

BOLAND BOWLS CONSTITUTION

1. NAME:

The district will be known as **Boland Bowls** (hereafter referred to as BB) and will be affiliated to **Bowls South Africa** (hereafter BSA).

2. THE AREA OF JURISDICTION:

The area of jurisdiction shall be that area which has been approved by BSA, provided that the area which was administered immediately prior to the coming into effect of this constitution by the Boland Bowls Association and the Boland Ladies Association, forms the area of jurisdiction of BB and taking into account the clubs that affiliate or disaffiliate thereafter.

3. HEADQUARTERS:

The Annual General Meeting shall determine the headquarters.

4. OBJECTS:

The objects of BB, acting within its area of jurisdiction, shall be

- (a) to develop, to promote, to manage and to preserve the game of bowls, in which the players participate on a non-professional basis as laid down by BSA;
- (b) to consider and deal with all matters which may, from time to time, be referred to BB by its affiliated clubs;
- (c) to organise and manage all competitions, championships and playing programmes which are considered necessary by BB;
- (d) to encourage the formation of new clubs;
- (e) to encourage new bowlers, and especially their coaching by Coaches;
- (f) to facilitate, encourage and assist with the training of its members as administrators, selectors and coaches, members & marketing officers, green keepers and technical officials.
- (g) to formulate, apply and enforce the smooth and efficient running of domestic rules or regulations pertaining to bowling matters within the area of jurisdiction.
- (h) to settle transactions, whether financially or otherwise, if considered necessary in achieving its aims and further to own, hire, procure, mortgage, or dispose of moveable or immovable assets and to invest funds; and
- (i) to take such steps deemed necessary for the furtherance of these objects.

- 4.1 BB will, in achieving its aims and objectives, ensure that a standing committee each be formed for coaches, members & marketing,

greenkeepers, transformation & representivity, technical officials and players representatives and safeguarding.

These committees will report at least quarterly to the Executive Committee on their activities.

- 4.2 The EXCO may appoint temporary sub-committees, on an ad hoc basis, to perform tasks and achieve objectives as specified by the EXCO

5. MEMBERSHIP OF AFFILIATED CLUBS:

Application to become a member of any club which is affiliated to BB must be done according to the stipulations as prescribed in the Constitution of the club concerned as well as that of BB and BSA.

6. AFFILIATION WITH BB:

- 6.1 Any club within the jurisdiction of BB that conforms to the requirements of BSA, BB and the stipulations of its own Constitution may apply in writing to the Secretary of BB for affiliation.
- 6.2 Before a club's application for affiliation may be considered, the club concerned must submit its Constitution, membership lists and any other documentation as required by BB.
- 6.3 Affiliated clubs must submit any changes to their Constitution to BB. No such change will be valid until it has been approved by BB.
- 6.4. All affiliated clubs must, within twenty-one (21) days of its Annual General Meeting, submit a list to the Secretary of BB of the names of the committee members for the following year as well as the addresses and telephone numbers of the club and its office-bearers.
- 6.5 One of the conditions of affiliation is that a club, after consultation with the club concerned, shall, when necessary, make its green or greens available for any competition of BB or BSA.

7. BOWLS AFFILIATION, MEMBERSHIP FEES AND LEVIES:

- 7.1 All clubs that are affiliated with BSA are automatically affiliated with BB.

All bona fide club members must be registered by their clubs on the BSA data base.

Clubs must register a new club member within 3 months after the member has been granted membership of whatever nature or definition, by the club.

Changes in membership such as exits, transfers, membership type and any other changes to the data base information, must be recorded by the club as soon as practically possible, but not later than three months after the change.

- 7.2 Each BSA affiliated bowls club will be responsible for the funding of BSA and B B by way of an annual membership fee or any other special levies or charges.

The annual membership fee is made up of a proportional share of the membership fee charged by BSA and the annual membership fee charged by B B. The annual membership fee must be paid, not later than 31 January of each year.

- 7.3 The proportionate share defined above, will be determined at the end of each calendar year by BB. It will be based on the membership charge set by BSA for the coming year and the amount needed to meet the financial needs of Boland Bowls for its coming year as determined by B B and approved by the club membership at each annual general meeting of B B.

The annual membership amount which each club must pay will be based on the existing membership amount adjusted by the amount required for the next year.

The amount payable by a club may be altered or revised once a year if significant changes in club membership justify a change. This change in the proportional amount per club may be initiated by B B or requested by each club providing substantive reasons motivating the revision.

If a club makes false or purposefully provides wrong information as motivation for a revision envisaged above, then disciplinary actions may be taken by B B against the erring club.

- 7.4 BB may levy additional levies or charges against clubs if circumstances require this and after approval by the clubs at a general meeting.

The share that each club must pay of such special levy or charge will be based on the principle of fairness and reasonability. The method of sharing the additional levy or charge must be approved at the general meeting referred to above.

8. DISPUTES AND APPEALS:

- 8.1 Any dispute arising out of or in connection with the enforceability of this constitution, the application and interpretation of the provisions herein, or any dispute between BB and any other district or provincial bowls association shall be referred to Bowls South Africa for resolution through mediation or expedited arbitration or any other mechanism in term of the rules and regulations of BSA.

