

# WESTERN PROVINCE



## BOWLS

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### CONSTITUTION, ANNEXURES AND BYE-LAWS

Amended: 18<sup>th</sup> August 2018

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# CONSTITUTION

As approved by vote of the Membership at an Annual General Meeting on  
18 August 2018

## 1 TITLE AND LEGAL STATUS

- 1.1 The Association shall be "THE WESTERN PROVINCE BOWLS ASSOCIATION" (abbreviated where and when necessary by the initial letters "WPB") and shall be known as "WESTERN PROVINCE BOWLS".
- 1.2 The Association is 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.
- 1.3 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 any person or persons, in writing, 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.

## 2 MISSION STATEMENT

- 2.1 The Association shall promote, advance and administer the game of Bowls in that area of Western Cape Province falling under its jurisdiction without practicing discrimination on the grounds of race, gender, religion or political association.

## 3 FUNCTIONS

- 3.1 The functions of the Association shall be:
  - 3.1.1 to affiliate to and be a District of BOWLS SA, to participate in its activities and affairs and to accept the benefits and be subject to the obligations that such affiliation entails;
  - 3.1.2 to be the official channel of communication between this Association and Bowls South Africa.
  - 3.1.3 to act as a Board of Control and upon appeal to adjudicate on any bowling matter which may at any time be submitted to it by any Member Club or any other kindred Association, Person or Body;
  - 3.1.4 to appoint standing committees and/or sub-committees as circumstances may require and to determine the terms of reference for their operation;
  - 3.1.5 to frame, and, when necessary, alter and revise and/or rescind the Bye-Laws of this Constitution;
  - 3.1.6 to arrange for such tournaments, championships and competitions as may be considered appropriate, and to formulate, and, when necessary, alter and revise modus operandi;

3.1.7 to take such additional actions as may be deemed necessary for the furtherance of these objects.

## **4 JURISDICTION**

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

## **5 MEMBERSHIP**

5.1 All bona fide Bowling Clubs in the area of jurisdiction shall be eligible for membership of the Association.

5.2 A Club which applies for Membership shall possess either under construction or in use, a bowling green which complies with the specifications laid down in the Laws of the Game by Bowls SA and adequate Club House facilities approved by the Association.

5.3 An application for Membership:

5.3.1 shall be in writing lodged with the Secretary; and

5.3.2 shall include a fee of R50-00 or such other fee as may be determined by the Executive from time to time; and

5.3.3 shall include a copy of its proposed Constitution and Bye-Laws; and

5.3.4 shall include a list of names and addresses of its Office-bearers; and

5.3.5 shall include the Club's Colours and Designs of Badges, Flags and Pennants and hatband it wishes to adopt.

5.4 The Executive shall consider each application for Membership and in doing so shall:

5.4.1 consider the terms of the proposed Constitution and Bye-Laws, and ensure that in its final form it is not ultra vires the Constitution and Bye-Laws of the Association; and

5.4.2 ensure that the Club's colours and insignia shall differ from that of any other Member Club; and

5.4.3 consult with member Clubs in the immediate vicinity of the applicant.

5.5 Membership of the Association shall oblige a Club to place its Green/s upon request at the disposal of the Association for the purpose of any Competition or Championship conducted, controlled or approved by the Association.

5.6 Each Member Club shall maintain correct Minute and Account Books, and shall submit to the Association by not later than the 1st September in each year a true copy of its Annual Report and audited Accounts for the immediately preceding financial year and a list of its Office-bearers for the ensuing year.

- 5.7 A Member Club, which proposes to amend its Constitution, shall submit the proposed amendments for approval by the Executive before their Special Meeting or AGM.
- 5.8 Each Member Club shall hold its Annual General Meeting before the date of the Annual General Meeting of the Association and failure to do so will render a Member Club ineligible to representation or to vote at that Annual General Meeting of the Association.
- 5.9 A Club wishing to resign its Membership of the Association shall do so by written notice delivered to the Secretary at the Office of the Association not less than fourteen days prior to the date of the Annual General Meeting of the Association.
- 5.10 Changes in membership will not cause the Association to cease to exist.
- 5.11 Members of the Association have no rights to any assets that belong to the Association.

## **6 COUNCIL**

6.1 The Association shall be governed by a Council consisting of the elected members of the Executive Committee, hereinafter referred to as the Executive; and one delegate from each Member Club.

### **6.2 Delegates**

6.2.1 Each delegate shall be appointed by his or her Club at a properly constituted meeting of members or of the Club Committee.

6.2.2 Each delegate shall be a member of the Bowls Section Management Committee of his or her Club.

6.2.3 In the absence of the delegate, a Member Club shall be represented by a similarly appointed alternate who shall be a member of the Committee of his or her Club.

6.2.4 The name of the delegate and of the alternate shall be lodged with the Association before the commencement of the Annual General Meeting. A substitute delegate or alternate appointed by a Member Club for any Meeting of the Council shall also be a member of the Committee of the Club, and his or her appointment shall be notified to the Association in writing before the commencement of any meeting of Council which he or she attends.

6.2.5 A Member Club may not have as its delegate any member of the Executive.

### **6.3 Voting**

6.3.1 Each Club represented at any meeting of Council by its delegate, alternate delegate or approved substitute delegate shall be entitled to one vote, plus one additional vote for each completed fifty of its registered members, with a

maximum of five votes.

6.3.2 Honorary Life Members and Members of the Executive and Standing Committees shall be entitled to participate in all proceedings of Council Meetings but shall not be entitled to vote. However, in the event that an equal number of votes are cast for and against any motion or matter, the President shall enjoy a casting vote.

6.3.3 A ballot shall be taken on any matter under discussion by a Meeting of Council if so requested by two or more delegates of different Member Clubs.

#### 6.4 **Annual General Meetings**

6.4.1 The Annual General Meeting shall be held each year not later than 31 August.

6.4.2 The Secretary shall forward to each Member Club and to each Delegate, 14 days before the date of the Annual General Meeting:

6.4.2.1 the notice convening the meeting;

6.4.2.2 a copy of the Annual Report;

6.4.2.3 a copy of the audited Annual Accounts, and

6.4.2.4 a copy of the Agenda for the meeting.

6.4.3 The business of the Meeting shall be:

6.4.3.1 To read the notice convening the meeting;

6.4.3.2 To call the Roll of delegates;

6.4.3.3 To receive apologies;

6.4.3.4 To read and consider and confirm the minutes of the last Annual General Meeting;

6.4.3.5 To read and consider and confirm the minutes of any Special General Meeting;

6.4.3.6 To read and consider and confirm the minutes of the last Council Meeting held prior to the Annual General Meeting in progress;

6.4.3.7 To consider and, if approved, adopt the Annual Report and Financial Statement for the year under review;

6.4.3.8 To consider recommendations of the Executive.

6.4.3.9 To consider Motions of which notice has been given;

6.4.3.10 To elect an Auditor and approve the fee for the past audit;

6.4.3.11 To elect Honorary Life Members;

6.4.3.12 To deal with Correspondence;

6.4.3.13 Honoraria;

6.4.3.14 To elect Executive Committee members for the year;

6.4.3.15 Other competent business.

## **6.5 Special General Meetings**

6.5.1 The Executive may at any time convene a General Meeting of Council.

6.5.2 Upon receipt of a written requisition from no fewer than five Member Clubs, the Executive shall within twenty-one days of receipt of such requisition, convene a Special General Meeting.

6.5.3 Such requisition shall state the nature and motivation for the business to be discussed at the requisitioned General Meeting and shall be lodged with the Association.

6.5.4 At such requisitioned General Meeting only the business set out in the requisition shall be discussed.

6.5.5 Save where otherwise set out, twenty-one days' notice shall be given to all Member Clubs of any General Meeting of Council.

