



BORDER BOWLS CONSTITUTION 2020

Version 2020

INDEX

NUMERIC INDEX

1. Title and Legal Status **p2**
2. Affiliation **p2**
3. Objects of the Association **p3**
4. Jurisdiction **p3**
5. Sub-District Associations **p4**
6. Lines of Communication **p4**
7. Colours, Apparel, and Insignia of the Association **p5**
 1. Terminology
 2. Colours
 3. Colours, Apparel & Insignia
8. Flag of the Association **p6**
9. Membership of Border Bowls **p7**
10. Membership of an affiliated club **p8**
11. Life Membership of the Association **p9**
12. Council of the Association **p10**
13. Meetings of the Council of the Association **p10**
14. Executive Committee of the Association **p13**
 1. Composition and Administration
 2. Nominations for the Executive Committee
 3. Stipulations regarding Executive Committee Members
 4. Meetings of the Executive Committee
15. Functions of the Executive Committee **p17**
 1. General Powers and Duties of the Executive Committee
 2. Specific Powers and Duties of the Executive Committee
16. Quorum at meetings **p19**
17. Voting rights at meetings **p19**
18. Financial Administration **p20**
19. Auditor / Independent Reviewer **p22**
20. Discipline **p22**
21. Disputes **p23**
22. Standing Committees **p23**

General Rules and Regulations applicable to all Standing Committees

 - A. Standing Committee for Greens Care **p25**
 - B. Standing Committees for Selection **p26**
 - C. Standing Committee for Coaching **p29**
 - D. Standing Committee for Technical Officials **p29**
 - E. Standing Committee for Membership & Marketing **p29**
23. District Coach **p30**
24. Competitions and District Representation **p31**
25. Development programme **p32**
26. Rules and Regulations **p32**
27. Stipulations regarding the Constitution **p32**
28. Directorate of Non-profit Organisations requirement for the Constitution **p34**
29. Repeal of the existing Constitution **p34**
30. Adoption of the amended Constitution **p34**

Comments on matters arising from review of District Constitutions



BORDER BOWLS CONSTITUTION 2020

Version 2020

PREAMBLE TO THE CONSTITUTION

The provisions of this Constitution are founded upon and shall be implemented and administered in the recognition of human dignity, equality and the advancement of human rights and freedoms, non-racialism, non-sexism and the right of freedom of association and the supremacy of the Constitution of The Republic of South Africa (1996), the supremacy of the Constitution of Bowls South Africa, the rule of law and good corporate governance.

Recognition of Bowls SA and SASCOC as supreme governing bodies

In anticipation of the change to Bowls SA constitution to provide for Provincial Sports Councils it is suggested that Districts give the following recognition:

‘This constitution does not replace the constitutions of SASCOC or BOWLS SA or Eastern Cape Provincial Bowls Association. In the event of any discrepancies or differences between this constitution and the constitutions referred to above, the terms, conditions and/or requirements of SASCOC, BOWLS SA or the Provincial Bowls Association shall apply’ and ‘To seek alignment with the Eastern Cape Provincial Bowls Association in order to promote and facilitate common goals for all Districts within the Provincial boundaries. This in no way supersedes any obligations to BOWLS SA as set out elsewhere in this constitution’

The use in the text throughout this Constitution of one of the following terms shall import the other:

- singular or plural
- male gender or female gender, with the exception of specific male or female matters

1. TITLE AND LEGAL STATUS

The Association shall be called **BORDER BOWLS**, hereinafter referred to as **The Association** or **BB**. The Association is and shall continue to be a District Bowling Association with headquarters in East London and a separate legal entity with the power to acquire, to hold and to alienate property of every description whatsoever and with the capacity to acquire rights and obligations and having perpetual succession.

2. AFFILIATION

- 2.1 The Association shall be affiliated to **BOWLS SOUTH AFRICA**, hereinafter referred to as **BOWLS SA**.
- 2.2 All clubs affiliated to the Association shall be deemed *ipso facto* affiliated to BOWLS SA.
- 2.3 The Association may affiliate to such national and other sporting bodies as may be considered appropriate and may refuse or accept application for affiliation from any Association or body which controls any form of bowls, on such terms and conditions as may be considered appropriate.
- 2.4 Bowls sections of composite clubs may affiliate to the Association, but all the provisions of this Constitution and the Rules and Regulations or By-laws of the Association shall bind them in their own right and they shall be interpreted as Clubs for this purpose.



BORDER BOWLS CONSTITUTION 2020

Version 2020

3. OBJECTS OF THE ASSOCIATION

The objects of the Association, without practicing discrimination on the grounds of race, gender, religion or political association and in the furtherance of these objects shall be to:

- 3.1 Administer, control, promote, develop and preserve the sport of bowls within the area of its jurisdiction, subject to the BB Constitution, BB Rules and Regulations [called By-laws] and the Laws of the Sport of Bowls.
- 3.2 Participate in the activities and affairs of BOWLS SA and to accept the benefits and be subject to the obligations that such affiliation entails.
- 3.3 Consider and deal with all matters, which may from time to time be submitted to it by its Sub-District Associations or affiliated clubs.
- 3.4 Enter into any transactions, financial or otherwise, which may deem to be in the furtherance of its objects and without detracting from the generality thereof, to acquire and alienate any rights relating to movable and immovable property and to acquire funds for the purpose of advancing the objects and interests of BB and to apply any funds that it may possess for the promotion of its objects.
- 3.5 Arrange for the establishment of such Standing Committees and any other committee as may be deemed necessary, determine Terms of Reference and/or Modus Operandi for their operation and to consider, deal with and adjudicate upon all matters, which may be submitted to BB by any of these committees.
- 3.6 Arrange and control such championships, competitions, tournaments and fixtures as may be considered appropriate.
- 3.7 Take such further action, as it may deem necessary for the furtherance of all these objects.

4. JURISDICTION

- 4.1 The Association shall:
 - be subject to the jurisdiction of BOWLS SA.
 - have jurisdiction over all the affiliated clubs and all members of these affiliated clubs.
- 4.2 The area of jurisdiction:
 - shall be the geographical area that is historically known as the Border.
 - is divided into Sub-Districts, namely Ciskei, East London Sub District Bowling Association, Frontier, North Eastern Districts.



BORDER BOWLS CONSTITUTION 2020

Version 2020

5. SUB-DISTRICT ASSOCIATIONS

- 5.1 Member clubs situated in the designated areas shall be entitled to form themselves into Sub-District Associations without detracting from their rights and obligations as members of the Association.
- 5.2 The Executive of the Association shall investigate the need and desirability of establishing each Sub-District Association in the interest of better administration of the sport and then submit its recommendation to the Council, which shall make the final decision to deem the formation of such Sub-District to be in the best interests of BB.
- 5.3 BB shall have the power to define and fix the areas over which a Sub-District Association hereinafter referred to as the Sub-District shall have jurisdiction and the Council of the Association must ratify such a decision.
- 5.4 The duly constituted Sub-Districts shall be subject to the following terms and conditions:
- 5.4.1 Sub-Districts shall form an integral part of the Association and shall assist in the administration and control of the sport of bowls in their own respective Sub-District.
- 5.4.2 Each Sub-District shall consist only of affiliated clubs situated within its own geographical area.
- 5.4.3 The Constitution of any Sub-District shall in no way be in conflict with that of BB or BOWLS SA and a copy of the Constitution shall be filed with BB.
- 5.4.4 The Constitution and any amendments thereof of every Sub-District shall be subject to the approval of the Executive Committee of the Association.
- 5.4.5 A Sub-District shall advise BB of any alteration to its Constitution within FOURTEEN (14) days of the date of the meeting at which the alteration was made and such alterations shall not be effective until approved by the Executive Committee of the Association.
- 5.4.6 Each Sub-District Association shall keep proper records, minutes, and books of account and these shall be open for inspection by the Executive of the Association at all reasonable times.

6. LINES OF COMMUNICATION

- 6.1 All communications with BB shall be transmitted through the Secretary of a Club or Sub-District or member body such as the Standing Committees and shall be addressed to the Secretary of BB.
- 6.2 Except as provided in the Constitution or on the invitation of BB, no individual member is permitted to correspond or communicate directly with BB on any matter.
- 6.3 It shall not be competent for any member, Club, Sub-District, Standing Committee or any other body under the jurisdiction of BB to communicate directly in any way with any other District Association or with BOWLS SA, unless stipulated in the Terms of Reference of a Standing Committee and/or approved by the Executive Committee.



BORDER BOWLS CONSTITUTION 2020

Version 2020

7. COLOURS, APPAREL, AND INSIGNIA OF THE ASSOCIATION

7.1 Terminology used in this section

7.1.1 Colours

7.1.1.1 "Colours" of a team or organisation such as BB are a distinguishing badge or flag or any other symbol that denotes membership of the organisation as a whole or of a group within the organisation.

7.1.1.2 Colours of the spectrum (the primary colours are violet, indigo, blue, green, yellow, orange and red; all other secondary colours such as brown and white are combinations of these primary colours.)

7.1.2 Apparel denotes clothing, gear and equipment. Garment denotes an article of clothing.

7.1.3 Insignia

7.1.3.1 Badge or emblem of membership, office or dignity

7.1.3.2 Distinguishing sign or mark.

7.1.4 Regalia are the ceremonial robes of office of an order or any special clothes of an organisation such as BB.

7.2 Colours of the Association

7.2.1 The official colours of the spectrum used in the "colours" of the Association shall be White and Border Brown (chocolate brown).

7.2.2 The apparel and insignia denoting the symbolic "colours" of the Association shall be as follows:

7.2.2.1 Blazer which shall be Border Brown in colour.

7.2.2.2 Cloth pocket badge with an Aloe having red flowers with green leaves and stems, worked on a gold coloured background, surrounded by two concentric circles with the title "BORDER BOWLS" worked onto the space within the circles.

7.2.2.3 Metal lapel badge which shall be similar in design and wording to that of the pocket badge.

7.2.2.4 Windbreaker of which the style, fabric and trimmings shall be decided by the Executive from time to time. The stipulated insignia of BB shall be worked onto the garment in the designated areas.

7.2.2.5 Shirt of which the style, fabric and trimmings shall be decided by the Executive from time to time. The stipulated insignia of BB shall be worked onto the garment in the designated areas.

7.2.2.6 Any other apparel or insignia at the discretion of the Executive.

7.2.2.7 Master copies of the official garments and insignia and any approved variations shall be stored for reference purposes in an official electronic storage facility.

7.3 **The colours, apparel and insignia of the Association** shall, save where otherwise provided herein, be worn exclusively by the following individuals and only on such occasions as are determined by the Executive from time to time:

7.3.1 Members of the Executive Committee. Whilst holding office these officials should wear a metal badge denoting the office held but on relinquishing office this badge, being the property of the Association, shall be returned to the Secretary of the Association.

7.3.2 Past President and Past Executive Members. A metal badge with the inscription Past President or Past Executive thereon, shall be presented to each retiring President or Executive Member.

7.3.3 Honorary Life Members of the Association.

7.3.4 Players selected to represent BB in designated fixtures as well as the appointed Manager shall wear, as and when determined by the Executive, any or all of the following:



BORDER BOWLS CONSTITUTION 2020

Version 2020

- (i) Border Brown blazer/Windbreaker with the official pocket badge *in situ*.
- (ii) Border Bowls metal badge.
- (iii) Border Bowls shirt and/or trousers.
- (iv) Any other relevant and officially designated and approved apparel.

The Association at their sole discretion and with respect to any of these items may present to or authorize their use by a player and/or the Manager when they are first selected for representative honours or appointed, as the case may be. The player and/or the Manager may be required to personally carry the cost of the relevant item.

