



# *Johannesburg Bowls Association*

**[THE] DISTRICT WHERE IT'S AT!**

# *Constitution*





Constitution of the Johannesburg Bowls Association  
(Hereinafter referred to as JBA)



Johannesburg Bowls Association (JBA)

## **CONSTITUTION**



## REVISION HISTORY

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## REVIEWERS LIST

The conditions of play will be distributed to the following for review:

Name	Title	e-mail Address
JBA executive	JBA Executive	<i>all@jba.co.za</i>
JBA Council (All member clubs)	Council	All@JBAclubs.co.za
JBA executive	JBA Executive	<i>all@jba.co.za</i>

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## CHAPTER 1 – INTERPRETATION

### 1 CONSTITUTION OF JOHANNESBURG BOWLS ASSOCIATION

- 1.1 This is the Constitution of the body known as Johannesburg Bowls Association (hereinafter referred to as “JBA”).
- 1.2 JBA is a voluntary association having a corporate identity separate from that of its Member Clubs with legal personality and is entitled to own property, whether movable or immovable or otherwise, and is entitled to sue and to be sued in its own name and, notwithstanding any change in the composition of its Member Clubs and shall have perpetual succession.
- 1.3 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 (hereinafter referred to as “South Africa”) (1996), the rule of law and good corporate governance.

### 2 DEFINITIONS AND ABBREVIATIONS

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 2.1 **“Act”** means the National Sport and Recreation Act, 1998 (Act No 110 of 1998 as amended).
- 2.2 **“AGM”** means the Annual General Meeting of Council Members held in accordance with the provisions of this Constitution.
- 2.3 **“Annual Financial Statements”** means the annual audited balance sheet, income and expenditure statement, Honorary Treasurer and Auditor’s report, collectively.
- 2.4 **“Associate Member”** means:
  - 2.4.1 all those associations or organisations having the same or similar objects to JBA; and
  - 2.4.2 having their domicile within the area of jurisdiction of JBA and which have applied for, and have been accepted as, Associate Members of JBA by the latter in writing in terms of the provisions of this Constitution, but that do not have any voting right.
- 2.5 **“Bowls”** means the game or sport of bowls, whether played indoors or outdoors, participated in any manner whatsoever and includes the disciplines referred to in this Constitution as well as those defined by any IF.
- 2.6 **“Bowls South Africa”** (hereinafter referred to as Bowls SA) a National Federation to which JBA is affiliated.
- 2.7 **“Club”** shall be an institution that has in use, or under construction, a bowling green deemed fit by JBA to meet the requirements of the Laws of the Sport of Bowls and to promote the game of bowls in order to create awareness and participation thereof, be it on a competitive and/or recreational level, by all age groups and sectors of the community;
- 2.8 **“Compliance”** means that any Council Member, Member Club or Registered Individual has fulfilled the necessary provisions of this Constitution regarding specific requirements as contained herein, and as such is regarded as being in good standing with JBA.



- 2.9 **“Constitution”** means this Constitution.
- 2.10 **“Council”** see Chapter 4.
- 2.11 **“Council Member”** shall be those members that are entitled to attend any “OGM”, “SGM” and/or “AGM” (see clauses 18.4, 19.3, and 20.4).
- 2.12 **“Day”** means a calendar day whereas, **“working day”**, means a calendar day excluding Saturdays, Sundays and Public Holidays.
- 2.13 **“Disabled”** means physically disabled, visually impaired, hearing impaired, intellectually impaired persons.
- 2.14 **“Event”** means an event held in the JBA area of jurisdiction under the auspices of JBA, Gauteng Bowls, Bowls SA or a relevant international body to which Bowls SA is affiliated.
- 2.15 **“Event Organizer”** means a person or entity, duly authorised to manage an event on behalf of JBA, Gauteng Bowls, Bowls SA and/or the IF either directly or indirectly through its members; inclusive of the hosting, managing, organising, planning and supervision of such an event.
- 2.16 **“Gauteng Bowls”** means the Provincial Bowls Association to which all Gauteng based Districts are affiliated.
- 2.17 **“Headquarters”** means the Headquarters of JBA which shall be at the place decided upon by the Executive Committee in writing from time to time.
- 2.18 **“Honorary Life Members”** means all those persons bestowed with this honour by Council.
- 2.19 **“IF”** means the International Federation(s) to which Bowls SA is affiliated.
- 2.20 **“Levies”** means the monies levied and due to JBA as approved and agreed to at each AGM of JBA.
- 2.21 **“Member Club”** is any club affiliated to JBA (see chapter 3).
- 2.22 **“Month”** means a calendar month.
- 2.23 **“OGM”** means an Ordinary General Meeting of Council Members, other than an AGM or SGM, convened in terms of this Constitution.
- 2.24 **“Player”** means any individual who is actively playing the sport of Bowls and is affiliated to and registered with a Member Club or Associate Member.
- 2.25 **“Players’ Representative”** shall mean a person appointed by the Executive Committee in writing representing JBA District players irrespective of the gender and age category, who is in good standing with JBA.
- 2.26 **“POPI Act”** means the Protection of Personal Information.
- 2.27 **“President”** means the President JBA, duly elected in terms of this Constitution.
- 2.28 **“Registered Individuals”** mean the players, technical officials, coaches, greenkeepers, managers, administrators or workers registered/affiliated at a Member Club and/or Associate Member.



- 2.29 **“SAIDS”** means the South African Institute for Drug-Free Sport.
- 2.30 **“SASCOC”** means the South African Sports Confederation and Olympic Committee duly recognized and approved by Sport and Recreation Republic of South Africa, as the macro governing body of sport in the Republic of South Africa.
- 2.31 **“SGM”** means a Special General Meeting of Council Members of JBA other than an Ordinary or Annual General Meeting convened for a special purpose in terms of this Constitution.
- 2.32 **“Special levy”** is a levy imposed on Member Clubs and/or registered individuals as may be decided by the Executive Committee in writing and which is imposed for a specific purpose at which time such payment becomes due and payable to JBA.
- 2.33 **“Sport and Recreation Republic of South Africa”**, means the National Department of Sport and Recreation in the Republic of South Africa.
- 2.34 **“Johannesburg Sports Council”** is the Regional Sports Council for the Johannesburg Metropolitan Municipality to which JBA is affiliated.
- 2.35 **“WADA”** means the World Anti-Doping Agency.
- 2.36 **“Year”** means a calendar year.
- 2.37 **“Youth”** means a person aged 30 years or younger.

### 3 INTERPRETATION

- 3.1 The headings to the clauses or paragraphs of this Constitution are for descriptive purposes only and shall not be used in the interpretation hereof.
- 3.2 Unless the context indicates a contrasting intention, the singular shall include the plural and vice versa.
- 3.3 Any words importing one gender include the other.
- 3.4 Should any clause in this Constitution be found to be inconsistent with the purpose of this Constitution read with the Constitution of Bowls SA, Constitution of SASCOC and the Constitution of the Republic of South Africa, such clause shall be interpreted as *pro non scripto* and the remainder of this Constitution shall remain valid and enforceable.
- 3.5 Where the Executive Committee deviates from the time in which to fulfil an obligation, relating to an enactment within a specified time, such deviation may be ratified at the next Council or alternative meeting as may be deemed appropriate by the Executive Committee and no enactment shall be invalid or ultra vires, solely by virtue of such enactment being made outside of the specified time.



