



# **THE KENSINGTON CLUB CONSTITUTION**

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## 1. NAME

The name of the Club shall be "THE KENSINGTON CLUB" (referred to herein as "the Club"). Wherever in these presents the word "Constitution" is used, it shall mean the Constitution, Rules and Regulations of "The Kensington Club".

## 2. OBJECT

The object of the Club shall be to encourage sport and social relations.

## 3. SECTIONS OF THE CLUB

- 3.1. The Club shall be divided into the following sections, viz:-
  - 3.1.1. Bowls Section and
  - 3.1.2. Social.
- 3.2. The Executive Committee may add to these sections, subject to the approval of a General Meeting of the Club.
- 3.3. The right and obligations of all sections shall be the same.

## 4. CLASSES OF MEMBERS

- 4.1. There shall be the following classes of members, viz:-
  - 4.1.1. Life Members;
  - 4.1.2. Ordinary Members;
  - 4.1.3. Pensioner Members;
  - 4.1.4. Social Members;
  - 4.1.5. Country Members;
  - 4.1.6. Honorary Members;
  - 4.1.7. Junior Members;
  - 4.1.8. Student Members;

## 5. MANAGEMENT

- 5.1. The management and control of all activities of the Club shall be vested in an Executive Committee which shall at least consist of the Trustees of the Club elected as such in terms of Clause 16 of the Constitution and shall all be elected at the Annual General Meeting.
- 5.2. The Executive Committee shall consist of:
  - 5.2.1. A Club President who must have served as an Executive Committee member for at least two (2) consecutive years prior to being elected as Club President.
  - 5.2.2. The Captain of the Bowls Section
  - 5.2.3. An Honorary Secretary
  - 5.2.4. An Honorary Treasurer
  - 5.2.5. An Entertainment /social Convenor
  - 5.2.6. A Marketing Manager
  - 5.2.7. A Bar Manager and
  - 5.2.8. One Trustee
  - 5.2.9. The Immediate Past President of the Club.
- 5.3. The Immediate Past President of the Club is a default appointment and unless overruled at the Annual General Meeting by a majority of the members then present

- based on gross misconduct or material negligence. In such instances the preceding Immediate Past President shall fill the role.
- 5.4. If for any reason whatsoever, the President or any member of the Executive Committee, other than a Trustee, is unable to continue in office, a successor shall be elected by the Executive Committee. Any person elected in terms of this clause shall continue in office until the next Annual General Meeting when he/she shall retire in terms of the provisions of the Constitution.
  - 5.5. The Captain of the Bowls Section shall be a Vice President of the Club.
  - 5.6. The Club President is entitled to attend any meeting of any committee.
  - 5.7. The President and Vice-President of the Club and the Executive Committee shall retire annually at the Annual General Meeting of the Club.
  - 5.8. At all meetings of the Executive Committee, five (5) members shall form a quorum.
  - 5.9. Any member of the Executive Committee including a Trustee, absents himself or herself without leave of absence from three consecutive meetings of the Executive Committee, shall thereupon cease to be a member of the Executive Committee, and if a Trustee, he shall also cease to hold office as such.
  - 5.10. The Executive Committee shall have jurisdiction over all Sectional Committees.
  - 5.11. The Executive Committee shall through the Treasurer ensure that proper books of account are kept.
  - 5.12. The Executive Committee shall hold regular monthly meetings and through the Honorary Secretary ensure proper minutes are kept, and a Register of Members is maintained and presented at each meeting.
  - 5.13. The Executive Committee may, from time to time, make such Rules and Regulations as it may deem fit.
  - 5.14. The Executive Committee shall have power, out of the funds of the Club, to make contributions and donations to charitable and other institutions and causes, on its own recommendation or on the recommendation of any of the Sectional Committees of the Club.
  - 5.15. The Executive Committee shall convene a General Meeting of all Members within fourteen (14) days of the date of receipt of a written request from two or more Trustees requesting that a meeting of Members be held. The request shall contain particulars of the reasons for requiring the meeting to be held. The provisions of the Constitution dealing with meetings of Members shall apply in all respects to the said meeting.

