



WESTVILLE COUNTRY CLUB

CONSTITUTION OF WESTVILLE COUNTRY CLUB BOWLS

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1: INTERPRETATION

- 1.1 This is the Constitution of the body known as “Westville Country Club Bowls” (hereinafter referred to as WCCB)
- 1.2 The provisions of this Constitution are founded upon and shall be implemented and administered in the recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitutions of the Republic of South Africa (1196), the rule of law and good corporate governance.

2: COLOURS AND BADGES

- 2.1 The colours shall be red, white and gold stripes on navy blue background.
- 2.2 The badge shall be a rising swan proper gorged with a coronet gules on a navy background as registered with the South African Bureau of Heraldry and Bowls South African through Port Natal Bowls.

3: OBJECTIVES

The objectives of WCCB shall be:

- 3.1 To foster the game of bowls in a spirit of healthy competition, sportsmanship and fair play among players of all races, genders and ages.
- 3.2 To actively market and promote bowls as a sport thereby increasing the number of registered members
- 3.3 To provide the facilities and to organise the game of bowls as played according to the Laws of the Sport of Bowls as promulgated by Bowls South Africa (hereinafter referred to as Bowls SA), to encourage friendliness among members and visitors and to arrange playing sessions, competitions, tournaments and social functions in the interest of WCCB and its members.
- 3.4 To remain affiliated to Port Natal Bowls (hereinafter referred to as PNB) Kwazulu Natal Bowls (hereinafter referred to as KZN Bowls) and Bowls SA and to participate as far as possible in the activities of these associations.
- 3.5 To uphold and enforce the Laws of the Sport of Bowls, the Code of Conduct pertaining to the sport and any rules as prescribed by Bowls SA, KZN Bowls and PNB from time to time.
- 3.6 To encourage and promote the highest standard of sporting behaviour in connection with the playing of the sport of bowls.
- 3.7 To encourage the qualification of individuals as technical officials, coaches, greenkeepers and event organisers.
- 3.8 To decide disciplinary matters and grievances and resolve disputes between any member and members of WCCB.
- 3.9 To grant the use of any portion of the grounds and property under the control of WCCB on terms and conditions as WCCB may deem fit.
- 3.10 To charge admission to the grounds and property, to make and amend the regulations with regard to the right of admission to the grounds and property, and to reserve the right of admission.
- 3.11 To do other acts, matters or things as may be incidental or conducive to the attainment and maintenance of the objectives of the WCCB, and to provide other amenities as the General Committee may consider desirable to represent, promote and advance the interests of the WCCB and its members.

4. MANAGEMENT

4.1 WCCB General Committee

- 4.1.1 The WCCB General Committee shall consist of a President, Vice-President, Honorary Secretary, Honorary Treasurer, Men’s Honorary Competition Secretary, Women’s Honorary Competition Secretary, Greenkeeper, two Ordinary Members.
- 4.1.2 Members will seek to enforce the principles of gender equality when electing members of the WCCB General Committee, who, as a minimum requirement, consist of at least two members of the opposite gender. Non-compliance of this provision will only be accepted and enforced where no member of the opposite gender has been nominated for any position.

4.2 Executive Committee (Exco)

The Exco of the Club shall be the President, Vice-President, Honorary Secretary, Honorary Treasurer and both Honorary Competition Secretaries.

4.3 Selection Committees

Each Selection Committee shall consist of the respective Honorary Competition Secretary, who shall be the Convenor and Chairperson, plus four additional members. Members already holding office on the General Committee shall be eligible for election to the Selection Committees.

4.4 No member of the General Committee shall be entitled to any remuneration, but all such members are entitled to be refunded for any purchases made for and on behalf of WCCB.

5: POWERS OF THE WCCB EXECUTIVE COMMITTEE TO CARRY OUT ITS OBJECTIVES

5.1 Except where otherwise stated herein and subject the provisions of this Constitution, the Exco shall be vested generally with all such powers and authorities as are necessary to perform its functions as stated herein and to promote and attain the objectives of WCCB and, without any way limiting the generality of the foregoing, the Exco shall have all such powers and authorities specifically mentioned hereunder. Any of these powers and authorities may be delegated to an appointed committee, whether it is a sub-committee or a standing committee for a specific purpose.

