



PORT NATAL BOWLS CONSTITUTION

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1. TITLE

The Association shall be called Port Natal Bowls hereinafter referred to as "the Association" or abbreviated where necessary to PNB.

- 1.1 **Reference:** The references in the Constitution, all modus operandi, policies, procedures, code of conduct and By-Laws to HE, HIM or HIS do not imply male exclusivity, but apply equally to both males and females.

2. AFFILIATION

The Association shall be affiliated to Bowls South Africa (hereinafter referred to as Bowls SA) and shall be bound by the Bowls SA Constitution, Policies, Standard Procedures, Code of Conduct and Laws of the Sport of Bowls, in force from time to time. PNB recognizes the Provincial Body, Kwazulu Natal Bowls (hereinafter referred to as KZN Bowls) as the controlling body, being one of the nine (9) geo-political areas of the country, who in turn recognizes Bowls SA, as a National Federation, a member of SASCOC and the Department of Sport and Recreation (SRSA) under their jurisdiction and thus its members shall be subordinate to SASCOC and comply with its Constitution and any directive issued.

3. AREA OF JURISDICTION

- 3.1 The area of jurisdiction of the Association shall be as defined by Bowls SA and shall be the geographical area extending from Salt Rock on the North Coast, moving inland along the R614 to Fawn Leas, where it turns South on the Mr423, through Camperdown and on to the Mkomazi River turning East down to Umkomaas on the South Coast.
- 3.2 The Association shall have jurisdiction over all affiliated clubs and their bone fide members within the above area, as defined by Bowls SA.
- 3.3 Clubs at the extremes of these boundaries may, with the approval of their members and after consultation with the Association, apply for written authority from Bowls SA to belong to the nearest neighbouring District.

4. MAIN BUSINESS

- 4.1 The main business of the Association is to act as the controlling body of bowls in the District defined in clause 3.
- 4.2 PNB shall seek and hold membership of Bowls SA and shall control and enforce the Laws of the Sport of Bowls and playing rules of Bowls SA within its defined boundaries.

5. HEADQUARTERS

The headquarters of the Association shall be situated in Durban, where the Executive, hereinafter referred to as Exco, shall maintain an administration office.

6. OBJECTIVES

The objectives of the Association shall be to;

- 6.1 Direct, administer market, promote, develop, and control the game of bowls within the area of its jurisdiction in accordance with the principles of good corporate governance and sound financial management;
- 6.2 Participate in the affairs of Bowls SA and KZN Bowls;
- 6.3 Foster a spirit of healthy competition, sportsmanship and fair play amongst players of all races, genders and ages;
- 6.4 Uphold and enforce the rules of PNB as prescribed by Bowls SA from time to time and promote the highest standard of sporting behaviour;
- 6.5 Assist at all levels with the organisation and administration of the sport of bowls;

- 6.6 Increase the number of individuals registered with the sport particularly amongst schools and previously disadvantaged communities;
- 6.7 Encourage the qualification of individuals as technical officials, coaches, green keepers and event officials;
- 6.8 Represent, promote and advance the interest of its Members;
- 6.9 Enforce and uphold any Code of Conduct pertaining to the sport as approved by Bowls SA;
- 6.10 Decide disciplinary matters and grievances between anyone involved in the sport of bowls within its defined boundaries;
- 6.11 Participate in the management activities of KZN Bowls and Bowls SA to ensure that PNB is represented at these levels;
- 6.12 Select representative players at all levels for participation in any event be it provincial or national;
- 6.13 Award local representative colours;
- 6.14 Recognise, accept and enforce the jurisdiction, rules and regulations of the South African Institute for Drug-free Sport (SAIDS), as well as the code of World Anti-Doping Agency (WADA), relating to anti-doping and promotion of drug free sport;
- 6.15 Perform its functions in a non-discriminatory way, striving to give equal rights to all its members;
- 6.16 Enforce the provisions of this Constitution as well as all policies, procedures, code of conduct
- 6.17 Organise and facilitate such district competitions and fixtures as may be deemed desirable.

7. POWERS OF PNB TO CARRY OUT ITS DUTIES

- 7.1 Exco shall be the legal holders of the assets of PNB and except where otherwise stated herein and subject to the provisions of this Constitution, 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 PNB and, without limiting in any way the generality of the foregoing, the Exco shall have all such powers and authorities specifically mentioned hereunder.
- 7.2 These powers and authorities shall be exercised by District Council and/or Exco in accordance with and subject to the provisions of this Constitution and the National Sports and Recreation Act, 1998 (Act No110 of 1998 as amended)
- 7.3 Any of these powers and authorities may be designated to an Exco Member, sub-committee or standing committee in terms of this Constitution, for a specific purpose.
- 7.4 Without in any way limiting the generality of the foregoing, the powers and authorities of the Association shall include those set out hereunder, including:
 - 7.4.1 Purchase, exchange, lease or otherwise acquire any property, movable or immovable, freehold or leasehold, or any right or interest in such property, which may be required at any time for, or which may be capable of being used either directly or indirectly in connection with the promotion of its objectives. All documents for this purpose are to be signed by both the President and Vice-President;
 - 7.4.2 Sell, let, exchange or otherwise dispose of, or to mortgage, grant rights and privileges in respect of, or otherwise deal with, any of its property, movable or immovable, freehold or leasehold, or any of its rights or interests;
 - 7.4.3 Enter into any lawful contracts of any and all kinds necessary to carry out, give effect to, or secure the objects of the sport;
 - 7.4.4 Invest the funds of PNB in such assets or other security as may be deemed advisable, in accordance with sound business and financial principles,
 - 7.4.5 Apply such profits as it may make or any surplus funds to the promotion of any of its objectives
 - 7.4.6 Employ, suspend or dismiss and remunerate employees, professional assistants and experts;