- 7.3.4.1 The prior written authority addressed to the official supplier as designated by BB to order and/or purchase any of the items shall be obtained from the Executive.
 - 7.3.4.2 If for any reason a player awarded colours is unable, due to unforeseen circumstances, to represent the Association the colours must be returned and if necessary refunded.
 - 7.3.4.3 Colours shall not be awarded to a non-travelling reserve unless that reserve is called up to fill a vacancy in the team or side.
 - 7.3.4.4 Players colours will not be awarded to a Manager who acts as a substitute in an emergency, unless such Manager has been selected as a reserve and has actually played in the designated event.
 - 7.3.4.5 Any player who is awarded colours shall retain such colours in perpetuity and such player may wear the colours of the Association on official occasions.
- 7.4 The Executive at their sole discretion may withdraw “colours” from any player or office bearer who is found guilty of misconduct or in the event of his membership being suspended or terminated according to the stipulations of the Constitution.
- 7.5 The Executive shall from time to time determine a standard playing kit for each BB representative team or side. Any alteration of any nature to the playing kit shall at all times require the sanction of the Executive.
- 7.5.1 The “B”, Veteran, Junior and Scholars selected provincial teams/sides shall wear the same colours and insignia as are worn by the other players in the open team/side and where applicable the words “Veteran”, Junior and Scholar will be added on badges.
 - 7.5.2 No other colours or emblems shall be worn by members when playing for the Association, except for the emblem of the sponsor if the Tournament or Championship is officially sponsored. The emblem of an official sponsor is to be worn only for the duration of the particular sponsored Tournament or Championship or for the period of the sponsorship. This implicit condition may be waived at the sole discretion of the Executive if in their opinion the interests of a newly acquired or additional sponsor are not compromised
 - 7.5.3 The source and nature of any sponsorship must be conveyed to the Executive for approval. The principles and guidelines set out above shall apply equally in respect of non-racialism, religion and discrimination on the grounds of a person’s religious beliefs.

8. FLAG OF THE ASSOCIATION

- 8.1 The flag of BB shall be Border Brown in colour with a design that is similar to that of the pocket badge worked thereon.
- 8.2 The official flag shall be flown:
 - 8.2.1 On such occasions and at clubs when and where the President is in attendance in an official capacity.
 - 8.2.2 During International, National and District Tournaments.



BORDER BOWLS CONSTITUTION 2020

Version 2020

9. MEMBERSHIP OF BORDER BOWLS

- 9.1 All **bona fide** [genuine] bowling clubs in the area of jurisdiction are eligible for affiliation to and thus membership of the Association, provided that the necessary requirements for membership are met in terms of this Constitution.
- 9.2 A bowling club desiring membership of BB shall submit its application for affiliation and thus membership to the Executive of BB, which administers the area where such bowling club is situated.
- 9.3 Applications for affiliation shall be submitted in writing to the Executive through the Secretary of the Association in terms of its constitution and shall be accompanied by the following items:
- 9.3.1 Copy of the Club's Constitution and By-laws or proposed Constitution and By-laws
 - 9.3.2 Description and specimens of the Club's proposed colours and badges for the approval of the Association
 - 9.3.3 List of Office Bearers
 - 9.3.4 Appropriate entry fee as specified by the Annual General Meeting of BB
 - 9.3.5 Annual subscription and levies due both to BB and BOWLS SA for the period of one full year
- 9.4 No club may affiliate unless it has under its control an approved bowling green that complies with the specifications as laid down in the Laws of the Sport of Bowls or has a green under construction and has adequate clubhouse facilities approved by the Association.
- 9.5 The application for affiliation shall be considered at the first meeting of the Executive following receipt of the application.
- 9.6 The Executive in its discretion may impose any condition on the application and shall then submit the approved application to the Council for its ratification at the next Annual General Meeting.
- 9.7 The Executive shall be notified of any amendment or addition to the Constitution of an affiliated club.
- 9.8 A club desiring a transfer from the Association to another District Association shall only be able to do so if two-thirds of the **bona fide** members of the concerned club vote in favour of such transfer in a referendum held which involves all **bona fide** members of the club and provided both District Associations that are involved consent to such transfer.
- 9.9 Any club wishing to resign from the Association shall give notice in writing of its intention to do so on or before 15 December, failing which it shall be liable for payment of the subscriptions and levies for the ensuing year.
- 9.10 Each member club shall keep proper records, minutes and books of account and if required these shall be open for inspection by the Executive of the Association at all reasonable times.
- 9.11 The act of affiliation to BB shall carry with it the obligation to place the greens of the club free of charge at the disposal of BB, which may be used after reasonable consultation with the club concerned such greens for any purpose as it deems fit.



BORDER BOWLS CONSTITUTION 2020

Version 2020

9.12 A breach of any provision of the Constitution shall render a club liable to suspension of its privileges of membership.

10. MEMBERSHIP OF AN AFFILIATED CLUB

10.1 Application for club membership shall be made to the club concerned on the form prescribed by BOWLS SA.

10.2 Members may be either amateur or professional.

10.3 It shall not be competent for any club to admit as a member anyone who is or has previously been a member of another club or clubs without the applicant first being cleared by the previous clubs database administrator, declaring the applicant to be of good standing. The applicant shall have paid all dues to the Affiliated Club or Clubs or the former Club or Clubs affiliated through this or any other District Association of BOWLS SA. Any admission of such membership in contravention of these provisions shall be null and void and a breach of this regulation shall render the club liable to suspension of its privileges of membership of the Association.

10.4 Every **bona fide** member of an affiliated club shall be registered by his club with BB and, if required, with his Sub-District. In this regard it shall not be competent for any member club to permit an individual, who is not a **bona fide** member of an affiliated club in any district and therefore by inference has not paid subscriptions and levies to BOWLS SA, to participate in any official bowling event of whatever nature held at a member club. This requirement may be waived in respect of novice bowlers but not for a period in excess of three (3) months.

10.5 **Bona fide** [genuine] members of an affiliated club shall be those who are life members or honorary members with full privileges, ordinary members liable to pay full subscriptions and junior members. The following shall not be considered as bona fide members of an affiliated club:

10.5.1 Members in default with any club.

10.5.2 Life or honorary members not liable for subscriptions and levies and not enjoying full privileges.

10.5.3 Social members, country members or members of similar status whatever their designation.

10.6 A junior member shall be as defined by paragraph 10.1 in the BOWLS SA Constitution. A junior member shall be a scholar and shall not be liable for the annual subscription to the Association full membership fees, or for the subscriptions and levies of BOWLS SA. A junior member shall be subject to any relevant Clause in his Club Constitution pertaining to participation in bowls at club level as a junior member and will be eligible to participate in BB competitions.

10.7 All **bona fide** club members shall pay their subscriptions and levies to BOWLSA at their first call or "Affiliated Club". Where any such member is a member of more than one affiliated club he shall be termed a dual member of all the clubs where he does not pay subscriptions and levies to BOWLSA. The Executive has the authority to legislate in the relevant By-laws as to the conditions of participation of dual members in the various BB fixtures and tournaments. NOTE: This legislation shall apply only in respect of BB fixtures and it shall be the prerogative of individual clubs to make their own rules in respect of participation in club competitions.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 10.8 Registered members who resign from one club to join another are not liable in the current year for additional subscriptions and levies to BB and/or BOWLS SA, provided these financial obligations are current and up to date.
- 10.9 Each club shall within 30 days of the close of its financial year, submit to the Association the names of all its members not in good standing and shall furnish the reason why each of these members are not in good standing. The District Administrator must ensure that all Club Administrators have completed all the club details on the database, which includes:
- 10.9.1 Address and telephone number of the club.
- 10.9.2 A list of Office Bearers of the club for the ensuing year.
- 10.9.3 Particulars of the membership that are required for the database of BB, namely the member's surname, initials, full forenames, preferred or known name, **identity numbers**, address, telephone numbers, where applicable Coach and Technical Officials badge numbers and level of qualification, BOWLS SA registration number, status of club membership and the names of other clubs where dual membership is held as at 31 December.
- 10.10 All the information required of and from a member club must be updated regularly as stipulated in Clause 10 and 11 of the Constitution of BOWLS SA and as required by BB. When new members are registered on the database, BOWLS SA will submit monthly invoices charging BB for these new members, BB will then invoice the relevant clubs for payment. Failure to register any member shall debar such member from participating in any Sub-District, District or National Tournament.

11. LIFE MEMBERSHIP OF THE ASSOCIATION

- 11.1 Any person who has rendered meritorious service in the interest of the sport of bowls in general or to BB in particular, provided this service should entitle the individual to such distinction, may be elected to Life Membership of the Association as an Honorary Life Member of the Association and exempt from BB subscriptions.
- 11.2 No person shall be considered for election as an Honorary Life Member until a member club, Sub-District or any other competent body within BB has submitted a proposal under confidential cover to the Executive of BB for approval. The Executive of the Association shall be obliged to advise the member club, Sub-District or any other competent body within BB that makes the proposal of its decision within thirty (30) days after receipt of the proposal.
- 11.3 The Executive shall be entitled to submit proposals for Honorary Life Membership to Council without having received a proposal from a member club, Sub-District or any other competent body within BB.
- 11.4 No person shall be elected as an Honorary Life Member unless,
- 11.4.1 He is nominated as such by the Executive of the Association or the Executive has approved his nomination by a club, Sub-District or any other competent body within BB.
- 11.4.2 Notice of nomination is contained in the notice convening the Annual General Meeting.
- 11.4.3 He is elected as such by a majority vote with at least two-thirds of member clubs, being present at an Annual General Meeting and entitled to vote.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 11.5 Every Honorary Life Member of the Association shall be entitled to attend Annual General Meetings of BB and, with the permission of the Chairman, participate at such meetings but shall have no vote.

12. COUNCIL OF THE ASSOCIATION ADMINISTRATION OF THE COUNCIL OF THE ASSOCIATION

- 12.1 The Association, also named Border Bowls, shall be governed by a Council hereinafter referred to as the Council and shall consist of the following persons:

12.1.1 Elected members of the Executive Committee

12.1.2 Two delegates from each of the affiliated member clubs which are under the jurisdiction of BB and who are elected to the position as a delegate at a properly constituted meeting of that club or its Executive Committee.

12.2 Only *bona fide* [genuine] individual members of an affiliated member club shall represent that club on the Council.

12.3 Clubs shall appoint 2 Delegates and 2 alternatives to represent their clubs for each council meeting and/or Annual general meeting. A credential letter with the delegates details must be forwarded to the Association prior to the start of the meeting. The delegates must be *bona fide* members of the same club.

12.4 Should a delegate be elected to the Executive Committee as herein provided, he is not eligible to be a delegate of his club and the club concerned shall have the right to appoint a new delegate and/or alternate.

12.5 Any club, which has not held its Annual General Meeting within the year preceding the Annual General Meeting of the Association, shall not be entitled to representation at the Annual General Meeting of the Association.

12.6 The Council may delegate any of its powers to an Ad Hoc Committee consisting of such of its members as it may appoint, provided that any such Committee so appointed shall, in the exercise of its powers, conform to any rules or instructions that may be imposed on it or issued to it by the Council. Any such Ad Hoc Committee shall have the power to co-opt additional members who need not necessarily be serving Council members, but such co-opted members shall at all time be members of affiliated member clubs.

12.7 The Chairperson or alternate of each of the Standing Committees of the BB Technical Officials, Coaches, Green-keepers and Provincial Players Association and the Convenors of the Selection Committees shall be entitled to take part in the proceedings of a Council Meeting but shall not be entitled to vote.

12.8 Resolutions of the Council shall be binding on all members.

13. MEETINGS OF THE COUNCIL OF THE ASSOCIATION

13.1 An Ordinary General Meeting of the Council of the Association shall be held whenever necessary but not less frequently than twice per annum and for this purpose the Annual General Meeting



BORDER BOWLS CONSTITUTION 2020

Version 2020

of the Association shall count as a Council Meeting. The other mandatory meeting shall be held in July or August, prior to the Annual General Meeting of BOWLS SA.