## **6.6 Notices of Motion**

6.6.1 A motion to be moved at a General Meeting shall be submitted in the full and exact form in which it is intended to be adopted, and shall be in the hands of the Association not less than six weeks before the date set for the Annual General Meeting or Special General Meeting.

## **6.7 Quorum**

6.7.1 No business shall be transacted at any Meeting of Council unless there shall be personally present delegates representing at least a majority of Member Clubs. No proxies or voting on behalf of absent delegates shall be allowed.

6.7.2 If at any Meeting of Council no quorum shall be present within thirty minutes after the time stated in the notice convening the Meeting, then in such case:

6.7.2.1 Should it be an Annual General Meeting or a Council Meeting convened by the Executive, such Meeting shall stand adjourned to be held at a time and place determined by delegates then present and notice thereof shall be given to all Member Clubs.

6.7.2.2 Should it be a Special General Meeting convened by the Executive on requisition, such meeting shall be cancelled and no further Special General Meeting to consider the same subject may be convened until a period of three months has elapsed from the date for which the

cancelled meeting was convened.

## **6.8 General**

- 6.8.1** A Member Club not represented at three consecutive Council Meetings shall on the direction of the Association appoint a new delegate.
- 6.8.2** At all Meetings of Council, the President, or in his or her absence, the Vice President, shall preside. In the absence of both the Meeting shall elect a Chairman from among the remaining Executive or delegates present.
- 6.8.3** Council Meetings shall be held whenever considered necessary by the Executive but at least a Council Meeting shall be held not later than three months after each AGM. At no time shall there be less than two Council Meetings and an Annual General Meeting per season.
- 6.8.4** Resolutions of Council shall be binding on all Member Clubs and all members of such Clubs.
- 6.8.5** Members of all Member Clubs and representatives of the Press and Media shall be admitted to all Meetings of the Council (save where the Council shall move into Committee) but shall not participate in the business of the meeting nor be entitled to vote.
- 6.8.6** Autonomous Bowling Associations and Organisations situated within the area of jurisdiction of the Association such as the Western Province Proteas, Western Province Nomads, Western Province Blind Bowlers, Peninsula Blind Bowlers and any similar bodies approved by Council on the recommendation of the Executive shall be entitled to be represented by the duly appointed delegate at all meetings of Council (save where Council shall move into Committee), and shall be permitted to participate in discussions pertaining to the relevant body, but shall not be entitled to vote.

## **7 THE EXECUTIVE COMMITTEE**

### **7.1 Composition**

- 7.1.1** The Executive shall consist of nine members, three of whom shall be elected President, Vice-President and Treasurer respectively.
- 7.1.2** At least two of the members should be of the opposite gender and no Club shall have more than two members on the Executive.
- 7.1.3** All of the above shall be elected by Council at an Annual General Meeting or adjourned Annual General Meeting.
- 7.1.4** The Executive shall be elected for a period of 2 years after which the procedure as prescribed in paragraph 7.2 of this constitution will be effective.
- 7.1.5** If a position becomes vacant on the Executive through any of the reasons as stated in paragraph 7.2.4, the Executive may co-opt another member in such position for the rest of the team.



## 7.2 Nomination for Election

- 7.2.1 Nominations shall be made by the Member's Club where he has paid his Bowls South Africa and WP levies, and shall be in writing on the official Association nomination form, together with the written acceptance of the nominee, which shall be lodged with the Association on or before the first day of July of every alternative year.
- 7.2.2 The same member may be nominated for each position but shall not be elected to more than one position.
- 7.2.2.1 The member/s nominated for the position of President must have served at least two terms (4 years) on the current Executive. Where no candidate[s] is/are available, Council can prevail upon the incumbent to remain for a further period of not more than one term (2 years) at a time.
- 7.2.2.2 The members/s nominated for the position of Vice President must have served at least one term (2 years) on the current Executive. Where no candidate[s] is/are available, Council can prevail upon the incumbent to remain for a further period of not more than one term (2 years) at a time.
- 7.2.2.3 The term of office for a President shall not be longer than two consecutive terms (4 years). Where no candidate/s is/are available, Council can prevail upon the incumbent to remain for a further period of one term (2 years) at a time.
- 7.2.3 If more nominations are received than there are vacancies, all nominations shall be posted to all Member Clubs, and a ballot shall be conducted at the Annual General Meeting.
- 7.2.4 An Executive Committee member shall cease to act as such:
- 7.2.4.1 If he/she fails to attend three consecutive meetings without having been granted leave of absence;
- 7.2.4.2 If he/she tenders his/her resignation in writing and such resignation is accepted by the Committee;
- 7.2.4.3 If he/she, because of being of unsound mind or for any other reason, becomes permanently incapable of performing his/her duties;
- 7.2.4.4 If he/she is removed from any office anywhere of trust on account of misconduct;
- 7.2.4.5 If he/she is found, after proper investigation, to have acted in a manner detrimental to the image of the Association;
- 7.2.4.6 If he/she joins another Club who already has a member serving on the Executive.

- 7.2.5 Changes in office bearers will not cause the Executive or the Association to cease to exist.

### **7.3 Casual Vacancies**

- 7.3.1 Should a vacancy on the Executive occur prior to 31 January in any year, the Association shall call for nominations from Member Clubs to fill such vacancy. If only one nomination is received by the stipulated closing date for nominations, that nominee shall be declared elected at the first following Council Meeting. If more than one nomination is received by such date, the names of all nominees shall be circulated to all Member Clubs on the day following the stipulated date and a ballot shall be conducted at the first following Council Meeting.
- 7.3.2 Nominations of candidates to fill casual vacancies shall be of the appropriate gender.
- 7.3.3 Should the President's position become vacant in any year, and the Executive resolve not to fill the vacancy, the Vice-President shall assume the function and duties of the President until the next Annual General Meeting.

### **7.4 Assumption of Office**

- 7.4.1 At the Annual General Meeting, the incumbent President shall present the badge of office to the incoming President. The incoming President shall immediately present the badges of office to the remaining incoming Executive. The new President and his Executive Committee will take office immediately until the next succeeding Annual General Meeting.
- 7.4.2 The Executive (office bearers) have no rights to the assets that belong to the Association.

### **7.5 Meetings**

- 7.5.1 The Executive shall abide by this Constitution at all times.
- 7.5.2 Meetings of the Executive shall be held where and when deemed necessary by the Executive.
- 7.5.3 Five members of the Executive shall constitute a quorum.
- 7.5.4 The President, or in his or her absence, the Vice-President, shall be chairman of all Executive Committee meetings. In the absence of both the President and Vice-President, the Executive members present shall elect a chairman.
- 7.5.5 At Executive Committee meetings, the chairman shall enjoy a casting vote in addition to a deliberative vote.
- 7.5.6 The Executive shall be responsible to Council for its decisions, and all resolutions and acts of the Executive shall be of force and effect unless overturned by Council.

## **7.6 Duties and Responsibilities**

- 7.6.1 The Executive shall establish and maintain an Administration Office for the Association.
- 7.6.2 The Executive shall appoint a Secretary and, at its own discretion, an Assistant Secretary or other administrative staff, who shall perform such duties and upon such terms and conditions as may from time to time be determined by the Executive. The rate of remuneration shall be determined by the Executive.
- 7.6.3 The Executive as representatives of the Association shall be the legal holders of all money, trophies and other property of the Association and shall deal with same as directed by Council.
- 7.6.4 The Executive shall be responsible for the insurance of all trophies and other property of the Association against loss by fire, storm, accident, theft and burglary.
- 7.6.5 The Executive shall, in the name of the Association, conduct or defend any legal action in which it may be concerned. The Executive members shall be personally indemnified by the Association against any expenses or loss or costs that may be incurred in connection therewith.
- 7.6.6 Members of the Executive and staff appointed in terms of 7.6.2 above shall not be eligible to act as delegates or alternate delegates to Council. Staff shall not be permitted to hold any office on any committee or sub-committee of a member club, without the prior consent of the Executive.
- 7.6.7 Members of the Executive shall be permitted to serve on the Management or Executive Committee of a member club to which they belong or any other sub-committee.