- 8.2 In recognition of the desire to resolve all disputes and disciplinary matters within Boland Bowls as amicably and effectively as possible, it is required of all clubs within BB to incorporate within their constitutions, a dispute resolution and a disciplinary and appeal procedure, in terms which are substantially the same as the provisions of this constitution and the Code of Conduct for disciplinary and appeal hearings as provided in the rules and regulations forming part of this constitution.

- 8.3 In the event of a dispute between a registered player/ participant and a club, or any of the regions within BB, or a BB EXCO or district member, which within a period of 30 days after having been requested in writing to reply to such query, the club, EXCO member or district member have provided no resolution, the individual has the right to refer such matter to the EXCO of WCPBA.

- 8.4 The duties of the disciplinary committee will be to attend to disciplinary hearings in matters referred to it by the EXCO. The powers of the disciplinary committee are stipulated in part B of the constitution dealing with the rules and regulations

- 8.5 Mediation as an alternative to dispute resolution

Any party considering a dispute hearing may at any time, request the EXCO to appoint an independent person acceptable to both parties to the dispute, as a mediator.

The task of the mediator is to attempt to get the parties to the dispute to agree to a settlement acceptable to both parties without the use of the dispute resolution process.

9. TERMINATION OF MEMBERSHIP:

- 9.1 The EXCO may, after careful consideration of all the relevant facts and, if the EXCO deems it suitable, after questioning witnesses and considering documentary evidence, suspend or terminate the membership of any player or club in the following instances:

- (a) Where a player has knowingly played for a team in which he was not entitled to according to the Constitution of that club, BB or BSA.
- (b) Where a player or a club has entered for a competition or any other fixture which has been organised by BB or BSA and has, without any valid reason, failed to participate.
- (c) Where a player or a club has transgressed the Constitution of BB or BSA.
- (d) Where a player or club has, knowingly and wilfully, disregarded any fixture, instruction, regulation, Constitution, or rule of BB and/or BSA.
- (e) Where a player or a club has been found guilty by the EXCO of improper behaviour on any green or in the vicinity of any green.

- 9.2 A player or club whose membership has been suspended or terminated has the right to appeal against such suspension or termination of membership in terms of the provisions of clause 8, and the provisions of that clause shall mutatis mutandis apply.
- 9.3 A player that has resigned from a club or who has been suspended by a club may not participate in any Boland competitions. Entry fees that have already been paid will be forfeited.

10. OFFICIAL COLOURS, EMBLEM AND FLAG:

- 10.1 The official colours of BB are black and old gold. The emblem consists of a bunch of grapes on a grape leaf in the official Boland colours.
- 10.2 The official dress shall be as approved by Executive of BB
- 10.3 A flag, reflecting the official colours and emblem as approved by the Annual General Meeting, is the official flag of BB.
- 10.4 The official dress may only be worn and used during occasions as from time to time stipulated by the EXCO and only by:
- (a) players and former players that have officially represented BB;
 - (b) current and previous office-bearers of BB.
- * The pocket badge of an office-bearer may reflect the position that he/she holds/has held, on condition that a pocket badge with the word "Executive" is acceptable and furthermore on condition that, in the case of former office-bearers, the term of office be shown.
- (c) persons who, in the opinion of the EXCO, have rendered meritorious Service to BB.
- 10.5 The EXCO may withdraw such colours from any player or office-bearer or previous player or office-bearer who is found guilty of misconduct or in the event of his/her membership being suspended or terminated according to the stipulations of clause 9.

11. CONTROLLING BODY – THE EXECUTIVE COMMITTEE (EXCO):

- 11.1 An Executive Committee (hereafter EXCO), consisting of the following office-bearers, shall manage BB.
- (a) A President who will act as chairperson of the EXCO at any meeting
 - (b) A Vice-President
 - (c) A Secretary
 - (d) A Treasurer
 - (e) A Match Secretary
 - (f) One (1) representative of each region within BB
 - (g) A Members & Marketing Officer.
 - (h) An assistant secretary in the event of the EXCO deciding that it be necessary to fill the post of assistant secretary provided that such an appointment be reconsidered on a yearly basis

- (i) Immediate past president
- (j) A Safeguarding Official

11.2 Election of office bearers

- 11.2.1 All office-bearers mentioned in clause 11.1 (a) to (g), except for (f) and (i), are elected once **every two years** at an Annual General Meeting of BB or a Special General meeting which has been convened for that purpose.
- 11.2.2 All office bearers, except for the elected president, may serve for more than a two-year period.
- 11.2.3 After the president has served for a period of two years, and in the event of no official nominations having been received for the position of president, the sitting president may be elected by the members at the annual general meeting to serve an additional period of only one year.
- 11.2.4 At the next annual general meeting a new president must be elected. Due to the two-year election cycle, it may mean that the election of a new president will not coincide with the election of the other members of the EXCO.
- 11.3 An Executive office-bearer is to be elected and may hold more than one position
- 11.4 Nominations for the election of such office bearers must be made in writing to the Secretary at least thirty five (35) days before the Annual General Meeting These nominations must reflect the information as laid down by the EXCO. All affiliated clubs may nominate persons for the positions of President, Vice-President, Secretary, Treasurer and Match Secretary, Members & Marketing Officer.
- 11.5 In the event of only one nomination being received for the position of any office-bearer, the nominee will be declared as having been elected. In the event of more than one nomination being received for any specific position, voting must take place by secret ballot at the next Annual General Meeting and the nominated person receiving the most votes will be declared as elected. The names of all persons that have been nominated for election to such positions must appear on the agenda of the Annual General Meeting. In the event of an equality of votes, after voting has taken place twice, a decision will be taken by casting lots.
- Votes will be allocated to clubs on the following basis:
The voting power of each club is determined as follows: 1 vote if membership is 25 or less, 2 votes if membership is between 26 and 50, 3 votes if membership is between 51 and 75 and 4 votes if membership is between 76 and 100, 5 votes if membership exceeds 101. Clubs

that enter more than the average number of entries of BB competitions will get one additional vote. The maximum number of votes a club can attain is 6.