- 7.4.7 Pay all or any expenses incurred in connection with the promotion and functioning of PNB;
- 7.4.8 Insure against losses, damage, risk and liability of all kinds;
- 7.4.9 Draw, make, accept, endorse, negotiate and issue cheques, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments and to make electronic fund transfers, with the proviso that no cheque or promissory note drawn on behalf of PNB shall be valid unless signed in accordance with the mandate as provided by Exco. The same restriction applies *mutatis mutandis* to electronic internet payments;
- 7.4.10 Institute, conduct, defend, compound or abandon any legal proceedings by and against PNB, its officers, the Exco or otherwise, concerning the affairs of PNB or the action of its Members, including the employment of attorneys and/or advocates and also compound and allow time for payment or satisfaction of any debts due or claims or demands made by or against PNB;
- 7.4.11 Finance any legal costs, either in the name of PNB or by way of the imposition of a special ley on its Members
- 7.4.12 Lawfully raise money to fund its ordinary operations, whether by special levies or subscription, which are to be paid to PNB by the 1st day of February each year, based on the number of registered *bona fide* members registered on the 30th January. Such subscriptions to be collected by its Member Clubs, as well as to obtain lawful funding from any other source and recover by legal process monies due by any of the above;
- 7.4.13 Solicit and accept donations, sponsorships, bequests, grants and contributions for the benefit of PNB;
- 7.4.14 Borrow or raise money and guarantee or otherwise secure the repayment thereof, including by means of a pledge or lien on its assets, and to invest monies upon security, both in such manner and upon such terms as it may think fit;
- 7.4.15 Take such action as may be required to enforce, fully, sufficiently and effectively, all obligations of whatsoever nature and howsoever arising, which may be owed to KZN Bowls or Bowls SA by its Members, former Members or any other persons or body;
- 7.4.16 Make and pass rules, policies, procedures, modus operandi and by-laws and to add to, repeal or alter these, with or without penalties, for the carrying out, administration and implementation of this Constitution and the attainment of the objectives of PNB. These shall be displayed on the PNB website and be binding upon Members, provided that they shall be ratified at the next General Meeting;
- 7.4.17 Notwithstanding anything herein contained, record that:
 - 7.4.17.1 PNB's income and property are not distributable to its Members or office bearers except as reasonable compensation for services rendered or upon dissolution in terms of this Constitution;
 - 7.4.17.2 Members or office bearers have no rights in the property or other assets of PNB solely by virtue of their being members or office bearers;
 - 7.4.17.3 PNB is a non-profit and public benefit organisation and shall not carry on any business, undertaking or trading activity, save to the extent permitted in terms of **section 30 the Income Tax Act, 1962 as amended, as provided for more fully in terms of section 30 (1) of the Act shall at all times shall apply and be adhered to whilst this Constitution is in operation**
 - 7.4.17.4 PNB shall not have any authority to contract or bind itself, on behalf of any Member or individual;
 - 7.4.17.5 PNB shall not be liable for any debts or other liabilities, whether of a contractual or delictual basis, incurred by any Member or individual;

- 7.4.17.6 PNB financial transactions shall be conducted by means of a banking account or banking accounts opened and maintained by the Administration Manager at the direction of the **Exco** in writing and subject to audit by the appointed auditor(s) from time to time.
- 7.4.18 Exco shall control all expenditure of the funds of PNB and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of PNB.
- 7.4.19 In addition to the foregoing, the Exco shall
 - 7.4.19.1 Undertake and perform all such duties and functions as shall be decided by the District Council in writing;
 - 7.4.19.2 Formulate written recommendations and resolutions for the consideration of the Council and prepare the agenda for Council meetings;
 - 7.4.19.3 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:
 - 7.4.19.3.1 Any infringement of this Constitution or the by-laws, rules or regulations, including the Code of Conduct of PNB in force from time to time;
 - 7.4.19.3.2 The breach of any agreement between PNB and another contracting party falling under the jurisdiction of PNB;
 - 7.4.19.3.3 The violation of the Rules of the Sport of Bowls;
 - 7.4.19.3.4 The enforcement of any sanctions imposed by the Disciplinary Committee.
 - 7.4.19.4 Decide upon and resolve any dispute between Clubs and persons who are members of such clubs;
 - 7.4.19.5 Co-opt any person to the Exco as may be required to achieve the objectives of PNB or fulfil any purpose thereto;
 - 7.4.19.6 Form sub-committees consisting of one or more persons for any purpose incidental to the objectives and powers of PNB, who, subject to this Constitution, policies and procedures, shall delegate such of its powers to such sub-committees in writing as may be required provided that:
 - 7.4.19.6.1 an Exco Member forms part of the sub-committee;
 - 7.4.19.6.2 the scope of operation, responsibilities and levels of decision making are supplied in writing;
 - 7.4.19.6.3 Exco retains the final decision making responsibilities;
 - 7.4.19.6.4 Exco can disband the Advisory Committee at its sole discretion.
 - 7.4.19.7 Appoint special advisors and/or consultants for any purposes, and terminate such appointments;
 - 7.4.19.8 Consider and make recommendations in writing to KZN Bowls or Bowls SA;
 - 7.4.19.9 ensure that full and proper books of accounts are kept in accordance with sound accounting principles;
 - 7.4.19.10 Ensure that the said books of accounts and all records of PNB's finances and assets are finalised each year as soon as practical after the financial year end of PNB, which shall be 30 September of each year and ensure that annual financial statements are prepared for approval at the AGM;
 - 7.4.19.11 Deal with any question or issue arising out of, relating to or incidental to non-sexism or discrimination on any grounds as referred to in this Constitution;
 - 7.4.19.12 Consider and deal with all matters which may, from time to time, be submitted to PNB. The Exco's jurisdiction shall not be limited to dealing with such matters, 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 it may deem fit;