## **7.7 General**

- 7.7.1 Full records of the Minutes of Meetings of the Executive and of Council and of the finances of the Association shall be maintained under the control of the Executive, and shall be circulated to all Member Clubs not less than ten days prior to each Council Meeting. These minutes must be kept as a permanent record in a safe place at the Associations head office and always be on hand for members to consult /review.
- 7.7.2 All Member Clubs shall within seven days be advised of any action or decision of the Executive affecting them.
- 7.7.3 Travelling and reasonable entertainment and accommodation expenses of the members of the Executive shall be borne by the Association.
- 7.7.4 The President ex officio shall be a member of all Standing and Sub-Committees.
- 7.7.5 A member of the Executive who fails to attend three consecutive meetings without having been granted leave of absence shall cease to be a member of the Executive Committee.

- 7.7.6 Notwithstanding any of the above the Executive committee may take on the power and authority that it believes it needs to be able to achieve the objectives of the Association.

## **8 HONORARY LIFE MEMBERS**

- 8.1 Council shall be empowered to elect as Honorary Life Members those persons whose service in the interests of the game of Bowls have been such as to entitle them to such distinction.
- 8.2 Nominations for Honorary Life Membership may be made by the Executive or by any Member Club under confidential cover to the Executive for consideration. The Executive shall be obliged to advise the member Club of its decision within thirty days of receipt of the nomination.
- 8.3 The Executive shall be entitled to submit proposals for Honorary Life Membership to Council without having received a proposal from a Member Club.
- 8.4 Honorary Life Members shall be entitled to participate in all matters before a meeting of Council but shall not be entitled to vote.

## **9 FINANCE**

- 9.1 The Financial Year of the Association shall extend from 1st July in one year to 30th June in the following year.
- 9.2 The Association money shall be lodged in the name of WPBA in a bank or other financial institution as resolved by the Executive.
- 9.3 All accounts shall be passed by the Executive and all payments shall be made by cheque or electronic fund transfers signed or released by the Secretary and countersigned or released by the President, Vice President or Treasurer and in their absence by a member of the Executive. All officials authorized to release payments are to be issued with personalized password codes.
- 9.4 The Association may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the Association. The payment must be a reasonable amount for the work that has been done.
- 9.5 The Executive shall be empowered to invest any funds of the Association not immediately required.
- 9.6 The Executive shall institute such measures and reports, as it deems fit to control the financial affairs of the Association.
- 9.7 A Firm of independent Registered Accountants and Auditors shall be appointed as Auditor at the Annual General Meeting of the Association, and his or her duties shall be to examine the accounts and vouchers and to report on his or her examination to the Council.

## **10 ESTABLISHMENT OF DONOR FUNDS AND ADMINISTRATION OF DONOR MONIES**

- 10.1 The Executive shall be empowered to establish Donor Funds and to administer any and all monies donated to the Association in furtherance of the specific objectives of the relevant Deed of Donation and in strict accordance with the powers and criteria prescribed in the respective Fund administration policy documents annexed to this constitution, and only after the adoption of said Fund administration policy documents in General Meeting. (Refer Annexure A &B)

## **11 APPEALS AND DISPUTES**

- 11.1 The Executive shall be empowered to adjudicate upon and to determine any dispute which may arise between Member Clubs or between any member of a Member Club and a Member Club or between any members of Member Clubs or any appeal which may be brought by such bodies or persons.
- 11.2 Any such dispute or appeal shall be submitted to the Executive in writing and the Executive may proceed either to consider the same at a special meeting convened for that purpose or to postpone consideration thereof to its next ordinary meeting.
- 11.3 Each party to the dispute or appeal shall be entitled to present his case either in writing or verbally and either personally or through his duly accredited representative who is an official or member of the WPB or of a Member Club concerned in the matter. Particulars of any such dispute or appeal shall be submitted in writing only through a Member Club, provided that should the Member Club concerned having been requested in writing by the aggrieved party so to do, fails within thirty days of receipt of such request to submit the same to the Executive such aggrieved party may submit the same to the Executive for deliberation.
- 11.4 Any Member Club or person aggrieved by the decision of the Executive may appeal against such decision to Council, and should any party to the appeal or dispute desire to appeal, it shall requisition therefore in writing lodged with the Secretary within fourteen days of receipt of the decision of the Executive, and upon receipt by the Secretary of such requisition, the Executive shall convene a special meeting of Council to consider such appeal. The notice convening the special meeting shall be given within fourteen days of receipt by the Secretary of the requisition and shall enclose copies of all submissions made to the Executive, the decision taken by the Executive appealed against, and the Executive's reasons for its decision.
- 11.5 Any Member Club or individual member of that Club shall have the right of appeal to Bowls SA in terms of provisions contained in the Constitution of that Association, provided notice of the appeal is received by the Secretary not later than fourteen days after the decision of Council is conveyed to them.

## **12 DISCIPLINARY PROCEDURES**

- 12.1 The Executive, on production of satisfactory proof and due investigation of verbal and/or written evidence as required at the sole discretion of the Executive, shall have the power to reprimand a player or Member Club, to disqualify a player from

further participation in any WPB or other competition or championship for a period not exceeding two full seasons after the current season, to suspend the membership of a player or Member Club for a period not exceeding two full seasons after the current season, or to terminate the membership of a player or Member Club.

**12.2** Disciplinary action may, at the discretion of the Executive, be instituted in respect of the following:

**12.2.1** Any player who has played in any team knowing that an ineligible player has been included;

**12.2.2** Any player who has played in any team knowing that the number of players allowed by the modus operando for the competition or championship has been exceeded;

**12.2.3** Any player who has entered any WPB competition or championship but fails to play without a valid reason;

**12.2.4** Any player or Member Club who has willfully committed a breach of the Constitution and/or Bye-Laws and/or Laws of the Game of Bowls South Africa and/or the Association;

**12.2.5** Any player or Member Club who has willfully disobeyed any directive or regulation of the Association;

**12.2.6** Any player or person, being a member of an affiliated club, who has conducted himself or herself, whether verbally or physically, on or within the precincts of any green of any member club, in a manner considered to be contrary to the interests of bowls, the accepted norms of bowling behaviour, or which is considered to bring the Association or its Officers into disrepute.

**12.3** Any person or Member Club subjected to disciplinary action in terms of the above shall enjoy the rights of appeal as set out in Clauses 11.4 and 11.5 of this Constitution.

## **13 MEMBERSHIP OF MEMBER CLUBS**

**13.1** No Member Club shall accept as a member any bowler who does not, together with his or her application for membership, produce a Bowls SA Clearance Certificate from his previous Club or Clubs to the effect that he or she left that or those Clubs in good standing. No Member Club may refuse to issue such a Clearance Certificate where the member concerned is in fact in good standing. The right of the issuing Member Club to endorse its comments on a Clearance Certificate is entrenched. Breach of this rule will render the Member Club concerned liable to suspension of its membership of the Association.

**13.1.1** In order for a Member to be considered in good standing, he or she shall have paid his or her subscriptions for the current year in which the Clearance has been requested and shall furthermore not have been subjected to any disciplinary action by his or her Club which has led to suspension.

- 13.1.2 No Member serving a suspension from his or her Club shall be entitled to play Bowls at any club affiliated to Bowls South Africa during the period of his or her suspension.
- 13.2 Clubs, when registering a member who has previously been a Bona Fide member of another Club or Clubs shall submit a valid Clearance Certificate to the Association. Should they fail to do so, the Club shall be informed that the said application is invalid and shall remain so until a Clearance Certificate is submitted to and recorded by the Association.
- 13.3 It shall, without exception, remain the prior responsibility of Clubs to establish that names of players submitted for registration have been received and recorded by the Association before permitting such players to participate in any Club, District or National Competition.
- 13.4 A member may join more than one Club and play Club, District and National competitions for the Club of his/her choice.
- 13.5 A player having membership of more than one Club may not play in the same District or National competition for more than one Club in the same season.