11. 6 The Executive Committee (EXCO) member representing each of the three regions shall be the elected president of each region and shall become the representative on the Boland Executive immediately after the conclusion of the said region's AGM.
11. 7 The newly elected EXCO will assume its official duties immediately after the rising of the Annual General Meeting at which he/she is elected.
11. 8 If, for whatever reason, a vacancy arises during the term of office of the EXCO (excluding the President or Vice-President), the EXCO may fill the position as it may deem fit for the rest of the remaining term of office.
11. 9 The EXCO will meet as regularly as circumstances may require, provided that no less than four (4) ordinary meetings will be held annually. Five (5) members form a quorum. Decisions taken by the EXCO will be decided by a majority vote.
- 11.10 Members of the EXCO, including the assistant secretary (in the event of he/she was appointed) and of the selection committees or of any other committee members, who have been appointed by the EXCO, will be compensated for any reasonable expenses incurred by that committee member in the performance of the tasks given by and under the control of the EXCO.
- 11.11 The Secretary must give notification in writing at least seven (7) days before an ordinary committee meeting. In the event of an emergency the President may convene a committee / EC meeting without the necessary written notification. The Secretary only convenes a meeting after consultation with the President or, in his/her absence, the Vice-President.
- 11.12 Management Committee (hereafter MC):
The President, Vice- President, Secretary and Treasurer form the MC and have the power to make decisions on the following matters:
 - (a) Matters requiring immediate attention, and which cannot be withheld until the whole EC meet, and routine matters.
 - (b) Matters which have been referred to the MC by the EC. On condition that
 - (i) four members of the MC form a quorum; and
 - (ii) all matters that have been dealt with by the MC are submitted to the EC at the next meeting, for ratification, or otherwise.

12. SELECTION COMMITTEES:

- 12.1 Separate Selection Committees to select representative Boland teams shall be announced by the EC at the Annual General Meeting. Every Selection Committee shall consist of a *minimum* of three (3) (any combination (men/ladies)) of which one member shall be appointed by the EC as Convener. Players, who aspire for any team, may not serve as a Selector to select the team concerned.

- 12.2 Selection Committees shall function within the prescribed requirements of the selection policy of the EC.

13. DEFINITION OF DUTIES OF OFFICE-BEARERS:

- 13.1 **President:** The President shall

- 13.1.1 act as Chairman of the EXCO as well as any Annual General Meeting and shall have the casting vote should there be an equality of votes.
- 13.1.2 be an ex officio member of any Standing and Sub-committee that has been appointed by the EXCO including the Selection Committee.
- 13.1.3 be the representative of BB at all official meetings and functions.
- 13.1.4 be responsible for the appointment of a Vice-President to serve in his position when the need may arise.

- 13.2 **Vice-President:**

- 13.2.1 The Vice-President, must temporarily act as President when the latter is not able to perform his/her duties.
- 13.2.2 Perform other duties as specified by the EXCO

- 13.3 **Secretary:**

- 13.2.1 The Secretary must perform all the secretarial duties associated with this post as well as any other duties that he/she has been assigned to do by the EC

- 13.4 **Treasurer:**

- 13.4.1 The Treasurer must perform all the financial duties associated with this post as well as any other accounting duties, which he/she has been assigned to do by the EC.

- 13.5 **Match Secretary:**

The Match Secretaries must, subject to the guidance and control of the EC –

- 13.5.1 regulate all Boland competitions.
- 13.5.2 allocate and regulate club greens and facilities to be used for BB competitions.
- 13.5.3 transfer all competition entry fees to the Treasurer.
- 13.5.4 receive and record the results of all competitions organised by him/her;
- 13.5.5 keep a proper record of all trophies that have been awarded, such records to reflect the following:
 - (a) to whom awarded.
 - (b) club where trophy is kept.
 - (c) to whom it was handed over to; and
- 13.5.6 to report to the EC as well as to the Annual General Meeting on all competitions that have been played.

13.6 Safeguarding Officer

The Safeguarding Official must perform all the Safeguarding duties associated with this post, including the implementation of the Boland Bowls Safeguarding Policy, as amended from time to time, as well as any other duties that he/she has been assigned to do by EXCO.

13.7 Past president

The past president shall serve for one year, or longer at the request of the EXCO, immediately after completing the period of service as president. The past president will

- advise and be available for consultation to the president and the EXCO
- have no executive responsibilities except for any tasks or projects specifically requested by the president,
- will not be considered to determine a quorum, and
- will not be entitled to vote at a meeting of the EXCO

13.8 Regional Representatives on the Executive Committee:

Executive Committee members from the respective regions must take care of all representative and liaison duties at all levels between the clubs in the respective regions and the EXCO and shall convene club meetings of all the clubs within that region with the aim of

- Promoting the interests of the game.
- Conveying management policy and
- Determining the wishes and needs of clubs and conveying them to the EC.