- 13.2 The President shall be Chairperson at all Council Meetings of the Association. In the absence of the President, the Vice-President shall take the chair but if both persons are absent the Meeting shall elect its own Chairperson for that meeting.
- 13.3 Any proposed motion to be moved at a General Meeting of Council shall be submitted in the full and exact form in which it is intended for adoption and the Notice of Motion shall be in the possession of the Secretary of the Association not later than 21 days prior to the date of the General Meeting of the Council.
- 13.4 Notice of motion to review and/or rescind any resolution of the Council shall be given at the meeting at which the resolution was taken or in writing within 12 days thereafter and shall be considered at the next meeting of the Council. No resolution of the Council shall be rescinded except by at least two-thirds of the votes represented at the meeting at which the motion to review and/or rescind is submitted. The motion may be rejected outright or approved with or without amendments.
- 13.5 Should a meeting of Council be called to confirm, review and/or rescind a decision of the Executive Committee, the finding of the meeting shall be by a majority of votes cast provided that at least TWO THIRDS of the member clubs of BB present at the meeting.
- 13.6 All resolutions passed at a General Meeting shall become effective immediately unless otherwise agreed upon.
- 13.7 The Annual General Meeting of the Association shall be held no later than the last Saturday in February of each year. The Executive Committee shall fix the venue, date and time.
- 13.8 The Notice for the Annual General Meeting, with the Agenda, Annual Report and Draft Financial Statements attached to it, shall be dispatched to all Member Clubs, Sub-Districts, Honorary Life Members and Members of the Executive at least 14 days prior to the date of the Meeting.
- 13.9 The business of the Annual General Meeting shall be conducted according to an Agenda. The order of the items on the Agenda will be as follows, except when a Notice of Motion is given, which if carried will affect any item or items on the Agenda. In that event this Notice of Motion shall take precedence over those items likely to be affected.
 1. Welcome those present.
 2. Receive the credentials of the delegates.
 3. Accept apologies.
 4. Record the Obituary.
 5. Confirm the Minutes of the last Council and Annual General Meeting and deal with any matters arising from these minutes.
 6. Confirm the Minutes of any Special General Meetings and deal with items arising from these minutes.
 7. Submit and accept the Annual Report of the President.
 8. Consider Correspondence.
 9. Submit and consider the Annual Report of Border Bowls, presented by the Secretary.
 10. Consider the Financial Statement and Balance Sheet of the Council and the report of the Auditor.



BORDER BOWLS CONSTITUTION 2020

Version 2020

11. Note the annual subscriptions, levies and green fees, which have been approved by the Executive.
 12. Consider Notices of Motion and other business of which notice has been given.
 13. Consider, approve and ratify the adoption of any proposed amendments and/or additions to the Constitution.
 14. Confirm any Rules and Regulations [By-laws] that the Executive introduced, amended or deleted during the year.
 15. Confirm applications from clubs for affiliation to BB.
 16. Elect Honorary Life Members
 17. Elect Office Bearers. The President shall present the badge of office to the incoming President who shall present the badges of office to the balance of the incoming Executive.
 18. Appoint an Auditor / Independent Reviewer.
 19. Receive reports from Standing Committees
 20. Fix honoraria.
 21. Consider the delegation of any matters or powers to the Executive Committee, subject to such conditions as the Annual General Meeting may deem necessary.
 22. Consider any other competent business of general interest. Discussion by Council Members is permitted, whether or not such business is related to an item already on the agenda, and to agree upon a course of action to conclude the matter. i.e. which person(s) will apply their minds and report back to the next Council Meeting.
- 13.10 Any proposed motion to be moved at an Annual General Meeting shall be submitted in the full and exact form in which it is intended to be adopted and shall be in possession of the Secretary of the Association not later than 30 days preceding the Annual General Meeting.
- 13.11 Representatives of the press and other news media may be admitted at the discretion of the President to the Annual General Meeting and any Special General Meetings of the Association.
- 13.12 Any **bona fide** member of any affiliated member club shall be admitted at all General Meetings of BB, except when the meeting goes into committee, but shall take no part in any business or discussion nor have any vote.
- 13.13 A Special General Meeting of the Association may be convened at any time at the instance of the Executive Committee or at the request of at least TWELVE (12) member clubs. The request from the member clubs and the reasons for the holding of such a meeting shall be in writing and shall be submitted to the Secretary of the Association. The President and Secretary of all the clubs requesting the meeting must sign the requisition.
- 13.14 The Notice calling a Special General Meeting of the Association shall be dispatched to all member clubs at least fourteen 14 days before the date fixed for such meeting and shall state the purpose for which it is called. No business other than that specified in the Notice shall be transacted at such a Special General Meeting.
- 13.15 Minutes of all Meetings of Council shall be maintained under the control of the Executive, and such Minutes shall be circulated to all affiliated Member Clubs and such additional persons and bodies as the Executive may decide not less than FOURTEEN (14) days prior to each Council Meeting.



BORDER BOWLS CONSTITUTION 2020

Version 2020

14. EXECUTIVE COMMITTEE OF THE ASSOCIATION

14.1 COMPOSITION AND ADMINISTRATION OF THE EXECUTIVE COMMITTEE

The Executive Committee of the Association shall be elected each year by the members of the Council of the Association at the Annual General Meeting of the Association, by the Executive of the Sub-Districts in respect of their representatives as stipulated in this Constitution and by the District Players Committee in respect of their representative. The Executive Committee shall consist of the eleven (11) members who are listed hereunder, all with full voting rights. The list of the members of the Executive Committee is accompanied by an abridged description of the individual duties of each position:

The Executive Board shall consist of the President, Vice President, Secretary and Treasurer. The Executive members shall consist of 2 competition secretaries, 4 sub district representatives, District Players Committee representative.

14.1.1 **President** who shall be:

- 14.1.1.1 Chairperson of the Executive Committee as well as any Council Meeting, Annual General Meeting and Special General Meeting and shall have the casting vote should there be an equality of votes.
- 14.1.1.2 an *ex officio* member of any Sub-Committee and Standing Committee that has been appointed by the Executive Committee, including the Selection Standing Committees.
- 14.1.1.3 the representative of BB at all official meetings and functions.
- 14.1.1.4 granted reasonable travelling and accommodation expenses when required to travel on BB business.

14.1.2 **Vice-President** who shall:

- 14.1.2.1 act as the President when the latter is not able to perform his duties.
- 14.1.2.2 perform any other duties as the Executive may specify from time to time and as the need arises.
- 14.1.2.3 be granted reasonable travelling and accommodation expenses when required to travel on BB business.

14.1.3 **Secretary** who notwithstanding any duties especially provided for in the Constitution and By-laws shall:

- 14.1.3.1 Perform the secretarial duties of the Association.
- 14.1.3.2 See to the proper custody of all the records of the Association.
- 14.1.3.3 Maintain a Register of Council Policy decisions and ensure that the resolutions of Council from time to time are carried out.
- 14.1.3.4 Attend and accurately record as Minutes the proceedings at all routine and emergency meetings of the Executive and Council of the Association and at all other meetings as required by the Executive, unless excused by the Executive.
- 14.1.3.5 Receive the Minutes of all Standing Committee Meetings and forward copies to BOWLS SA.
- 14.1.3.6 Prepare in conjunction with the President, Treasurer and Competition Secretaries a report of the proceedings of the Association for the year and present it to the Council at the Annual General Meeting.
- 14.1.3.7 Forward one copy of all Minutes of the Executive, Council, Special General and Annual General Meetings to BOWLS SA.
- 14.1.3.8 Forward copies of all Council Meeting minutes to each affiliated club, Executive Member of the Association and Honorary Life Members of the Association.
- 14.1.3.9 Maintain a Register of Club Colours.
- 14.1.3.10 Maintain the database the Membership of the Clubs affiliated to the Association
- 14.1.3.11 Keep a register of all trophies



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 14.1.3.12 Be granted reasonable travelling and accommodation expenses when required to travel on BB business.
- 14.1.4 **Treasurer** who shall:
- 14.1.4.1 Perform the financial duties of the Association, including the payment without delay of all subscriptions, levies and accounts.
- 14.1.4.2 Keep proper financial records, which shall be open for inspection by the Executive at all times, and such financial records shall be kept for a period of seven years from the date of the last entry.
- 14.1.4.3 Present a management accounting statement at each Executive and Council Meeting.
- 14.1.4.4 Prepare an Income and Expenditure Account and Balance Sheet at the end of each Financial Year and submit same, duly audited / certified by the appointed Auditor / Independent reviewer, to Council at the Annual General Meeting
- 14.1.4.5 Be granted reasonable travelling and accommodation expenses when required to travel on BB business.
- 14.1.5 **Competition Secretaries** (one for each gender)
- 14.1.5.1 The Ladies Competition Secretary will administer Ladies Competitions and the Men's Competition Secretary will administer all other Competitions.
- 14.1.5.2 Competition Committees may be formed at the first Executive Meeting after each Annual General Meeting, consisting of the Lady Competition Secretary and two other persons and the Men's Competition Secretary and two other persons. The two additional members must be approved by the Executive.
- 14.1.5.3 The Competition Secretaries, notwithstanding any duties especially provided for in the Constitution and By-laws shall be responsible for the:
- organisation and running of all Championships and Competitions staged by the Association as per the modus operandi.
 - reporting to the Executive Committee and Council on the progress of the competitions already played, being played or due to commence.
 - compilation of an Annual Fixture List for the ensuing year in collaboration with member clubs and other interested organisations and then ensuring that the Secretary of the Association issues this list to the member clubs.
 - Keep records pertaining to the tournaments, championships and competitions of BB
- 14.1.5.4 The travelling and reasonable accommodation expenses of the Competition Secretaries attending any Association Championship or Competition that is held outside East London shall be carried by the Association and shall be a charge against the General Fund.
- 14.1.6
- 14.1.6 **Sub-District Representatives**, one from each of the Four (4) Sub-Districts, who shall:
- 14.1.6.1 Represent their Sub-District at Executive Meetings
- 14.1.6.2 Enjoy full privileges relating to the Executive of the Association.
- 14.1.7 **District Players Committee Representative** who shall:
- 14.1.7.1 Represent the District Players Committee
- 14.1.7.2 Enjoy full privileges relating to the Executive of the Association.
- 14.1.7.3 The Constitution recognizes the establishment of a Committee for District Players to be appointed and elected by the District Players. The Committee for District Players shall serve the interests of the district representative players and such committee shall be known as the District Player's Committee, hereinafter referred to as the DPC
- 14.1.7.4 The DPC shall:
- 14.1.7.4.1 Consist of players who have at any stage officially represented BB as selected players
- 14.1.7.4.2 Be under the jurisdiction of BB
- 14.1.7.4.3 Be subject to the Constitution of BB
- 14.1.7.4.4 Have a Terms of Reference that is approved by BB and shall function according to the



BORDER BOWLS CONSTITUTION 2020

Version 2020

requirements of these Terms of Reference and shall also function within the parameters of any Modus Operandi as determined by the Executive of the Association from time to time.

- 14.1.7.5 Without detracting from the generality of the object of the DPC the following are specific instances where the DPC may deem to serve the interests of the district representative players:
- 14.1.7.5.1 Matters of district representation as a player and/or any other relevant and appropriate consideration.
 - 14.1.7.5.2 Direct liaison with the Team Managers and the District Coach with respect to team training.
 - 14.1.7.5.3 Recommendations to BB with respect to the appointment of Team Managers.
 - 14.1.7.5.4 Input concerning arrangements which are suitable and appropriate for district representative players in respect of finance, transport and accommodation.
- 14.1.7.6 The DPC may nominate candidates for appointment to the BB Selection Standing Committees.
- 14.1.7.7 All district representative players shall communicate with BB concerning matters in respect of district player representation through the DPC and it shall be deemed inappropriate for any district representative player in their personal capacity at any time to:
- 14.1.7.7.1 Communicate directly, either verbally or in writing, with BB on matters in respect of district representation.
 - 14.1.7.7.2 Usurp the functions of the DPC as stipulated in this Constitution.