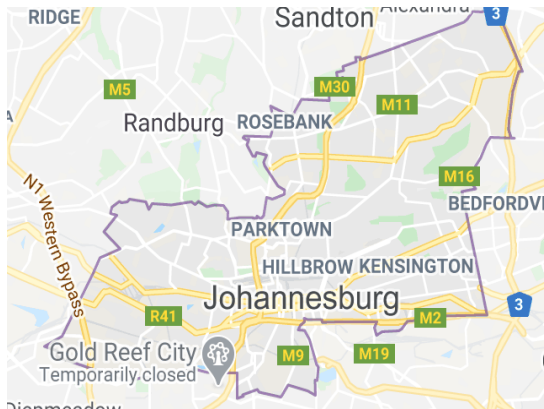
## CHAPTER 2 – JBA AS AN ORGANISATION

### 4 DOMICILE

4.1 The domicile and seat of management of JBA shall be deemed to be situated in the area as determined by the Executive Committee in writing, with the *domicilium citandi et executandi*, being the registered address of the head office of JBA as published on its website, “**provided**” that, it shall always be at a place within the boundaries of the Johannesburg Metropolitan Municipality, South Africa.

### 5 AREA OF JURISDICTION OF JBA

5.1 The geographical area of jurisdiction of JBA shall be the Johannesburg Metropolitan Municipality, “**provided**” that, JBA shall also have jurisdiction over any Registered Individual that participates in the Sport of Bowls outside of the Johannesburg Metropolitan Municipality, subject to him representing JBA and/or any selected team or group which may fall within the jurisdiction of JBA.



**Johannesburg Metropolitan Municipality**

5.2 Any Club not within the geographical area of the Johannesburg Metropolitan Municipality may apply to become a Member Club of JBA on condition that the Bowls District in whose area of jurisdiction the club is situated, agrees to such in writing.

5.3 Players of a Member Club and/or Associate Member may participate in any JBA event, and shall adhere to, comply with, and be bound by the provisions of this Constitution, any By-laws, and/or any policy or Code of Conduct of JBA.

### 6 MAIN BUSINESS

6.1 The main business of JBA is to act as the district controlling body of bowls in its area of jurisdiction:

6.1.1 JBA shall seek and hold membership of Bowls SA as a registered district federation and shall be the only controlling body for Bowls in the Johannesburg Metropolitan Municipality and shall control and enforce the playing rules of the IF and Bowls SA for bowls in the area of jurisdiction;

6.1.2 No Member Club, Associate Member or Registered Individual shall establish or maintain contact with Bowls SA, the IF or any other International Federation body without the prior knowledge and approval of JBA in writing; and

6.1.3 JBA shall seek and maintain membership of Gauteng Provincial Association, the Johannesburg Sports Council and any other relevant bodies established by Government.





## **7 ORGANISATIONAL STRUCTURE OF JBA**

- 7.1 JBA is the controlling body of bowls in Johannesburg Metropolitan Municipality governed by Council in accordance with the provisions of this Constitution.
- 7.2 JBA Registered Individuals shall have freedom of association to belong to any other Bowling Club within the jurisdiction of Bowls SA.

## **8 OBJECTIVES OF JBA**

- 8.1 The objectives of JBA through appropriate appointed structures are:
- 8.2 The objects of JBA shall be to develop, promote, advance and control the game of bowls, both indoor and outdoor, in the area under its jurisdiction and in furtherance of those objects to:
- 8.3 Affiliate to such national and other sporting bodies as may be considered appropriate.
- 8.4 Accept or refuse application for affiliation from any Association or Body which controls any form of bowls, on such terms and conditions as may be considered appropriate.
- 8.5 Consider, deal with and adjudicate upon all matters which may be submitted to JBA by its Affiliated Clubs, other Associations, or Body accepted in terms of Clause 2.1.2 of this Constitution.
- 8.6 Appoint such Standing Committees, including Competitions, Development, Coaches, Green-keepers, Technical Officials and Provincial Bowlers, and/or sub-committees as circumstances may require and determine the terms of reference for their operation.
- 8.7 Frame and, when necessary, alter and revise and/or rescind the By-Laws of this Constitution.
- 8.8 Arrange for such tournaments, leagues and championships as may be considered appropriate.
- 8.9 Acquire either by purchase or lease and alienate any rights to movable and immovable property and to borrow or raise money for the purpose of advancing the objects and interests of the JBA.
- 8.10 Apply any funds it may possess for the promotion of its objects.
- 8.11 Take such further action as it may deem necessary for the furtherance of these objects.

## **9 POWERS OF JBA TO IMPLEMENT ITS OBJECTIVES**

- 9.1 Except where otherwise stated herein and subject to the provisions of this Constitution, the Council and/or Executive Committee shall be vested with all such powers and authorities as are necessary to perform its functions as stated herein and to promote and attain the objects of JBA.
- 9.2 Any of these powers and authorities may be delegated to an Executive Committee member or committee, whether a sub-committee of the Executive Committee or a Technical Committee in terms of this Constitution, for a specific purpose.
- 9.3 Without in any way limiting the generality of the foregoing, the powers and authorities of JBA shall through the duly elected/appointed bodies, include those set out hereinafter, including:
  - 9.3.1 To nominate persons to represent JBA at any meeting of the Johannesburg Sports Council, Gauteng Provincial Association, Bowls SA and or any other organisation;
  - 9.3.2 To nominate persons to be members of Johannesburg Sports Council, Gauteng Provincial Association and/or Bowls SA committees, including but not limited to event organisers;



- 9.3.3 To acquire by purchase, exchange, lease, sub-lease, donation or otherwise movable and/or immovable property of any kind;
- 9.3.4 To sell, let, mortgage, dispose of, give in exchange, turn to account or otherwise deal with all or any part of the property or rights of the sport;
- 9.3.5 To enter into lawful contracts of any and all kinds necessary to carry out, give effect to, or secure the objects of the sport;
- 9.3.6 From time to time, in accordance with sound business and financial principles to, invest the funds of JBA in such property, assets or other security as may be deemed advisable;
- 9.3.7 To employ, suspend or dismiss and remunerate employees, professional assistants and experts;
- 9.3.8 Subject to the availability of funds, to arrange any allowances, gratuities and bonuses to employees or ex-employees of JBA, or the dependents of such persons; and Registered Individuals who qualified therefore;
- 9.3.9 To support, subscribe or make donations to any charities or other institutions, clubs, societies and funds;
- 9.3.10 To pay any expenses incurred in connection with the promotion and functioning of JBA;
- 9.3.11 To consider insuring against losses, damage, risk and liability of all kinds;
- 9.3.12 To draw, make, accept, endorse, execute, negotiate and issue cheques, promissory notes, bills of exchange, warrants and other negotiable or transferable instruments and to make electronic fund transfers with the proviso that no cheque or promissory note drawn on behalf of JBA shall be valid unless signed in accordance with the mandate as provided by the Executive Committee. The same restriction applies *mutatis mutandis* to Electronic/Internet payments;
- 9.3.13 To promote and hold an interest in any trust, company or concern, for the purpose of acquiring all or any of the property and/or undertaking any of the liabilities of JBA;
- 9.3.14 To institute, conduct, defend, compound or abandon any legal proceedings by and against JBA, its officers, the Executive Committee or otherwise, concerning the affairs of JBA, or the action of its Member Clubs and/or Associate Members, including the employment of attorneys and/or advocates and also compound and allow time for payment or satisfaction of any debts due or any claims or demands made by or against JBA;
- 9.3.15 To finance litigation and other legal costs, either in the name of JBA or by way of the imposition of a special levy on its Member Clubs and Associate Members;
- 9.3.16 To lawfully raise money to fund its ordinary operations, whether by subscription or levies, which are to be paid to JBA by the 1<sup>st</sup> day of February each year:
- 9.3.17 Such levies to be collected from its Member Clubs and/or Associate Members the Registered Individuals of the bodies referred to above, as well as to obtain lawful funding from any other source, and to recover by legal process monies due by any of the above.