5.2 The Exco shall be entitled to make any and all club regulations, policies, procedures and competition by-laws to promote the objectives of WCCB. Such shall be binding upon members provided that they are circulated and recorded at the next General Meeting.

Ordinary members may at any time submit, in writing, proposals and motivations to the General Committee for changes to the club regulations, policies, procedures and competition by-laws.

5.3 To impose levies upon Club members to meet those imposed by governing bodies.

5.4 With reference to Clause 8.3 have the discretion to charge green fees for social bowls and representative matches as and when demanded by extra-ordinary financial circumstances at the time.

5.5 Formulate written motions and resolutions for consideration by the members and prepare the agenda for General Meetings.

5.6 Refer matters to the judicial bodies (e.g. the Disciplinary Committee, Appeal Committee etc.) for investigation and arrange the convening of a disciplinary committee to conduct disciplinary proceedings in respect of:

5.6.1 any infringement of this Constitution or the club regulations, policies, procedures and competition by-laws of WCCB in force from time to time;

5.6.2 any violation of the Laws of the Sport of Bowls;

5.6.3 the enforcement of any sanctions imposed by the Disciplinary Committee

5.7 Decide upon any dispute between members;

5.8 Co-opt any person to the Exco as may be required to achieve the objectives of WCCB or fulfil any purpose incidental thereto;

5.9 Form sub-committees, consisting of one or more persons, for any purpose incidental to the objectives and powers of WCCB and, subject to this Constitution, club regulations, policies, procedures and competition by-laws, delegate such of its powers to such sub-committee in writing as may be required;

5.10 Ensure that full and proper books of accounts are kept in accordance with sound accounting principles, submitting such to the management of Westville Country Club, hereinafter referred to as the Main Club;

5.11 Deal with any question or issue arising out of, relating to or incidental to non-racism, non-sexism or discrimination on any grounds as referred to in this Constitution, club regulations, policies, procedures and competition by-laws ;

5.12 Decide any question, issue or matter relating to emblems or colours of WCCB;

5.13 The Exco's jurisdiction shall not be limited to dealing with such matter as are referred to it but shall include the power and capacity to be pro-active and initiate, through its appointed bodies, such enquiries and/or take such steps as deemed fit

5.14 Any member of Exco or General Committees absent without leave from three consecutive committee meetings shall, at the discretion of the Executive Committee cease to be a member and the vacancy shall be filled by the Executive Committee by co-opting a suitable replacement.

6. MEMBERSHIP

Membership shall only be open to members of the Main Club and applications are to be approved by the WCCB General Committee, provided that such members understand that by signing the application, they undertake to abide by the Constitution, club regulations, policies, procedures and competition by-laws of WCCB.

Membership shall consist of the following categories: Ordinary, Life, Honorary, Junior (Under 18), Non-Playing, Country, Visiting and Temporary Members.

6.1 Ordinary Members

6.1.1 Applicants for admission as ordinary members shall be made in writing on the prescribed form which shall be signed by the applicant, and by one member as a proposer and one member as a seconder both of whom shall be members of not less than one year's standing.

6.1.2 The application form forwarded to the Honorary Secretary who shall confirm on the Bowls SA database that the applicant has a clearance of good standing from the immediately previous bowling club within the jurisdiction of Bowls SA. The signature of the applicant shall be considered an acknowledgement of liability for all dues and acquiescence to the Constitution, club regulations, policies, procedures and competition by-laws of WCCBs, which are available on the Bowls Section of the Main Club website.

6.1.3 Applicants for admission as ordinary members shall be introduced personally by their proposer or seconder to the President and/or other members of the WCCB General Committee.

6.1.4 The application form on receipt by the Honorary Secretary shall be posted on the Club notice board for fourteen days to enable any members to lodge an objection in writing with the Honorary Secretary. The application and any objection are to be submitted at the next meeting of the General Committee for approval. The General Committee shall have full power to elect or reject without giving any reason for doing so. Any objection shall be held in strictest confidence.