14.2 NOMINATIONS FOR THE EXECUTIVE COMMITTEE

Nominations for the positions as Executive Committee Members referred to in paragraph 14.1 shall be made in writing by affiliated member clubs, provided that:

- 14.2.1 Notice inviting nominations for the Executive Committee shall be served on affiliated clubs by the Secretary of BB, allowing sufficient time for these nominations from the clubs to reach the District Secretary by no later than 21 days preceding the date of the Annual General Meeting at which the Executive Committee is to be elected. All nominations shall be in writing and shall be accompanied by the written acceptance of the nominee so to act, as well as his relevant bowls Curriculum Vitae.
- 14.2.2 A list of nominations for each position, together with a copy of each nominee's **curriculum vitae** shall be sent to each member club not less than ten (10) days before the Annual General Meeting.
- 14.2.3 The names of all persons who have been nominated for election to any position must appear on the Agenda of the Annual General Meeting.
- 14.2.4 A person may be nominated for more than one position and may be elected for more than one position, but no more than two.
- 14.2.5 Each affiliated club shall be entitled to nominate one (1) candidate for each of the above-mentioned specified positions on the Executive, except for the positions as Sub-District representatives. Such nominated candidate shall be a member in good standing of an affiliated club within the District of BB.
- 14.2.6 If the nominations received are sufficient to fill the required number for any position then the person or persons so nominated shall be declared duly elected. If nominations in excess of the requirements for any position are received, then all the clubs officially represented at the Annual General Meeting shall take part in an election by written ballot in order to fill that position. In the event that the voting results in a tie, the meeting will once again be



BORDER BOWLS CONSTITUTION 2020

Version 2020

- asked to vote by ballot. In the event that the second voting by ballot also results in a tie, then the President has the casting vote. If the position is the President's position, then the Board will consult and decide on the candidate of their choice.
- 14.2.7 If no nominations for any particular office or insufficient nominations for any position are received then immediately after the stipulated closing date for the initial nomination's further nominations from the affiliated clubs shall be called to fill the vacancies. If no further nominations are received after 10 days of the calling for further nominations then the Executive shall have the authority to fill the vacancy in any way they deem necessary, especially where any delay in filling such a vacancy will restrict the operation of BB. The vacancy must be filled within a period of 30 days.
- 14.2.8 In addition to the six (6) elected Executive members (excluding the District Players nomination – refer 14.2.9) each of the Sub-Districts of BB will be entitled to nominate one (1) Executive member from their Sub-District as a full member of the Executive Committee of the Association.
Details of such appointed members should be provided to the Secretary of BB no later than ten (10) days prior to the Annual General Meeting of the Association. If any Sub-District does not exercise this option within the stipulated time frame, then the Executive of the Association shall have the authority to fill the vacant position in any manner that they deem to be in the best interests of BB.
- 14.2.9 The Committee for District Players will be entitled to nominate one (1) Executive member from their ranks as a full member of the Executive of the Association
- 14.3 STIPULATIONS REGARDING EXECUTIVE COMMITTEE MEMBERS
- 14.3.1 All members of the Executive shall be members of affiliated clubs and should such individual member cease to be a member of an affiliated club then he shall *ipso facto* cease to hold office.
- 14.3.2 The members of the Executive elected at the Annual General Meeting shall assume office immediately after the conclusion of that meeting with the rising of the Meeting and shall remain in office for a period of one (1) year when elections shall once again take place.
- 14.3.3 The offices of President and/or Vice-President shall remain for a period of 1 year and for not more than three consecutive terms and may not be eligible for executive office within a period of 2 years after leaving office.
- 14.3.4 In the event that the Council becomes dissatisfied with the manner in which the President and/or the Vice-President is performing his duties then Council may introduce a vote of no confidence in that person to vacate his office.
- 14.3.5 Should a vacancy occur for any reason whatsoever in the office of President or Vice-President, notice inviting nominations to fill that vacancy for the remaining term of that office shall be served on all affiliated clubs. Such nominations shall be in the hands of the Secretary not later than twenty-one (21) days before the date of the Special General Meeting at which an election is to take place.
- 14.3.6 An Executive Committee Member shall cease to act as such if he/she:
- 14.3.6.1 Fails to attend three consecutive meetings without obtaining leave of absence.
- 14.3.6.2 Tenders his resignation in writing and such resignation is accepted by the Executive.
- 14.3.6.3 Becomes permanently incapable of performing his duties because of being of unsound mind or for any other valid reason.
- 14.3.6.4 Is removed anywhere from an office of trust on account of misconduct.
- 14.3.6.5 Is found, after proper investigation, to have acted in a manner detrimental to the image of the Association.
- 14.3.7 Should a vacancy occur for any reason whatsoever in the elected Executive for any position other than President or Vice-President before the next Annual General Meeting, the



BORDER BOWLS CONSTITUTION 2020

Version 2020

Executive shall have the authority at their sole discretion to allow the vacancy to remain unfilled or co-opt an additional member to fill the vacancy until the following Annual General Meeting when Council shall again elect the Executive in the usual manner. Should a vacancy occur with any of the nominated Sub-District and/or DPC members, then the Sub-District Executive/DPC Committee concerned may allow the vacancy to remain unfilled or appoint another member to fill the vacancy.

14.4 MEETINGS OF THE EXECUTIVE COMMITTEE

- 14.4.1 All routine and emergency business of the Association shall be carried out at properly constituted meetings of the Executive Committee.
- 14.4.2 Executive Committee Meetings shall be held as regularly as circumstances may require but at intervals of not greater than ten (10) weeks.
- 14.4.3 The Secretary shall give at least SEVEN (7) days' notice of such committee meetings. In the event of an emergency the President may convene an Executive Committee Meeting without the necessary prior notification.
- 14.4.4 All meetings notified by the Secretary shall be after consultation with the President or, in his absence, with the Vice- President.
- 14.4.5 The President shall be Chairperson at all Executive Meetings of the Association. In the absence of the President, the Vice-President shall take the chair but if both are absent the Meeting shall elect its own Chairperson.
- 14.4.6 Minutes of all routine and emergency meetings of the Executive shall be maintained under the control of the Executive and relevant minutes that pertain to the administration of Border Bowls be distributed to all clubs within the district.

15. FUNCTIONS OF THE EXECUTIVE COMMITTEE

15.1 GENERAL POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

- 15.1.1 The Executive shall carry out the general administration of the Association and shall also deal with any emergency business of BB and shall have the full power and the authority to do so.
- 15.1.2 The Executive shall be responsible to Council for its decisions and all matters of policy, resolutions and acts of the Executive shall be valid until confirmed or overruled by the Council.
- 15.1.3 The Executive of the Association shall at all times abide by this Constitution.
- 15.1.4 Should this Constitution or any Bye-Law framed hereunder not cover or make provision for a certain course of action deemed by the Executive Committee to be of extreme urgency and also necessary and should the prior sanction of Council not be reasonably possible then the Executive Committee may take the necessary emergency action. In taking such action the Executive Committee shall be aware of the danger of creating an unwarranted precedent and shall report its action and the need and reasons therefore at the next Council Meeting and shall in addition, in order to ensure that no recurrence of such an incident happens, recommend a suitable amendment to the Constitution or change in the By-laws.
- 15.1.5 Members of the Executive of the Association (excluding Sub-District Executive or DPC) shall be permitted to serve on the Executive Committee of a member club to which they belong or Sub-District Executive or any other sub-committee or Standing Committee of BB.

15.2 SPECIFIC POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

The Executive, notwithstanding the other requirements of the Constitution, has the power to perform the following functions and it shall be its bounden duty, as the need arises from time



BORDER BOWLS CONSTITUTION 2020

Version 2020

to time, to initiate the performance of these functions and to carry out each of these tasks to its logical conclusion.

In the execution of these functions the Executive shall:

- 15.2.1 Administer and manage all monies and property of BB, which monies and property shall vest in the Executive who shall deal with such monies and property as the Annual General Meeting may direct while remaining within the parameters of the financial budget as approved by the Council.
- 15.2.2 Be responsible for the insurance of:
 - 15.2.2.1 All the trophies and other property of BB against such risks as it deems appropriate.
 - 15.2.2.2 BB against public liability claims.
- 15.2.3 Take action and enter into any agreement, as may be necessary to achieve the objects of the Association and carry out the functions of the Association.
- 15.2.4 Ensure that all actions or suits, proceeding at law or any arbitration shall be brought by or against the Association in the name of the Association and the Executive Committee may authorize in writing any person or persons to act on behalf of the Association and to sign all such documents and to take all such steps as may be necessary in connection with any such proceedings. All members of the Executive shall be personally indemnified by the Association for losses and 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.
- 15.2.5 Formulate new domestic rules and/or regulations, which are not in conflict with the Constitution of BOWLS SA or this Constitution, and/or if deemed necessary amend the existing rules and regulations, on condition that any new domestic rule or regulation and/or amendments are put forward for approval and ratification by the Council at the next Annual General Meeting or at a Special General Meeting of Council.
- 15.2.6 Ratify and impose at their discretion any recommendation of the Disciplinary Committee.
- 15.2.7 Be empowered to nominate on an annual basis in terms of Clause 5 of the BOWLS SA Constitution one or more persons to serve on the Executive and/or Selection Committees of BOWLS SA.
- 15.2.8 Nominate as many delegates as may be necessary to represent BB at General or Special Meetings of BOWLS SA. These delegates shall be appointed from the Executive Committee and they shall be instructed by the Executive Committee as how to vote on the election of Office-bearers and Notices of Motion or amendments to Notices of Motion, providing that in their discretion such delegates may at the meeting and arising out of discussion at the meeting, speak and vote differently.
- 15.2.9 Nominate delegates to represent BB at any other meeting, subject to the provisions in the Constitution.
- 15.2.10 Appoint any appropriate committee and to stipulate the Terms of Reference of such committee or Modus Operandi relating to any task required of the committee that the Executive Committee might deem necessary.
- 15.2.11 Appoint sub-committees to carry out special projects provided that such sub-committees shall at all times be responsible to the Executive of the Association.
- 15.2.12 Establish a Tournament Committee for Regional or National Tournaments, if so desired or required. The Executive shall appoint the Chairperson who shall then in turn appoint the other members of the Tournament Committee.
- 15.2.13 Annually appoint the Coaches/Managers of the BB representative squads, teams or sides and where necessary to dismiss and/or replace such a Coach/Manager, as they might deem justifiable. The Executive of the Association shall specify the duties and responsibilities of such Coaches/Managers.



BORDER BOWLS CONSTITUTION 2020

Version 2020

16. QUORUM AT MEETINGS

16.1 The quorum required at meetings is as follows:

16.1.1 Annual General Meeting of the Association; a simple majority of the membership of Council.

16.1.2 All other Meetings of Council; one third of the full membership of Council.

16.1.3 Executive Meetings; the majority of those entitled to be present and also entitled to vote.

16.2 In the event of there being no quorum within 15 minutes after the time determined for the start of a scheduled meeting of either body, such meeting shall be adjourned and shall be held at a time and place to be determined by the delegates and members of the Council or the Executive Committee as the case may be and at such adjourned meeting the delegates or Executive Members, as the case may be, then present shall form a quorum.

17. VOTING RIGHTS AT MEETINGS

17.1 Votes must be cast in person and no proxy voting or voting on behalf of absent delegates is permitted at any meetings of the Association.

17.2 Voting shall be by a show of hands except where otherwise provided or resolved. If the voting goes to ballot, then scrutinisers nominated by the Executive shall count the votes and the results shall be announced immediately after the count.

Executive Meetings

17.3 At all meetings of the Executive each member of the Executive shall have one deliberative vote.

17.4 In the event of an equality of votes on any issue other than constitutional issues before an Executive Meeting the Chairperson shall, in addition to his deliberative vote, also be entitled to exercise a casting vote but on constitutional matters there shall be no casting vote.

17.5 Repeal of the existing Constitution Stipulations regarding the Constitution Council - No other person present at an Executive Meeting, Council Meeting, including Annual General Meeting and Special General Meeting shall be entitled to vote, except as stipulated in the Constitution.

17.6 At all Council Meetings of the Association the voting power allocated to each member club, which is officially represented and present at the meeting, shall be:

17.6.1 ONE (1) vote for each club with a membership number of registered affiliated members (excluding scholars) up to and including TWENTY FIVE (25) members. [0-25]

17.6.2 TWO (2) votes for each club with a membership number of registered affiliated members (excluding scholars) from TWENTY SIX (26) up to and including SEVENTY FIVE (75) members. [26-75]

17.6.3 THREE (3) votes for each club with a membership number of registered affiliated members (excluding scholars) from SEVENTY SIX (76) up to and including ONE HUNDRED AND FIFTY (150) members. [76-150]

17.6.4 FOUR (4) votes for each club with a membership number of registered affiliated members (excluding scholars) in excess of ONE HUNDRED AND FIFTY (150) members. [150+]



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 17.7 The vote or votes of member clubs shall be exercised by one of their delegates or alternates or substitute delegates attending the meeting.
- 17.8 Members of the Executive Committee, Honorary Life Members and any other person entitled to attend shall not be entitled to vote, except as stipulated in the Constitution.
- 17.9 In the event of an equality of votes on any issue before a Council Meeting, the Chairperson shall be entitled to exercise a casting vote.
- 17.10 When voting on matters pertaining to dress, only the votes of the gender concerned shall be cast on that issue.