- 9.3.18 To solicit and accept donations, sponsorships, bequests, grants and contributions for the benefit of JBA from within as well as outside the borders of the Republic of South Africa;
- 9.3.19 To contribute or subscribe to bodies with aims similar to the aims of JBA;
- 9.3.20 To borrow or raise money and guarantee or otherwise secure the repayment thereof, including by means of a pledge or lien of its assets, and to invest monies upon security, both in such manner and upon such terms as it may think fit;
- 9.3.21 To make and pass Rules, Regulations, modus operandi and by-laws and to add to, repeal or alter such Rules, Regulations and By-laws, with or without penalties, for the carrying out, administration and implementation of this Constitution and the attainment of the objects of JBA;
- 9.3.22 To take such action as may be required to enforce, fully, sufficiently and effectively, all obligations of whatsoever nature and howsoever arising which may be owed to JBA by its Member Clubs and/or Associate Members, former Member Clubs and/or former Associate Members, or any other persons or body;
- 9.3.23 To associate with any State authority or any other foundation, institution, society, trust, entity or person having the same or similar objects to those of JBA and to enter into any arrangements that may be conducive to the objects of JBA;
- 9.3.24 To, notwithstanding anything herein contained, record that:
- 9.3.25 JBA's income and property are not distributable to its Member Clubs, Associate Members, Registered Individuals or office bearers except as reasonable compensation for services rendered or upon dissolution in terms of this Constitution;
- 9.3.26 Member Clubs, Associate Members or office bearers have no rights in the property or other assets of JBA solely by virtue of their being member clubs or office bearers;
- 9.3.26 JBA 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, in accordance with the terms of **Part One Schedule Three of the Rules and Regulations of Bowls SA**;
- 9.3.26.1 JBA shall not have any authority to contract or bind itself, on behalf of any Member Club, Associate Member or individual;
- 9.3.26.2 JBA shall not be liable for any debts or other liabilities, whether of a contractual or delict basis, incurred by any Member Club, Associate Member or individual; and
- 9.3.26.3 JBA's financial transactions shall be conducted by means of a banking account or banking accounts opened and maintained by the Honorary Treasurer at the direction of the Executive Committee in writing and subject to audit by the appointed auditor(s) from time to time.
- 9.3.26.4 A benevolent fund will be administered by a committee of three. The President and two of the Life Members/ Past Presidents. Such fund will be confidential and beneficiaries will have to apply on an annual basis. The expenditure of this fund must not exceed the annual interest received on an annual basis. The financial statements to be submitted to the Auditor and Treasurer each year to insert only the accumulative balance into the Annual Financial Statement.



- 9.4 The Executive Committee shall control all expenditure of the funds of JBA and shall not incur any liability nor enter into any commitment which cannot be discharged out of the funds of JBA.
- 9.5 Subject to the provisions of clause 3.4 of the Constitution, the Executive Committee shall be entitled to making any amendments to the related prescripts necessary to promote the aims and objectives of JBA, and such amendments shall be binding upon Member Clubs, provided that such amendments shall be ratified at the next Council meeting.



## CHAPTER 3 – MEMBERSHIP OF JBA

### 10 MEMBERSHIP

- 10.1 JBA comprises of two (2) categories of members, namely:
- 10.1.1 **Member Clubs** shall be defined as those Bowls Clubs which have successfully applied for affiliation to JBA. As such, they shall be obliged to promote, develop and participate in the sport of bowls under the guidance and control of JBA, to ensure the development of JBA's administrators, players/participants and technical personnel through constructive coaching and capacity building.
- 10.1.1 **Associate Member(s)** shall comprise those sport bodies of JBA who:
- 10.1.2.1.1 have made application and been accepted as Associate Members of JBA in writing;
- 10.3.2.2 are recognised as bodies specifically catering for their respective membership within a confined organisation and/or the JBA area of jurisdiction, such as Tertiary Institutions and any other body duly accepted, "**provided**" that, these sport bodies shall not have any voting rights.
- 10.2 The right of the Member Club and/or Associate Member to have one or more representative teams participate in the various events and championships which are held or staged under the auspices of JBA shall be determined by the Executive Committee, which may vary such rights from time to time.
- 10.3 In matters of mutual interest, JBA and any of its Member Clubs and/or Associate Members may, if the need arises, enter into a written agreement covering specific issues for the benefit of the sport and its participants.
- 10.4 The Executive Committee shall determine the subscriptions and levies payable by any of the Member Clubs and/or Associate Members of JBA and registered individuals from time to time, including any special levy.
- 10.5 Every Member Club and/or Associate Member shall annually submit in writing to the Secretary no less than 30 (Thirty) days before the JBA's AGM:
- 10.5.1 Proof of the democratic election of its own office bearers;
- 10.5.2 A copy of its current Constitution; and
- 10.5.3 Plans and progress of an approved transformation policy.
- 10.6 Council shall ratify the subscriptions and levies payable by any of the Members of JBA and registered individuals from time to time, including any special levy.

### 11 PLAYERS' REPRESENTATIVE

- 11.1 There shall be appointed by the Executive Committee in writing a Players' Representative who shall represent the interests of all active District players. Such person shall be a Registered Individual that is in good standing with JBA.
- 11.2 The Players' Representative shall annually submit, in writing, to the Secretary no less than 30 (Thirty) days before the JBA's AGM, written minutes of all meetings held by the Players' Representative with District players during that particular year together with a list of participants at such meetings.



## **12 HONORARY LIFE MEMBERS**

- 12.1 The Executive Committee, Members of Council, Member Clubs and/or Associate Members may, from time to time, nominate any individual who has rendered exceptionally meritorious service or outstanding and notable service in the promotion of the Sport of Bowls, to JBA and/or Bowls SA, to be acknowledged and respected as an Honorary Life Member;
- 12.2 The Council may, upon the recommendation from the Executive Committee, elect Honorary Life Members of JBA, not exceeding three in number at any given time;
- 12.3 The Executive Committee shall observe the following guidelines in their consideration of persons for recommendation:
  - 12.3.1 The nature and extent of services rendered to his club;
  - 12.3.2 The nature and extent of services rendered at District and/or higher level; and
  - 12.3.3 The nature and extent of services rendered as a member of committees.
- 12.4 The Honorary Life Member badge shall be the Johannesburg Bowls Association badge but with the words HON. LIFE MEMBER, in gold, under the words.