## 6. SUB-COMMITTEES

The Executive Committee shall have the power to appoint Sub-Committees and to confer upon such Sub-Committees such powers and authority as it may, from time to time, deem fit.

## 7. CHAIRMAN AT MEETINGS

- 7.1. The President of the Club shall occupy the Chair at all meetings of the Executive Committee, and at all Annual General or Special General Meetings of the Club, and he/she shall have a deliberate, as well as a casting vote, at all such meetings.
- 7.2. If the President of the Club is not in attendance within ten minutes of the time fixed for the commencement of a meeting at which he is entitled to preside, the members present at the meeting shall elect a Chairman in his or her place, and the Chairman so elected shall also have a deliberate, as well as a casting vote at the meeting.

## 8. LIFE MEMBERS

- 8.1. Life Membership may be conferred by the Club upon such member or members of the Club who has or have rendered long and exceptional or special services to the Club.
- 8.2. Life Membership shall only be conferred upon a member or members of the Club on recommendation of the Executive Committee, confirmation by the existing Life Members and Past Presidents of the Club and approved at an Annual General Meeting of the Club.
- 8.3. Life Members shall be subject to the provisions of the Constitution and the Rules and Regulations of the Club and shall enjoy the privileges of membership without payment of any fees provided for in Clause 15.

## 9. HONORARY MEMBERS

- 9.1. Any current member of the Club may make a request, to be tabled at the Annual General Meeting of the Club for an existing member of the Club to be elected as a Honorary Member for the year then current.
- 9.2. Subject to a majority of members, present at the Annual General Meeting agreeing to the nomination, the newly elected Honorary Member shall pay no subscription and shall not be entitled to vote at meetings nor play in competitions.
- 9.3. Honorary membership is for one year only and has to be re-nominated at each Annual General Meeting.

## 10. PENSIONER MEMBERS

Pensioner members are members who have reached legal older person age as determined by the Older Persons Act of 2006 and any subsequent amendments thereto.

## 11. STUDENT AND JUNIOR MEMBERS

- 11.1. Junior Members are members attending a Primary or High School and shall pay no subscription.
- 11.2. Student Members are members who have left school but are attending a college or university on a full time basis, and not earning a salary or a regular monthly income and shall pay no subscription.
- 11.3. Student and Junior Members shall not be entitled to vote at meetings.

## 12. COUNTRY MEMBERS

- 12.1. The election of Country Members shall be at the discretion of the Executive Committee. Applicants shall not be deemed eligible who reside less than fifty (50) kilometres from the Club.
- 12.2. Country Members shall not be entitled to vote at meetings or play in official competitions.
- 12.3. Country Members shall pay an annual subscription as set out in Clause 15(b).

## 13. CLUB VISITORS

- 13.1. Visitors may be introduced by any member of the Club, but no such visitors shall be admitted to the Club on more than one occasion.

- 13.2. The Kensington Club is a Private Club and as such visitors will be required to become members of the Club.
- 13.3. The provisions of this Clause shall not apply to visitors attending Official Club functions and visitors using the restaurant facilities in the Hall.
- 13.4. The designation of an event as an Official Club function shall be at the sole discretion of the Executive Committee.

## 14. RESIGNATIONS AND CLUB COLOURS

- 14.1. A member may at any time, by giving notice in writing to the Honorary Secretary of the Club, resign his or her membership of the Club, but shall continue to be liable for any annual subscription, or other amount owing to the club, due and unpaid at the date of resignation.
- 14.2. The Club's colours are registered in accordance with the law, and are, therefore, a proprietary right of the Club.
- 14.3. The Executive Committee may, however, grant permission to a member resigning his or her membership to retain his or her Club blazer, colours and badge(s); otherwise he or she is not entitled to wear such colours.
- 14.4. Members expelled in terms of Clause 23 shall not be entitled to wear the Club colours after expulsion.

