



1. NAME AND LEGAL STATUS

- 1.1 The club shall be called Pinelands Bowling Club (“the Club”).
- 1.2 The Club is a legal entity with the capacity to acquire rights and incur obligations independent from those of its members, and it has perpetual succession.

2. CLUB COLOURS

- 2.1 The colours of the Club shall be dark blue and scarlet.
- 2.2 Dress regulations shall be in accordance with the rules of Bowls South Africa.

3. OBJECTIVES

- 3.1 The Club is established for a public purpose and is constituted for the promotion and provisions of facilities for the game of bowls, for recreation and to establish and maintain congenial social amenities for its members.
- 3.2 The Club shall pursue such objectives without unfairly discriminating against anyone on one or more grounds, including race, gender, sex, marital status, religion, sexual orientation, religion or political association.

4. AFFILIATION

- 4.1 The Club shall be affiliated to the Western Province Bowling Association (“the WPBA”) and by virtue of such membership affiliated to Bowls South Africa.
- 4.2 The laws of the game of bowls as adopted by Bowls South Africa shall be applicable to matches played at the Club.

5. EXECUTIVE COMMITTEE

- 5.1 The management and control of the Club shall be vested in an Executive Committee.
- 5.2 The Executive Committee shall have all the powers necessary for the effective management and control of the Club, in accordance with its objectives, and subject to the provisions of this Constitution.
- 5.3 The Executive Committee shall comprise the following officers and members:
 - 5.3.1 President;
 - 5.3.2 Vice-President;
 - 5.3.3 Honorary Treasurer;
 - 5.3.4 Honorary Secretary; plus
 - 5.3.5 four other members, all of whom shall be fully paid up, life, playing or dual members of the Club.



EXECUTIVE COMMITTEE (cont'd)

- 5.4 The Executive Committee shall be elected at the Annual General Meeting of the Club and shall hold office for the ensuing year.
- 5.5 No member shall be permitted to hold more than one office of the Executive Committee or hold office while holding office in any other bowling club.
- 5.6 The Executive Committee shall have the power to appoint another member to fill any vacancy arising on the Executive Committee, Selection Committee or any other sub-committee of the Club.
- 5.7 Nomination of candidates to all offices of the Club shall be open no later than the first Monday in June and shall close at 18:00 on 31 July. Nominees shall be proposed and seconded in writing on the nomination form provided for this purpose. The nomination form must be signed by both the proposer and the seconder and counter-signed by the nominee, and the Secretary upon receipt thereof shall immediately display all nominations on the Club notice board.
- 5.8 Should the number of nominations received by the closing date, in respect of any category of office, exceed the number required to fill such post or posts, the names of all nominees in respect of such category shall be submitted to the Annual General Meeting for election by ballot.
- 5.9 The Executive Committee shall have the power to appoint as many sub-committees as may be required for the proper execution of its duties. These may include but are not limited to: bar; fundraising; greens; catering; and competitions.
- 5.10 The Executive Committee shall meet not less than once in each calendar month. Three Committee members may request such a meeting which shall be held within fourteen days of such request.
- 5.11 Four Executive Committee members shall constitute a quorum. The Chairperson shall have a casting vote.
- 5.12 Any member absent from three consecutive meetings of the Executive Committee, without leave first having been obtained, may at the discretion of the Committee be determined to have forfeited his or her seat.
- 5.13 The record of attendance of all Committee members during the year shall be submitted to the Annual General Meeting of the Club in the President's Annual Report.
- 5.14 A member of the Executive Committee may move to review or rescind any resolution taken at an Executive Committee meeting, provided that notice to review and/or rescind is given in writing to the Honorary Secretary not more than three days after the resolution has been passed, in which event, an Executive Committee meeting shall be called within seven days of the notice having been received.

6. SELECTION COMMITTEES

- 6.1 A men's Selection Committee and ladies' Selection Committee, comprising five members each, shall be elected at the Annual General Meeting.
- 6.2 The Selection Committee shall elect a convener who shall have only a deliberative and not a casting vote. The quorum shall be four members.



7. FINANCE

- 7.1 The funds of the Club shall be lodged in a bank account in the name of the Club.
- 7.2 All disbursements from the Club's bank account shall be made by the Treasurer or, in the absence of the Treasurer, by the President. Cash disbursements shall be made by the President or the treasurer.
- 7.3 The financial year of the Club shall be from 1 July of each year until 30 June of the following year.
- 7.4 An Honorary Auditor shall be appointed at the Annual General Meeting.

8. ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETINGS

- 8.1 The Annual General Meeting of the Club, of which fourteen days' notice shall be given, shall be held on the first Saturday in August, prior to the Annual General Meeting of the WPBA.
- 8.2 The agenda for the meeting, together with the Executive Committee's report and the Honorary Treasurer's duly audited statement of accounts, shall be published on the notice board fourteen days before the Annual General Meeting.
- 8.3 A resolution may be proposed by any member of the Club, provided that details of the resolution and the name of the proposer shall be made available to the Honorary Secretary not later than 30 June preceding, and that the resolution shall be included in the agenda for the Annual General Meeting.
- 8.4 8.4. On a requisition signed by at least twenty percent of members in good standing, any resolution or rule passed at the Annual General Meeting or Special General Meeting may be reviewed and rescinded. On receipt of such a requisition, a Special General Meeting shall be called within fourteen days to deal with such matter.
- 8.5 A Special General Meeting of the Club may be convened at any time by:
 - 8.5.1 the Executive Committee; or
 - 8.5.2 on request to the Executive Committee, by not less than twenty percent of life, playing or dual members in good standing. The meeting shall be held within twenty-one days of the date of such request.
 - 8.5.3 Notice of the Special General meeting and its agenda shall be sent to all members eligible to vote, at least fourteen days before the meeting.
 - 8.5.4 At a Special General Meeting only such business as appears on the agenda or, in the case of a meeting convened in terms of clause 8.5.2, the notice of motion, shall be considered.
- 8.6 At the Annual General Meeting or any Special General Meeting:
 - 8.6.1 Twenty five percent of the members of the Club present and entitled to vote shall form a quorum. In the absence of a quorum the meeting shall stand adjourned until seven days later and at such adjourned meeting those members present and entitled to vote shall be deemed to constitute a quorum.
 - 8.6.2 Voting shall be by way of a show of hands, unless any member of the Club eligible to vote at such meeting proposes that the vote be taken by secret ballot, and the proposal is seconded by at least one other eligible member. In the event of a vote by ballot, two scrutineers shall be appointed, one by the Chair and the other by the meeting.



ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETINGS (cont'd)

- 8.6.3 Playing members, dual members and honorary life members personally present at the meeting shall each be entitled to one vote on any motion. Social members may attend but shall not have the right to vote at the meeting.

9. MEMBERSHIP

- 9.1 There shall be three categories of membership of the Club: honorary life members; playing members; and social members.
- 9.2 An application for membership by any prospective playing member shall be made on a form stipulated by Bowls South Africa. An application for social membership shall be on a form stipulated by the Executive Committee.
- 9.3 An applicant for admission to membership of the Club shall complete and sign the relevant form. The applicant must be proposed and seconded by two members in good standing. The application shall be posted on the Club notice board for a period of one week and then submitted to the Executive Committee.
- 9.4 Any member of the Club wishing to object to admission of the applicant shall do so in writing addressed to the Executive Committee. The Executive Committee shall consider the application for admission, together with any objections thereto, and shall determine the matter, either by a show of hands or by secret ballot, if any member of the Committee requests such a ballot. In the event of there being three or more votes against admission, the prospective member shall not be admitted to membership of the Club.
- 9.5 Dual membership shall be allowed but a member shall not be permitted to play in the same Western Province competition for two Clubs.
- 9.6 An applicant whose application for membership has been posted on a Club notice board may be permitted to enjoy the privileges of the class of membership for which he or she has applied pending his or her admission as a member, and subject to such conditions as the Executive Committee may lay down.
- 9.7 Social members shall be able to enjoy all the facilities of the Club other than that of playing bowls. They shall have no voting rights.
- 9.8 A general meeting of the Club may, on the recommendation of the Executive Committee, bestow honorary life membership on any member for meritorious service to the Club, or for some special honour the member has brought to the game of bowls, provided that at least two-thirds of members present and eligible to vote at such meeting vote in favour. An honorary life member shall be entitled to all the privileges enjoyed by playing members but shall not be required to pay annual subscriptions or any levy imposed on members.
- 9.9 A member may resign at any time by giving the Club written notice of his or her intention to do so. The resignation will take effect as soon as it is received by the Club and may thereafter be withdrawn only with the consent of the Executive Committee. Should the resignation be advised within two weeks after the latest Annual General Meeting of the Club, the member shall not be liable for the current year's subscriptions or for any levies or fees imposed.