7.4.19.13 Control and administer the PNB Helping Hand Fund.

8. ORGANISATIONAL STRUCTURE

- 8.1 PNB as the controlling body shall be governed by its District Council in accordance with the provisions of this Constitution.
- 8.2 The Council members shall be the Clubs affiliated to PNB, each governed by its Management Committee.

9. PROPERTY

- 9.1 All the property of the Association shall vest in the Exco in office from time to time as Trustees of the Association.
- 9.2 All legal proceedings shall be instituted or defended by the President and Vice-President in office from time to time on behalf of the Association.
- 9.3 All documents, which it may be necessary for the Association to sign, shall be signed by the President and Vice-President in office from time to time on behalf of the Association.

10. INDEMNITY

All members of Exco together with the Administration Manager shall be personally indemnified by the Association for all losses or expenses incurred by them in instituting or defending any legal proceedings by or against the Association, provided that they act bona fide on instructions from the Council.

11. MEMBERSHIP - AFFILIATED CLUBS

The membership of PNB shall consist of affiliated clubs

- 11.1. Bowling Sections of Composite Clubs may affiliate to PNB but they shall be bound in their own right by all the provisions of this Constitution and shall be interpreted as Clubs for this purpose.
- 11.2 A Club applying for affiliation to PNB must have the use of a bowling green.
- 11.3 Application for affiliation to PNB must be made in writing to the Administration Manager of PNB. The application must be accompanied by a copy of the club's constitution, specimens of the proposed club colours, hatband, badge, a list of the office bearers and the annual subscription and levies as laid down in section 12.3 of this constitution. The exact colours shall be depicted in sketches and be designated in words, e.g. Royal Blue, Olive Green.
- 11.4 The Constitution of any affiliated Club shall in no way be in conflict with any of the Constitutions of PNB, KZN Bowls or Bowls SA, except so far as may be required by law.
- 11.5 Applications for membership shall be considered by Exco and, if the requirements of section 11.2 and 11.3 have been complied with, shall be submitted to the Council by the Administration Manager for consideration at its first meeting following receipt of the application and the Club will be advised in writing of Council's decision.
- 11.6 All Clubs shall keep proper records, minute books and books of account.
- 11.7 The Committee of each affiliated club shall, upon receipt of an application for membership to their Club, ascertain via the Bowls SA database whether the applicant is or was a member a member of good standing of any other Bowling Club or Clubs. Registration on the database may continue should the potential member be shown as in transit
- 11.8 Clubs shall advise PNB in writing of the names of its members who are in default with their subscriptions, levies or other dues and such members shall not be entitled to participate in any PNB competitions or fixtures while in default.

- 11.9 The act of affiliation to PNB shall carry with it the obligation by the club to place its greens at the disposal of PNB for the purpose of any competitions instituted, conducted or controlled directly or indirectly by PNB, KZN Bowls or Bowls SA to whom PNB may have lent the greens.
- 11.10 Each club shall advise PNB of any alteration/s to its constitution within 14 days of the date of the meeting at which the alteration was made.
- 11.12 Termination of Membership
- 11.12.1 Any Club wishing to resign from PNB must submit its resignation to the Administration Manager prior to the 10th December, failing which it shall be liable for its members' subscriptions for the ensuing financial year.
- 11.12.2 It shall be competent for Exco, after due investigation of the facts and, if need be, the examination of witnesses and relevant documentary evidence, to recommend suspension or termination of membership of any Club to the Council for a decision. However such Club shall have the right of appeal to Bowls SA. Any such suspension or termination of membership shall not exempt such club from liability for outstanding subscriptions or levies or other obligations to, and constitutionally imposed by the Council.