## 15. LIABILITY OF MEMBERS

- 15.1. The liability of members shall be limited to the amount of their subscriptions and levies and any money that may be owing by them to the Club.

## 16. MEMBERSHIP FEES, SUBSCRIPTIONS AND GREEN FEES

- 16.1. The membership fees for each class of member as detailed in Clause 4 of this Constitution shall be determined by the Executive Committee on an annual basis.
- 16.2. Such fees shall be due and payable immediately upon joining the membership of the Club
- 16.3. The annual subscription for each class of member as detailed in Clause 4 of this Constitution shall be determined by the Executive Committee and ratified at the Annual General Meeting of the Club.
- 16.4. The Executive Committee may in its discretion, and if it deems it necessary in the interests of the Club, increase any or all annual subscriptions and entrance fees payable by any or all classes of members by any amount.
- 16.5. Any increase in the entrance fees and subscriptions shall be submitted to the Annual General Meeting of the Club for confirmation.
- 16.6. Subscriptions shall be paid annually in advance.
- 16.7. A levy may be made by the Executive Committee on all Members, or by a section on the members of its section with the sanction of the Executive Committee. When any such levy has received the sanction of the Executive Committee, payment thereof shall be enforced in the same manner as subscriptions.
- 16.8. We need to insert somewhere who , when and how green fees are decided and charged

## 17. TRUSTEES AND PROPERTY

- 17.1. Three (3) trustees, two of whom shall automatically be the Club President, the other

the Immediate Past President of the club, shall be elected annually by the Members at an Annual General Meeting of the Club. Should vacancies occur during the year, the Executive Committee shall have the power to appoint other Trustees to fill the vacancies and to hold office until the next Annual General Meeting.

- 17.2. Two Trustees shall constitute a quorum, and documents which require signature by the Trustees shall be properly signed if signed by two Trustees.
- 17.3. The property of the Club shall be vested in the Trustees who shall hold the said property in trust for the Members and shall, when authorised to do so by the Executive Committee, sign all documents which may be required in connection with the said property, provided that the Trustees shall not be authorised to sign any documents alienating or mortgaging the Club's assets unless authorised to do so in terms of a Resolution or Resolutions passed in terms of the provisions contained in this clause.
- 17.4. No sale or alienation of the immovable property of the Club shall take place except the same shall have been authorised by a resolution passed at a Special General Meeting of Members called for the purpose, of which fourteen (14) days' notice shall be given either by circular or written notice sent to all Members.
- 17.5. At such a properly constituted Meeting of Members, the Members may resolve to wind up and liquidate the Club and sell and dispose of the assets of the same upon such terms and in such manner as the said Meeting may decide. The provisions of this paragraph, however, shall be subject to the provisions contained in the succeeding paragraphs.

## 18. GENERAL MEETINGS OF THE CLUB

- 18.1. The Annual General Meeting of the Club shall be held not later than three (3) months after the close of the Club's financial year, when audited financial statements of the affairs of the Club for the year ending 31 July preceding the date of such meeting, shall be laid before the members.
- 18.2. Special General Meetings may be called by the Executive Committee or on a requisition to the Honorary Secretary, signed by at least twenty (20) members, such requisition shall contain the text of the resolutions to be proposed at the said meeting.
- 18.3. Members in arrears with their subscriptions or other amounts due to the Club, Country, Honorary, Student and Junior Members, shall in no case be entitled to sign such a requisition or be entitled to vote at any General Meeting of the Club.
- 18.4. The provisions of this clause shall apply to meetings of members, and twenty (20) members personally present shall form a quorum. In the event of there being no quorum, the meeting shall stand adjourned for one week, and at such adjourned meeting those present shall form a quorum.
- 18.5. The business of the Annual General Meeting shall be to
  - 18.5.1. confirm the Minutes of the previous Annual General Meeting and of any Special General Meeting(s) that were held subsequent to the previous Annual General Meeting;
  - 18.5.2. to receive and consider the
    - 18.5.2.1. Reports of the Executive Committee and the Sectional Committees and
    - 18.5.2.2. the Audited Accounts for the year ended on 31 July preceding the date of such Meeting;
  - 18.5.3. to elect Officers for the ensuing year;
  - 18.5.4. to appoint an Honorary Auditor for the ensuing year;
  - 18.5.5. to elect Life Members in accordance with the provisions of Clause 9 hereof;
  - 18.5.6. to confirm the names of Honorary Members nominated in terms of Clause X
  - 18.5.7. to vote honoraria for services rendered and to authorise donations;