6.1.5 Upon an applicant being admitted by the General committee to membership of the Club, the Honorary Secretary shall notify the new member accordingly.

6.1.6 Applicants who are members of any other bowling club within the jurisdiction of PNB shall be requested by the Honorary Secretary to elect their First Call Club. Only First Call Members may compete in the WCCB Singles Championships.

6.2 Life Members

6.2.1 An ordinary member, who has been recommended by the Exco in respect of meritorious service rendered to WCCB, may be elevated to a Life Member by the members of WCCB at its Annual General Meeting, provided that notice of the recommendation shall have been sent to the General Committee of the Main Club not less than two months prior to the Annual General Meeting and approved by that body for inclusion in such notice of meeting and agenda of the Annual General Meeting.

6.2.2 Life members so nominated will be exempt from WCCB annual subscription fees. A recommendation can be made to the Main Club General Committee for an exemption of Main Club subscriptions.

6.2.3 Unless otherwise directed by Exco, Life Members will be liable for affiliation fees payable to PNB and Bowls SA.

6.3 Honorary Members

6.3.1 The Exco shall be entitled to grant honorary membership to the following:-

- a) Members of WCCB who through old age, infirmity or some special and cogent reason cease to be playing members;
- b) Persons holding public office;
- c) Persons who have conferred or bestowed some special benefit on Westville Country Club.

6.3.2 Such members shall not have any voting rights or be eligible to compete in any local, District or National events under the name of the club and will be exempt from WCCB annual subscription fees.

6.3.3 Such members shall be entitled to enjoy the facilities of the WCCB for such period and under such conditions as Exco may determine.

6.4 **Country Members**

Members of WCCB who move their residence to an area further than 70km from WCCB may, on application in writing to the Honorary Secretary and subject to approval by the Exco, retain their membership by being classified as country members of WCCB and will be levied the annual subscription fee at the schedule rate as mandated by the General Committee of the Main Club.

Country members shall not be eligible to compete in any WCCB championship or to represent the WCCB in any competition or tournament.

6.5 **Visiting Members**

A person who is a member of an affiliated bowling club outside the jurisdiction of PNB and who is intending to reside in Westville for a period of not more than six months, may make application to Exco through the Honorary Secretary for admission as a temporary member of the WCCB for the period of residence in Westville. Visiting members shall not be eligible to compete in any WCCB championship. Such members will be levied at the normal applicable subscription fee for ordinary members proportionally calculated for time period of visiting membership.

6.6 **Temporary Members**

Bona fide visitors in bowling dress who are participating in any match, competition or tournament held at the Club shall be extended the privilege of ordinary members on the day of play.

6.7 **Eligibility for Office and Right to Vote**

The eligibility to take office and the right to vote in the affairs of WCCB shall be the privilege of and restricted to ordinary members and life members in good standing.

6.8 **Membership Register**

A membership register shall be maintained by the Honorary Secretary in which shall be recorded particulars of each member including full names and address, telephone number, date the member became a member of WCCB and date and reason for ceasing membership. All alterations to the membership register shall be referred to the Main Club. The onus shall be on members to advise the Honorary Secretary of any change of address and telephone number.

6.9 **PROTECTION OF PERSONAL INFORMATION ACT**

To the extent that it may be applicable to the provisions of the POPI Act, WCCB will not disclose any information of any individual to any third party, unless such disclosure is made in terms of the provisions of the POPI Act.

6.10 Upon registration on the Bowls SA database, the player or other individual will remain a registered individual until the registration status is terminated by expulsion, resignation or the death of the individual concerned, but without prejudice to the right of WCCB to impose and collect annual affiliation fees.

7: RESIGNATIONS

Resignations shall be submitted in writing to the Honorary Secretary prior to the 30th of April. A member who has resigned shall be liable for full subscription in respect of the financial year in which the letter of resignation is received by the Honorary Secretary, except in the case of exceptional circumstances when the Exco shall have discretionary powers. A member shall not be entitled to clearance on the Bowls SA database until all moneys due to the Club have been paid in full.

8: SUBSCRIPTIONS

8.1 Annual subscriptions payable in advance shall be as determined by the General Committee of the Main Club from time to time.