13.9 Members & Marketing Officer.

The Members & Marketing Officer, with the assistance of a Standing Committee must manage the introduction and extension of the game in all spheres and between all genders and age groups.

13.10 The Executive Committee (EXCO):

The authority and duties of the EXCO comprise the following:

- (a) All duties that relate to the general administration of BB.
- (b) The implementation of all decisions concerning monies, trophies and property of BB as directed by the Annual General Meeting.
- (c) The organising of insurance for all the trophies and other assets belonging to BB against such risks as deemed necessary.
- (d) The dealing with defending, on behalf of BB, of any lawsuit to which it is a party, provided that the members of the EC, in their personal capacity, are indemnified from any costs and claims that may arise from such a lawsuit.
- (e) The initiation, management and control of such competitions, which it may consider necessary and desirable.
- (f) The cancellation and/or termination of any competition if considered necessary or desirable.
- (g) The determination of conditions for competitions.
- (h) The determination of times and venues of competitions to be played.
- (i) The determination of the date, time and venue of an Annual General Meeting or a Special General Meeting.
- (j) The submission to an Annual General Meeting of such motions or recommendations that may be deemed necessary.
- (k) The appointment of delegates to represent BB at any meeting subject to the provisions of clause 13.1.
- (l) The appointment of certificated Technical Officials for any competition or to delegate the appointment of these Technical Officials to any affiliated club or to the Standing Committee for Technical Officials.
- (m) The appointment of a committee or ad hoc-committee and to stipulate its terms of reference relating to any task that the EC may deem necessary.
- (n) The annual selection of Standing Committees for Members & Marketing, Coaches, Technical Officials, Transformation & Women and Green keepers and safeguarding with due regard to representation of all Districts on the various Standing Committees, to specify their terms of reference and to liaise with the Members & Marketing, Green Keepers, Technical Officials, Transformation & Women, Coaches and Safeguarding Standing Committees on any matter that it may deem necessary.
- (o) The formulation of new domestic rules and/or regulations, on condition that any new domestic rule or regulation and/or amendments are put forward for approval at the next Annual General Meeting.

- (p) The dealing with any matter which demands immediate or urgent attention.
- (q) The appointment, dismissal and/or replacement, where necessary, of a manager of representative BB teams and to specify the duties of such a manager.
- (r) To consider appeals and to determine action regarding affiliated clubs and members according to the Constitution.
- (s) The appointment of Selectors.
- (t) The inspection of greens in consultation with the Standing Committee for Green Keepers.
- (u) The recommendation of Honorary Life Members and the recipients of Meritorious Service awards.
- (v) The approval of club colours and dress within the framework of the dress rules laid down by Bowls South Africa.
- (w) The fixing of decrees, rules and regulations which are not in conflict with the Constitution of BSA or this Constitution.

14. GENERAL MEETINGS:

14.1 Annual General Meeting:

- (a) The Annual General Meeting of BB shall be held not later than 31 August of each year at a venue determined by the EXCO. (The Annual General Meetings of all clubs are to be held annually not later than 30 June.)
- (b) A Notice of the Annual General Meeting, together with copies of the agenda and financial statements, must be sent by the Secretary at least twenty-one (21) days before the Annual General Meeting to all affiliated clubs and members of the EXCO.
- (c) Each affiliated club will be entitled to nominate two (2) members (men or women), who are bona fide members of that club, as delegates to represent the club at the Annual General meeting. The names of these delegates must be sent to the Secretary prior to the Annual General meeting.
- (d) The voting power of each club is determined as follows: 1 vote if membership is 25 or less, 2 votes if membership is between 26 and 50, 3 votes if membership is between 51 and 75 and 4 votes if membership is between 76 and 100, 5 votes if membership exceeds 101. Clubs that enter more than the average number of entries of BB competitions per season will get one additional vote. The maximum number of votes a club can attain is 6.

For the purposes of determining the voting strength of a club, membership shall mean the total number of members in the following BSA membership categories

- Full members

- Honorary life members and
 - Members over the age of 90.
- (e) Serving office bearers as referred to in clause 11.1, must attend an Annual General Meeting and will each be entitled to one vote. These office bearers may not be delegates for any affiliated club.
 - (f) The business of the Annual General Meeting shall be
 - the presentation of the notice convening the meeting;
 - receiving of credentials of delegates;
 - the acceptance of apologies;
 - the obituary;
 - the reading and acceptance of the minutes of the previous Annual General Meeting and dealing with matters arising there from;
 - the submission and acceptance of the President's report;
 - the submission and approval of the annually audited financial reports and a budget;
 - the determining of annual membership fees and levies that are payable according to this Constitution;
 - dealing with correspondence that bears reference to the specific meeting;
 - the election of the EC for the ensuing year;
 - the appointment of an Honorary Auditor;
 - the determining of honoraria;
 - the determining of the Headquarters;
 - the consideration of motions on Constitutional amendments;
 - the consideration of notices of motions and other matters that have been referred by the Executive Meeting to the Annual General Meeting;
 - the consideration of notices of motion that have been submitted by clubs in accordance with clause 14.1(g);
 - the consideration of notices of motion to be submitted to the Annual General Meeting of BSA;
 - the election of Honorary Life Members in accordance with the proposals of the EXCO;
 - the fixing of entrance fees payable by players and/or teams taking part in BB fixtures;
 - the subdivision of districts in the area of jurisdiction of BB;
 - the delegation of any matters or powers to the EXCO subject to such conditions as the Annual General Meeting may deem necessary;
 - the consideration of matters of general nature.