- 18.5.8. to discuss any business which is brought under consideration by the Reports and Accounts submitted at the meeting, and
- 18.5.9. to make recommendations to the Executive Committee for the wellbeing of the Club.
- 18.6. All other business shall be deemed to be "Special Business" and shall be subject to the provisions of the Constitution relating to business to be transacted at a Special General Meeting of the Club.
- 18.7. All other meetings of the Club shall be called "Special General Meetings" and shall be subject to the provisions of the Constitution.
- 18.8. Votes at Annual General and Special General Meetings of the Club may be given by proxy, such proxy to be in writing and in the hands of the Honorary Secretary twenty-four (24) hours before the time fixed for the meeting.
- 18.9. A proxy is valid only if held by a Life Member, Ordinary, Pensioner or Social member.
- 18.10. On a show of hands each member present and entitled to vote at an Annual General or Special General Meeting shall have one vote.
- 18.11. A poll may, however, be demanded by the Chairman of the Meeting or by at least twenty (20) members. In the event of a poll being taken, each member present or represented by proxy shall have one vote. All conditions attaching to the poll shall be in accordance with the decision of the Chairman of the Meeting.
- 18.12. Business transacted at a Special General Meeting of Members shall be passed by not less than seventy-five per centum (75%) of such members entitled to vote as are present in person or by proxy at the Meeting.
- 18.13. Notice of intention to move a motion at an Annual General Meeting of the Club, other than a motion dealing with the ordinary business which may be transacted at an Annual General Meeting as detailed in this Clause must be in the hands of the Honorary Secretary not later than the 1 September of each year.

## 19. NOTICES

Except where otherwise provided in this Constitution, fourteen (14) days' notice shall be given for all General Meetings of Members, either by means of a notice or by circular, posted to each member of the Club at his or her registered address or by electronic mail or facsimile.

## 20. MEMBERSHIP GENERAL OBLIGATIONS

Every Member of the Kensington Club is obligated to:

- 20.1. Familiarize themselves with this Constitution and abide by the provisions therein
- 20.2. Familiarize themselves with the Kensington Club's Code of Conduct and at all times abide by the rules therein
- 20.3. Familiarise themselves with the rules and by-laws of any section
- 20.4. Ensure that all membership fees and subscriptions are paid in full as and when due
- 20.5. Ensure their personal details are accurate and complete at all times.

## 21. ADMISSION OF MEMBERS

- 21.1. Application for membership shall be made in writing in such form as the Executive may from time to time determine
- 21.2. All applications for membership must be accompanied by the necessary clearance certificate (if required) from any applicant who has been a member of another Club.



## 22. CHANGE OF MEMBERSHIP DETAILS

- 22.1. Every member shall immediately notify the Honorary Secretary of any change in their membership details (address, contact information, of address and such new details shall be inserted in the Register of Members of the Club.
- 22.2. Any member changing his or her address who does not furnish to the Honorary Secretary notice of such change of address, shall be deemed to have waived his or her right to notices of meetings.
- 22.3. For all purposes, the membership details of any member, as recorded in the Register of Members of the Club, shall be deemed to be the membership details of such member.
- 22.4. The Kensington Club values the privacy of the Club's membership and as such the Register of Members and access thereto shall be as set out the Club's POPI/PAIA Manual.