#### **14 PLAYER REGISTRATION AND PAYMENT OF SUBSCRIPTIONS**

- 14.1 The Association shall create and maintain a register of members and shall make available to clubs the necessary forms for registration of members.
- 14.2 The register shall comprise the identity number, surname, full initials, full first names, preferred name, address, telephone numbers, club(s) and umpire and coach badge numbers of members. Where applicable, the date from which a member commenced playing bowls will also be recorded.
- 14.3 A printout of Club members' details will be furnished to the Membership Officer or the Club Secretary of their Club at the beginning of August each year. Each Club shall on or before 20 September of each year reply to the District Office by way of completing an Amendment Advice form, the amendments to the print-out of its members received in August.
- 14.4 Each Member Club shall pay to the Association an, a dual member fee if applicable and levies as determined from time to time by Council at its Annual General Meeting or adjourned Annual General Meeting in respect of each bona fide member.
- 14.5 Each Member Club shall also pay to the Association in each year, for onward transmission to Bowls SA, the annual affiliation fee and levy imposed by that body in respect of each bona fide member.
- 14.6 Affiliation fees and levies referred to in 14.4 and 14.5 shall be based upon the Club's declared membership as at 31 October and shall be paid not later than 30 November of the same year
- 14.7 "Bona Fide" members shall include all members liable to pay subscriptions as well as life members and/or honorary members with full privileges.

- 14.8 Each Member Club shall submit to the District Office not later than 05 November of each year, the properly completed Declaration of Membership form supplied by the Association, declaring the number of members as at 31 October.
- 14.9 The District Office will present Clubs with their Annual Return Invoice by 20 November of each year and no new registration or membership change will be entertained during the month of November other than in extraordinary circumstances.
- 14.10 In the event of a Club's resignation from the Association, the Club will remain liable in full for any outstanding affiliation fees and/or levies due by its members to the Association.
- 14.11 Each Member Club shall submit notification of the particulars of recently accepted members and in addition, pay the prescribed affiliation fees, levies and administration fees for all additional bona fide members within fourteen days following their acceptance as such.
- 14.12 New members who are registered for the first time will pay a pro rata affiliation registration fee to WPBA & BSA.
- 14.13 Each year, members will pay their WPB affiliation fee at the club where they are registered as a Main member on the BSA database. Dual members will pay their WPB Dual Member fee at their Dual Club.
- 14.14 An administration fee, as determined by the Executive is payable to WPB at the Club where a member joins as a dual member or at the new Club, when a member resigns from one Club and joins another.
- 14.15 No entries for WPB Competitions will be accepted in respect of non-registered players.
- 14.16 Members in default with any district or club, honorary members, non-affiliated country members or members of similar status, whatever their designation, including social non-playing members, shall not be considered bona fide.

## **15 MANAGEMENT OF SELECTED SIDES, TEAMS OR PLAYERS**

- 15.1 The Executive shall appoint a Manager for any side or team or players representing the Association.
- 15.2 The term of office of any such appointed manager shall be as determined by the Executive

## **16 COLOURS**

- 16.1 The Executive shall determine the conditions and the distinctive attire and colours to be worn by any player representing the Association or by any present or past Executive member or official of the Association.



## **17 COMPETITIONS**

- 17.1 The Executive shall;
  - 17.1.1 Establish, conduct and control such Competitions as it may from time to time resolve;
  - 17.1.2 Discontinue or abandon any Competition;
  - 17.1.3 Make and vary the rules of any Competition;
  - 17.1.4 Establish the time and venue for any Competition;
  - 17.1.5 Appoint qualified Umpires to officiate at any Competition;
  - 17.1.6 Delegate any of its powers hereunder as it deems fit.
- 17.2 Unless the context of any rule clearly otherwise indicates, the term "Competition" shall mean and include "Championships, Tournaments and Competitions" under the aegis of the Association.

## **18 AMENDMENTS**

- 18.1 Save for clause 10 which is entrenched and may not be deleted or altered, the Constitution of the Association may be amended by the deletion, addition and alteration of any of its clauses at an Annual General Meeting or Special General Meeting convened for this purpose.
- 18.2 The Constitution of the Association may be amended by the deletion, addition and alteration of any of its clauses at an Annual General Meeting or Special General Meeting convened for this purpose.
- 18.3 A notice of motion to amend the Constitution shall be in writing and lodged with the Association not less than six weeks prior to the date of the meeting at which it is to be moved.
- 18.4 Any amendment of or addition to the Constitution shall be effective only if two thirds of the votes cast at the meeting are in favour of the amendment.
- 18.5 A recommendation to formulate, amend or rescind a Bye-Law shall be submitted in writing to the Association.

## **19 CONSTITUTION, BYE-LAWS AND MODUS OPERANDI**

- 19.1 The Constitution as adopted and agreed by Council from time to time shall be final and binding, and shall be adhered to by all Member Clubs and all individual members of Member Clubs.
- 19.2 Bye-Laws which are not in conflict with this Constitution may be formulated, amended or rescinded by the Executive provided two-thirds of those present and entitled to vote, vote in favour of the adoption, amendment or repeal of a Bye-Law.

- 19.3 The modus operandi for the various Tournaments, Championships and competitions as approved by the Executive shall be binding, and shall be adhered to by all Member Clubs and all individual members of Member Clubs, provided that any amendments are reported to the next meeting of Council.
- 19.4 Any addition, amendment or deletion of any Bye-Law or modus operandi shall be advised in writing to each Member Club within thirty (30) days of its approval by the Executive.

## **20 DISSOLUTION**

- 20.1 The Association may be dissolved if at least two-thirds ( $\frac{2}{3}$ ) of the members present and voting at a Council Meeting of members convened for the purpose are in favour of dissolution.
- 20.2 Not less than twenty-one days' notice shall be given of such meeting and the notice convening the meeting shall state clearly that the question of dissolution of the association and disposal of its assets will be considered. If there is no quorum at such a Council Meeting then the meeting shall stand adjourned for not less than twenty-eight days and the members attending such an adjourned meeting shall constitute a quorum.
- 20.3 If upon dissolution of the Association there remain any assets whatsoever after the satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed to members of the Association. These assets should be distributed in some manner to another non-profit organization that has similar objectives. The Association's Council / General Meeting can decide which organization is to benefit from this distribution.

## **21 ARBITRATION**

- 21.1 Should any dispute arise which involves Western Province Bowls, its officials, any clubs affiliated with Western Province Bowls and any officials, players or members who are subject to the rules of this Constitution, pertaining to any matter arising from the interpretation of the Constitution, or arising from the sport governed by this Constitution, then such dispute shall be referred to the Arbitration Forum of the Western Cape Provincial Government and will be dealt with in accordance with the Rules of that Forum.
- 21.2 The provision of the Arbitration Act of 1965 shall apply to such arbitration proceedings, save to an extent modified by the Arbitration Forum Rules (Attached as Annexure "C")

**ANNEXURE "A"**  
**WYNBERG BOWLING CLUB LEGACY FUND**

**FUND ADMINISTRATION POLICY IN RESPECT OF MONIES DONATED BY THE TRUSTEES, TASKED WITH THE DISSOLUTION OF THE ASSETS, OF THE WYNBERG BOWLING CLUB TO THE WESTERN PROVINCE BOWLS ASSOCIATION**

**1. NAME OF THE FUND**

The Fund will be known as the "Wynberg Bowling Club Legacy Fund" (hereinafter referred to as "the Fund").