18. FINANCIAL ADMINISTRATION

FINANCIAL RULES AND REGULATIONS

- 18.1 The Executive shall institute such measures as it deems necessary to control the financial affairs of BB.
- 18.2 The financial year of the Association shall extend from 1 January to 31 December of the same year.
- 18.3 All monies received on behalf of BB shall be paid into an account in the name of BORDER BOWLS in such registered bank or registered financial institution as the Council may decide.
- 18.4 The Treasurer shall be empowered to draw petty cash up to a maximum amount as the Executive may decide.
- 18.5 Two authorised signatures are required on all cheques, EFT transactions and/or documents, which require the signature of BB.
- 18.6 The Executive shall have the power to:
- 18.6.1 Invest any funds of BB that are not immediately required in any Bank carrying on business in the Republic of South Africa.
- 18.6.2 Establish separate accounts for such purpose as may be deemed necessary in the furtherance of its objects and in this regard, there shall be established in the books of the Association the following funds which shall be credited with:
- a) a percentage of the subscriptions and levies imposed in terms of this Constitution.
 - b) interest from investments of the Association, at the discretion of the Executive.
 - c) a percentage of the competition entry fees imposed in terms of this Constitution and the By-laws.
 - d) amounts from any other appropriate source that the Executive might determine.

General Accounts from which the Association shall at its discretion pay the reasonable:

- a) general administrative expenses of the Association.
- b) expenses incurred by delegates appointed to attend meetings of BOWLS SA or any other meetings attended in the interest of BB, as the Executive may determine from time to time.
- c) expenses incurred by the Executive Committee Members on official duties.
- d) expenses incurred by the Standing Committees in rendering their designated services.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- e) costs incurred by the Executive in providing entertainment for any visiting bowlers or dignitaries.
- f) honoraria as set out at the Annual General Meeting.
- g) costs incurred in attaining any of the objects of the Association.

District Players Account from which the Association shall at its discretion provide financial assistance in respect of reasonable and relevant expenses that are incurred by the following:

- a) selected players on such occasions as the Executive may deem appropriate, including team preparation and representation.
- b) Managers and/or Coaches of the district representative teams in the fulfilment of their official duties.
- c) Selectors authorised by the Executive to attend relevant tournaments.
- d) Executive teams selected to represent the Association.

18.7 BOWLS South Africa Subscription: Each member club shall pay the annual subscription and levies required by BOWLS SA for and in respect of the **bona fide** membership of that club as at 31 December and such subscription and levies shall be paid to the Association on or before 31 January of each year in order that these may be paid over before the due date to BOWLS SA in terms of the Constitution of BOWLS SA. **Bona fide** members joining clubs from 1 February of any year will be liable for a pro rata subscription for the balance of the year.

18.8 Border Bowls Subscription: Each member club shall pay to the Association on or before 31 January of each year an annual subscription for and in respect of the **bona fide** membership of that club, the amount of which shall be decided upon by the Executive of the Association who shall report thereon at the Annual General Meeting of the Association. The total amount of the subscription payable by each member club shall be based on the number of **bona fide** members of the club as at 31 December of the preceding year. In addition, each club shall register and pay the prescribed annual subscription for each new club member after 1 February provided that such subscription shall be paid immediately the individual member is elected to membership. New members registered after 1 July in any year will be liable for a subscription calculated on a pro rata basis per month.

18.9 A club that becomes a member of the Association after 31 December shall on admission to membership pay the full annual prescribed subscription required for that year.

18.10 Clubs will be invoiced for the levies due according to their membership listings on the database.

18.11 The Association shall have the right, as it deems necessary, to impose any special levy on the member clubs in order to meet any special circumstances that might arise.



BORDER BOWLS CONSTITUTION 2020

Version 2020

19. AUDITOR / INDEPENDENT REVIEWER

- 19.1 An Auditor/Independent Reviewer shall be appointed for the ensuing year at each Annual General Meeting. The appointee may not be a member of the Executive nor a delegate to Council.
- 19.2 The Auditor/Independent Reviewer shall examine the financial records, ascertain the existence of any investments and at his discretion certify that all relevant financial matters are correct and in order.

20. DISCIPLINE

POWERS AND OBLIGATIONS IN MATTERS OF DISCIPLINE

- 20.1 The Executive shall have the power, on receipt of a written report from any Affiliated Club, Competition Secretary, Coach/Manager, Convenor of Selection or a Technical Official officiating on behalf of the Association to consider a complaint or report:
- 20.1.1 Of unseemly conduct, misbehaviour or malpractice on the part of any player or players taking part in any Championship or League fixture organised by the Association, and after due examination of the facts, to take such disciplinary action against such player or players, as in its opinion the circumstances warrant.
- 20.1.2 That any member of an Affiliated Club has been suspended by such Affiliated Club for any period during dates of any Championship organised by this Association, to advise such member or members that all rights have been forfeited to participate in such Championship that may be in progress at the time of, or during any period of suspension.
- 20.1.3 Appoint a disciplinary committee of at least three Bowlers of which at least one must be on the executive and/or legal inclined.
- 20.2 The Executive shall have the power to refuse, for such period of time as it may determine, the entry of an Affiliated Club or of a member of an Affiliated Club, found guilty of a malpractice, to any Championship held under its auspices.
- 20.3 It shall be competent for the Executive after due investigation of the facts, and, if need be, the examination of witnesses and any relevant documentary evidence:
- 20.3.1 To suspend or terminate the affiliation of a Club.
- 20.3.2 To discipline a member of an Affiliated Club in matters beyond the powers or authority of an Affiliated Club.
- 20.3.3 Such Affiliated Club or member of an Affiliated Club shall have the right of appeal in the manner set out in Clause 23
- 20.4 It shall be competent for the Executive after due investigation of the circumstances surrounding the failure of any entrant or entrants of any of the Association's Championships, to present himself/herself/themselves, in terms of the published schedule of play to deny such entrant or entrants the right to enter for such Championships for such period as the Executive may decide or take such other action as they may from time to time decide.
- 20.5 Whenever disciplinary action is taken, the Executive shall send full particulars to the Affiliated Club, Standing Committee or Organisation concerned.
- 20.6 A Defaulter at one Affiliated Club is a defaulter at all Affiliated Clubs



BORDER BOWLS CONSTITUTION 2020

Version 2020

21. DISPUTES

POWERS AND OBLIGATIONS ON MATTERS OF DISPUTE

- 21.1 In the event of disputes arising between Affiliated Clubs, or between players of such Affiliated Clubs, or between players and an Affiliated Club, such Affiliated Club/s and or player/s, may appeal in writing to the Executive for a ruling.
- 21.2 Should the aggrieved party not be satisfied with the ruling of the Executive, such party shall have the right to appeal to the Council.
- 21.3 Notwithstanding the foregoing, no member of an Affiliated Club is permitted to correspond directly with the Association on sundry matters. It shall be competent for the Executive to appoint a Jury of Appeal where deemed necessary.
- 21.4 In the event of any of the foregoing, legal representation will be permissible.

22. STANDING COMMITTEES

GENERAL RULES AND REGULATIONS APPLICABLE TO ALL STANDING COMMITTEES

- 22.1 In the process of achieving its objects BB shall:
- 22.1.1 Ensure that Standing Committees be formed and for this purpose shall be appointed by the Executive for each of the disciplines of Greens Care, Selection, Coaching, Technical Officials and Promotion and Development. Membership & Marketing
- 22.1.2 Determine the Terms of Reference and/or Modus Operandi for the operation of these Standing Committees.
- 22.2 **All Standing Committees shall:**
- 22.2.1 Constitute themselves as bodies within BB and be subject to the jurisdiction of BB, for which purpose they shall be directly responsible and accountable to the Executive of the Association.
- 22.2.2 Maintain all communications through the Executive of the Association.
- 22.2.3 Function in accordance with the guidelines and procedures for District Standing Committees as stipulated by BOWLS SA.
- 22.2.4 Function in accordance with the Constitution of BB.
- 22.2.5 Have Terms of Reference determined and/or approved by BB and the Standing Committees shall function within the requirements of these Terms of Reference and shall also function within the parameters of any [Modus Operandi for Standing Committees](#) as determined by the Executive of the Association from time to time.
Notwithstanding the generality of these requirements any Standing Committee shall specifically:
- 22.2.6 Undertake such duties as may be delegated to them from time to time.
- 22.2.7 Advise the Executive on all aspects pertaining to the appropriate line functions and delegated tasks of the specific Standing Committee.
- 22.2.8 Convene any workshop, seminar or similar event within the scope of the specified portfolio and subject to the approval of the Executive.
- 22.2.9 Submit written proposals for the betterment of the Standing Committee and/or its appropriate line functions to the Executive for consideration and approval.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 22.2.10 Only act in an advisory capacity and have no mandate whatsoever to make policy decisions, tell the Executive what to do or expect the Executive to ask the permission of any Standing Committee to make any or certain decisions.
- 22.3 Prior to the initial appointment of any Standing Committee, the Executive shall advise all affiliated member clubs by way of a circular to these member clubs of its intentions to appoint Standing Committees and shall invite applications for the appointment of such Standing Committees to be submitted in writing together with the details of the relevant achievements, experience and skills of such applicants.
- 22.4 The Executive shall appoint the Chairperson of each Standing Committee and such appointment shall be subject to annual confirmation. The Chairperson shall be asked to form a Standing Committee for the respective discipline by nominating suitable members to the Standing Committee from persons initially ratified by the Executive for appointment to each Standing Committee and then annually confirm the appointment of these committee members. A member of a Standing Committee will only be replaced when he resigns or when the Executive decides to end his term of office. This excludes the Standing Committee for Selection.
- 22.5 The composition of each Standing Committee, other than those of Selection and Greens Care, shall be:
- 22.5.1 Chairperson.
 - 22.5.2 Secretary/ treasurer.
 - 22.5.3 Three (3) ordinary members.
 - 22.5.4 Nominee from the Executive of BB who would preferably be qualified in the respective discipline and/or have a special interest in that discipline.
- 22.6 The Executive Committee shall appoint to every Standing Committee an Executive Member who shall be an ex-officio member thereof with full voting rights. This excludes the Standing Committee for Selection.
- 22.7 The appointment of additional or replacement members to any Standing Committee shall be at the sole discretion of the Executive and they shall decide whether to make such appointment from the list of original applicants or to invite fresh applications.
- 22.8 Should the Chairperson of a Standing Committee not be present at any scheduled meeting, the Standing Committee shall elect a Chairperson for that meeting from one of the Standing Committee Members who are present at the meeting.
- 22.9 The Chairperson of any Standing Committee shall:
- 22.9.1 Convene meetings as and when necessary in order to attend to the functions required of that Standing Committee.
 - 22.9.2 Ensure that accurate and correct minutes of meetings are maintained and that copies of such minutes are submitted to the Secretary of the Association within 15 days of any meeting
 - 22.9.3 Determine the allocation of duties and responsibilities to members of the Standing Committee
 - 22.9.4 Have both a deliberative and a casting vote at all meetings of such Standing Committees
- 22.10 A Standing Committee may call upon any member of that Standing Committee who fails to carry out reasonable duties assigned to that member to resign and if the member fails to resign then



BORDER BOWLS CONSTITUTION 2020

Version 2020

the Committee with the permission of the Executive of the Association may declare the position forfeited.