The names of all Honorary Life Members of JBA shall be continuously displayed on the website of JBA.

## **13 PRESIDENT'S AWARD**

- 13.1 The President's Award of Merit may only be awarded to a person once.
- 13.2 The President of JBA shall have the right, after consultation with his Executive Committee to present any registered individual or service provider with the President's Award.
- 13.3 The award of recognition will be presented to any person or entity that has rendered service to JBA in any field in the interest of bowls.

## **14 LIMITATION OF LIABILITY AND INDEMNITY**

- 14.1 Every Member Club and/or Associate Member shall be jointly liable with all the other Member Clubs and/or Associate Members for all expenditures incurred in connection with JBA, insofar as third parties are concerned, provided that such liability shall be limited to the sum of any monies then due and payable by such Member Club and/or Associate Member to JBA, by way of subscription or otherwise, and any special levy imposed by the Executive Committee, from time to time in writing.
- 14.2 All members of the Executive Committee, all officials, workers, agents and persons (natural, corporate or otherwise) acting on behalf of JBA, or on behalf of a Commission or Committee of JBA or Sub-Committee of the Executive Committee, in terms of this Constitution and under original or delegated powers, shall be, and are hereby, indemnified and held harmless against any claim or demand by any third party as a result of any act or omission in the performance of their duties for and on behalf of JBA, from whatever cause arising, provided such person(s) acted in good faith.



## **15 SUSPENSION AND TERMINATION OF MEMBERSHIP**

- 15.1 Any Member Club or Associate Member which ceases to operate a viable structure as contemplated in this Constitution may be suspended or terminated from membership by the Executive Committee subject to a decision by Council. Council shall decide by means of a written vote whether the membership of such Member Club or Associate Member should be terminated, further suspended for a fixed or an indefinite period or restored.
- 15.2 Council shall take its decision by at least a two-third majority of its Member Clubs. The representatives of the Member Club or Associate Member concerned shall be entitled to make full representations to Council prior to the voting on the resolution. For purposes of clarity, such Member Club or Associate Member may be represented by a legal representative.
- 15.3 To suspend or terminate a Member Club's or Associate Member's membership, Council shall inter alia consider whether:
- 15.3.1 The structures of the Member Club or Associate Member concerned are viable;
  - 15.3.2 It meets its obligations in terms of its own Constitution and this Constitution;
  - 15.3.3 It has failed to pay its required fees;
  - 15.3.4 It refuses to comply with the decisions of JBA;
  - 15.3.5 It has effectively resolved for the development of the sport in its area;
  - 15.3.6 Its office bearers are individually registered with JBA and Bowls SA; and
  - 15.3.7 Whether the Member Club or Associate Member concerned works harmoniously with JBA and other Member Clubs and/or Associate Members towards the expansion of the sport in the Johannesburg Metropolitan Municipality.
- 15.4 Any Member Club or Associate Member may, at any time, tender its resignation from JBA. Such Member Club or Associate Member must give at least one month's written notice by not later than 30 June of each year. Any Member Club or Associate Member so resigning shall continue to be liable for any monies due and owing by such Member Club or Associate Member, to JBA and/or Bowls SA as at the date of their resignation.
- 15.5 Should a Member Club or Associate Member withdraw its affiliation to JBA the Registered Individuals of such Member Club or Associate Member may join any other Member Club or Associate Member of their choice and are not obliged to pay further JBA affiliation fees for the remainder of that year.

## **16 REGISTRATION OF INDIVIDUALS**

- 16.1 Individuals interested in obtaining registration with JBA and as such also Bowls SA, shall register by completing, signing and submitting the prescribed registration form and paying the prescribed registration fee to such Member Club or Associate Member as which they intend to join. In the case of an e-mail submission, the typing of one's name in the space provided for one's signature will be deemed to be one's signature.
- 16.2 Registration may be sought as one or more of the following:
- 16.2.1 Player, such category/categories shall be subject to definition by the Bowls SA Executive from time to time;



- 16.2.2 Technical Official;
  - 16.2.3 Coach;
  - 16.2.4 Manager;
  - 16.2.5 Greenkeeper; and
  - 16.2.6 An Administrator.
- 16.3 In the registration form the registered individual shall agree to adhere to the JBA Code of Conduct, including the prescribed disciplinary procedure, WADA/SAIDS code relating to anti-doping and the promotion of drug-free sport, as well as the policy, rules and procedures prescribed by JBA and Bowls SA from time to time.
- 16.4 Upon registration by the Member Club's or Associate Member's registration officer, the registered individual will remain registered until the registration status is terminated by expulsion, resignation or the death of the individual concerned, but without prejudice to the right of Bowls SA and/or JBA to impose and collect annual registration fees.
- 16.5 It is the responsibility of other individuals to advise the designated registration officer in writing (including e-mail) of any changes in their personal details, including contact details
- 16.6 A player will be allowed to play in National, Provincial and District events for the Member Club or Associate Member as indicated on his original registration form, or, in the case of a change, as indicated on the Bowls SA database of registered individuals.
- 16.7 No registration of any individual will be accepted in the event that the individual does not complete the registration form in full. To the extent that it may be applicable, to JBA agreeing to adhere to the provisions of the POPI Act and will not disclose any information of any individual, to any third party, unless such disclosure is made in terms of the provisions of the POPI Act.





## CHAPTER 4 – COUNCIL

### 17 COUNCIL

- 17.1 Subject to the terms of this Constitution, Council shall be the highest authority of JBA and shall approve the policies and budgets of the Executive Committee and give directives as they deem appropriate, to the Executive Committee.
- 17.2 Council shall meet not less than 4 (Four) times annually. One of these meetings shall be the AGM which shall be held in September.
- 17.3 Without limiting the generality of the above, Council shall have the following specific functions and powers:
  - 17.3.1 To ratify or amend the Rules, Policies, By-laws and Regulations as formulated by the Executive Committee;
  - 17.3.2 To apply conditions and fees for membership of JBA;
  - 17.3.3 To consider and approve or reject applications for membership of JBA and to deal with the proposals pertaining to the conduct of Member Clubs, Associate Members, and registered individuals at all levels, including expulsion from membership and cancellation of registration;
  - 17.3.4 To ratify the appointment of such delegate(s) as appointed by the Executive Committee as delegate(s) to the meetings of Bowls SA, Gauteng Provincial Association, Johannesburg Sports Council and/or any other organisation as applicable; and
  - 17.3.5 To elect the President and members of the Executive Committee subject to the provisions of clause 26.
- 17.4 The following persons shall be eligible to attend, and, at the request of the Executive Committee or Council, speak at Ordinary General Meetings (“OGMs”) of Council.
  - 17.4.1 All members of the Executive Committee;
  - 17.4.2 Players’ Representative;
  - 17.4.3 Not more than 2 (Two) representatives of each Member Club;
  - 17.4.4 Honorary Life Members;
  - 17.4.5 Past Presidents of JBA;
  - 17.4.6 Past Executive Committee Members of JBA;
  - 17.4.7 Not more than 1 (one) representative of each Associate Member;
  - 17.4.8 A designated representative of any Technical Committee of JBA, as referred to in clause 25;
  - 17.4.9 A representative of Bowls SA, Gauteng Provincial Association or Johannesburg Sports Council; and
  - 17.4.10 Any other guest invited by the Executive Committee.
- 17.5 Notice of any OGM which shall include Agenda of Council shall be sent to all Council and



Executive Committee Members not less than 14 (Fourteen) days before the date of such meeting.