## 23. COMPLAINTS AND SUGGESTIONS

All complaints and suggestions shall be made in writing to the Honorary Secretary of the Club.

## 24. TERMINATION OF MEMBERSHIP

- 24.1. The Executive Committee may terminate the membership of any member who wilfully disobeys any of these rules or the rules or By-laws of the Sections, or the Code of Conduct or persistently disregards the authority of the Executive Committee, or is found to be guilty of any misconduct rendering them unfit, in the opinion of the Executive Committee, to be members of the Club provided that, before expelling any members, the Executive Committee shall call on them for an explanation of their conduct and shall hear what they may urge in their defence.
- 24.2. Members expelled in terms of this Clause shall not be entitled to wear the Club colours after expulsion as provided in Clause 13.

## 25. ACCESS TO THE RULES OF THE CLUB

The Constitution, Code of Conduct and other rules or By-laws of any section are available on the Club's website.

## 26. BORROWING POWERS

- 26.1. The Executive Committee shall have the power to borrow a sum not exceeding one hundred thousand Rand (R100 000) unsecured.
- 26.2. The Executive Committee shall not borrow more than one hundred thousand Rand (R100 000) without the sanction thereto of ordinary members at a Special General Meeting.

## 27. ALTERATIONS TO CONSTITUTION

- 27.1. No alteration shall be made to the Constitution without the sanction of seventy five per cent (75%) of members present and entitled to vote at a General Meeting of the Club called for the purpose.
- 27.2. In the event of a member desiring to propose an amendment to the Constitution at a General Meeting of the Club convened for the purpose of considering amendments

to the Constitution, such member shall give at least fourteen (14) days' written notice of intention to propose such amendment. A further fourteen (14) days' notice of the proposal, prior to the General Meeting of the Club convened for the purpose of considering amendments to the Constitution, shall be sent to every member at his or her address recorded in the Register of Members of the Club.

- 27.3. Every member shall be bound by the terms of the Constitution and the rules, regulations and By-laws of the Club and the respective Sections.

## 28. SECTIONAL BY-LAWS

- 28.1. The Sectional Committees are empowered to make, repeal and amend such By-laws of their respective Sections as they may from time to time consider necessary for the well-being of the Section or of the Club provided the rights and privileges of the majority of members of the Sections are not affected.
- 28.2. Such By-laws, repeals or amendments shall, however, be subject to approval by the Executive Committee, and shall have no effect until such approval has been obtained.
- 28.3. Such amendments shall be posted in the Club House, or printed and circulated to members at the discretion of the Executive Committee.

## 29. APPOINTMENT OF ATTORNEYS, AGENTS AND STAFF

- 29.1. The Executive Committee shall have the power to appoint Attorneys, Agents, Officers, Clerks and other employees for permanent, temporary or special services as they may think fit, and to vest them with such powers as they may think expedient, and determine their duties and fees, and vary their salaries or emoluments (if any) and to require security in such instances and to such amounts as it may think fit, and to suspend or discharge any such persons at their discretion.

## 30. AUDITOR

- 30.1. An Auditor, or Auditors, shall be appointed at the Annual General Meeting, who shall examine all the financial records of the Club.
- 30.2. The Auditor shall be required to report to the members at the Annual General Meeting on the results of his or her examination.

## 31. LICENCES

- 31.1. The Executive Committee shall have the power to apply for and renew from time to time such necessary licence or licences for the purposes of the sale of liquor and other articles and commodities upon the Club premises.
- 31.2. The Executive Committee shall have the power to buy, prepare, supply, sell and deal in all kinds of provisions and refreshments, for the convenience of members, and bona fide reciprocity members who only shall be permitted to pay for such provisions and refreshments supplied on the said premises.