- 22.11 The Standing Committee may appoint a sub-committee for any specific purpose.
- 22.12 The Executive shall determine the style and colour, including badges and emblems, of any distinctive uniform or dress for use by any District Standing Committee members. The members of any District Standing Committee may use any badges, emblems, distinctive uniforms or dress that are commensurate with their qualifications as determined by BOWLS SA from time to time.
- 22.13 A representative of each Standing Committee, normally the Chairperson, shall be admitted to all Council Meetings, Annual General Meetings and Special General Meetings and shall be entitled to take part in all discussions but shall have no vote.
- 22.14 The Chairperson and/or other members of Standing Committees when directed by the Executive to do so shall be obliged to attend and report at Executive Committee and Council Meetings.
- 22.15 The Standing Committees shall be supported financially by grants-in-aid from the Association. Each Standing Committee shall submit on or before 30 September of each year to the Treasurer of the Association a detailed budget for the ensuing financial year for consideration and approval by BB. Standing Committees shall only incur expenditure as approved in the annual budget and surplus funds shall remain under the control of BB until the necessary authority to expend them has been granted. All correspondence, stationery, photocopying and other expenses as determined by the Executive from time to time shall be at the cost of the Association.
- 22.16 Members of Standing Committees, when engaged in official duties, shall be reimbursed for travelling expenses and other reasonable expenses as agreed to by the Executive.
- 22.17 Without detracting from any of the requirements of the general rules and regulations relative to all Standing Committees, in such instances where the stipulations in the following sections of Clause 22 (22.19 to 22.55) relating to the individual Standing Committees are at variance with the stipulations in the general rules and regulations for Standing Committees in the preceding section of Clause 22 (22.1 to 22.17) then the stipulations in the following sections of clause 22 (22.19 to 22.55) relating to the individual Standing Committees shall take precedence in terms of this Constitution.

A. STANDING COMMITTEE FOR GREENS CARE

- 22.18 The Standing Committee for Greens Care shall be known as the Border Bowls Green Keepers Standing Committee and shall operate in accordance with the Terms of Reference and the [Modus Operandi of District Standing Committees](#) of BOWLS SA and in accordance with the Constitution of BB and shall:
- 22.18.1 Administer and control all aspects of greens care within the district.
- 22.18.2 Maintain an advisory service on greens care to member clubs.
- 22.19 The Border Bowls Green Keepers Standing Committee shall consist of at least three (3) members including the Chairperson but excluding the nominee from the Executive of the Association.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 22.20 Notwithstanding the above requirements the Border Bowls Green Keepers Standing Committee shall:
- 22.20.1 Advise the Executive on the availability and suitability of bowling greens to be used for the fixtures of the Association or of BOWLS SA or for any such events as and when requested by the Executive.
 - 22.20.2 Conduct at least one annual inspection of all the bowling greens at all the clubs affiliated to the Association and other inspections of greens on such occasions as may be deemed necessary by the Executive of the Association. The results of all such inspections shall be submitted in writing to BB.
 - 22.20.3 Advise all member clubs on the maintenance and remedial actions that in their opinion need to be undertaken on the greens at that club and shall take steps to ensure that such actions are correctly executed.
 - 22.20.4 Conduct meetings, workshops and seminars with the green keepers of member clubs in order to promote the continuing improvement in knowledge and skills that are required by green keepers.
 - 22.20.5 Make use of qualification courses conducted by BSA Green Keepers Standing Committees

B. STANDING COMMITTEES FOR SELECTION

- 22.21 The Executive of the Association shall appoint the following entities from the names submitted by the nominators who are empowered to do so in terms of this Constitution:
- 22.21.1 Selection Standing Committee for each gender separately and each Selection Standing Committee shall consist of not less than THREE (3) and not more than FIVE (5) members, not necessarily gender specific.
 - 22.21.2 Convenor for each Selection Standing Committee from amongst these appointed committee members.
- 22.22 If there is an appointed District Coach he/she shall:
- 22.22.1 Be ex officio an additional member of the Selection Standing Committees.
 - 22.22.2 Take part in all selection proceedings with no voting powers.
- 22.23 All member clubs and the District Player's Committee when called upon by the Executive may nominate candidates for appointment to the Selection Standing Committees; each gender committee separately and irrespective of club membership or Sub-District classification. Nominations must be in the hands of the Secretary not less than 21 days before the Annual General Meeting and shall be signed by the nominators and shall carry the signed acceptance of the nominee so to act. A bowls Curriculum Vitae giving full details of relevant qualifications, skills and bowls related achievements shall accompany all nominations.
- 22.24 On each Selection Standing Committee there shall not be appointed more than one (1) selector from any one affiliated club, save when insufficient and/or unqualified nominations are received to fill all the positions and then not more than two (2) selectors may be appointed from any one affiliated Mother club.
- 22.25 Selectors shall hold office for a period of ONE (1) year and may be eligible for re-appointment.
- 22.26 The Executive shall at their sole discretion temporarily fill a vacancy, which may arise from time to time, or they may call for further nominations and follow the same qualifying process.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 22.27 Members of the Selection Standing Committees shall themselves preferably not be eligible for selection to any BB representative squad, team or side under consideration in any capacity. Selectors who may be eligible will be recused while selection for the Border squad/team or side is decided upon. Should such recusal result in too few members being present (less than 3), an alternative suitable person or the BB President shall be called upon to substitute for the recused selector.
- 22.28 The Convenor of the Standing Committee shall be the Chairperson of each of the Selection Standing Committees meetings. The President or the Presidents nominee shall be entitled to take part in the proceedings but shall have no deliberative vote and shall be responsible for ensuring that BB policy decisions, good meeting practice and fair play are followed at all meetings of the Selection Standing Committees. He/she shall not influence any selection decisions other than those that are in conflict with any BB policy or the Constitution of BB but in the event of an equality of votes the President or Presidents nominee, after taking into account the discussions on the candidates concerned, shall have a casting vote.
- 22.29 The Convenor of each Selection Standing Committee may call meetings of that Selection Standing Committee as and when required and shall notify the President or his nominee, all the relevant selectors and the District Coach, of the venue and time of all the Meetings of the Selection Standing Committees. Reasonable notification of all meetings, in terms of time before the arranged meeting, shall be given to all the members of the relevant Selection Standing Committee.
- 22.30 At Selection Standing Committee meetings, all the members of the Selection Standing Committee, save in exceptional circumstances and only at the discretion of the Executive, should be personally present in order to form a quorum, alternatively the use of modern technology should be applied (phones / skype, etc.).
- 22.31 Minutes of all meetings of each of the Selection Standing Committees shall be kept and a copy shall be provided to the Executive within a period of SEVEN (7) days following the meeting.
- 22.32 The Convenors of the Selection Standing Committees should when required and requested attend all official BB Executive Meetings to report on activities, make requests or recommendations regarding their activities but shall have no vote.
- 22.33 The Board, Selection Standing Committees, Team Managers, District Coaches and the Chairperson of the District Player's Committee shall meet as a group once per annum, prior to the announcement of the squad, in its designated functional role as a Selection Policy Committee in order to:
- 22.33.1 Discuss and if deemed necessary to amend and to approve the current district representative selection policy
 - 22.33.2 Issue to the Selection Standing Committees a selection policy mandate for the ensuing season.
- 22.34 The Selection Standing Committee should meet at least annually for the sole purpose of forward planning with respect to the determination of methods of co-operation between the selectors of the District and the selectors of the Sub-Districts.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 22.34.1 Liaison with all the club executives and/or the club selectors in the Sub-Districts and sub district selectors in order to identify talented players with potential who might be considered by the selectors for selection to the district representative squads/teams/sides.
- 22.35 Players whom the Selection Standing Committees consider eligible for selection to the BB teams or sides shall be invited as soon as possible after the Inter-District Tournament but in any case no later than the first week in June of each year to attend squad training for the ensuing year. The players selected to attend squad training as a member of the squad shall signify their acceptance of the conditions required of squad training by returning to the Executive within SEVEN (7) days of the notification of their selection to attend squad training the duly signed and witnessed "Agreement with Players for District Representation" of BB. The Selection Standing Committees shall be entitled at any time to remove from or add to the squad/s should they consider this necessary.
- 22.36 The Executive shall arrange for the participation of individuals, teams or sides to represent the Association in such Tournaments, Championships or Competitions as the Executive may decide and shall instruct the appropriate Selection Committee to select such individuals, teams or sides as may be required in any given circumstances.
- 22.37 The Selection Standing Committees are responsible for selecting representative players for any event that BB may determine and direct. Should any player selected subsequently withdraw or for any other reason become unavailable then the Selection Committee shall fill the vacancy so created.
- 22.38 Should a player withdraw or for any other reason become unavailable during a tournament then the Manager in control of the team or side in question, if not of the opposite gender, may fill his place. If a playing reserve has not been selected and the Manager is not eligible to play then a substitute may be called upon to play in terms of the Laws of the Sport of Bowls.
- 22.39 The representative individuals, teams and sides shall be selected in the first instance only from the players who have attended squad training and fulfilled the stipulated requirements, save in exceptional circumstances and at the sole discretion of the Executive having due regard to the circumstances. Should a suitable late replacement not be readily available then a player other than a squad member may be chosen, provided that prior approval of the Executive of the Association has been obtained for this action.
- 22.40 The Convenors of the Selection Standing Committees shall advise the Executive of the Association of the names of players selected to attend squad training and/or to a representative team or side or as individual representative players. The names of selected players and the composition of selected teams or sides shall first be advised to the Executive by the Convenors of the Standing Committees for Selection, after which event the President will request that the details be relayed by the Secretary of the Association to electronic media for publication. The Convenors of the Selection Standing Committees shall personally notify the individual players prior to the publication. Players not selected shall be individually notified before the selected teams or sides by the Selection Standing Committees.
- 22.41 All reasonable expenses of the Selection Standing Committees, which are incurred in attending any committee meetings, tournaments or events as directed by the Executive, shall be carried by BB.



BORDER BOWLS CONSTITUTION 2020

Version 2020

22.42 The Executive shall determine the amount of all or part of the reasonable expenses to be paid on behalf of or to all players selected to represent the Association, which expenses are incurred in the fulfilment of their obligations as representative players.

C. STANDING COMMITTEE FOR COACHING

22.43 The Standing Committee for Coaching shall control and administer all aspects of bowls coaching in the district in accordance with the Terms of Reference and the [Modus Operandi for District Standing Committees](#) as set out in the By-laws of BOWLS SA and in accordance with the Constitution of BB.

D. STANDING COMMITTEE FOR TECHNICAL OFFICIALS

22.44 The Standing Committee for Technical Officials shall control and administer all technical aspects of bowls in the district in accordance with the Terms of Reference and the [Modus Operandi for District Standing Committees](#) as set out in the By-laws of BOWLS SA and in accordance with the Constitution of BB.

E. STANDING COMMITTEE FOR MEMBERSHIP AND MARKETING

22.45 The Standing Committee for Membership and Marketing shall control and administer all aspects of bowls development in the district in accordance with the Terms of Reference and the [Modus Operandi for District Standing Committees](#) as set out in the By-laws of BOWLS SA and in accordance with the Constitution of BB.

Membership and Marketing who shall:

- 22.45.1 Act as Chairperson of the Standing Committee for Membership and Marketing
- 22.45.2 At the sole discretion of and only on the instruction of the Executive:
- Co-ordinate all development projects
 - Act as a catalyst for change in order to effect improvement in all spheres related to the sport of bowls which the Executive deems to require development and then to
 - Act as the facilitator of this development initiative to ensure that the initiative is carried to its logical conclusion in order that meaningful change takes place.
 - Promote the quality of all aspects of the sport of bowls, the players, the infrastructure, the facilities, the playing conditions and at all levels the peripheral support group of the players namely the Administrators, Selectors, Managers, Coaches, Technical Officials, Development Officers and Green Keepers.
 - Enhance the numeric quantity of players who actively play the sport at affiliated clubs in the area of jurisdiction by:
 - ensuring that recruitment of new players to the sport of bowls takes place at club level.
 - promoting the sport itself in order to attract new bowlers of both genders from all population groups with particular emphasis on the youth and the previously disadvantaged groups.
 - Maintain the numeric quantity of the existing membership by ensuring that their interests are realistically and reasonably met at all times.
 - If deemed necessary, call upon the services of suitably qualified experts in any specific field in order to further the objects of development. If suitable expertise is unavailable within the membership of BB and BOWLS SA then this expertise may be sought outside of the membership of BB and of BOWLS SA, but the Development Officer shall in this instance only do so with the specific approval of the Executive, especially if in so doing there are financial implications



BORDER BOWLS CONSTITUTION 2020

Version 2020

- Ensure that any development initiative is implemented with due consideration of the already established infrastructure of BB and in co-operative consultation with the incumbent of any relevant position within the framework of BB who might be effected by this initiative.
- Be granted reasonable travelling and accommodation expenses when required to travel on BB business.