12. MEMBERSHIP OF INDIVIDUALS, REGISTRATION, SUBSCRIPTIONS AND LEVIES

12.1 Bona Fide Membership of Member Clubs

- 12.1.1 Every bona fide member of an affiliated Club shall become a registered member of PNB, KZN Bowls and Bowls SA through their Club.
- 12.1.2 Bona Fide members shall include:-
- 12.1.2.1 Life Members and Honorary Life Members with full privileges;
- 12.1.2.2 All members liable to pay subscriptions:
- 12.1.2.3 Ordinary first call members, who are either scholars or who are over the age of ninety (90) shall not be liable for affiliation fees/levies of PNB, KZN Bowls and Bowls SA. Scholars being defined as persons registered with an educational body up to Grade 12.
- 12.1.2.4 All registered bowlers under 18 years of age shall provide information and parent/guardian consent to the Bowls SA database for Inter District participation. This information to be retained by their club.
- 12.1.2.5 Members, honorary members, country members, members of similar status and/or non-playing social members, who are in default with any Province, District or Club, either financially or in terms of any National, Provincial, District or Club Constitution, shall not be considered bona fide.
- 12.1.2.6 A Player who is not a member of an affiliated Club is not a bona fide member, irrespective of whether he has previously paid National or District affiliation fees during that year.

12.2 Registration

- 12.2.1 It is the responsibility of each member Club to ensure that all registrations, transfers and deletions of bona fide members shall be made electronically onto the Bowls SA database in the manner prescribed by Bowls SA.
- 12.2.2 Each affiliated Club shall ensure that their membership captured on the database is correct by no later than 10 December of each year. Liability for Bowls SA, KZN Bowls and PNB affiliation fees will be determined by the status at 1 January each year. It is important that database clearance and notification of deceased members are processed according to Bowls SA procedures to ensure that the database is correct and up to date.
- 12.2.3 For PNB purposes only bona fide members shall be eligible to compete in PNB events. A person who is a bona fide member of more than one club must, by the 10th

December, nominate which club he desires to represent during the forthcoming year and must be registered with each club either as an ordinary first call or a second call member. No member shall represent more than one club during the course of the same year, unless he first resigns from the Club of which he is a first call member. The exception being the Nominated Mixed Pairs Championship (Oppenheimer Cup),

- 12.2.4 After the closure of annual returns on 10 December each year any new additions to the Club shall be registered on the Bowls SA database within thirty (30) days of acceptance by their Club Executive.
- 12.2.5 Failure to register any member shall debar such member from participating in any PNB, Provincial, District or National event.

12.3 Affiliation Fees and Levies

- 12.3.1 Each affiliated club shall be liable for and pay the bulk affiliation fees of its registered membership to the Association on or before the 31st (thirty-first) January in each year in respect of each of its bona fide first call members as at the first (1st) January in that year:
 - 12.3.1.1 the annual affiliation fee payable to Bowls SA as determined by their Council.
 - 12.3.1.2 the annual affiliation fee to the Association to be determined by Exco, provided that any increase shall not exceed ten (10%) per annum. Any recommended increase in excess of ten (10%) per annum shall be determined at the next General Meeting of the Association, provided that notice of such change and motivation has been circulated to all Clubs. Exco shall determine what portions shall be credited to the General Fund and to the Helping Hand Fund as provided in Clause 7.4.19.3 of the Constitution, based on the projected needs of these fund at that time.
- 12.3.2 PNB shall be responsible for the transfer of the Bowls SA affiliation fees to that association by 31st (thirty-first) January each year.
- 12.3.3 In respect of each new member admitted after the 1st January in each year, each affiliated Club shall be liable for and shall pay to the Association when registering such member the monthly proportion of the annual affiliation fees payable in terms of 12.3.1.1 and 12.3.1.2 above (e.g. during January 91%: during February 83.3%; during March 75% etc. decreasing monthly to 8.3% in December), provided that no such affiliation fee shall be payable in respect of a member transferring from one affiliated Club to another during the year. In this regard Bowls SA submits an invoice to PNB, who in turn renders an invoice to the relevant Club detailing the member's name and affiliation fee. Clubs should not pay any fees until such invoice is received.
- 12.3.4 PNB is compliant with the requirements of the Consumer Protection Act relating to refund on subscriptions.

12.4 Membership Cards

Annual membership cards will be generated by Bowls SA, who will forward them to the District Office. The District Office, on receipt, will arrange distribution of the cards to the Clubs.

12.5 Communication

No club or individual member shall establish or maintain contact with Bowls SA or KZN Bowls without the prior knowledge and approval of PNB in writing.

13.0 ADMINISTRATION

13.1 Council

- 13.1.1 PNB shall be governed by a Council, consisting of:
 - 13.1.1.1 The elected members of Exco
 - 13.1.1.2 Not more than two (2) delegates from each affiliated club;

13.2 Voting

- 13.2.1 For matters of general concern that alter the by-laws, policies or procedures but which will not alter the Constitution, voting shall be by a show of hands (one vote per attending club) or, should there be a minimum of six clubs not in agreement, by ballot.
- 13.2.2 By ballot — each club will be entitled to one vote plus one vote per fifty (50) or part thereof of its registered members with a maximum of eight (8) votes. Members of Exco shall be entitled to one vote each.
- 13.2.3 For matters of general concern a simple majority shall apply. Should there be an equal number of votes for or against the motion, the Chairman of the meeting shall have the casting vote.
- 13.2.4 For notices of motion which will result in the alteration of the Constitution voting shall be by ballot in accordance with 13.2.2, for which a two thirds majority will apply.
- 13.2.5 Exco shall have the right to make changes to any By-Laws, Modus Operandi, Policies, Procedures or Conditions of Play.
 - 13.2.5.1 Clubs must be timeously advised in writing of any changes to the Conditions of Play.
 - 13.2.5.2 Should a club/s object to the format in which an event is played or any other contentious issue, the objection, made in writing to the Administration Manager, shall be made within seven days of its circulation.
 - 13.2.5.3 The proposed change is to be temporarily withdrawn until such time as it can be debated and voted upon at the next General Meeting.
- 13.2.6 In regard to voting for positions on Exco, all of whom must be bona fide members of PNB, delegates are required to vote for the required number of members to be elected and a simple majority will apply.
 - 13.2.6.1 Should votes for any persons be equal, a further vote shall be conducted for the persons concerned.
- 13.2.7 No Proxies or voting on behalf of absent delegates shall be allowed.