## 32. CLUB YEAR

- 32.1. The Club Year shall run from 1 August to 31 July in the next year, and subscriptions shall be payable within 90 days of the commencement of the financial year.
- 32.2. Should any member fail to pay the annual subscription by 1 November, notice

thereof shall be sent by registered post/e-mail/facsimile to the defaulter's last address furnished by him/her to the Club and if the amount due is not paid within one (1) month from the date of sending such notice, the defaulter shall cease to be a member and in accordance with requirements, their district associations shall be advised of such default.

- 32.3. The erasure of the member's name from the list of Club members for such reason, shall not relieve the member from liability for his/her subscription and any other monies due by him/her to the Club. The Executive Committee shall have the right, at its discretion, to reinstate such member on such conditions as it may deem fit.
- 32.4. Any member wishing to resign from the Club shall do so in writing, such written notice to be in the hands of the Honorary Secretary prior to the conclusion of the Annual General Meeting. Failure to comply with this requirement shall render such member liable for the annual subscription in full for the ensuing year.

### **33. BANK ACCOUNTS, EXPENSES AND INCOME**

- 33.1. The Executive Committee shall open an account in the name of the Club with registered deposit taking institution/s as it may from time to time decide upon, in which accounts all moneys accruing to the Club shall be deposited.
- 33.2. All accounts against the Club shall be passed for payment at a meeting of the Executive Committee and shall be paid by Electronic Fund Transfer only.
- 33.3. Interim payments which, in the opinion of the Honorary Treasurer, cannot be held over until the next Executive Committee Meeting may be made on the authority of the President or, in his or her absence, on the authority of any two Executive Members of the Section concerned, but any such payment shall be submitted for confirmation at the next ensuing meeting of the Executive Committee.
- 33.4. No Person, Section nor Committee shall be allowed to incur any individual debt on behalf of the Club
- 33.5. No person, section nor committee may collect any funds for any purpose whatsoever on Club premises. Whether physically or by proxy, without the express written consent of the Executive and in such instances the Executive shall ensure that such funds are properly accounted for as set out in clause xx

### **34. FINANCIAL STATEMENTS**

- 34.1. The Executive Committee shall be responsible for maintaining proper books of account, and ensuring that all transactions are properly recorded.
- 34.2. At the end of each financial year they shall be responsible for the preparation of the Annual Financial Statements of the Club, and cause these to be audited before being presented to the Members at the Annual General Meeting.

### **35. SIGNATURE OF DOCUMENTS**

All Powers of Attorney, Contracts and other documents executed or to be executed on behalf of the Club shall be signed by two members of the Executive Committee, duly authorised thereto by resolution of the Executive Committee, except Powers of Attorney, Contracts and other documents in connection with or relating to any property, estate or effects which has been or is to be vested in the Trustees as aforementioned, and in such cases the said Trustees shall sign in accordance with the provisions of the Constitution.

## 36. LIQUOR

In terms of the Liquor Act, no alcoholic liquor may be loaned to members, visitors or guests, and no member, visitor or guest shall be allowed to bring his or her own liquor onto the Club premises.

## 37. DISSOLUTION OF THE CLUB

- 37.1. Should the Club be dissolved, the whole of the property and assets shall be realised and applied towards the liquidation of the liabilities of the Club, in the following order, viz:
  - 37.1.1. Secured Creditors
  - 37.1.2. Concurrent Creditors
- 37.2. The balance, if any, shall be distributed as determined by the Members, to any similar organisation or organisations within the Republic of South Africa. The distribution must be approved by the South Africa Revenue Service in terms of Section 30 of the Income Tax Act.

## 38. GENERAL

- 38.1. Dogs are allowed on the Club premises, provided they are kept on a leash and their owner/s clean up any and all mess and excrement.
- 38.2. Members must throw matches, pipe refuse or cigarette ends in the receptacles provided for the purpose.
- 38.3. Cellular phones are not permitted to be used on or near the Green during playing sessions.
- 38.4. It is the responsibility of all members, players, markers and umpires to refrain at all times from committing any act which is liable to cause damage to the Green, The Club house and its surrounds.