- (g) Written notice of any matters that delegates wish to raise for consideration by the Annual General Meeting, must be received by the Secretary not later than thirty-five (35) days prior to the Annual General Meeting. Such notice must contain full details of the relevant motion as well as a comprehensive motivation thereof.
- (h) Exception where otherwise agreed to, all resolutions taken at an Annual General Meeting will become effective immediately.

14.2 Special General Meeting:

- (a) A Special General Meeting may be convened at any time by the EXCO on the strength of a written request which has been submitted to the Secretary by at least five (5) affiliated clubs, in which the reasons for the request have been clearly explained. The Presidents/Chairmen and Secretaries of the clubs that are requesting the Special General Meeting must sign such a request.
- (b) Notice of a Special General Meeting in which the subject of the meeting is mentioned, shall be sent to all clubs at least thirty (30) days before and only the matter for which the meeting is convened, will be discussed subject to the provisions of clause 14.2(d).
- (c) Resolutions taken at a Special General Meeting must be secured by a two thirds majority vote of the delegates present, on condition that any voting at such a meeting shall be by ballot-paper.
- (d) In the event of two thirds of the delegates present at an Annual or Special General Meeting agreeing thereto, the EXCO may raise any matter at such a meeting.
- (e) The provisions of clauses 14.1(c) and 14.1(d) are mutatis mutandi applicable to a Special General Meeting.

15. QUORUM AT MEETING:

- 15.1 Thirty three percent (33%) of the clubs that are affiliated to BB will form a quorum at an Annual General Meeting or a Special General Meeting.
- 15.2 In the event of a quorum not being present within thirty (30) minutes of the time at which an Annual General Meeting was convened, the meeting will be adjourned and reconvened by the EC at a later date.
- 15.3 In the event of a quorum, as provided for in clause 15.1, not being present within thirty (30) minutes of the starting time of a Special General Meeting, convened in accordance of clause 14.2, the meeting will be cancelled.
- 15.4 Any club affiliated to BB has the right to appoint a proxy to act on their behalf for the purpose of voting at any Annual General Meeting and or

Special General Meeting and or any other meeting were a club affiliated to BB is entitled to vote. The proxy must be duly authorized in writing by the club president and club secretary and must reach the Secretary no later than 7 days prior to the date of the meeting. The actions of the proxy will be binding as if performed by the appointing club.

16. AMENDMENT TO THE CONSTITUTION:

- 16.1 The Constitution may be amended at an Annual General Meeting or a Special General Meeting that has been convened for that purpose.
- 16.2 Any amendment to the Constitution will be affected only on a two thirds majority vote of the members present who are entitled to vote. Such amendment is in any case subject to the approval of BSA.
- 16.3 No amendments to the Constitution will be considered unless the member or club has given written notice of such proposed amendment in terms of clause 14.1(g) or unless the EC in terms of the provisions of clause 14.1(h) has given notice.
- 16.4 Notice of such amendments shall be given in accordance with the provisions of clause 14.1(b) to all affiliated clubs and the EC.

17. REPRESENTATIVE MATCH FIXTURES:

- 17.1 BB may, at its discretion, organise representative matches and select players and teams to represent BB.
- 17.2 Selection Committees shall select such players and teams and these selections will be subject to the approval of the EXCO before official announcement.
- 17.3 Only an affiliated Boland player that plays his/her bowls mainly at a Boland club, and participates in Boland competitions through that club, will be considered for inclusion in a Boland team. It will be solely in the discretion of the EXCO to decide whether or not a player qualifies in terms of this provision.

18. REGIONS WITHIN BOLAND BOWLS:

The area of jurisdiction of BB may be divided into regions. Such division or amendment thereof will take place at an Annual General Meeting or a Special General Meeting, which has been convened for this purpose, subject to the conditions which have been laid down by that meeting. The EXCO may make recommendations in this respect.

19. RULES OF THE GAME:

The game of bowls shall be played according to the rules of the game as laid down by BSA and BB.

20. FINANCIAL YEAR:

The financial year shall be from 1 April of each year until 31 March of the following year.

21. INTERPRETATION:

In the event of any uncertainty concerning the meaning of any provision of this Constitution or of the Domestic Rules and Regulations, the interpretation of the EC shall be binding to all concerned until another judgment has been given by the Annual General Meeting or Special General Meeting.

22 FUNDS.

The income and property of BB, irrespective of the source, shall be used exclusively for the purposes of BB and no portion thereof may under any circumstances, directly or indirectly by way of a bonus or otherwise, be paid or transferred to any person or organisation: With the understanding that nothing prevents BB, in good faith, from paying a reasonable wage to any official or employee or organisation for services rendered.