10. CONDUCT OF MEMBERS

- 10.1 Members of the Club shall at all times conduct themselves:
- 10.1.1 with due regard to the rights and dignity of other members, and to the good name and interests of the Club; and
- 10.1.2 in accordance with the rules and bye laws of the Club.
- 10.2 Without purporting to be a complete list, the following shall be considered as serious misconduct on the part of a member:
- 10.2.1 any act that is likely to bring the name of the Club into disrepute;
- 10.2.2 any act which may impede good fellowship amongst members or be counter-productive to the effective management of the Club;
- 10.2.3 gross insubordination or insolence towards the Executive Committee of the Club;
- 10.2.4 the possession, consumption or distribution, on or within the Club's premises, of any substance prohibited by law;
- 10.2.5 theft;
- 10.2.6 fraud, including the forging of any person's signature;
- 10.2.7 any act of dishonesty;
- 10.2.8 assault, fighting and any act of aggression;
- 10.2.9 immoral behaviour or any form of harassment, including sexual provocation;
- 10.2.10 acts of racism;
- 10.2.11 the possession or use of any weapons or dangerous items on or within the Club's premises; and
- 10.2.12 any act of vandalism, or wilful causing of damage to the property of the Club or any of its members.

11. DISCIPLINE AND GRIEVANCES

- 11.1 Should any member have any grievance about the behaviour of a fellow member of the Club, he or she may lodge a written complaint with the Executive Committee. On receipt of such a complaint, the Executive Committee shall consider the complaint. If, in the opinion of the Executive Committee, the complaint appears to be justified and to merit further action, the Committee shall refer the complaint to a Disciplinary Committee appointed by the Committee.
- 11.2 The Disciplinary Committee shall consist of three members of the Club, one of whom shall act as Chair.



DISCIPLINE AND GRIEVANCES (cont'd)

- 11.3 The Chair of the Disciplinary Committee shall cause to be issued to the member, in respect of whose behaviour the complaint has been made, a Notification of a Disciplinary Enquiry in the form prescribed by Bowls South Africa. The Notice shall:
- 11.3.1 inform the member of the charge or charges levelled against him or her;
 - 11.3.2 require him or her to appear at a hearing before the Disciplinary Committee at a time and place specified in the Notice, with at least seven days' notice of the hearing being given; and
 - 11.3.3 inform the member of his or her rights and of the procedure to be followed at the hearing.
- 11.4 The member concerned shall sign the Notice, acknowledging acceptance thereof. Should he or she refuse to do so, a witness shall be requested to sign the Notice, stating that the member refused to sign and acknowledge acceptance. Should the member, without just excuse, fail to appear at the hearing, the proceedings may continue in his or her absence.
- 11.5 The member shall be entitled, within three days of receiving the Notice, to lodge with the Executive Committee a written objection against the person appointed to chair the Disciplinary Committee. The Executive Committee shall have the final say in determining whether the objection is justified or not.
- 11.6 At the hearing, the member shall not be entitled to legal representation, but shall have the right:
- 11.6.1 to be represented by a fellow member of the Club;
 - 11.6.2 to question witnesses;
 - 11.6.3 to present his or her own evidence, including by the calling of witnesses; and
 - 11.6.4 to an interpreter, if necessary, who will be provided or arranged by agreement.
- 11.7 The procedure to be followed at the hearing shall be as follows:
- 11.7.1 The person laying the charge will lead evidence and may call witnesses.
 - 11.7.2 The member charged will be entitled to question the witnesses, before presenting his or her own evidence and calling witnesses.
 - 11.7.3 The person laying the charge will be entitled to respond and to question those witnesses.
 - 11.7.4 The Chair or any other member of the Disciplinary Committee may ask any witness questions for clarification.
 - 11.7.5 After consulting with the other members of the Disciplinary Committee, the Chair will decide whether the member charged is guilty or not guilty.
 - 11.7.6 If found guilty, the member charged will be requested to make submissions on the appropriate sanction.
 - 11.7.7 After consulting with the other members of the Disciplinary Committee, the Chair will decide on what sanction to impose and inform the member in writing of such decision.