**2. OBJECTIVE OF THE FUND**

The sole objective and purpose of the Fund is to provide financial assistance to qualifying registered bowlers at all the member clubs of the Western Province Bowls Association (hereinafter referred to as "the WPB"). The Fund will financially assist qualifying registered bowlers with the payment of the fees (or a portion thereof) due by said bowlers to their respective bowling clubs, being members of the WPB, thereby promoting the growth and sustaining the number of persons participating in the sport of bowls in the Western Province district or its successor in title.

**3. ADMINISTRATION OF THE FUND**

The Fund will be established and administered by the WPB in strict accordance with the following criteria:

- 3.1** The WPB undertakes to invest the remaining capital of the Fund, following an initial distribution thereof, which may not exceed the amount of R90,000.00 (ninety thousand rand) in an interest bearing bank account or other financial institution, thereby maximizing the Fund's interest earning capacity.
- 3.2** The WPB undertakes to identify the Fund as separate monies in the books of account of the WPB and further undertakes not to utilize the Fund to defray the daily operational expenses of the WPB. In this regard, it is recorded that the Fund will be accounted for as an asset with a corresponding like liability in the books of account of the WPB, thereby having a neutral effect on the financial statements of the WPB.
- 3.3** On application to the WPB by a member club of the WPB on behalf of those members within their club whom the applicant member club considers warrant financial assistance with the payment of the fees due by said members to the applicant member club, excluding levies due to Bowls South Africa and the WPB, the WPB may in its sole discretion make an appropriate distribution from the Fund to said applicant member club.
- 3.4** The application(s) of the member club(s) must contain the name and Bowls South Africa number(s) of the member(s) within the applicant member club(s) seeking financial assistance, the amount of the applicant member club(s) annual fees and a brief motivation as to why the applicant member club(s) consider(s) that said member(s) within the applicant member club warrant financial assistance. Application for financial assistance must be submitted to WPB by no later than 30 November in any given year.
- 3.5** Any distribution from the Fund by the WPB in respect of a qualifying registered bowler, as contemplated above, may not exceed 80% of the annual fees due by such qualifying registered bowler to his/her club. The actual amount to be distributed as hereinbefore contemplated shall be within the sole discretion of the WPB.
- 3.6** Apart from the initial distribution referred to in clause 3.1 above, the aggregate annual distribution which may be made by WPB from the Fund may not exceed the accumulated annual interest earned by the Fund in the preceding and current financial years and the WPB is precluded from ever utilizing the capital (namely, R1 500 000 – one million five hundred thousand rand) of the Fund when making any distribution as hereinbefore contemplated.
- 3.7** On dissolution of the WPB as contemplated in clause 20 of the WPB's Constitution, the Fund's capital (including any accumulated interest) shall be donated in pro-rata shares (calculated in

proportion to a District's then registered membership) to the remaining Districts in the provinces of South Africa and under no circumstances whatsoever to Bowls South Africa. In other words, a District with a larger registered membership will receive a larger pro-rata share of the Funds' capital, than a District with a smaller registered membership.

- 3.8** Full records of the minutes of meeting of Council and/or the Executive and/or the Standing Committee(s) dealing with the administration of the Fund shall be maintained under the control of the Executive.
- 3.9** The Fund and the administration thereof shall form part of the annual independent audit by the WPB's duly appointed auditor.
- 3.10** At the Annual General Meeting of the WPB, the Treasurer in conjunction with the WPB's auditor, shall present a written report to Council accounting for the administration of the Fund for the preceding financial year.

## **FUND ADMINISTRATION POLICY IN RESPECT OF MONIES DONATED BY JAMES LITTLER TO THE WESTERN PROVINCE BOWLS ASSOCIATION**

### **1. NAME OF THE FUND**

The fund will be known as the “James Littler Fund” (hereinafter referred to as “JLF”).

### **2. OBJECTIVE OF THE JLF**

The sole objective and purpose of the JLF is to provide financial assistance to qualifying registered bowlers at all the member clubs of the Western Province Bowls Association (hereinafter referred to as “the WPB”). The JLF will financially assist qualifying registered bowlers with the payment of Bowls South Africa (BSA) and WPB affiliation fees (or a portion thereof) due by said bowlers to their respective affiliated bodies.

### **3. ADMINISTRATION OF THE JLF**

The JLF will be established and administered by the WPB in strict accordance with the following criteria:

- 3.1** The WPB undertakes to invest the initial capital amount of R 4 000.00 (Four thousand rand) in an interest bearing bank account or other financial institution, thereby maximizing the JLF’s interest earning capacity.
- 3.2** The WPB undertakes to identify the JLF as separate monies in the books of account of the WPB and further undertakes not to utilize the JLF to defray the daily operational expenses of the WPB. In this regard, it is recorded that the JLF will be accounted for as an asset with a corresponding like liability in the books of account of the WPB, thereby having a neutral effect on the financial statements of the WPB.
- 3.3** On application to the WPB by a member club of the WPB on behalf of those members within their club whom the applicant member club considers warrant financial assistance with the payment of the BSA and WPB affiliation fees due by said members to the applicant’s affiliated body, the WPB may in its sole discretion make an appropriate distribution from the JLF to said affiliated body.
- 3.4** The application(s) of the member club(s) must contain the name and Bowls South Africa number(s) of the member(s) within the applicant member club(s) seeking financial assistance and a brief motivation as to why the applicant member club(s) consider(s) that said member(s) within the applicant member club warrant financial assistance. Application for financial assistance must be submitted to WPB by no later than 30 November in any given year.
- 3.5** Only interest earned on the JLF may be distributed and the WPB is precluded from ever utilizing the capital of the JLF referred to in clause 3.1 above.
- 3.6** On dissolution of the WPB such funds will be distributed in terms of the WPB dissolution clause in their constitution.
- 3.7** Full records of the minutes of meeting of Council and/or the Executive and/or the Standing Committee(s) dealing with the administration of the JLF shall be maintained under the control of the Executive.
- 3.8** The JLF and the administration thereof shall form part of the annual independent audit by the WPB’s duly appointed auditor.
- 3.9** At the Annual General Meeting of the WPB, the Treasurer in conjunction with the WPB’s auditor, shall present a written report to Council accounting for the administration of the JLF for the preceding financial year.

**ARBITRATION RULES**

**ARBITRATION RULES OF THE SPORTS DISPUTE RESOLUTION FORUM OF THE WESTERN CAPE PROVINCIAL GOVERNMENT**

**1. INITIATING ARBITRATION**

- 1.1 Any party to a dispute (Claimant) shall initiate arbitration proceedings by addressing a written communication to such other parties as may be involved in such a dispute (Defendant/Defendants) setting out briefly the nature of the dispute.
- 1.2 The parties shall meet within 5 (five) days of the Claimant's initiating proceedings in an endeavour to settle the dispute amicably.
- 1.3 Unless all parties to the dispute agree to the contrary, the meeting referred to in paragraph 2 above shall be chaired by a mediator mutually agreed upon between the parties or, if no mediator is agreed upon, by mediator appointed by the Sports ADR Forum of the Western Cape Provincial Government ("the Forum").
- 1.4 The mediation meeting referred to in paragraph 2 above shall be conducted on a without prejudice basis, informally, and at a venue and time mutually agreed upon.
- 1.5 If all parties to the dispute agree thereto, the initial mediation meeting may be postponed to or continued at a later date.