- (a) Surplus funds from BB shall be invested with financial institutions as described in Section 1 of the Financial Services Board Act (Act 97 of 1990).
- (b) With the liquidation, deregistration or dissolution of BB, and after all BB debts have been paid, the assets shall be given to or transferred to a society or institution or societies or institutions which have the same or similar aims as BB and which are also exempt from income tax according to the regulations of Section 10 (1)(cN) of the Income Tax Act (Act No 58 of 1962 as amended): such beneficiary to be determined by BB at an Annual General Meeting or a Special General Meeting which is convened for this purpose, failing this, such a decision will be made by the court. The beneficiary must be registered according to Section 13 (5) of the NPO Act of 1997.

23. LIQUIDATION OF BB:

BB may be liquidated on request of at least three-quarters of all the clubs affiliated with BB and which deems such liquidation to be expedient, subject to the approval of a General Annual Meeting or a

Special General Meeting specifically convened for this purpose. Total assets of BB will be divided among the 3 districts on a pro rata basis according to the number of members as on the date of liquidation.

24. DEFINITIONS:

- **Annual General Meeting:** A meeting in terms of clause 14.1
- **Affiliated Club:** A Club that is affiliated to BB in terms of clause 5.
- **Selection Committee:** A Selection Committee that has been appointed in terms of clause 12.
- **Special General Meeting:** A Meeting that has been convened in terms of clause 14.2.
- **Executive Committee:** The Committee that has been elected in terms of clause 11.
- **Management Committee:** The Committee appointed in terms of clause 11.
- **Standing Committee for Coaches:** A body functioning in terms of clause 4.1.
- **Standing Committee for Technical Officials:** A body functioning in terms of clause 4.1.
- **Standing Committee for Green Keepers:** A body functioning in terms of clause 4.1.
- **Standing Committee for Members & Marketing,** functioning in terms of clause 12.

RULES AND REGULATIONS

- B.1 The EC will be the Controlling Body for the purpose of the implementation of the rules of the Game as laid down by BSA.
- B.2.1 Clubs where matches are scheduled to take place, will be responsible for the proper condition of the greens and will lay them out as required by BB. They will complete score cards with names, provide rink numbers etc., and appoint technical officials. In the event of a club not being able to provide suitable technical officials for championship finals and semi-final fixtures, the club must approach the Boland Standing Committee for Technical Officials which will then appoint a technical official for the occasion.
- B2.2 If a club has made its green available for a Boland fixture and finds that its green will not be suitable or ready for that fixture, the club concerned must inform the Match Secretary at least fourteen (14) days before such fixture and the latter must allot the fixture to another club and inform all the participants thereof.

- B.3 A player who is a member of more than one affiliated club, is **ONLY** permitted to represent two clubs in any given season in any BB competitions.
- B.4 A prize giving function will be held at a venue, time and date as determined by the EC. The club which wins any floating trophy shall retain it until the next prize giving for which occasion it must be handed to the Match Secretary in good time for the next presentation, after it has been properly engraved at the expense of BB.

- B.5 (a) The Match Secretary must approach all affiliated clubs in good time to receive entries for official competitions, championships or league fixtures and shall organise the draw together with a member of the EC or the Selection Committee, at a venue and at a time as decided and subject to the conditions as laid down by the EC. Clubs where such competitions are played must immediately send the scorecards to the Match Secretary.
- (b) Should the number of affiliated men in any specific club be less than 10 (TEN) , then such a club would automatically be classified as a "SMALL CLUB (MEN)" and that club may then without any objection, combine with ANY other club to enter teams for Boland Competitions.

In exactly the same manner, should the number of affiliated ladies in any specific club be less than 10 (TEN), that club would automatically be described as a "SMALL CLUB (LADIES)" and that club may then, without any objection, be allowed to combine with ANY other club to enter teams for Boland Competitions.

Clubs that intend to combine must draw up a written agreement where they indicate for which Boland Competitions they want to combine. This agreement must be sent to the Boland Competition Secretary with the first competition entries of the season.

- B.6 The following championship fixtures are held annually:

Boland Competitions:

- * Men/Ladies Single Championships
- * Men/Ladies Pairs Championships
- * Men/Ladies Trips Championships
- * Men/Ladies Fours Championships
- * Mixed Pairs Championships
- * Mixed Fours Championships (2 men and 2 ladies)
- * Mixed Fives Championship (minimum of 2 players of any sex)
- * Men/Ladies Senior Single Championships
- * Men/Ladies Senior Trips Championships

- * Men/Ladies Senior Fours Championships
- * Men/Ladies Novice Single Championships
(only for players that have not played for more than three (3) years after joining a club for the first time)
- * Men/Ladies Champion of Champions
- * Men/Ladies Open Masters
- * Men/Ladies Senior Masters
- * Boland Pro 10 Pairs

Boland fixtures have priority over club fixtures

Clubs are not permitted to arrange club fund raising or similar events on the day of play of any Boland competition or championship (particularly, on the days on which the opening rounds are scheduled to be played), unless written application has been made and permission granted by BB before the closing date for entries to the BB competition or championship.

BB will grant such permission when the clash between the scheduled BB event and the planned club event are not expected to have a material effect on the number of entries to the BB competition or championship. Such permission will not be unreasonably withheld.