## 39. SUGGESTIONS AND COMPLAINTS

Members having suggestions or complaints to make are requested to do so in writing to the Honorary Secretary of the Club.

## 40. BOWLS SECTION BY-LAWS

### 40.1. COMMITTEE

- 40.1.1. The Committee shall be appointed at the Annual General Meeting of the Club and shall consist of:
  - 40.1.1.1. A Bowl's Captain, who shall be the Chairman during his or her term of office, and who shall have served not less than three (3) years on the Bowls Committee and shall be a Vice President of the Club
  - 40.1.1.2. The Greenkeeper;
  - 40.1.1.3. The Convenor of the Selection Committee;
  - 40.1.1.4. The Convenor of Catering.
  - 40.1.1.5. There will be six (6) members on the Selection Sub-Committee (including the Convenor), three (3) men who shall be elected by the men bowlers only and three (3) women, who shall be elected by the lady bowlers only, one of each gender to be selected as Competition Secretary.

- 40.1.1.6. There will be seven (7) members on the Entertainment Sub-Committee, one of whom shall be the Catering Convenor.
- 40.1.1.7. Three (3) members shall form a quorum.
- 40.1.1.8. In the absence of the Chairman, one of the members present shall be elected to the chair. In addition to a deliberate vote, the Chairman of the meeting shall have a second or casting vote.
- 40.1.2. The Bowl's Captain elected at the Annual General Meeting of the Club, shall be the representative at the Executive Committee.
- 40.1.3. Any member of the Committee who absents himself or herself from three consecutive meetings without previously having obtained leave of absence, or without giving reasons satisfactory to the Committee shall, ipso facto, cease to be a member of the Committee.
- 40.1.4. Should any vacancy or vacancies occur on the Committee, the remaining members of the Committee shall have power to fill such vacancy or vacancies.
- 40.1.5. Should any vacancy or vacancies occur among the Section's representatives on the Executive Committee, the Bowls Section Committee's nomination or nominations shall be subject to confirmation by the Executive Committee.
- 40.1.6. The Committee shall have the power to appoint any Sub-Committees from those mentioned in (a) above.
- 40.1.7. The Committee shall have the right to delegate its powers.
- 40.1.8. The Committee shall have the power and authority to make, frame, vary or repeal these By-laws subject to the approval of the Executive Committee in accordance with Clause 27 of the Constitution of the Club and provided the rights and privileges of the majority of members of the Section are not affected.
- 40.1.9. Notices of Motion for the Annual General Meeting shall be in the hands of the Honorary Secretary of the Club not later than 1 September.

## 40.2. GAMES

- 40.2.1. All games played in connection with the Club shall be governed by the Selection Committee and played under the Bowls South Africa Rules EXCEPT that the Handicap Singles, Drawn Pairs and Triples Competitions be played on handicap, and the game of Triples shall be one of eighteen ends.
- 40.2.2. Every member who is not engaged to play in a competition must, if he wishes to participate in the games, place the tab bearing his or her name on the table provided for the purpose immediately he arrives at the Club House. The draw will take place at 09h00 and 14h00 respectively and any member whose tab is not on the table at those times is liable to be left out of the games. No member shall place on the table the tab of another member who is not present.
- 40.2.3. On Sunday afternoons members may arrange matches amongst themselves for which rinks will be allotted, if available, and provided such matches do not interfere with Club or other competitions. Such rinks as may be allotted shall be drawn for at 14h00.
- 40.2.4. All members are requested at all times to uphold the dignity and traditions of The Kensington Club, and to play the game as sportsmen, for "Behaviour is remembered long after match results are forgotten".