NOTE In order to further the objects of development, and thus by implication the objects of the Association, it shall be required of the role players at all levels of operation to reciprocate and to co-operate with the Development Officer in respect of any development issue so identified by the Executive.

23. DISTRICT COACH

23.1 The Executive may appoint a District Coach or Coaches who shall constitute themselves as a body within BB and be subject to the jurisdiction of BB.

23.2 The requirements for appointment as a District Coach shall be the:

23.2.1 Minimum qualification as a Bowls SA certificated District Coach, which is at level two in the five-tier structure.

23.2.2 Competence and experience to undertake the tasks required of a District Coach and to fulfil the role up to the standard expected of the position. The Executive may deem it necessary to send a candidate for this position to attend a course arranged for this purpose by BOWLS SA to acquire the necessary qualification, training and expertise. BB will carry all reasonable expenses that are necessary to ensure that a candidate for this position is suitable and meets the requirements of the position.

23.2.3 Certificated training in Team Coaching Methods and experience in Team Coaching will be a recommendation.

23.3 No District Coach shall be appointed to the position if in the opinion of the Executive a suitably qualified person is not available.

23.4 The District Coach (s) shall hold office for ONE (1) year and will be eligible for re-appointment after that term of office.

23.5 The position is not gender specific in the execution of any of its duties.

23.6 If only one District Coach is appointed then he/she may at the sole discretion of the Executive be appointed to be ex officio on the BB Selection Standing Committees of any or both genders. If more than one District Coach is appointed, then only one may be appointed ex officio on the BB Selection Standing Committee of each gender.

If there is an Under 30 District representative squad the Executive shall appoint a suitably qualified coach who shall nominate two persons to assist him with his duties. The Executive must ratify the appointment of these two persons so nominated. These three persons shall be empowered to identify, train, select and manage the representative squad/team/side.

23.7 The District Coach (s) will function according to a Terms of Reference and/or a Modus Operandi that is determined by the Executive from time to time.

23.8 The District Coach shall:



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 23.8.1 Prepare and supervise training and practice programmes, with the co-operation and assistance of the Managers and Selectors who in turn shall be required in terms of this Constitution to comply with these requirements and to cooperate with and to assist the District Coach at all times
 - 23.8.2 Provide training in all aspects of team preparedness such as Physical Fitness, Technical skills, Tactical skills and Psychological skills including Group Dynamics, Mental skills and Communication skills and/or any other aspect that he might deem necessary. In order to achieve these objects, he/she may with the approval of the Executive use any available expertise that is necessary for the attainment of these objects
 - 23.8.3 At his/her discretion undertake individual coaching of players as and when deemed necessary.
- 23.9 The District Coach may attend Council Meetings but shall have no vote on the Council.
- 23.10 The District Coach may be invited to attend Executive Meetings at which he may only enter into discussions concerning Team Coaching and related matters and shall have no vote on the Executive.

24. COMPETITIONS AND DISTRICT REPRESENTATION

- 24.1 BB may at its discretion organise representative bowls matches for individual players or teams or sides to represent BB. The BB Selection Committees shall select such players, teams and sides and these selections shall be subject to the approval and ratification of the Executive Committee of the Association. The Executive reserves the right to select teams to represent the Executive of the Association.
- 24.2 Only a registered BB member who plays his bowls at an affiliated club of BB and participates in BB competitions through that club will be considered for inclusion in a representative BB team or side or for selection as an individual representative player. It will be solely at the discretion of the Executive Committee to decide whether or not a player qualifies in terms of this provision.
- 24.3 Only registered members in good standing at an affiliated club shall be eligible to compete in any match, competition or tournament organised by BB or BOWLS SA.
- 24.4 Subject to the provisions of the Constitution, the Executive shall have the power regarding district competitions to:
 - 24.4.1 Institute, conduct and control such competitions, as it may deem necessary or desirable.
 - 24.4.2 Discontinue or abandon any competition if deemed necessary or desirable.
 - 24.4.3 Lay down and if deemed necessary change the conditions of entry and participation for competitions.
 - 24.4.4 Fix the times when and places where competitions shall be played.
 - 24.4.5 Appoint certified Technical Officials to officiate at any competition or to request the BB Standing Committee for Technical Officials to appoint such Technical Officials or to delegate on any club the authority to appoint such Technical Officials.
 - 24.4.6 Examine all greens prior to the commencement of any competition or to request the BB Standing Committee for Greens Care to examine such greens and deliver a written report as to the standard and condition of such greens. If deemed necessary the Executive may at any time change the initially designated venue to a more suitable venue.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 24.4.7 Frame new By-laws and amend or repeal existing By-laws which are not inconsistent with the Constitution provided that such new By-laws and/or amended By-laws and/or the repeal of existing By-laws are approved at the next Annual General Meeting or Special General Meeting of the Association.

25. DEVELOPMENT PROGRAMME

- 25.1 The Executive Committee shall have full authority in any event organised or arranged by the Association to enter Development Teams comprising of players who are selected by the Executive Committee.
- 25.2 In order to achieve these objects relative to the development of bowls and the extension of the sport to all sectors of the community the Executive shall have the power to waive where reasonable and necessary any regulation in the Constitution or the By-laws of BB.

26. RULES AND REGULATIONS

- 26.1 Rules and Regulations of a local or domestic nature for members of the Association, called By-laws, which are not in conflict with this Constitution and are deemed to be expedient for the furtherance of the objects of the Association, may be framed, added to, amended or rescinded by the Executive, provided that TWO-THIRDS of those members present at the Executive Meeting and entitled to vote cast their vote in favour of the proposal.
- 26.2 Amendments, deletions and/or additions to the Rules and Regulations shall be submitted for ratification to the Council at the next Council Meeting but until such Council Meeting has been held the relevant amendment or addition shall be deemed to be valid in all respects.
- 26.3 Any amendments, deletions and/or additions to the Rules and Regulations must be circulated to every district body, each Sub-District and all the member clubs, within a period of 30 days of their ratification by the Council.
- 26.4 The Executive Committee will be the controlling body for the purpose of the implementation of the Laws of the Sport of Bowls as laid down by BOWLS SA, and these, together with the local or domestic Rules and Regulations adopted by Council, shall be final and binding for all District Competitions including Club or Sub-District events which lead up to or which follow on to District Competitions.
- 26.5 The Secretary of the Association shall furnish every club with a copy of the Rules and Regulations and of any amendments that are made from time to time. It shall be incumbent on the office bearers of all Clubs and their Executive Committee to acquaint the members with these Rules and Regulations and to assist in upholding the provisions therein.

27. STIPULATIONS REGARDING THE CONSTITUTION

- 27.1 The Constitution, as adopted and ratified by the Council from time to time, shall be final and binding on and shall be strictly adhered to by all district bodies, Sub-Districts, affiliated clubs and individual members of such clubs.



BORDER BOWLS CONSTITUTION 2020

Version 2020

- 27.2 The Constitution may be amended or added to only at the Annual General Meeting or at a Special General Meeting of the Association duly summoned for that purpose.
- 27.3 Unless the amendment or addition is proposed by the Executive no amendment or addition to the Constitution shall be made unless the affiliated member club proposing such amendment or addition has given written notice and details of such proposal to the Secretary at least TWENTY ONE (21) days before the date of the Annual General Meeting of the Association or a Special General Meeting of the Association duly summoned for that purpose.
- 27.4 Notice of such proposed amendment or addition must be circulated to all the affiliated member clubs in accordance with the provisions of the Constitution.
- 27.5 Any amendment or addition to the Constitution shall only be carried if TWO-THIRDS of the votes cast by the affiliated clubs are in favour of the proposal.
- 27.6 The Constitution or amendments and/or additions shall come into operation on a date fixed by the Council at an Annual General Meeting or a Special General Meeting duly summoned for that purpose.
- 27.7 In all matters of dispute regarding the Constitution and/or the Rules and Regulations [By-laws] and in the case of doubt about the meaning of any article, Rules and Regulations [By-laws] and the Laws of the Sport of Bowls then the decision and/or the interpretation of the Executive shall prevail and shall be binding on all concerned until the next Council Meeting or Annual General Meeting or a Special General Meeting duly summoned for that purpose where another ruling might be given by the Council that will in turn be binding on all concerned.
- 27.8 The Executive shall, under special circumstances, be empowered to take action on contingencies or events that are not covered by the Constitution or Rules and Regulations (By-laws). In this event, such action or actions shall if possible have the prior approval of Council and/or be reported on at the next Council Meeting for ratification.
- 27.9 Where there is a requirement in this Constitution that a fraction or percentage of votes is required, any resultant fractions or decimals shall be rounded up to the next whole number.
- 27.10 The Executive shall be empowered at any time that an addition or amendment is made to the Constitution to alter the numbering of the Clauses in the Constitution in order to retain their sequential nature.
- 27.11 It shall behove any person utilising the Constitution for whatever purpose to ensure that they are referring to the current version of the Constitution.
- 27.12 The Executive shall annually review the Constitution and make recommendations for amendments that might in their opinion be required in order to keep the Constitution current and relevant. The Executive should submit these recommendations, allowing for sufficient time to present the proposed changes at the Annual General Meeting, for ratification by the Council.
- 27.13 The Secretary shall furnish every club with a copy of the Constitution and a copy of any amendment to the Constitution that is made from time to time.



BORDER BOWLS CONSTITUTION 2020

Version 2020

27.14 It shall be incumbent on office bearers of all affiliated clubs and their Executive Committees to acquaint the members with the current Constitution and to assist in upholding its provisions.

27.15 Border Bowls shall submit a copy of this Constitution and any alteration or amendment made hereto to BOWLS SA for final approval in terms of the Constitution of BOWLS SA.

28. DIRECTORATE OF NON-PROFIT ORGANISATIONS REQUIREMENT FOR THE CONSTITUTION

The Directorate of Non-Profit Organisations, being a division of the Registrar of Companies of the Republic of South Africa, requires that the following be written into the Constitution of non-profit organisations such as Border Bowls:

28.1 The District Bowling Association known as Border Bowls shall:

28.1.1 Be a non-profit organisation.

28.1.2 Exist in own right and separately from its members.

28.1.3 Be able to own property and other assets.

28.1.4 Be able to sue and be sued vicariously.

28.1.5 Continue to exist even when its membership or office bearers change.

28.2 Members or office bearers shall have no legal rights concerning the property or assets of Border Bowls.

28.3 Border Bowls shall only be liquidated or dissolved at the desire and request of THREE-QUARTERS of all Clubs affiliated to Border Bowls and such decision shall be made at a Special General Meeting convened for that purpose.

28.4 In the event of liquidation or dissolution the assets of Border Bowls, after satisfaction of all its liabilities, shall be given or transferred to some other Association(s) or Institutions having similar objects to those of Border Bowls and such Association or Institution shall be determined at a Special General Meeting of Border Bowls.

28.5 No monies or property shall be distributed to affiliated members or office bearers in their personal capacity, except as remuneration for actual services rendered, in which circumstances payment must be made in accordance with the nature of the work done.

28.6 The Association shall not have the power to carry on any business including ordinary trading operations in the commercial sense, speculative transactions, dividend stripping activities and the letting of property on a systematic or regular basis.

29. REPEAL OF THE EXISTING CONSTITUTION

The existing Constitution of the Association in effect at the date of the adoption of these amendments to the Constitution is hereby repealed. Notwithstanding the repeal of the said Constitution all acts, and decisions properly done or made hereunder shall continue to be in force and effect on the coming into operation of these amendments to the Constitution as if they had been done or made under this Constitution.