- 8.2 The Main Club General Committee, on recommendation from Exco, may increase subscriptions annually by not more than fifteen percent.
- 8.3 Subscription under normal circumstances shall include green fees for social bowls and representative matches played at WCCB, but exclude national and district affiliation fees and any statutory taxes. (Refer new clause 5.4)
- 8.4 The subscription for country members shall be 50% of the subscription for Ordinary members.
- 8.5 Subscriptions, other than for visiting members, shall be payable on the first day of May in each year.
- 8.6 Subscriptions shall be prorated for members joining during the financial year.
- 8.7 In addition to the subscription, there may be charged against each member any levy or proportion of any levy payable by the WCCB to PNB or any other charge and levy which may be fixed by the members at the Annual General Meeting or a Special General Meeting.

9: AFFILIATION FEES

- 9.1 Ordinary Members and Life Members, except as stated in clause 6.2.3 are liable for payment of annual affiliation fees as set by Bowls SA and PNB.
- 9.2 Payment is required by mid-December with the specific date to be advised by the Honorary Secretary.
- 9.3 Non-payment of affiliation fees will result in the member being removed from the Bowls SA database and losing the privilege of their rights of membership.
- 9.4 Should an un-affiliated member join after December their proportionate affiliation fee is to be paid to the Honorary Treasurer for registration with Bowls SA and PNB.

10: DEFAULTERS

- 10.1 Members who allow their subscription to remain unpaid for one calendar month after the beginning of any financial year on the 1st of May shall not be in good standing and shall be given notice calling upon them to pay before the expiry of the second calendar month of the financial year.
- 10.2 In the event of member failing to comply with the notice, the General Committee of the Main Club shall have the right to declare the persons to be no longer members of the Club.
- 10.3 Members who have not paid their subscriptions within three months of the due date shall cease to be members while their subscriptions are unpaid.
- 10.4 It is at the discretion of the Exco to decide whether membership may be restored upon the receipt of payment of arrears and whether such member shall be required to make fresh application for membership.
- 10.5 In any event, during any period after the expiry of two months and before the members are declared to be no longer members, the persons shall not be eligible to compete for any prize offered by or to WCCB, nor to represent the WCCB in any competition or event promoted by PNB or Bowls SA.

11: EXPULSION

- 11.1 As a consequence of any behaviour which Exco consider injurious to the property, members or goodwill of WCCB, that committee has the right to call for a disciplinary hearing.
- 11.2 Such disciplinary meeting will take place as laid out in the WCCB disciplinary procedure and the offending member will be called on to defend their alleged harmful actions.
- 11.3 In the event of a member being expelled from WCCB they have the right to appeal such decision.
- 11.4 Until such time as the appeal hearing has been heard and a decision made the offending member shall be suspended from all activities that they would normally enjoy.
- 11.5 Should no appeal be lodged or the expulsion decision is upheld on appeal the expelled member shall have no rights as they might otherwise have enjoyed. They shall also not be entitled to a refund of any subscriptions paid.

12. ELECTION OF OFFICE BEARERS AND SELECTION COMMITTEES

- 12.1 The WCCB General Committee shall be elected annually at the WCCB Annual General Meeting (hereinafter referred to as the AGM).
- 12.2 The Honorary Secretary shall, six weeks prior to the AGM, post lists on the Club notice board calling for nominations for President, Vice-President, Honorary Secretary, Honorary Treasurer, Men's Honorary

Competition Secretary, Women's Honorary Competition Secretary, Greenkeeper, two Ordinary Members and Selectors to be elected at the AGM.

- 12.3 Nominees shall be proposed and seconded by ordinary members in good standing by appending their names and signatures on the above form.
- 12.4 The nominee shall acknowledge acceptance of the nomination at least seven days prior to the date of the Annual General Meeting (AGM), after which no further nominations will be accepted.
- 12.5 In the event that no nominations are received for a specific position or less than the number required for a general position, the Chairman shall call for nominations from the floor at the AGM provided that the nomination is formally proposed and seconded by ordinary members in good standing and accepted by the nominee either in person or, if not present, by written consent.
- 12.6 In the event of nominations for the various office bearers, including Selectors, exceeding the number required to fill the respective offices, there shall be a ballot. The defeated nominees for specific positions, other than Selectors, shall by this fact automatically become available as additional nominees for the two Ordinary Member positions on the WCCB General Committee.
- 12.7 Men and Women, voting separately, shall elect the respective Men's and Women's Selection Committees.
- 12.8 The election shall be by secret ballot with each voting member entitled to one vote. In the event of a tie the method of deciding shall be by a re-ballot.
- 12.9 A member of any Committee shall hold office until the closing of the next AGM.