- 17.6 Not less than 7 (Seven) days prior to the date of any OGM or an alternative time line as determined by the Executive Committee in writing, any member may submit written notice of any Motion which requires the Council to vote on, and/or written notice of any person it requests to address the Council.
- 17.7 The business to be transacted at the OGM's shall be to:
- 17.7.1 Read the notice convening the meeting;
  - 17.7.2 Read and confirm, with or without amendments, or to reject the minutes of the previous OGM, as well as the minutes of any SGM held in the interim, and to consider any matters arising therefrom;
  - 17.7.3 Allow the President, or an appointed delegate, to give feedback with reference to any JBA, Bowls SA, Gauteng Bowls and/or Johannesburg Sports Council meeting/matter;
  - 17.7.4 Allow the various Executive Committee members, the Players' Representative and/or Technical Committee representatives to give feedback pertaining to their portfolio and/or committee's tasks; and
  - 17.7.5 To discuss and consider any further matters of which notice has been given.
- 17.8 In the event of any uncertainty or lack of clarity over matters contained in the minutes, Council members may seek written explanations thereof within 14 (Fourteen) days of receipt of such minutes.

## **18 ANNUAL GENERAL MEETING ("AGM")**

- 18.1 An AGM shall be held once in every year.
- 18.2 The Executive Committee shall decide the date, time and place on which each AGM shall be held.
- 18.3 The following persons shall be entitled to attend and upon prior request to the Chairperson, be allowed to speak at the AGM:
- 18.3.1 Members of the Executive Committee;
  - 18.3.2 Players' Representative,
  - 18.3.3 Not more than 2 (Two) representatives of each Member Club;
  - 18.3.4 Honorary Life Members;
  - 18.3.5 Past Presidents of JBA;
  - 18.3.6 Past Executive Committee Members of JBA;
  - 18.3.7 Not more than 1 (One) representative of each Associate Member;
  - 18.3.8 A designated representative (duly designated by the specific Committee) as prescribed in clause 26 (Technical Committees);



- 18.3.9 A representative of the Auditors of JBA; and
- 18.3.10 Any other person who may be invited to do so.
- 18.4 The business to be transacted at an AGM shall be to:
  - 18.4.1 Read the notice convening the Meeting;
  - 18.4.2 Receive delegates credentials
  - 18.4.3 Read and confirm the Minutes of the previous AGM and any SGM and to consider any matters arising therefrom;
  - 18.4.4 Receive and consider, the Annual Report of JBA, for the period since the date of the previous AGM;
  - 18.4.5 Receive and consider, the Financial report and to adopt with or without modification, the audited Annual Financial Statements for the period since the date of the previous AGM, provided that if not so adopted, the Annual Financial Statements shall stand for consideration and adoption, with or without modification, or rejection by the Council at its following meeting or by the Executive Committee in terms of the decision of the AGM;
  - 18.4.6 Approve the budget for the ensuing year and set Affiliation fees and competition fees.
  - 18.4.7 Appoint the auditors of JBA to hold office until the next AGM;
  - 18.4.8 Award Honorary Life Membership
  - 18.4.9 Presentation of Annual Awards
  - 18.4.10 Elect Executive Officers for ensuing year.
  - 18.4.11 Present Badges of office to Executive for ensuing year.
  - 18.4.12 Discuss and consider any further matters.
- 18.5 Written notice of the AGM shall be sent to all the Council Members not less than 14(Fourteen) days prior to the date of the AGM and shall include the agenda for the meeting.
- 18.6 Any Member Club and/or Associate Member may submit a written notice of any motion which requires the AGM to vote on or submit a written notice of any requests from a person to address the AGM not less than 60 (Sixty) days or an alternative time line as determined by JBA in writing, prior to the date of any AGM.
- 18.7 The Secretary shall, not less than 14 (Fourteen) days prior to the AGM, disseminate to all Council members by electronic mail, copies of the Agenda for that AGM, the Annual Financial Statements for the financial year preceding the date of the AGM.



## 19 SPECIAL GENERAL MEETING ("SGM")

19.1 An SGM shall be convened:

19.1.1 By resolution of the Executive Committee; and

19.1.2 Upon a written requisition of not less than 1/3 (Third) of the Member Clubs affiliated to JBA, addressed and sent to the Secretary, which written requisition shall state the exclusive purpose for which the SGM is to be called and the text of the motion to be put to the meeting.

19.2 Within 14 (Fourteen) days after receipt of the resolution or requisition, the Secretary shall send a written notification to all Council Members, which notice shall specify the date, time and place of the SGM, (which date, time and place shall have been determined by the Executive Committee in writing) provided that the date shall not be more than 21 (Twenty-one) days and not less than 7 (Seven) days after the date of disseminating the notice, together with a written notification of the purpose of and measures to be transacted at the SGM and the text of the motions to be put to and considered by the meeting.

19.3 No business other than that stated in the notification shall be transacted at the SGM.

19.4 Only the persons referred to in clause 18.4 shall be entitled to attend and speak at SGM's.

## 20 VOTING RIGHTS

20.1 Council members shall have the following voting rights in respect of any and all meetings:

20.1.1 Member Clubs affiliated to JBA shall have 1 (One) vote plus one additional vote for each (25) twenty five, or part thereof, of its registered individuals. Such determination of membership numbers and hence voting strength will be as per those recorded on the database as administered by Bowls SA as at 30 June (Financial Year end); and

20.2 The Secretary shall, 10 (Ten) days prior to any meeting, publish details of voting rights. Member Clubs affiliated to JBA who wish to challenge the validity of such numbers shall have 2 (Two) days within the publication of such details to lodge an objection in writing.

20.3 Voting Procedure:

20.3.1 Voting can be by show of hands or by secret ballot.

20.3.2 The prepared ballot papers shall be made available to each affiliated Member Club's representative and the individual persons entitled to vote prior to the start of the Annual General Meeting /Special General Meeting. The ballot papers shall detail the number of votes that can be exercised.

20.3.3 The completed ballot papers shall immediately be placed in the ballot box.

20.3.4 The scrutinizing committee, appointed by the Executive Committee before the commencement of the relevant General Meeting and comprising at least three members who are not nominees for any position to be voted for at that General Meeting, shall count the votes and the results shall be announced, by the Chairperson of the scrutinizing committee, prior to the closing of such General Meeting.