**2. APPOINTING THE ARBITRATOR**

- 2.1 In the event of the matter not being settled under Rule 1 or should the parties agree not to submit their dispute to mediation under Rule 1, the parties shall appoint as an arbitrator a person mutually agreed upon. Failing such agreement, the Arbitrator shall be appointed by the Chairman for the time being of the Forum who shall:
  - 2.1.1 if the matter under dispute is primarily a legal matter, appoint as a mediator an attorney or counsel who has been in practice for not less than five years;
  - 2.1.2 if the dispute concerns mainly a matter of sports administration, appoint as an Arbitrator someone with suitable experience in the administration of the sport in question.
- 2.2 Before the matter is taken any further the Claimant shall pay to the Forum the minimum prescribed administration fee.
- 2.3 If the Arbitrator agreed upon, or appointed as per Rule 2.1 above, is unable or unwilling to so act then the Forum shall within 3 (three) days of being requested to do so appoint a replacement Arbitrator accredited by the Forum.
- 2.4 Except with the prior written consent of the parties, no person shall act as Arbitrator in any dispute in which that person has any financial or personal interest.
- 2.5 The Arbitrator shall be obliged to disclose to the parties any prior professional, business, personal or other relationship that he/she may have or may have had with either one of them.
- 2.6 The Arbitrator shall not be the mediator who conducted the mediation proceedings in terms of Rule 1, unless both parties request such mediator in writing to act as Arbitrator.

**3. ARBITRATION PROCEEDINGS**

- 3.1 Within 7 (seven) days of the appointment of an Arbitrator the parties shall submit to the

Arbitrator their outline of the issues in dispute, the facts material to such dispute on which they rely and the relief, if any, which they claim in such dispute.

- 3.2** Either party shall have the right, within 7 (seven) days of receiving the other party's outline of the dispute in terms of Rule 3.1 above, to respond in light of that.
- 3.3** After the exchange of documents in terms of Rule 3.1, the parties shall as expeditiously as possible attend a meeting chaired by the Arbitrator, to discuss the further determination of the matter and all procedural aspects relevant thereto.
- 3.4** No time limits shall be extended except by leave of the Arbitrator.
- 3.5** The arbitration shall take place on a date determined by the Arbitrator. The arbitration shall take place at the office of the Western Cape Provincial Government, or such other government office as may be available, which is nearest to the area where the parties are based. If there is no such office, the venue will be determined by the Arbitrator, having regard to issues of convenience and to the interests of the parties.
- 3.6** Documents may be delivered by hand, by telefax or sent by post. In the latter event, receipt of documents shall be deemed to have occurred 5 (five) days after posting.
- 3.7** No formal record of the proceedings shall be kept unless unanimously decided upon by the Arbitrator and the parties.
- 3.8** The parties shall co-operate fully with the Arbitrator.
- 3.9** The Arbitrator shall be entitled when making an award to rely on his/her own knowledge and/or experience of the related industry.
- 3.10** Wherever under these Rules the Arbitrator is given powers, such powers shall be exercised in the sole and absolute discretion of the Arbitrator.
- 3.11** Except where they conflict with the provisions of these Rules and/or procedures decided upon by the Arbitrator under these Rules, the provisions of the Arbitration Act of 1965 shall apply.
- 3.12** The arbitration shall be conducted expeditiously in order to minimize delay and with a view of minimizing costs.
- 3.13** The Arbitrator shall in his discretion not necessarily be bound to the application of the normal rules of evidence in respect of the proceedings.
- 3.14** The Arbitrator may call for additional evidence and/or submissions in regard to issues in dispute
- 3.15** The Arbitrator may proceed inquisitorially to ascertain the relevant facts and to this end may question any party or witness at any stage of the proceedings.
- 3.16** The Arbitrator shall conduct the arbitration proceedings in such manner as he deems fit, and shall make such rulings in relation to any procedural matter as he considers appropriate: provided that no such ruling may be in conflict with the express provision of any of these Rules
- 3.17** Any of the parties to a dispute may, on not less than 24 hours' notice to the other parties, approach the Arbitrator for an interim ruling on any procedural matter.
- 3.18** The Arbitrator shall, in respect of the dispute, be competent to make such order as may, in law, be made in relation to the issues in dispute: save that, except where the parties agreed to the contrary before the commencement of the arbitration hearing, no costs order may be made by the Arbitrator unless the Arbitrator is of the view that a party has, in the arbitration proceedings, acted in a frivolous or vexatious manner by initiating or defending the dispute in the arbitration proceedings or by such party's conduct during the arbitration proceedings. Before awarding any such costs the Arbitrator shall afford both parties an opportunity to

address him on the question of whether such costs should be awarded.

#### **4. SERVICE**

- 4.1 The notice referred to in Rule 1.1 and the written outline referred to in Rule 3.1 shall be served personally by each party at the home or principal place of business of each of the other parties, and such service shall be proved by an affidavit sworn by the person who affected such service.
- 4.2 All other notices and documents in terms of this Rule shall be served personally, by fax or by registered post.
- 4.3 If service of the documentation required under Rule 1.1 and 3.1 cannot be effected in the manner referred to in Rule 4.1 above, the parties may approach the mediator appointed in terms of Rule 1.3 or the Arbitrator appointed in terms of Rule 2 for appropriate directions as to service.

#### **5. CONFIDENTIALITY**

The proceedings shall be confidential. Neither the parties nor the *Arbitrator* shall disclose to third parties any information regarding the proceedings, the award, or settlement terms unless the parties otherwise agree in writing.

#### **6. DEFAULT AND NON COMPLIANCE**

- 6.1 In the event that the Arbitrator is of the opinion that any party to the arbitration has not co-operated fully and/or caused unnecessary and/or willful delay or whose conduct merits same the Arbitrator shall be entitled to make any award of costs he/she deems fit.
- 6.2 Provided that there has been proper service of the documentation required by Rules 1.1 and 3.1 above, the arbitration can proceed in the absence of any party.
- 6.3 The Arbitrator shall be entitled to make a default award. [This rule falls away if the appeal rule as contained below is ultimately agreed to.]
- 6.4 An award made by the Arbitrator in terms of Rule 7 below shall not be subject to rescission by reason of the fact that such award was made in the absence of a party, unless such party is able to prove that service of the documentation referred to in Rule 1.1 and 3.1 above was not effected in the manner required by Rule 4.1. Should service not have been thus effected, an application for rescission may be brought by the party affected, on written notice to all other parties to the dispute, and on good cause shown

#### **7. AWARD**

- 7.1 The Arbitrator shall within 30 (thirty) days of the termination of the proceedings render a final and binding written award including interest and costs, without assigning reasons unless otherwise agreed and the award may be made an order of court in terms of Section 31 of the Arbitration Act of 1965.
- 7.2 In considering his/her award the Arbitrator may take into account any equitable factors that in his/her opinion are relevant to the making of the award.
- 7.3 The award shall be published either by hand delivery to the parties or by telefax or by post.
- 7.4 Notwithstanding the provision of this Rule, the Arbitrator shall be entitled to make such interim awards as he/she deems necessary.

#### **8. APPEALS**

- 8.1 Any party aggrieved by the award of the Arbitrator may appeal against such award by delivering a notice of appeal within 7 days of receipt of the award.



- 8.2** The appeal shall be heard by an appeal panel consisting of 3 persons, who shall be appointed by the Forum.
- 8.3** The party wishing to prosecute an appeal shall, within 30 days of giving notice of the appeal and at such party's own cost, deliver a full and comprehensive record of the proceedings before the Arbitrator, and a copy of the Arbitrator's award, to the Forum and to each of the other parties to the arbitration.
- 8.4** The appeal shall be heard within 30 days of the delivery of such record.
- 8.5** The appeal tribunal shall, prior to the hearing of the appeal, be entitled to give such procedural directions as it deems appropriate, including directions as to the presentation of argument and the submission of written heads of argument. Such directions shall be furnished in writing to each party to the dispute.
- 8.6** The appeal tribunal shall be obliged to give its decision within 30 days of the hearing of the appeal.
- 8.7** The appeal tribunal may, in respect of the dispute, make the same orders as the Arbitrator is entitled to make in terms of Rule 3.18 above.