- B.7 In the event of a team withdrawing due to unforeseen circumstances or is disqualified before a competition, championship or league fixture is completed, the scores that have been recorded for or against that team shall be removed from the records.
- B.8 (a) After the entries for official competitions and championship fixtures have closed and the draw for the entered singles players has been made, a player may withdraw and be replaced by another player from the same club, providing that the game has not yet started.
- (b) After the entries for official competitions and championship fixtures have closed and the draw for the entered pairs players has been completed, one or both players from a pairs team may withdraw and be replaced by another player/s from the same club, provided that the first game has not yet started.
- (c) In the trips and fours competitions teams will be allowed to use a substitute if any player cannot, due to unforeseen circumstances, take part in any further round of an official Boland competition provided that such a substitute has not played for any other team during that competition.
- B.9 In case a club or a player withdraws after the draw for a competition has taken place, the entry fee will be forfeited and paid into the bank account of BB.

- B.10 If a player, without a valid reason, does not make an appearance at the competition for which he/she has entered, he/she will not be allowed to enter for that particular competition during the following season.
- B.11 The officially scheduled competitions must be strictly complied with. If a player or a team fails to play in a specific match, the match will be awarded to the opposing team. If a match, due to a valid reason, cannot take place on a set date, or a set time or venue, the players concerned may agree for that match to take place on another date, or at another time and venue, provided that the match secretary concerned gives his/her permission. The club where the match was to have taken place must be notified if the scheduled match will not take place any more at the club concerned. If the players concerned fail to reach an agreement, the original programme will be strictly adhered to.
- B.11.1 The venue and date of the final may only be changed in exceptional cases, on condition that
- permission is given by the Match Secretary concerned;
 - both teams agree;
 - the match takes place within seven days of the scheduled date, and
 - the club where the match would have taken place, is notified in good time by the parties concerned.
 - If a player cannot play in the final, a reserve, who has not played for another team in the competition, must be used.
- B.12 All nominations for (1) participation in trials and (2) representation in a committee or sub-committee of BB, must be done via the District Representatives.
- B.13 Three matches per day, at 09:00, 11:30 and 14:00 shall be played in the Boland Senior Singles Championship. The local club shall supply the markers for the first match at 09:00. Players that lose their first match must help to mark if there are not enough markers available.

B.14 DISPUTES AND DISCIPLINE

- B.14.1 If the Executive Committee has reason to believe, on receipt of a written report, that any affiliated club or player has infringed any provision of the Constitution or By-Laws, it may issue a written notice calling the President or his/her accredited representative of the club concerned, or the player concerned to appear before the Disciplinary Committee on such a date, and at a time and place indicated in the notice, which shall be served on such a President or his/her accredited representative, or the player, personally or by means of electronic media.

- B.14.2 The Executive Committee shall appoint not more than three (3) members of affiliated clubs to the Disciplinary Committee, one (1) of whom shall be appointed as Chairperson. No member of the Executive Committee may serve on the Disciplinary Committee. The Chairperson of the Disciplinary Committee shall have a deliberative as well as a casting vote.

- B.14.3 The Disciplinary Committee shall:

- Present its findings to the Executive Committee for ratification or otherwise. Such findings shall include a recommendation on appropriate sanction which may include the following:
- Caution or reprimand the club or the player.
- Impose a fine and such conditions appropriate thereto on the club or the player.
- Suspend the club or the player for a certain period or indefinitely from taking part in any activities.
- Suspend any punishment envisaged in the above for a specified period on such conditions as it may deem reasonable.

- B.14.4 Whenever disciplinary action is taken, full particulars thereof shall be sent in writing by the Executive Committee to Associate Member concerned.

B.14.5 Disciplinary Action by Clubs and Regions:

It is expected that all Clubs and regions within BB, will administer and decide on all issues relating to in house disciplinary matters and Clubs and the regions must report to the BB Executive Committee, in writing, any disciplinary action taken against any of their members. Where such affects other clubs, BB is to notify all other clubs. A defaulter at one club is a defaulter at all clubs.

Such suspended members will not be allowed to participate in any form of bowls until the suspension is lifted by the club concerned, and the Executive Committee of BB is informed accordingly by the club or region. A suspended member shall be regarded as non bona fide during the period of suspension.

B.14.6 Board of Appeal:

Any Registered Member aggrieved by a ruling of an Associate Member shall have the right of appeal to BB.

Such appeal shall be submitted directly or through a region, where applicable, to the Secretary, in writing. It shall set out, clearly and concisely, all the facts, documents and written information which may

be relevant to the ruling. Such appeal shall be in the hands of the Secretary within seven (7) days from the date of the ruling being made.

Upon receipt of an appeal the Executive shall form a Board of Appeal, as set out under the relevant clause 8, providing that no person who is in any manner party to the ruling or involved with the appeal shall serve on the Board, and providing that should one or other Executive Committee member be excluded or unable to serve he/she shall be replaced by another member of the Executive Committee.

Should a Sub-District fail to refer an appeal and the relevant documentation to BB within the prescribed time, then the appellants shall have the right to submit the same directly to the EXCO, and the Board shall be constituted as set out in the relevant clause 8

All parties to such appeal and ruling shall be required to make themselves available to appear before the Board if the Board so decides.