- 20.3.5 Ballot papers are to be destroyed with approval of council at the conclusion of the Meeting.
- 20.4 Only representatives who are personally present at the meeting concerned shall be allowed to exercise the right to vote.
- 20.5 In all matters subject to voting, determination of the outcome shall be based on the total votes available as set out in clause 21.1 and not on the number of members of Council present at such meeting.
- 20.6 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.
- 20.7 In case of voting by ballot, the prescriptions as determined in clause 21.3 shall apply.

## **21 GENERAL PROVISIONS RELATING TO COUNCIL MEETINGS**

- 21.1 AGM's, OGM's and SGM's shall, subject to the terms of this Constitution, be held at such date, time and place as shall be decided by the Executive Committee.
- 21.2 The chairperson of any AGM, OGM or SGM shall be the President, or, in his absence one of the Executive or in their absence such other person as shall be elected for that purpose by the representatives of Member Clubs present at the Meeting, who are entitled to vote.
- 21.3 A quorum shall comprise:
- 21.3.1 50% (Fifty per centum) plus 1 (One) of the total number of Council Members entitled to vote.
- 21.4 If a quorum is not present at the place of the meeting within 30 (Thirty) minutes after the time set for commencement of the meeting, or if sufficient representatives of Member Clubs do not remain present to constitute a quorum until the proceedings have been duly declared to have been concluded by the, Presiding member, the meeting, if convened upon the requisition of Member Clubs, shall be dissolved.
- 21.5 In any other case, where a quorum is not present, it shall stand adjourned to a date not earlier than 5 (Five) working days and not later than 15 (Fifteen) working days after the date of that meeting, and, at such adjourned meeting, the representatives present who are entitled to vote, shall constitute a quorum and may transact the business of that meeting.
- 21.6 Where a meeting has been adjourned as aforesaid, the applicable Secretary shall, upon a date not later than 3 (Three) working days after the adjournment, disseminate a written notice to each Council Member, stating: the
- 21.6.1 Date, time and place to which the meeting is adjourned;
- 21.6.2 Matter before the meeting, when it was adjourned; and
- 21.6.3 The ground for the adjournment.
- 21.7 Voting shall be on a show of hands unless a ballot is demanded by representatives of not less than 40% (Forty per centum) of the votes available to Council Members entitled to vote.
- 21.8 Should a club delegate or observer not be present at the meetings a R 1 000.00 fine may be implemented. Should they not have representation thereafter the members of the club



may be suspended from competitions.

## CHAPTER 5 – EXECUTIVE COMMITTEE

### 22 THE EXECUTIVE COMMITTEE

22.1 The Executive Board of JBA shall comprise the following persons:

22.1.1 The President.

22.1.2 The Honorary Treasurer.

22.1.3 The Honorary Competition Secretary.

22.1.4 The Technical Manager.

22.1.5 The Membership and Marketing Manager; and

22.1.6 The Training & Transformation Manager.

22.2 Council will seek to enforce the principles of gender and racial equality when electing the members of the Executive Committee, who will as a minimum requirement, comprise 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 Committee.

22.3 No person may serve for more than 3 (Three) consecutive terms as President. Such period shall be based on the date which such person commenced service in such office irrespective of the date upon which this Constitution is adopted.

22.4 No person may be elected to the positions of President unless such person has served at least one year as an Executive Committee member.

22.5 The Executive Committee may co-opt other individuals as members for short-term and project-orientated appointments in order to discharge specific functions **“provided”** that, no co-opted member shall have a vote and provided further that although the predominant criterion for co-option shall always be merit, the Executive Committee shall, as far as possible, seek to preserve a balance of gender representation.

22.6 No member of the Executive Committee shall be entitled to any remuneration. Members of the Executive Committee shall be entitled to an honorarium and to be refunded any approved expenses incurred by any such member in fulfilling any duties or functions as required of them.

### 23 MEETINGS

23.1 Members of the Executive Committee shall vote by a show of hands.

23.2 Members of the Executive Committee shall, unless stipulated to the contrary herein, decide on all matters by a simple majority vote.

23.2.1 Each member of the Executive Committee shall have 1 (One) vote, and the Chairperson of any meeting of the Executive Committee shall have a casting vote, in the event of an equality of votes.

23.2.2 The Chairperson of any meeting of the Executive Committee shall be the President, or, in his absence, such other member of the Executive Committee as shall have been appointed at that meeting by the members of the Executive Committee present and entitled to vote.



23.2.3 The Executive Committee shall meet not less than once per month.

23.2.4 A quorum of members of the Executive Committee shall comprise not less than 4 (Four) members. If there is not a quorum present at the appointed time and place for any meeting of the Executive Committee or if there is not a quorum present during the whole of the meeting until proceedings have been duly concluded and declared by the Chairperson of that meeting to have been concluded, such meeting shall stand adjourned until a date, time and place to be determined by those members of the Executive Committee who are present at that meeting provided that such date shall not be more than 10 (Ten) working days after such meeting, and, at such adjourned meeting, those members of the Executive Committee present and entitled to vote shall constitute a quorum and may transact the business of that meeting.

23.2.4.1 The Employed Secretary shall, by such means as is most expedient and by such means as appears most appropriate in the circumstances, inform those members of the Executive Committee who were not present at the meeting of the date, time and place to which the meeting has been adjourned.

23.2.4.2 Any member of the Executive Committee who, without having first obtained leave of absence from the Executive Committee, shall otherwise than in circumstances beyond his control, not attend 3 (Three) consecutive meetings of the Executive Committee, of which meetings due notice has been given, shall be deemed to have resigned from the Executive Committee.

23.2.5 The Secretary shall send to all members of Council and Executive Committee:

23.2.5.1 Written notification of all meetings of the Executive Committee and the proposed Agenda at least 7 (Seven) days prior to the date of the proposed meeting.

23.2.5.2 Copies of the minutes and resolutions of all meetings of the Executive Committee, within 14 (Fourteen) days after the date of the relevant meeting.

23.2.5.3 Minutes of Executive meeting, excluding confidential matters, shall contain important material information in order to inform Council members of issues discussed and decisions made.

23.2.5.4 Written notification of all meetings of Council and the agenda at least 10 (Ten) working days prior to the date of the proposed meeting; and

23.2.5.5 Copies of the minutes and resolutions of all Council meetings, within 10 (Ten) working days after the date of the relevant meeting.

## **24 ELECTION OF OFFICE BEARERS**

24.1 There shall be elections for the elected positions on the Executive Committee for a term of 1 (One) year to be held at an AGM. The elections shall be conducted by the Electoral Officer who shall be nominated by the President and approved by Council.

24.2 Each Member Club shall be entitled to nominate 1 (One) individual for each of the elected positions on the Executive Committee.