## **9. GENERAL**

- 9.1** A reference in these Rules to days means calendar days, including Saturdays, Sundays and public holidays.
- 9.2** The provision of these Rules shall not preclude the parties from approaching a Court having jurisdiction for urgent interdictory relief, where grounds exist for the seeking of such relief.
- 9.3** These Rules may from time to time be amended by the Forum.
- 9.4** The address of the Forum for all purposes arising from or connected to these Rules or arbitrations conducted in terms thereof, shall be
- 9.5** The Forum may, from time to time, determine an administrative charge which shall be borne by the parties, in equal shares, in order to cover any staff, secretarial and administrative expenses incurred by the Forum in respect of the dispute in question.

**ANNEXURE “D”**  
**SOUTH AFRICAN INSTITUTE FOR DRUG-FREE SPORTS**  
**(SAIDS) COMPLIANCE**

1. Western Province Bowls shall accept and abide by the spirit and terms of the South African Institute for Drug-Free Sports (SAIDS) Anti-doping Programme and the Anti-doping Rules, including the application of its sanctions to individuals and shall respect the authority of and co-operate with SAIDS and the hearing bodies in all anti-doping matters which are not governed by the rules of the relevant International Federation.

# **BYE-LAWS**

of

## **WESTERN PROVINCE BOWLS**

### **1 TOURNAMENTS, CHAMPIONSHIPS AND COMPETITIONS**

- 1.1 All Tournaments Championships and Competitions authorised by the Executive shall be staged in accordance with the approved modus operandi for each Tournament, Championship or Competition.
- 1.2 Such modus operandi shall be updated or amended as and when the Executive deem necessary.

### **2 PROVINCIAL REPRESENTATION**

- 2.1 The Executive shall arrange for the participation of individuals, teams or sides representing 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.
- 2.2 The Executive shall determine the amount of all or part of the reasonable travelling and accommodation expenses to be paid for players representing the Association.

### **3 ADMINISTRATIVE COLOURS AND INSIGNIA**

- 3.1 The Official Colours and Insignia of the Association shall be:
  - 3.1.1 A navy blue blazer;
  - 3.1.2 A navy blue hatband with a red disa;
  - 3.1.3 A navy blue tie with a red disa;
  - 3.1.4 A pocket badge with a red disa and the words 'WESTERN PROVINCE' above and the word 'BOWLS' below;
  - 3.1.5 A metal badge in a design and wording similar to 3.1.4;
  - 3.1.6 A blue windbreaker with white trimming and a badge similar in design to 3.1.4.
- 3.2 The Colours and Insignia shall be worn only by:
  - 3.2.1 Executive Committee members of the Association with the added words indicating the respective offices (e.g. "President") in silver on the pocket badge;
  - 3.2.2 Past Officers with the words "Past Executive" in silver on the pocket badge, provided such past Officers have served on the Executive for at least twelve (12) months;
  - 3.2.3 Secretarial staff may wear the official colours with the words "Secretariat" embroidered on their pocket badge.
- 3.3 A President shall, on relinquishing the Presidency, be presented with a pocket badge bearing the words "Past President" and his or her years of service as an Executive member in old gold and a gold-plated lapel badge.
- 3.4 As a mark of their Offices, members of the Executive Committee and secretarial staff shall wear metal lapel badges depicting a red disa flower and words denoting their respective Offices (e.g. "President"). Such badges shall remain the property of the Association and the incumbents shall be obliged to return them on expiry of their respective terms of Office.
- 3.5 Incoming Executive Committee members and secretarial staff shall be presented with their insignia and badges but shall pay for their blazers;
- 3.6 Delegates to Council may also wear the Metal Badge described in 3.4 above. Such badges shall be purchased by Member Clubs and shall remain the property of such Clubs.
- 3.7 A Metal Merit Badge as approved by the Executive may be presented to anyone who in the opinion of the Executive has served the Association with distinction and merits the honour.
- 3.8 A Metal Friendship Badge as approved by the Executive may be presented to anyone who in the opinion of the Executive has contributed to the development, play and good fellowship of bowls.
- 3.9 The Association Flag and Pennant shall be designed in the Official Colours of the Association.

## **4 SECRETARY AND ASSISTANT SECRETARY**

**4.1** These Officials shall:

- 4.1.1** Unless excused by the Executive, attend all Executive and Council Meetings of the Association and Tournaments, Championships and Competitions when so directed by the Executive.
- 4.1.2** Maintain records of all Council and Executive Committee Meetings and also all records of WPB Tournaments, Championships and Competitions, and at the Annual General Meeting submit a report of the proceedings of the Association since the previous Annual General Meeting.
- 4.1.3** Maintain a register of all Member Clubs' Colours, Badges, Flags, Pennants and Hatbands and shall ensure that no new Club Applicant for membership shall be in conflict with established Member Clubs.
- 4.1.4** Have no vote at any meeting.
- 4.1.5** Not be permitted to serve on the Management or Executive committee of any Member Club, without the prior consent of the Executive.
- 4.1.6** Perform such other duties as the Executive may require.

## **5. TREASURER**

**5.1** The Treasurer shall–

- 5.1.1** maintain proper books of account and report on the financial position at all Executive Committee Meetings, and on instruction from the Executive, at all Council Meetings.
- 5.1.2** at the end of each financial year, prepare a full statement of account and balance sheet, which shall be duly audited.

## **6. STANDING COMMITTEES**

- 6.1** The Executive shall appoint Standing Committees for a period of two years and shall prescribe the terms of reference under which any Standing Committee shall function.
- 6.2** Separate Standing Committees shall be appointed for the following:  
Coaches                                      Technical Officials (Umpires and Markers)  
Selection– Men                                Selection –Women
- 6.3** Additional Standing Committees shall be appointed for some or all of the following or for any other purpose as determined by the Executive at its sole discretion:  
Development                                Finance  
Greens Care                                    Provincial Bowlers
- 6.4** Each Standing Committee shall consist of at least two members of either gender, with a maximum number as determined by the Executive.
- 6.5** The Executive shall have the right to appoint one or more Executive members as members of any Standing Committee.
- 6.6** Prior to the initial appointment of any Standing Committee, the Executive shall advise all affiliated members by way of a circular to Member Clubs of its intentions and invite applications for appointment to be submitted in writing together with details of achievements, experience and skills. Such appointment includes any non-affiliated person with special knowledge or skills applicable to the particular portfolio for which that person qualifies.
- 6.7** The appointment of additional or replacement members to any existing Standing Committee shall be at the sole discretion of the Executive. Such appointment shall include any non-affiliated person with special knowledge or skills applicable to the particular portfolio for which that person qualifies.
- 6.8** The Executive shall appoint the Chairperson of each Standing Committee, in consultation with such Standing Committee.
- 6.9** 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 present.

- 6.10 Standing Committees shall be responsible and accountable to the Executive.
- 6.11 The Chairpersons or other members of Standing Committees shall be obliged to attend and report at Executive Committee and Council meetings when directed by the Executive to do so.
- 6.12 The Chairperson of any Standing Committee shall have both a deliberative and a casting vote at all meetings of such Standing Committees.
- 6.13 The Chairperson of any Standing Committee shall determine the allocation of duties and responsibilities to members of the Standing Committee.
- 6.14 The Chairperson of any Standing Committees shall convene meetings as and when necessary to attend to the functions required of the Standing Committee.
- 6.15 The Chairperson of any Standing Committees shall ensure that proper 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.
- 6.16 The Standing Committees for Technical Officials and Coaches are required to route all correspondence to or from Bowls SA or the National Standing Committees via the Secretary of the Association.
- 6.17 The Executive shall determine the style and colour, including badges and emblems, of any distinctive uniform or dress for use by Standing Committee members.
- 6.18 Members of Standing Committees shall be reimbursed for travelling expenses and other reasonable expenses as agreed to by the Executive.
- 6.19 The President of the Association, or any member of the Executive appointed for the purpose by the President, shall ex officio be a member of all Standing Committees with the right to participate in deliberations, but shall not be entitled to vote.