30. ADOPTION OF THE AMMENDED CONSTITUTION



BORDER BOWLS CONSTITUTION 2020

Version 2020

Comments on matters arising from review of District Constitutions

It must be noted that these are **general comments** and that matters raised herein may be appropriately addressed within individual District constitutions and thus action needed to address these points may not be necessary in all cases.

1. **Gender representation**

BB will seek to enforce the principles of gender and racial equality when electing members of the Executive; who will as a minimum requirement, consist of at least 1 (One) member of the opposite gender and race. Non-compliance with this provision will only be accepted and enforced where no member of the opposite gender or race has been nominated for any position on the Executive.

2. **Recognition of Bowls SA and SASCOC as supreme governing bodies**

In anticipation of the change to Bowls SA constitution to provide for Provincial Sports Councils it is suggested that Districts give the following recognition:

- 'This constitution does not replace the constitutions of SASCOC or BOWLS SA or Eastern Cape Provincial Bowls Association. In the event of any discrepancies or differences between this constitution and the constitutions referred to above, the terms, conditions and/or requirements of SASCOC, BOWLS SA or the Provincial Bowls Association shall apply' and
- 'To seek alignment with the Eastern Cape Provincial Bowls Association in order to promote and facilitate common goals for all Districts within the Provincial boundaries. This in no way supersedes any obligations to BOWLS SA as set out elsewhere in this constitution'

3. **Power of the Executive in connection with deadline dates**

The Constitution sets and defines numerous deadline dates for numerous activities and it is quite conceivable that District offices may from time to time fail to meet these. In order to ensure that such deviations do not impair the ability to properly manage the affairs of Districts:

'Where the Exco deviates from the time in which to fulfil an obligation, relating to an enactment within a specified time, such deviation may be ratified by Council at the Annual General Meeting or such alternative meeting as may be deemed appropriate by the Executive and no enactment shall be invalid or *ultra vires*, solely by virtue of such enactment being made outside of the specified time.'

4. **Areas of Jurisdiction**

A number of Districts have tried to specify the areas of jurisdiction by reference to towns/cities geographical borders and the like. Bowls SA is the sole determinant of areas of jurisdiction and a simple statement to this effect should suffice for Constitutions:

'The area of jurisdiction of the Association shall be that portion of the Eastern Cape Province as may be defined by Bowls SA.'

5. **Contact with Bowls SA**

From time to time members of Districts take it upon themselves to make direct contact with Bowls SA or their representatives without referencing this through the District.

'No member shall establish or maintain contact with Bowls SA without the prior knowledge of the Executive of BB District. Such request for contact shall not unreasonably be withheld.'



BORDER BOWLS CONSTITUTION 2020

Version 2020

6. Code of Conduct

Bowls SA are often asked to intervene in disputes in clubs / districts. By virtue of the fact that all Districts are subject to the provisions contained in Bowls SA Constitution and the rules and regulations as established by Bowls SA from time to time it follows that all members of Districts are bound by Bowls SA Code of Conduct. It is however recommended that each District should reference its own Code of Conduct which can easily be adapted from that established by Bowls SA. (A copy of such Code is available on the Bowls SA website).

7. Non-profit and Public Benefit Organisation

Due to the fact that Districts are regarded as different trading entities within the provisions of the Income Tax Act it is suggested the following should be included:

'BB District 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 of the Income Tax Act, 1962, as amended.'

8. Delegates at Council meetings

Various processes are described as to how delegates to Council meeting should be appointed by clubs. The process needed to establish delegates to Council meetings should be that decided by Clubs, the important issue is that someone is given authority to represent the club. The question is if this process is defined by the District, how does the District ensure that such process is taking place at club level. (unless the District requests copies of minutes validating such appointments). If clubs don't comply with the process established in the District constitution, technically, any delegate so representing a club is in breach of the District constitution and should not be allowed to participate in Council matters or in fact be considered when determining a quorum.

'Each Club shall be entitled to nominate TWO (2) delegates to represent them at all Council meetings including any AGM, SGM or any other meeting constituted by the District'.

9. Voting Strength and Quorums

The majority of Districts have proportional representation when it comes to clubs within their jurisdiction. The method of calculating this also varies. What needs to be made clear is that such proportional strength determination is only used when determining the outcome of a vote. It should not be considered when determining whether a quorum is present or not.

'In all matters subject to voting, determination of the outcome shall be based on the total votes available to those delegates in attendance. In matters which require a change to the constitution the determination will be on the total votes available to all clubs and not on those present and available to vote.

In all matters for quorum determination for Council meetings the outcome shall be based on the total number of registered clubs within the District'.

In the case where club membership numbers are the voting strength determinant then:

'In all matters where the outcome is based on total votes available the determination of such numbers will be in accordance with the number as recorded on the Bowls South Africa database at the end of the month immediately preceding the date of the meeting at which such number is used'.

10. SAIDS and WADA

In recognition of our commitment to SAIDS and WADA the following is stated:

'to 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 the World Anti-Doping Agency (WADA) including the application of sanctions to individuals.'



BORDER BOWLS CONSTITUTION 2020

Version 2020

11. Discipline, Grievances, Disputes and Appeals

Discipline, grievances, dispute and appeals are one area that seems to be handled differently across Districts and the following guidelines are suggested:

11.1 Disputes and Grievances

- i. All matters of dispute / grievance arising between a club and a member shall in the first instance be heard and determined by the club concerned in terms of its constitution. Should the member not be satisfied an appeal may be lodged with the Executive within 14 (Fourteen) days of the written receipt of notification of the outcome.
- ii. All matters of dispute / grievance arising between two or more clubs shall in the first instance be heard and adjudicated upon by the Exco. Should any club not be satisfied with the ruling given by the Exco, it may appeal to Bowls SA within 14 (Fourteen) days of the written receipt of notification of the outcome.

11.2 Appeals

- a. Any party not being satisfied with the decision of the Club, shall have the right of appeal to BB District. Such appeal shall be forwarded in writing to the Secretary of the BB District within 14 (Fourteen) days after receiving the decision of the club and shall reflect the grounds for appeal.
- b. The Exco shall on receipt of an appeal appoint a Body of Appeal within 14 (Fourteen) working days of receipt of said appeal. The Body of Appeal shall consist of such body as the Executive determine necessary. Member/s the Body of Appeal shall be a non-Executive member/s. The Executive shall also appoint the chairman of such Body who shall have a deliberative and casting vote. The appellant shall be advised of the compilation of the board and shall have the right to challenge the composition of such board. Such challenge must be submitted within 3 (Three) days of receipt of the names of the board setting out full reasons for such dispute. In the event of such dispute the Executive will make a final determination on the Body of Appeal such determination being final and binding. The Body of Appeal shall determine a date, time and venue for the hearing of the appeal which shall be within 14 (Fourteen) working days from the final date of appointment of the Body of appeal.
- c. A club or player who feels aggrieved by a verdict pronounced or punishment imposed by the Appeal Body which has been ratified by Exco may within 30 days after notification of the findings of the Body lodge with the Operations Manager of Bowls SA an appeal in writing against such verdict or punishment, stating clearly the grounds therefore.

11.3 Discipline Clubs

1. If the Exco Committee has reason to believe that any affiliated club has infringed any provision of the Constitution or By-laws or that it has ignored or disregarded any directive of BB District, it may issue a written notice calling on the President or his accredited representative of the club concerned to appear before the Disciplinary Committee on a date, and at a time and place indicated in the notice, which notice shall be served on such President or his accredited representative, personally or by means of electronic media.
2. The Exco Committee shall appoint not more than five members of affiliated clubs to the Disciplinary Committee, one of whom shall be appointed as chairperson. No member of the Exco may serve on the Disciplinary committee. The chairperson of the Disciplinary Committee shall have a deliberative as well as a casting vote.

The Disciplinary Committee shall present its findings to the Exco for ratification or otherwise. Such findings shall include a recommendation on appropriate sanction which may include the following:



BORDER BOWLS CONSTITUTION 2020

Version 2020

- a. Caution or reprimand the club.
- b. Impose a fine and such conditions appropriate thereto on the club
- c. Suspend the club for a certain period or indefinitely from taking part in any activities.
- d. Suspend any punishment envisaged in above for a specified period on such conditions as it may deem reasonable.

Players

1. Every individual member of an affiliated club (hereinafter referred to as the “player”) who contravenes any applicable code of conduct, rule, by-law or resolution of BB District or that of Bowls SA or commits, at or during any activity of BB District, any act that is of such a nature that it is likely to bring the sport of bowls or sports persons generally into disrepute shall be liable for appropriate disciplinary action.
2. The Executive shall, in writing, advise that players club of details of the alleged offense and request that the Club institute appropriate Disciplinary action against such player within 14 (Fourteen) days of receipt of such notification.
3. Should such club within 14 (Fourteen) days of receipt of such notification fail to institute Disciplinary action the District is entitled within its own rights to institute such Disciplinary action as it considers appropriate.
4. Should the outcome of Disciplinary action instituted by the club not be satisfactory in the opinion of the Exco or any aggrieved party the Exco shall have the right to review such outcome by virtue of the establishment of an Appeal Body.
5. At the conclusion of the Disciplinary committee hearing it shall submit its findings to the Exco for ratification or otherwise. Such findings shall include a recommendation on appropriate sanction which may include the following:
 - a. Caution or reprimand the player.
 - b. Impose a fine and such conditions appropriate thereto on the player.
 - c. Suspend the player for a certain period or indefinitely from taking part in any activities.
 - d. Suspend any punishment envisaged in above for a specified period on such conditions as it may deem reasonable.

The fundamental principles of any disciplinary process are that affected parties should be entitled to swift action and that all adjudication should be seen to be impartial. As the Exco are tasked with enforcing the conditions established in the Constitution, By-Laws, Conditions of Play and any other policies it follows that the interpretation thereof will be that which the Exco may believe to be correct. Hence the principle of impartiality will be tested if the decision makers in a Disciplinary process are the same people as those whose task it is to impose them. It follows that for a fair determination to be made an independent body should at all times be decision makers when impartiality is required.

A further principle that needs to be established is that players who are in default at their club be it for non-payment of fees or disciplinary reasons should not have access to other clubs facilities until they have fulfilled their commitments. If this principle is not accepted it simply means that a defaulter carries on with access to other facilities and the deterrent of any sanction is meaningless. It is suggested the following be considered:

1. Clubs must report to the Executive, in writing, any disciplinary action taken against any of their members. The District will advise all other clubs and Bowls SA of such matters and a defaulter at one club is considered a defaulter at all clubs.
2. Such suspended member will not be allowed to participate in any form of bowls until the suspension is lifted by the club concerned. The Club will advise the Executive of the lifting of



BORDER BOWLS CONSTITUTION 2020

Version 2020

a suspension. The District will in turn advise Bowls SA. A suspended member shall be regarded as 'Non Bona-Fide' during the period of their suspension.

Finally, recognition needs to be given that the authority of the District extends beyond events directly under their control and players are equally responsible to their District for their behaviour be it at home or away whilst representing the District. It is suggested the following should be considered:

'Players / participants of BB District shall be, subject to and bound by, the same provisions of this Constitution irrespective of the fact that such player / participant may be participating in an event outside the area of jurisdiction of BB District'

One of the major reasons for overturning disciplinary outcomes is that proper procedures have not been followed. Detailed processes dealing with disciplinary hearings and so on are available on the Bowls SA website and it is recommended that Districts use such as guidelines when dealing with these matters. In fact Districts should ensure clubs under their jurisdiction are similarly well-versed with the proper process.

Appropriate Sanctions

You will note from the above that at the conclusion of disciplinary hearing provision is made for sanction and it is important that these should be referenced in the constitution. However, what is not referenced is the period of time appropriate for any offence. The reality is the extent of an offence may vary from case to case and the outcome thus cannot be specified for each offence. What is suggested is that the following principles be used when making any sanction determination:

- The punishment imposed must not be disproportionate to the offense
- The personal circumstances of the offender. Is that person for example a first offender
- The punishment should serve the public interest and
- The impact on the victim

A sanction should, at all times, be designed to act so as to correct behaviour and serve as a deterrent.

12. Sexual Harassment

Ref: BSA Sexual Harassment Policy

13. Conflict of Interest Policy

Ref: BSA Conflict of Interest Policy