- 24.3 No more than 2 (Two) persons from any 1 (One) Member Club may serve concurrently on the Executive Committee.
- 24.4 The Transformation and Women in Bowls Officer and the Players' Representative shall be appointed by the Executive Committee at the first meeting following the AGM.
- 24.5 Each nomination by a Member Club shall be in writing and shall be signed by the nominee to indicate his or her acceptance of the nomination.
- 24.6 It shall be permissible for the same individual to be nominated for more than 1 (One) office/position. The nomination for any alternative post is conditional upon him not being elected to the first post for which he or she is nominated.
- 24.7 No less than 30 (Thirty) days before the election date, the Secretary shall send a written notification to every Council Member:
- 24.7.1 Informing them that the elections for the Executive Committee are to take place and of the date and place of this meeting; and
- 24.7.2 Providing them with an extract of those provisions of the Constitution which are relevant to the elections.
- 24.8 All such written nominations, together with a copy of a brief *curriculum vitae* of the nominee, shall be received in line with the notification sent out by the Secretary,
- 24.9 If no nominations are received for the election of the President, the not less than 30 (Thirty) days prior to the date of election.
- 24.10 No less than 45 (Forty-five) days before the election date, the Secretary shall send to every Council Member a list of the nominations received; who comply with the provisions herein, with their *curricula vitae*.
- 24.11 current President shall continue in office until the first meeting of the new Executive Committee, at which the elected members of the new Executive Committee shall elect from their ranks an individual as the President and shall further fill the vacant position on the Executive Committee so occurring by the election of an individual from the ranks of the unsuccessful nominees at the elections held by Council.
- 24.12 If there is more than 1 (One) nomination for any of the elected posts of the Executive Committee, then such posts shall be elected separately by secret ballot, as stated in clause 21.3, and in the sequence as stated in clause 23.1.
- 24.13 The nominee who is successful by commanding a majority vote shall be appointed to the position. The unsuccessful nominee shall not be passed to other positions unless he was properly nominated for those positions.
- 24.14 Election will be by an outright majority of total votes cast. If the first round of voting does not produce an outright majority winner, the candidate with the least number of votes shall drop out. If 2 (Two) candidates tie for last place, they both drop out and further rounds of voting shall take place in similar fashion until 1 (One) candidate emerges as the outright majority winner.
- 24.15 Each person who votes shall record a vote for not more and not less than the number of vacancies. Any vote not so correctly filled in shall be deemed to be a spoilt ballot.
- 24.16 Any elected member of the Executive Committee shall hold office for a period of 1(One) year until the date of the following elections, unless he or she resigns, is removed from office by virtue of a vote of no confidence adopted by Council with at least a two-thirds majority, dies,





or becomes permanently incapacitated before the expiry of his term.

- 24.17 If adequate cause exists, decided by the Executive Committee by at least a simple majority vote, a formal request for the replacement of the 'Transformation Officer and/or Players' Representative may be presented to the Executive Committee for consideration.
- 24.18 No member of the Executive Committee shall represent any Member, at any meeting of Council or the Executive Committee.
- 24.19 In the furtherance of its duties in terms of this Constitution, the Executive Committee excluding the President may fill any vacancy which may occur during the terms of any member of the Executive Committee and /or members of any Technical Committee.
- 24.20 In the event of a vacancy of the President on the Executive Committee the remaining members shall decide whether to convene an SGM to elect a President conduct a postal ballot including any form of electronic communication which is capable of being recorded and stored for record purposes:
- 24.20.1 The provisions of clause 24.8 with regards to nominations shall be effective: and
- 24.20.2 The Executive Committee may subject to providing written notice to members reduce the effective period calling for nominations and the election to no less than 14 (Fourteen) days.
- 24.21 For detailed information refer to clause 21.3.



## CHAPTER 6 – COMMITTEES

### 25 SUB COMMITTEES

- 25.1 In recognition thereof that various aspects of the duties performed by JBA require specific expertise or experience for the most effective discharge of those duties, the following JBA sub committees shall be established by the Executive Committee:
- 25.1.1 Disciplinary Committee.
  - 25.1.2 Constitution and By-laws Committee.
  - 25.1.3 Selection Panel, sub-divided into relevant Selection Committees.
  - 25.1.4 District Academy Committee.
  - 25.1.5 Standing Committee for Coaches.
  - 25.1.6 Standing Committee for Technical Officials.
  - 25.1.7 Standing Committee for Greenkeepers.
  - 25.1.8 Standing Committee for Disabled Participants.
  - 25.1.9 Standing Committee for Transformation and Women in Sport.
  - 25.1.10 Standing Committee for Membership and Marketing; and
  - 25.1.11 Ad hoc sub-committees, for a specific purpose and period, to facilitate in the discharging of the Executive Committee's duties as contained herein.
- 25.2 The membership of each Committee shall be decided by the Executive Committee as per the relevant Modus Operandi. Council shall be notified in writing of such appointments. Any objections together with full reasons therefore shall be submitted in writing to the Secretary within 15 (Fifteen) days of receipt of such notification:
- 25.2.1 All sub committees to comprise of a minimum of 3 members and a maximum of five members.
  - 25.2.2 Selection Committees are to be appointed after the finals of the Inter-District tournament each year.
  - 25.2.3 The Executive Committee shall have due regard to the consideration that the Committees should be well represented and thus strive to maintain a gender and racial balance between Committee members.
- 25.3 Each Committee shall preform such duties and functions as are delegated to it in the relevant Modus Operandi.
- 25.4 The powers and functions of all Technical Committees shall be as set out in the relevant Modus Operandi.
- 25.5 Each JBA Member Club may nominate individuals to serve on the various Technical Committees. Notification calling for such nominations shall be submitted in writing to the various parties 30 (Thirty) days prior to the AGM.
- 25.6 Persons so appointed shall remain in their positions for a period of 1 (one) year. Such person shall confirm in writing annually their acceptance of such position.



## **CHAPTER 7 – GENERAL**

### **26 CONSTITUTION AND RELATED PRESCRIPTIONS**

26.1 The Executive Committee shall publish the Constitution, and the related prescripts thereof in force from time to time, in accordance with which the affairs of JBA will be conducted. A copy shall be kept by the Secretary and made available, upon request, to any Member Club, Associate Member or Registered Individual.

### **27 COLOURS OF JBA**

27.1 The Executive Committee may from time to time determine the conditions pertaining to the granting and wearing of official colours and blazers by players or officials, having due regard for the Rules and Procedures applicable to the awarding of official colours issued by the Johannesburg Sports Council from time to time.

27.2 The official colours of Johannesburg Sport Council are navy blue, light blue, white and red.

28.3 The emblem shall be in accordance with the registered design of the Johannesburg Sports Council.

### **28 EMBLEM**

The emblem shall be in accordance with the registered design of the Johannesburg Sports Council.

### **29 BADGE**

The Badge shall be in accordance with the registered design as approved by the Johannesburg Sports Council.

### **30 AWARDING OF COLOURS**

Guidelines and criteria for the awarding of colours shall be stipulated in the By-laws of JBA. (As per the Johannesburg Sports Council's criteria).

### **31 FINANCE**

The financial year of JBA is the 12 (Twelve) month period commencing on 1 July in one year and ending on 30 June of the ensuing year.

### **32 DISPUTE RESOLUTION**

32.1 Any dispute arising out of, or, in connection with, the JBA Constitution, shall be referred to:

32.1.1 The Executive Committee of JBA; and

32.1.2 Should the dispute not be resolved satisfactorily by the Executive Committee such dispute may be referred to Bowls SA and/or the designated statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration in terms of the procedure for the resolution of disputes in sport.