13.3 Honorary Life Members/Honorary Members

- 13.3.1 Council shall have the right to elect Honorary Life Members of PNB upon receipt of a nomination in the form of a notice of motion to a General Meeting, made either by Exco or by a Club, whose nomination shall have the prior approval of Exco and provided that two-thirds of the votes cast are in favour.
- 13.3.2 Nominees shall include those who meet certain pertinent areas of any of the following criteria
 - 13.3.2.1 have served as President of the Association or its predecessors, for at least three (3) years and have served a Club as President,
 - 13.3.2.2 have served on either the Bowls SA Executive or KZN Bowls for a minimum of two (2) years
 - 13.3.2.3 have served on any Bowls SA Standing Committee for a minimum of five (5) years,
 - 13.3.2.4 have served, with distinction, for a considerable number of years in the administration of the game of Bowls, including service to bowlers, managing District/Provincial and/or National sides, and/or serving on National Event Committees and /or members of PNB's Standing Committees.
 - 13.3.2.5 have an unblemished record, be a person of high standing in the community and be capable of promoting PNB and its objectives.
- 13.3.3 Automatic election shall be bestowed on any member elected to an office higher than Bowls SA or is elected to Life Membership of Bowls SA.

- 13.3.4 Nominations shall include a full Curriculum Vitae along with a letter of proposal/ motivation from the Club or Exco. After circulation to all Clubs, the vote must be received under confidential cover by a set date prior to any General Meeting.
- 13.3.5 Honorary Life Members/Honorary Members of the Association and its predecessors, The Durban and District, Port Natal Men's and Southern Natal Women's Bowling Associations shall be entitled to attend Council meetings and shall be allowed to speak at the discretion of the Chairman on the business under discussion, but shall have no vote.
- 13.3.6 Honorary Life Members shall not be liable for PNB subscriptions.

13.4 Past Presidents

Past Presidents of the Association and its predecessors, The Durban and District, Port Natal Men's and Southern Natal Women's Bowling Associations shall be entitled to attend Council meetings and shall be allowed to speak at the discretion of the Chairman on the business under discussion at the Council meeting, but shall have no vote.

14.0 THE EXECUTIVE COMMITTEE (EXCO)

In managing the affairs of the Association, Exco shall abide by this Constitution, policies, procedures, modus operandi and by-laws

14.1 Composition

Exco shall consist of eight (8) members, one of whom shall be President, one Vice-President and six (6) ordinary members, three (3) of those six should preferably be from each gender.

14.2 Each year the Exco and every affiliated Club shall have the opportunity of nominating one or more persons for the above positions.

14.3. The person/s nominated for President must have served at least one year on Exco. Where no candidates are available, Council can prevail upon the incumbent to remain for a further period of not more than one year at a time.

14.4 The same person may be nominated for each position but shall not be elected to more than one position.

14.5 No member of Exco shall serve for a period of more than six consecutive years without the majority approval of Council

14.5 Nominations for Exco members, shall be made on the official PNB form, which must be accompanied by the nominees updated curriculum vitae (CV) and signature of acceptance. The form and CV must be in the hands of the Administration Manager not later than 30th November preceding the date of the Annual General Meeting at which the Exco members are elected.

14.6 A list of nominations received, together with a copy of each nominee's curriculum vitae, shall be sent to each affiliated Club twenty one (21) days before the Annual General Meeting.

14.7 In the event of insufficient nominations being received, those nominated shall be declared elected at the meeting. After which nominations for the remaining vacancies, irrespective of their gender, shall be filled by Exco at their first Committee meeting, or as soon as possible thereafter.

14.8 No Club shall have more than two (2) members on Exco at any one time.

14.9 Election of Exco Members

14.9.1 The Exco members referred to in Clause 14.1 shall be elected by Council at the Annual General Meeting each year and voting shall be by separate ballot in the following order

14.9.1.1 President.

14.9.1.2 Vice-President

14.9.1.3 Six members of Exco

- 14.9.2 After the election of Exco members has been announced, the out-going President shall present the badge of office to the incoming President, who shall then present badges of office to the balance of Exco.
- 14.9.3 The new Exco shall assume office at the rising of the Annual General Meeting (AGM) at which it was elected.
- 14.9.4 The President or Vice-President may not hold any office on a Club Executive Committee.
- 14.9.5 Members of Exco shall not be eligible to act as Club delegates to the Annual General, Special General or General Council Meetings.
- 14.9.6 Members of Exco should preferably not stand as a permanent member of any Standing Committee but may serve should the situation demand.

