing Member shall be referred to the Arbitration Foundation of South 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 foregoing, such resolution shall be final and binding on the parties to the dispute.

17. REPEAL

All previous constitutions of the Association and amendments and additions hereto are hereby repealed.

Adopted at the Annual General Meeting of the Association held on 13 April 2023.