The Board shall investigate the appeal fully and, if thought fit, witnesses shall be heard, and a hearing afforded to the appellant and the respondent. Having considered all the evidence the Board shall be empowered to make ruling which it considers fair. The Board shall make its ruling as soon as practically possible, verbally notifying the involved parties thereof and have this confirmed by the Secretary in writing.

- Any party aggrieved by the decision of the Board shall have the right of appeal to WCPBA and then to Bowls SA
- If an appeal is lodged in the manner set out above, the ruling of the competent body concerned shall be suspended and shall only become effective if it is held up by the Board. Likewise, the ruling of the Board shall be suspended if the aggrieved party should appeal to WCPBA or Bowls SA.

B.14.7 PROCEDURE PRIOR TO HEARING

ALLEGED OFFENDER TO BE ADVISED AS FOLLOWS:

- You have the right to be represented by a fellow member of the club.
- You or your representative has the right to question witnesses.
- You have the right to call witnesses.
- You have the right to an interpreter who will be provided or arranged by agreement.

- You do NOT have the right to legal representation.
- You have the right to lodge written objection against the chairperson hearing the matter and that such objection, together with reasons for such objection, must be lodged WITHIN 3 DAYS of receipt of this notice.

B.14.8 PROCEDURE TO BE FOLLOWED AT HEARING

- The member / person laying the charge will lead evidence and call witnesses.
- The alleged offender will be entitled to respond and also question these witnesses.
- The alleged offender will then be entitled to present their response to the charges and call witnesses
- The member / person laying the charges will be entitled to respond and also question these witnesses.
- The chairperson may ask any witnesses questions for clarification.
- The chairperson, after due deliberation and considering all the facts, will then decide whether the alleged offender is guilty or not guilty of the offence.
- If found guilty, the alleged offender will be requested to make submissions in mitigation of sentence and on the appropriate sanction.
- The chairperson will then decide on what sanction to impose and inform the alleged offender in writing.
- The chairperson will also advise the alleged offender of their right to Appeal against the sanction imposed.
- Such appeal must be lodged in writing WITHIN 3 DAYS of the outcome of the disciplinary hearing.

B.14.9 PROCEDURE TO BE FOLLOWED AT APPEAL HEARING

- The Club shall appoint a Chairman or body to hear the appeal that are impartial to the original hearing.
- The alleged offender will then be allowed to present facts or introduce new witnesses / evidence that would otherwise not have been presented at the original hearing.
- If the appeal is based on procedural unfairness the alleged offender must introduce evidence supporting such claim.
- If the appeal is based on the substantive fairness of the punishment handed out, then the alleged offender may request the appeal hearing to consider facts as to why such punishment is deemed unfair.

- The appeal hearing does not serve as a substitute for the original hearing and should only consider new evidence or procedural or substantive fairness.
- The decision of the appeal hearing is the final and binding decision in the matter.
- Should either party feel aggrieved by the outcome of the appeal hearing they have the right in terms of the WCPBA constitution to refer such decision to WCPBA for further consideration.

B.14.10 ACTS DEEMED AS SERIOUS MISCONDUCT

The following are considered acts of serious misconduct the result of which could lead to disciplinary action.

- Breach of any rules, regulations, code of conduct or any other regulatory instruments
- Any act that is considered to bring the name of the club/district/national federation into disrepute irrespective of whether such act occurred on the Clubs' premises or outside the Clubs' premises.
- Gross insolence towards the Executive or employees of the club/district/national federation.
- Possessing, consuming and/or distribution of any substances prohibited by law.
- Theft Fraud, including the forging of any person's signature.
- Any act deemed as dishonest in terms of the laws of the country.
- Assault, fighting and any act of aggression.
- Immoral behaviour or any form of harassment including sexual provocation.
- Acts of racism.
- Foul language
- Possession or use of any weapons/ dangerous items on the premises governed by the club/district.
- Vandalism or damage and destruction of members or club/district/national federation property.
- Withdrawal from representative teams once selected without proper grounds

B.14.11 Possible sanctions to be imposed

The sanctions that may be imposed on somebody found guilty of a disciplinary act, shall be fair and reasonable and applied consistently and must be in line of the sanction guidelines provided by BSA.

ANNEXURE DISCIPLINARY PROCEDURE

The Disciplinary committee / body upon receipt of a complaint shall issue a Notification of a Disciplinary Enquiry

NOTIFICATION OF A DISCIPLINARY ENQUIRY

MEMBERS NAME: _____

BSA NO: _____

Please be advised that you are requested to attend a Disciplinary Enquiry at the date and time stated below and kindly note the following:

TIME: _____

DATE: _____

VENUE: _____

ALLEGED OFFENCE:

1. _____
2. _____

MEMBER / PERSON LAYING THE CHARGE:

Name: _____

Designation: _____

CHAIRPERSON FOR THE ENQUIRY:

Name: _____

Designation: _____

I, The Undersigned, acknowledge receipt of the notification of the enquiry to be held and that my rights have been explained and I understand them as such.

MEMBER CHARGED CLUB REPRESENTATIVE

DATE: _____

TIME: _____

I have witnessed the abovementioned member being informed of the enquiry to be held as well as being informed of their rights.

SIGNED DESIGNATION

Revised and approved by the Annual General Meeting held via zoom on the 19 July 2025

President: SEF MITCHELL



Secretary: CW MOSTERT