## **7 Standing Committee – Technical Officials**

- 7.1 The Standing Committee for Technical Officials shall consist of no more than twelve members.
- 7.2 The Standing Committee for Technical Officials shall control and administer all technical aspects of bowls within the area of jurisdiction of the Association, in accordance with the Modus Operandum for District Technical Official Standing Committees set out in the Bye-laws of Bowls SA.
- 7.3 The Standing Committee for Technical Officials shall in addition to the above be responsible for the appointment of umpires, markers and other technical officials for the last three rounds of all WPB competitions and championships. One Executive Member to officiate at the different Semi-Finals and Finals. The Club where the semi-final/final is played to appoint a club umpire and the Technical Officials Standing Committee appoint an umpire (nearest to the venue) to guide the club umpire.
- 7.4 The Standing Committee for Technical Officials shall appoint one or more members to liaise with the Western Province Bowls Umpires Association.

## **8 Standing Committee – Coaches**

- 8.1 The Standing Committee for Coaches shall consist of no more than ten members.
- 8.2 The Standing Committee for Coaches shall control and administer the evaluation and certification of club coaches and level 1 & level 2 coaches within the area of jurisdiction of the Association, in accordance with the Modus Operandum for District Coaches Standing Committees set out in the Bye-laws of Bowls SA.

## **9 Standing Committee – Finance**

- 9.1 The Standing Committee for Finance shall consist of the Treasurer and two members.
- 9.2 The Standing Committee for Finance shall be responsible, together with the Secretary of the Association, for the preparation of an annual budget of expenses and income, which shall be submitted to the Executive no later than 31 March of any year in respect of the following financial year.
- 9.3 The Standing Committee for Finance shall recommend to the Executive no later than 31 March of any year the amounts to be charged in the following financial year for subscriptions (affiliation fees) and competition entry fees.

- 9.4 The Standing Committee for Finance shall advise the Executive regarding the investment of the funds of the Association.
- 9.5 The Standing Committee for Finance shall actively assist the Association in the acquisition of sponsorships for the Associations competitions and championships. In the event of a commission having to be paid to any person or organisation arising from the solicitation of said sponsorships, such commission shall be paid at the discretion of the executive.

## **10 Standing Committee – Greens Care**

- 10.1 The Standing Committee for Greens Care shall consist of eight members.
- 10.2 The Standing Committee for Greens Care shall advise the Executive on the suitability and availability of bowling greens to be used for the Association's competitions and championships, and for such other events as requested by the Executive.
- 10.3 The Standing Committee for Greens Care shall conduct at least one annual inspection of all bowling greens at clubs affiliated to the Association, and on such other occasions as may be necessary.
- 10.4 The Standing Committee for Greens Care shall advise clubs on remedial and maintenance actions to be undertaken on the greens, and shall take steps to ensure that such actions are executed.
- 10.5 The Standing Committee for Greens Care shall conduct seminars and meetings with the green keepers of member clubs to promote the continuing improvement in knowledge and skills required by green keepers.

## **11 Standing Committee - Selectors**

- 11.1 The Executive shall appoint separate Standing Committee for Selectors, Men & Women, consisting of five members each, from different clubs; those appointed should preferably have played at Inter-District level as a minimum requirement and shall not be available for selection in any Inter-District side.
- 11.1.1 The Selectors may be announced prior to the scheduled AGM and this only in the instance where a full compliment of nominations and no more than 5 ladies and 5 men has been received by WP Bowls by the closing date of the 1<sup>st</sup> July.
- 11.2 The Chairperson of each Standing Committee for Selectors shall be one of the five members.
- 11.3 Selection Committees shall nominate players to be invited to participate in WPBA Masters and Invitation Singles events.
- 11.4 Selection Committees shall select their squads each year. The Executive will appoint where considered necessary, Managers who will immediately obtain information regarding travelling and accommodation etc. and submit details to the Executive and Finance for approval.
- 11.5 Selection Committees shall also nominate players for consideration for National and International events as requested by Bowls South Africa.
- 11.6 If any selected player withdraws for any reason after he/she has been selected the appropriate Selection Committees shall also select his/her replacement from the original squad.
- 11.7 Three members of a Selection Sub-Committee shall form a quorum.
- 11.8 The Manager of the Inter-District (Full Colours) Side shall ex officio be a member of all Selection Committees with the right to participate in discussions, but shall not enjoy the right to vote.
- 11.9 Merit based on current and recent past performance shall be a primary consideration for selection, but Selection Sub-Committees shall also take into account other factors such as compatibility of players in a team and the strengths of individual players in specific positions, or specific requirements as directed by the Executive.
- 11.10 The names of selected players and composition of selected teams or sides shall first be advised to the Executive by the Chairperson of the Standing Committee for Selectors, only after which the details will be relayed by the President to the Secretary of the Association for publication.
- 11.11 Members of the Selector's Standing Committee are expected to attend semi-finals and finals of all Western Province Championships.
- 11.12 Committees shall select squads for each of the following:

Open Inter-District Side  
B Inter-District Side  
Veterans Inter-District Side  
U30 Inter-District Side

- 11.13 The Selection Standing Committees will supervise and prepare training and practice programs for the various Inter-District Squads.
- 11.14 The Selection Standing Committees together with the Level 3 Coaches will supervise and prepare training and practice programs for the various Inter-District Squads.
- 11.15 The Selection Standing Committee members, both Men and Women, appointed by the Executive (Clause 1.1) shall not make themselves available for selection for the events described in clauses 11.3, 11.4 and 11.5 above.

## **12 Standing Committee – DISA (Provincial Bowlers)**

- 12.1 The Executive shall appoint a Provincial Bowlers Standing Committee, consisting of three of the current Executive committee.
- 12.2 The Chairperson of this Standing Committee shall be one of the three members.
- 12.3 The Standing Committee may co-opt suitable persons to assist with any special project.
- 12.4 The Standing Committee shall be responsible for advising the Executive on any of the following:
  - 12.4.1 Any proposed changes to the format of any District Competition.
  - 12.4.2 Arrange fundraising events to assist in covering the costs of inter-district teams.
  - 12.4.3 Seek sponsors for the “Open” Inter-District Teams.
  - 12.4.4 Assist in approving greens to be used for Semi-Finals and Finals of Western Province Competitions/Championships and for the WP Masters.

## **13 Standing Committee – Membership & Marketing**

- 13.1 The Standing Committee for M&M shall consist of no more than twelve members.
- 13.2 The Standing Committee for M&M shall control and administer all aspects of bowls development within the area of jurisdiction of the Association, in accordance with the Modus Operandum for Development Standing Committees as set out in the Bye-Laws of Bowls S.A.
- 13.3 The Standing Committee for M&M shall in addition to the above, prepare guidelines for development for all Clubs in the District, and ensure the implementation of same.
- 13.4 The Standing Committee for M&M shall investigate the possibility of the introduction of a school's league.
- 13.5 The Standing Committee for M&M shall identify any club in difficulty and assist in providing solutions to the problems.

## **14 Standing Committee – Long Service Award**

- 14.1 A long service award shall be presented to a member of a Standing Committee who resigns from any of the Standing Committees after having completed 10 years uninterrupted service or more. The 10 years' service will be in recognition of services rendered to one particular Standing Committee and not for example, that of two or more Standing Committees (i.e. 5 years on coaches, 3 years on technical and 2 years on selection).

## **15 Standing Committee – Youth Bowls**

- 15.1 The Executive shall appoint a Youth Bowls Standing committee consisting of three members and with one of these members being appointed as Convenor. This Committee will be responsible for the following:
  - 15.1.1 To select the U15 & U20 teams to take part in the National Championships with the final

approval of the Executive.

- 15.1.2** Arrange fundraising events and source sponsors to assist in covering the cost of all tournaments.
- 15.2** The selection of the U30 team/s will be done by the Selectors Standing Committee and approved by the Executive.
- 15.3** The Executive shall appoint managers to assist with the management of these selected sides for the U15, U20 and U30's