DISCIPLINE AND GRIEVANCES (cont'd)

- 11.8 The Disciplinary Committee shall have the power to impose any of the following sanctions:
- 11.8.1 expel the member; or
 - 11.8.2 request the member to resign immediately; or
 - 11.8.3 suspend the member for a period; or
 - 11.8.4 reprimand the member.
- 11.9 All proceedings and decisions taken by the Disciplinary Committee are to be documented and retained on file.
- 11.10 The member shall have the right of appeal against the outcome of the hearing to the Executive Committee in the first instance, and thereafter, if the appeal is not upheld by a majority of the Executive Committee, to a Special General Meeting of the Club, to be called for the specific purpose of hearing the appeal. The member shall exercise the right of appeal by giving written notice of appeal to the Executive Committee within seven days after the decision of the Disciplinary Committee or the Executive Committee, as the case may be, has been conveyed to the member, failing which the right of appeal shall lapse. A decision of two thirds of the members of the Club present and entitled to vote at such Special General Meeting shall be final.

12. SUBSCRIPTIONS

- 12.1 Every playing member, other than an honorary life member, shall pay an annual subscription. Subscriptions for the ensuing season shall be fixed at the Annual General Meeting and shall be payable not later than 31 October each year.
- 12.2 A member joining on or after 1 January shall pay such subscription for the remainder of the season as the Executive Committee shall decide.
- 12.3 The Executive Committee may at its discretion, or upon the written request of a member received by the Honorary Secretary before 10 July, include in the Agenda for the following Annual General Meeting, an item to impose a levy on members to be paid in addition to the subscription.
- 12.3.1 A levy may also be imposed at a Special General Meeting.
 - 12.3.2 The Executive Committee shall have the power to impose on members per capita a levy imposed on the club by the WPBA or by Bowls South Africa.
 - 12.3.3 The levy, if proposed and adopted at a General Meeting, will be due and payable no later than 30 days after the meeting.
- 12.4 The Executive Committee shall be empowered to determine charges for the use of the greens or clubhouse either by members or non-members.
- 12.5 Subscriptions, levies, and any applicable tea and green fees shall be due on **1st October** each year. Members who have not paid their subscriptions by the **31st October** after they become due, shall not be allowed to enjoy the benefits of membership while the amount is unpaid, nor shall such a member be registered with Western Province Bowls and will not be able to play bowls at all.
- 12.6 Club competition fees shall be due and payable on entry to the Honorary Treasurer and any entrant who fails to make the payment on time shall not be eligible for the competition.



13. LIABILITY OF MEMBERS

- 13.1 The liability of members shall be limited to their unpaid subscriptions, levies and fees and/or any monies that may be owed by them to the Club.

14. INTERPRETATION

- 14.1 In case of doubt as to the meaning of any clause of this Constitution, the Executive Committee shall give its interpretation thereof. Such interpretation shall be regarded as binding unless successfully challenged in court, or unless the clause is subsequently amended in terms of clause 14. 14.2. The clauses of this Constitution are to be interpreted with due regard not only to the literal meaning of the words used but also to the spirit and purpose of the clause. No interpretation may be put on the wording of any clause which is inconsistent with its spirit and purpose.

15. AMENDMENTS TO THE CONSTITUTION

- 15.1 This Constitution may be amended (subject to approval of the amendment by the WPBA) by a vote in favour of the amendment by at least two thirds of members present and entitled to vote at an Annual General Meeting or Special General Meeting. 15.2. All of the provisions set out in clause 8 relating to the proposal of a resolution at an Annual or Special General Meeting shall apply, save for the requirement of a two thirds majority vote in favour of the resolution.

16. BYELAWS

- 16.1 The Executive Committee shall have the power to enact byelaws not inconsistent with this Constitution and always subject to the bye-laws incidental to the affiliation to the WPBA.

17. PROVISIONS RELATING TO CLUB LIQUOR LICENCE

- 17.1 The Executive Committee shall be responsible for ensuring compliance with any applicable legislation relating to the sale and consumption of liquor at the Club.
- 17.2 All liquor sold by the Club must be consumed on the Club licensed premises and may not be removed from such premises.
- 17.3 No liquor may be sold to a person under the age of eighteen years, nor may such a person be permitted to consume liquor on the Club premises, or to enter the bar area unless accompanied either by a parent or guardian or by an adult with the consent of a parent or guardian.

18. DISSOLUTION

- 18.1 The Club may be dissolved by a vote in favour of such dissolution by at least two thirds of members present and entitled to vote at an Annual General Meeting or at a Special General Meeting called for this purpose.
- 18.2 Upon its dissolution, the remaining assets of the Club, after its debts have been paid, will be transferred to a Public Benefit Organisation within the Republic of South Africa which has been approved by the Commissioner for the South African Revenue Service in terms of section 30(3) of the Income Tax Act No 58 of 1962.