14.10 Casual Vacancies on Exco or Standing Committees

- 14.10.1 Should a vacancy occur on Exco, the remaining members shall, at their discretion, co-opt another member or allow the vacancy to remain unfilled until the next AGM.
- 14.10.2 Exco is empowered to fill any vacancy on any PNB Standing Committees, which may arise during their term of office.
- 14.10.3 Should the President's position become vacant, Exco shall appoint the Vice-President to assume the duties of the President until the next AGM.

14.11 Responsibilities

- 14.11.1 In managing the affairs of the Association, Exco shall abide by the Constitution, Policies, Procedures, Code of Conduct and By-Laws at all times
- 14.11.2 Execute their duties as described in clause 7 and shall be responsible to Council for all its decisions.
- 14.11.3 Appoint Selectors and Standing Committees for Coaches, Technical Officials, Greenkeepers and Membership and Marketing, whose duties are described in their Modus Operandi.
- 14.11.4 Exco shall arrange the staging of the various PNB events.
- 14.11.5 Exco shall at its sole discretion appoint a Manager for any side and/or team representing PNB and they shall determine the guidelines under which such Managers should operate.
- 14.11.6 In the event of more than half of the members of Exco resigning simultaneously, or in the event of a vote of "No Confidence" in the Exco being passed at a General Meeting, the term of office of all the members of Exco, or of those still in office, shall be automatically terminated. The Administration Manager, or in the absence of the Administration Manager, any six (6) affiliated Clubs, shall within ten (10) working days give written notice to each affiliated Club convening a Special General Meeting to be held within thirty days (30) days of the date on the notice to elect a new Exco according to the procedure laid down in clause 14.9, which shall apply mutatis mutandis. The new Exco shall serve for the remaining period of office of the previous Exco.
 - 14.11.6.1 Individual members of the previous Exco are not precluded from standing for office and may be nominated by any affiliated Club.

14.12 Exco Meetings

- 14.12.1 Exco shall meet as often as the business of the Association demands, but at least once every two (2) months and such meetings shall be convened by the Administration Manager.
- 14.12.2 The President shall chair all meetings of Exco or in his absence this role shall be filled by the Vice-President. In the absence of both, the members present shall elect a Chairman

- 14.12.3 Three members present shall form a quorum.
- 14.12.4 Where there is an equality of votes cast for or against any motion requiring a simple majority, the Chairman, who has a deliberative vote, shall have a casting vote as well.
- 14.12.5 Minutes shall be distributed to Bowls SA, KZN Bowls, the Exco members and such additional persons or bodies as Exco or Council may decide.
- 14.12.6 Should any member of Exco fail to attend any two (2) consecutive Exco meetings without having been given leave of absence he shall immediately cease to be a member of Exco.

14.13 Salaried Staff

Exco shall, subject to directions given by Council, be empowered to employ an Administration Manager, a District Competition Secretary, or any such staff as it deems necessary. They shall draw up a written contract to be signed by both parties, which shall detail their duties and responsibilities, hours of work, annual and sick leave allowances, salary, salary reviews, bonus conditions and conditions for termination of employment by either party. All these complying with the respective Labour Laws governing employment.

14.3.1 Administration Manager

The Administration Manager shall, along with his other duties laid out in the job description shall:

- 14.3.1.1 Ensure that the Secretarial and Financial duties are performed, that proper books and records are kept and that the Annual Report and Financial Statements are prepared;
- 14.3.1.2 Convene and attend all Exco, Annual General, Special General and Council meetings, record and submit minutes of these meetings and arrange preparation and submission of monthly financial statements;
- 14.3.1.3 Have no vote at any meeting;
- 14.1.2.4 Whilst employed by PNB shall not be eligible to act as a club delegate to Council, nor serve on any affiliated Club Executive or Committee without Exco consent, and shall not be permitted to accept nomination for election to Exco.

14.3.2 Competition Secretary

- 14.3.2.1 Shall, along with his other duties laid out in the job description, be responsible for planning, initiating and administering all PNB events.

15 GENERAL MEETINGS OF THE ASSOCIATION

15.1 Annual General Meeting (AGM)

- 15.1.1 The AGM, of which at least fourteen (14) days written notice must be given to each affiliated Club, will be held not later than 31 January in each year.
- 15.1.2 The business to be conducted at the AGM and the order in which it is to be dealt with will be set out as below, except that where a proposed motion is likely to affect any other item, that motion shall be dealt with before the other item:
 1. The Notice convening the meeting
 2. Apologies
 3. Obituary
 4. Requests for subjects to be discussed under General
 5. Confirmation of Minutes
 6. Matters arising from the Minutes
 7. Correspondence
 8. Consideration and Adoption of the Annual Report and Audited Financial Statements
 9. Notices of Motion
 10. Election of Executive Committee

11. Election of Appeal Board
12. Announcement of the Appointment of the respective Selection and Standing Committee Members and the two Counsellors for the Helping Hand Fund
13. Appointment of Auditors
14. KwaZulu Natal Bowls
15. Reports from the respective Selection and Standing Committees
16. General

15.2 Special General Meeting (SGM)

- 15.2.1 A Special General Meeting of Council may be convened at any time by Exco and fourteen (14) days written notice shall be given to all affiliated Clubs or as urgency requires.
- 15.2.2 Exco shall upon receipt of a requisition signed by two (2) authorised representatives of each of six (6) or more affiliated Clubs convene a SGM of Council. Such requisition shall state the nature of the business to be transacted at the S G M and shall be lodged with the Administration Manager.
- 15.2.3 At any Special General Meeting only the business for which it has been convened and such motions and amendments as may be pertinent to the business stated on the agenda shall be allowed for discussion.