13 RESIGNATIONS OF COMMITTEE MEMBERS AND VACANCIES

- 13.1 A member of any Committee may resign their office on giving notice in writing to the Honorary Secretary of their intention to do so.
- 13.2 In the event of a vacancy on any Committee, the Exco shall fill such vacancy by co-option. A member so co-opted shall hold office until the next period of election. No vacancy on any Committee shall remain unfilled for more than one calendar month.
- 13.3 At the conclusion of their term of office any member of any Committee shall be, should they so desire, eligible for re-election to any office or Committee.
- 13.4 Should the position of President becomes vacant during a bowling year, the Vice President shall assume the office of President and the Vice President vacancy shall be filled by co-opting a member of the committee.
- 13.5 Should the General Committee, for any reason whatsoever resign en bloc, ten members of the Club in good standing, preferably including at least one Past President, shall be empowered to convene a Special General Meeting for the purpose of electing office bearers for the unexpired period of the club's year.

14. ANNUAL GENERAL MEETING (AGM)

- 14.1 The AGM of the WCCB shall be held annually during November of each year.
- 14.2 The notice of meeting containing the agenda shall be e-mailed to members not less than twenty eight days before the fixed date.
- 14.3 In addition to 13.2 above the notice of meeting, the agenda, the minutes of the preceding AGM and any Special General Meeting shall be displayed on the Club notice board not less than twenty eight days before the date fixed for the AGM.
- 14.4 Any notice of motion to change the Constitution or resolution from the general membership to change the club regulations, regulations, policies, procedures and competition by-laws shall be clearly stated in writing with the correct clause numbers and the exact wording required for the change.
- 14.5 Such motion or resolution must be received by the Honorary Secretary twenty one days prior to the date fixed for the AGM.
- 14.6 Such motion or resolution shall be e-mailed to members and displayed on the Club notice board not less than ten days before the date of the AGM.
- 14.7 The business to be transacted at the AGM shall be:
 - 14.7.1 To approve, with or without amendment, the minutes of the previous AGM and of any SGM.
 - 14.7.2 Obituary.
 - 14.7.3 To receive the President's annual report.

- 14.7.4 To receive and approve the Honorary Treasurer's annual finance report
- 14.7.5 To receive the respective Competition Secretaries' annual reports
- 14.7.6 To consider any motion or resolution concerning the affairs of the club of which due notice shall have been given
- 14.7.7 To elect the office bearers of the General Committee and the Selection Committees
- 14.7.8 To receive recommendations and discuss any general business in the interests of the Club.
- 14.8 Only ordinary members in good standing and life members shall be entitled to attend, vote and participate in the proceedings of the AGM. Other classes of members in good standing and visitors shall be permitted to attend but may not take part in the proceedings.
- 14.9 Any member who is unable to be present, for whatever reason, at any AGM, SGM or meeting called to elect Selectors shall have the right to vote on any matters to be considered at such meeting.
- 14.10 Such member shall address their vote by way of a sealed envelope and delivered to the Honorary Secretary not less than 24 hours before the commencement of such meeting.
- 14.11 The Honorary Secretary shall pass such votes to the President who will then use the same in determining the outcome on which the vote has been conducted.
- 14.12 The use of such vote will not be used in determining the quorum strength of members at any meeting.
- 14.13 A quorum required to conduct business shall be thirty per cent of the current ordinary members entitled to vote. In the event of a quorum not being present such meeting shall be adjourned to a subsequent date. Should a quorum then not be present at that date the business may be transacted by the members present and all decisions reached at the adjourned meeting will be binding on all members.
- 14.15 The chairperson of any AGM or SGM shall be the President, or in his or her absence the Vice-President, or in their absence such other person as shall be elected for that purpose by the members present at the meeting, who are entitled to vote.