32.2 In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute inclusive of any monetary dispute or costs to be paid by any of the parties as determined by the arbitrator.

32.3 In recognition of the desire to resolve all disputes in the sporting fraternity as amicably and effectively as possible, it is required of all Member Clubs of JBA to incorporate in their constitutions (and to include in any agreements they may enter into) a dispute resolution clause in terms substantially the same as the above provisions of this Constitution, specifically providing for the resolution of disputes through the mechanisms provided.

32.4 Recourse to any Civil Court with the necessary jurisdiction shall be limited to purposes of obtaining urgent interdictory relief or the disregard for the laws of natural justice. In all other



instances any disputes to be decided according to the dispute resolution processes provided for in this Constitution and no party will have the right to approach a Court, except for the relief stipulated herein. For purposes of clarity, CAS (Court of Arbitration for Sport) is the ultimate judicial body to JBA.

32.5 In the event of any dispute between a registered individual and a Member Club, which within a period of 30 (Thirty) days after having been requested in writing to reply to such query, the Member Club, have provided no satisfactory resolution, the individual has the right to refer such matter to the Executive Committee who shall refer such matter to the Disciplinary Investigations Committee.

32.5.1 Should the dispute still prevail the principles contained in clauses 33.1 to 33.4 shall apply.

### **33 NOTIFICATION**

33.1 For the purposes of this Constitution, all notifications by JBA to any person or any Member Club, Associate Member or Honorary Life Member shall, unless delivered by hand, be effective from the date of dissemination by post, and/or by hand, and/or by fax, and/or by electronic mail to the last known postal or fax or e-mail address, as the case may be, of the addressee, by any official of JBA, but all notifications to JBA by any person (natural, corporate or otherwise) or any Member Club, Associate Member or Honorary Life Member shall only be effective from the date of receipt thereof by the Secretary. In no respects shall any postal authority be, or be deemed to be, the agent of JBA.

### **34 ALTERATION OR VARIATION OF THIS CONSTITUTION AND RELATED PRESCRIPTS**

34.1 No amendment or addition to this Constitution shall be made except at an AGM or an SGM, called for that specific purpose. A two-thirds majority of votes shall be required for such amendment or addition;

34.2 Amendments or additions to the other prescripts, i.e. By-laws, Modus Operandi, Conditions of Play, may be made by the Executive Committee. The Council may, however, reject such amendments or additions, by means of an ordinary majority, at an OGM;

34.3 For the AGM, a Member Club shall give notice to the Secretary, in writing, setting forth in full each proposed amendment or addition to the Constitution/related prescripts. Such notice must reach the Secretary not later than midnight on 30 June of any given year. In the case of an SGM, six weeks' written notice shall be required;

34.4 The Secretary shall advise each Council Member of any proposed amendments or additions to the Constitution/related prescripts at least 30 (thirty) days prior to the date of the meeting.

34.5 All proposed changes and/or additions to the Constitution/related prescripts within JBA which may be impacted by the JBA Constitution/related prescripts are to be submitted to the Constitution and By-laws Committee before being adopted so that the Committee can process these changes and/or additions in accordance with its responsibilities.

34.6 Substitution and amendment of the Constitution shall be effective by the Executive Committee upon approval by at least a two-thirds majority of the members of Council.

### **35 DISSOLUTION OR WINDING UP OF JBA**



- 35.1 JBA may be dissolved or wound-up at any time by the Member Clubs in a General Meeting, upon a majority vote of not less than 75% (Seventy-five per centum) of the total votes available to all Council Members at that time, regardless if the Council Members are represented at such Meeting or not, provided that not less than 45 (Forty-five) working days written notification of such Meeting and of any resolution aimed at dissolving or winding-up JBA shall have been given to all Council Members.
- 35.2 Upon dissolution or winding up of JBA, all the property and assets of JBA, after payment of all monies owing to any third parties, shall be transferred free of compensation to any other Association(s) or Organisation(s) having objects congruent to that of JBA, at the discretion of the Council Members.

This Constitution was adopted by the required Council Members present at a meeting held at \_\_\_\_\_

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 202\_

\_\_\_\_\_  
PRESIDENT

\_\_\_\_\_  
SECRETARY



## BY-LAWS

### 1. TOURNAMENTS AND CHAMPIONSHIPS

- 1.1 All Tournaments and Championships authorized by the Executive shall be staged in terms of the approved modus operandi for each Tournament or Championship. Such modus operandi shall be updated as and when deemed necessary by the Executive.

### 2. VENUES

The venue of the Annual General Meeting will be held at the incumbent Presidents Club. Council meetings will rotate to the club hosting the relevant final. To be started at 9am sharp.

### 3. DRESS

- 3.1 The Bowls South Africa Dress Regulations (as listed below) will be operative at all times:

#### 3.1.1 Men

3.1.1.1 Headwear, if worn, may have approved insignia or hatbands.

3.1.1.2 Shirts shall have conventional collars and be adequately buttoned.

3.1.1.3 Full length trousers or tailored shorts (knee length) which must have a front zip and pockets. Cargo, combat, drawstring, denim or rugby shorts are not permitted.

3.1.1.4 Footwear must conform to the Laws of the Game.

3.1.1.5 Ankle socks, predominately white must be worn with shorts. No long socks permitted.

#### 3.1.2 Women

3.1.2.1 Headwear, if worn, may have approved insignia or hatbands.

3.1.2.2 A tailored bowls dress or a skirt, divided skirt, walking shorts or slacks and a blouse with collar.

3.1.2.3 Footwear must conform to the Laws of the Game.

- 3.2 Controlling bodies may authorize variations in these clothing specifications. The Executive shall have the right, even retrospectively, to declare any variation in dress unacceptable. Thereafter such variation in dress shall not be worn.

#### 3.2.1 The Controlling bodies shall be:

3.2.1.1 the Club Committee for Club social games and competitions

3.2.1.2 the District Executive for District Competitions

3.2.1.3 the National Executive for National Events

### 4. COMPETITIONS

- 4.1 The following competitions will be run annually by the JBA for both men and women

4.1.1 FOURS, TRIPS, PAIRS, SINGLES, for both the Open and Senior categories, DISTRICT MASTERS, CHAMPION OF CHAMPIONS SINGLES for Open, Senior and Novices in addition to MIXED FOURS and MIXED PAIRS.

### 5. AWARDS



A Sub-Committee be officially appointed to elect the recipients of the following annual awards comprising:

- 5.1 The JBA President
- 5.2 One Male and One Female Selector
- 5.3 An Honorary Life Member – Male or Female
- 5.4 Green keeper

Nominees:

- Green keeper of the Year
- Club of the Year
- Bowler of the Year
- Meritorious Award of the Year

6. **OFFICIAL COLOURS**

- 6.1 The Executive may from time to time determine the conditions pertaining to the granting and wearing of official colours and blazers by players or officials. Only players selected to represent the JBA in fixtures and the appointed Manager shall be entitled to wear the official JBA colours.
- 6.2 The Executive shall determine the distinctive blazer and colours to be worn by any player chosen to represent JBA or by any Executive member or official of JBA.