15.3 Ordinary General Meetings

- 15.3.1 Ordinary General Meetings shall be convened by Exco at a date deemed suitable by Exco provided that at least one meeting is held in each year before the end of October. Exco may convene Zonal General Meetings at any other time, should the need arise.
- 15.3.2 Clubs to be given six (6) weeks' notice of the forthcoming meeting to enable them to submit any motions as per clause 15.7.4 below. Final written notice, including any motions or amendments must be given to all affiliated Clubs at least fourteen days prior to the meeting.
- 15.3.3 The purpose of such meetings shall be to;
 - 15.3.3.1 consider, and if thought fit, confirm the actions taken by the Executive since the previous meeting;
 - 15.3.3.2 give directions to Exco;
 - 15.3.3.3 transact any other business of which notice has been given or may arise.

15.4 Quorum

- 15.4.1 A quorum at all General Meetings shall consist of delegates from at least a third of the affiliated Clubs.
- 13.4.2 If a quorum is not present within fifteen (15) minutes after the scheduled time for the commencement of a General Meeting, the meeting shall be adjourned for five (5) days excluding Saturdays, Sundays or Public Holidays, at the same time and place and those present at such adjourned meeting shall constitute a quorum and all business transacted shall be binding, provided that, if there is no quorum present at a Special General Meeting convened as a result of a requisition received from Clubs, such meeting shall be cancelled.

15.5 Chairman

- 15.5.1 The Chairman at each General Meeting shall be the President, or in his absence the Vice-President or in the absence of both, any member of Exco elected by those present to take the Chair.

- 15.5.2 In the event of voting totals for an interim Chairman being equal a further vote or votes shall take place until a decision is made.

15.6 Time and Place of General Meetings

- 15.6.1 Exco shall fix the time and place of each General Meeting.

15.7 Notices of Motion

- 15.7.1 Any motion submitted by an affiliated Club to the Administration Manager must be in the full and exact text in which it is intended to be considered, except in the case of clause 15.7.6
- 15.7.2 A motion to be considered at an Annual General Meeting shall be lodged not later than the 15 December preceding the meeting.
- 15.7.3 A motion to be considered at a Special General Meeting shall be lodged with the requisition.
- 15.7.4 A motion to be considered at an Ordinary General Meeting shall be lodged at least twenty-eight (28) days before the date of the meeting.
- 15.7.5 Any notice of motion submitted by either Exco or an affiliated club shall be incorporated in the notice convening an Annual, Special or Ordinary General Meeting of the Association.
- 15.7.6 In the case where the entire Constitution is reviewed:
- 15.7.6.1 the revision is to be circulated to all affiliated clubs for comment at least three months prior to a General Meeting to be convened for its adoption.
- 15.7.6.2 written submissions are to be addressed to the Administration Manager within two months of the date it was circulated
- 15.7.6.3 Exco shall consider any submission and either make the changes where considered valid or give reason for not accepting the submission or part thereof
- 15.7.6.4 Any accepted changes are to be circulated to all Clubs.

15.8 Effective Date of Resolutions

All resolutions passed at a General Meeting shall become effective at the rising of the meeting or as may be decided by Council.

15.9 Binding Effect of Resolutions

- 15.9.1 All resolutions passed at a General Meeting shall be binding on all affiliated Clubs and on the members thereof, provided that they are not in conflict with the Constitution, Rules, By-Laws and Rulings of Bowls SA, KZN Bowls and/or the Constitution of the Association.
- 15.9.2 No resolution relating to the Constitution passed at a General Meeting shall be altered or rescinded except by a resolution passed at a subsequent General Meeting by two-thirds of the votes entitled to be cast by those present.

15.10 Review of Exco Decisions

- 15.10.1 An Exco decision may be reviewed at a General Meeting and may be set aside by a resolution passed by a majority of votes entitled to be cast by those present. An equal vote shall result in an acceptance of the Exco decision.

15.11 Attendance at General Meetings

- 15.11.1 The Presidents of Bowls SA and KZN Bowls may be invited to attend and address Council

- 15.11.2 Any member of an affiliated Club shall be entitled to attend a General Meeting but only duly appointed delegates shall be entitled to address the meeting, one of whom shall vote.
- 15.11.3 Representatives of the Press may, at the discretion of Exco, attend and/or remain at General Meetings.