15. SPECIAL GENERAL MEETING (SGM)

- 15.1 A SGM of WCCB shall be convened at any time
 - 14.1.1 by resolution of the WCCB General Committee.
 - 14.1.2 upon written requisition by not less than thirty per cent of the ordinary members of the Club in good standing, addressed to the Honorary Secretary stating the exclusive purpose for which the SGM is to be called and the text of the motion to be put to the meeting.
- 15.2 The President shall convene a SGM within twenty one days of the receipt of the resolution or requisition by the Honorary Secretary.
- 15.3 Notice of any SGM shall be e-mailed to members of the WCCB and displayed on the notice board by the Honorary Secretary not less than fourteen days prior to the date of the meeting. The notice of the meeting containing the agenda shall state the time, place and the date of the meeting.
- 15.4 The non-receipt of the notice by a member shall not invalidate the meeting.
- 15.5 No business other than that listed by the General Committee or set out in the requisition by members, shall be considered at the meeting.
- 15.6 Only ordinary members in good standing and life members shall be entitled to attend, participate in and vote on the proceedings at a SGM. Other classes of members and visitors shall be permitted to attend but may not take part in the proceedings or vote.
- 15.7 A quorum shall be as referred to in clauses 13.10 and 13.11

16. GENERAL COMMITTEE MEETINGS

- 16.1 The general committee shall meet once per month or as deemed necessary.
- 16.2 A quorum shall be 5 members
- 16.3 Voting on any proposal shall be by a show of hands and the President, or chairperson in his/her absence, shall have a casting vote.
- 16.4 Sub-Committee members are to submit monthly reports to the Honorary Secretary to be tabled at the monthly General Committee meetings and if necessary be invited to attend if decisions are required from the General Committee
- 16.5 Minutes of all meetings shall be displayed on the notice board.

17. ALTERATIONS TO THE CONSTITUTION, CLUB REGULATIONS, POLICIES, PROCEDURES AND COMPETITION BY-LAWS

- 17.1 The Constitution may be altered or varied at time to time by not less than two thirds of the votes of the members present and entitled to do so.
- 17.2 A resolution submitted for consideration at an AGM or SGM by an ordinary member to alter the by-laws, regulations, codes of conduct and policies shall be decided by a majority vote of members entitled to do so.
- 17.3 Voting for clauses 17.1 and 17.2 shall be by a show of hands, unless a closed ballot is called for by not less than thirty per cent of members present and entitled to vote.

18. GENERAL

18.1 INTERPRETATION OF THE CONSTITUTION, CLUB REGULATIONS, POLICIES, PROCEDURES AND COMPETITION BY-LAWS

Should any dispute arise as to the interpretation or meaning of any provisions of the Constitution, Club Regulations, Policies, Procedures or Competition By-Law, or the procedure to be adopted there under, the Exco shall decide upon such matters and its decision shall be final and binding on the members until the next General Meeting, when, if so declared, the matter may be referred to the members for decision by majority.

18.2 LIMITATION OF LIABILITY AND INDEMNITY

The members of the General Committee acting on behalf of WCCB in terms of this Constitution and under original or delegated powers, shall be, and are hereby indemnified and held harmless against any claim or demand by any third party as a result of any act of omission in the performance of their duties for and on behalf of WCCB, from whatever cause arising, provided such person/s acted in good faith.

19 ANTI-DOPING PROGRAM AND RULES

- 19.1 The Club accepts and abides by the spirit and terms of the South African Institute for Drug Free Sport (SAIDFS) Anti-Doping Programme and the Anti-Doping Rules, including the application of its sanctions to individuals and shall respect the authority and co-operate with SAIDFS and the hearing bodies in all anti-doping matters which are not governed by the relevant International Federation.
- 19.2 WCCB and its Members shall abide by all agreements entered into between Bowls SA and any authority relating to the promotion, control or testing of prohibited substances and drug use by any member of any Club in the Republic of South Africa.

Adopted – 5 December 2020