16. FINANCE

- 16.1 The financial year shall be from 1 October to 30 September in the following year.
- 16.2 The President shall nominate one member of Exco to the Finance Sub-Committee, which shall consist of the President, the nominated Exco member and the Administration Manager. The Finance sub-committee shall be responsible to Exco and Council for the control of the finances of the Association.
- 16.3 All monies received on behalf of the Association shall be paid into an account in the name of Port Natal Bowls in such Bank or Banks as Exco may decide.
- 16.4 All accounts shall be passed for payment by the Administration Manager and shall be ratified by the President.
- 16.5 Exco shall have the power to invest any PNB funds, not immediately required, in any Financial Institution and to establish separate funds for such purposes as may be deemed necessary.
- 16.6 All cheques and/or other documents, except for those referred to in Clause 7.4.1, which require the signature of the Association shall be signed by two of the following: the President, the Vice-President or one other authorised member of Exco and the Administration Manager.
- 16.7 On-line transfers, payments or withdrawals shall be authorised by the members of the Finance Sub-Committee
- 16.8 All monies accruing to the Association from sponsorship of PNB competitions and amounts received from or in respect of any tournament organised by the PNB on behalf of KZN Bowls or Bowls SA, shall be credited to the General Fund.
- 16.9 The Association shall from the General Fund:-
 - 16.9.1 Meet the cost of travelling and reasonable accommodation expenses incurred by delegates appointed to attend meetings of Bowls SA or KZN Bowls:
 - 16.9.2 Meet the cost of travelling and reasonable accommodation expenses incurred by the Exco Members on official business:
 - 16.9.3 Meet any costs incurred by Exco in providing entertainment for any visiting bowlers or dignitaries:
 - 16.9.4 At the discretion of the Exco, pay to members of the Standing Committees such reasonable travelling and other expenses incurred in rendering their official services;
 - 16.9.5 Provide financial assistance, authorised by Exco, to members and the managers of the teams, selected to represent PNB
 - 16.9.6 Provide financial assistance, authorised by Exco, to Selectors, to attend tournaments in respect of reasonable travel and accommodation expenses.

16.10 Fundraising

- 16.10.1 Port Natal Fundraising Ledger Account
 - There shall be established in the books of the Association a special account known as the Port Natal Fundraising Account, administered and utilised by Exco for the sole purpose of the promotion of bowls within PNB.
 - The fund shall be credited with:
 - 16.10.1.1 amounts received by way of specific donations to the said Fund
 - 16.10.1.2 amounts received by way of specific fund raising ventures on behalf of said Fund:
 - 16.10.1.3 proceeds by way of any levies agreed to by the Council

16.10.2 PNB Inter Districts Fundraising Account

There shall be established in the books of PNB separate ledger accounts in the name of the party doing such fundraising – e.g Women’s Fundraising or Senior Men Fundraising etc. Monies deposited to these accounts will be used for the sole purpose of financially supporting the sides or teams selected to represent PNB and will be controlled by the Convener/Manager of the individual parties, who shall:

16.10.2.1 nominate a committee, who are charged with organising any fundraising events made in the name of PNB, maintaining the records, collecting such funds and depositing them into the Association account.

16.10.2.2 The disbursement of these funds, as requested by the respective Convener/Manager, shall be made by the authorised signatories of the Finance Sub-Committee.

16.11 Auditors

16.11.1 At the Annual General Meeting an Auditor, who shall be a registered Public Accountant shall be appointed for the ensuing year. He shall examine the books, vouchers and annual financial statements of the Association and report thereon.

17.0 DISCIPLINE

All disciplinary matters, hearings and appeals shall be conducted in accordance with the relevant policy in place at that time. Such policy shall conform to that of Bowls SA.

18.0 COLOURS AND INSIGNIA

18.1 The official colours of the Association shall be Navy Blue and Old Gold and the badge shall bear an emblem depicting the statue of Dick King in Old Gold together with the words "PORT NATAL BOWLS"

18.1 Exco shall determine the conditions and the distinctive attire and colours to be worn by the present or past members of Exco, Standing Committees, Administrators and players representing PNB.

19 EVENT COMMITTEES

19.1 Should the Association desire or be required to appoint an Event Committee, the Exco shall elect the Chairman, who shall then elect the other members of the Committee. Approval of the Chairman (Convener) and all members must be requested from Bowls SA for a Bowls SA event.

19.2 The Event Committee shall run these events according to the pertinent modus operandi and/or by-laws of the Controlling Body.

20 KZN BOWLS EXECUTIVE COMMITTEE

Exco is empowered to annually nominate not more than two persons to serve on the KZN Bowls Executive Committee in terms of the KZN Bowls Constitution.

21 BOWLS SA ANNUAL NATIONAL CONVENTION

Exco is empowered to annually nominate not more than two persons to attend and participate in this convention.

22 BOWLS SA SELECTORS AND STANDING COMMITTEES

Exco is empowered to annually nominate persons to serve on the Selection Committees and or Standing Committees of Bowls SA.

23 INTERPRETATION

Should a doubt arise as to the meaning of any part of this Constitution or of any part of the Policies, Procedures, Modus Operandi or By-Laws, the interpretation of Exco shall be binding on all concerned, unless and until a different ruling is given by the Council at a General Meeting.

24 DISSOLUTION

- 24.1 The Association shall only be dissolved upon a resolution passed by three-quarters of the votes entitled to be cast by those present at a Special General Meeting specially convened on not less than two(2) months' notice to all members of the Association.
- 24.2 Upon dissolution, the Exco then in office shall act as trustees, with authority to discharge all liabilities and hand over the remaining assets to an Association, having aims and objects similar to those of this Association, or to a recognized Welfare Organisation as determined at said Special General Meeting.
- 24.3 No financial gain shall accrue to any individual person or Club, whether a member of this Association or not.

27 February 2021