## 40.3. COMPETITIONS

- 40.3.1. Club Competitions to be played during the season shall be decided upon at each Annual General meeting.
- 40.3.2. Should a Senior's Singles be included in the Club Competition in any season, it shall be confined to males and females who are deemed Pensioners as defined in this Constitution.
- 40.3.3. Entries for all competitions except the Mixed Drawn Rinks and Two Wood Singles will be called for by notices on the notice board and members are requested to see that their names are entered. The closing date for entries, other than the Mixed Drawn Rinks AND Two Wood Singles, shall be determined by the Committee.
- 40.3.4. In the event of a member playing in the competitions of another club, he/she shall not be eligible for competitions in the Club, and this shall apply also to members who cannot or choose not to, play on either Saturdays or Sundays. The context of this clause shall not apply to casual absence.
- 40.3.5. In the event of a member having previously entered competitions and who subsequently cannot, or chooses not to, play on Saturdays and/or Sundays, his or her name shall be deleted from competitions for which he has entered other than those aforementioned. Substitutes shall be permitted only in terms of Sub-clause (e)(ii).
- 40.3.6. The entrance fee for each competition shall be decided at each Annual General Meeting except in the case of the Senior's Singles, which competitions shall be free. Entrance fees shall be paid prior to the date fixed for the closing of entries by the Committee.
- 40.3.7. The value of prizes shall be decided at each Annual General Meeting.
- 40.3.8. Members must notify the Selection Committee at least seven (7) days in advance when not available for competitions. Leave of absence may be granted by that Committee at its sole discretion. Four (4) days' notice of all ties to be played will be given on the notice board. After such notice the following rulings pertaining to scratching as applied to Bowls South Africa competitions will be enforced.

40.3.9. SINGLES

Should one competitor fail to turn up at the specified time he/she will be scratched. Should both competitors fail to turn up at the specified time, both will be scratched.

40.3.10. DRAWN PAIRS AND TRIPLES

In Pairs and Triples Competitions, substitutes shall be allowed subject to the approval of the Selection Committee. Substitute shall mean any player who has not entered in the competition. The handicap of the substitute shall conform as near as possible to that of the original entrant. No player who has been substituted shall qualify for a prize unless he has played in the same Pairs or Triples team for more than one half of the total number of games required to complete the competition.

40.3.11. FOURS

If a Fours team or rink has one player absent on account of illness or for any valid reason, either at the start or in the course of a game, or on the resumption of a game, no reserve is available, a substitute not previously entered in the competition, and approved by the Selection Committee shall be allowed to complete the team or rink.

- 40.3.12. No member shall be compelled to play a Club tie on Sunday afternoon, or on Public Holidays (Public Holidays shall be regarded as free days), with the

- exception of the Mixed Drawn Rinks, Two Wood Singles and Mixed Pairs.
- 40.3.13. Players who have put in an appearance on the green for the purpose of playing bowls may without notice be required to play a tie. Any member failing to comply shall be scratched.
  - 40.3.14. Players may, by mutual agreement, play a tie prior to the date notified, on advising any member of the Selection Committee, subject, of course, to accommodation being available at the time.
  - 40.3.15. For semi-finals and finals of all competitions the best rinks available will be allotted. Finals shall be played only on dates fixed by the Selection Committee of which due notice will be given on the notice board. Postponements shall be allowed only in cases of illness or inclement weather.
  - 40.3.16. Umpires and a marker to act in each singles game played in a National, Provincial, District or Club Competition shall be appointed by the Selection Committee and such Committee shall have authority to call upon any member present on the greens to mark a singles game in Club competitions.

#### 40.4. LEAGUE

The Entertainment Fee for League Matches for the ensuing season shall be decided at the Annual General Meeting of the Club each year. The Honorary Secretary shall keep a proper account of income and expenditure in this connection.

#### 40.5. DUAL MEMBERSHIP

Any member who belongs to two (2) or more clubs wishing to gain representation for the Club or to play in any competition held under the auspices of the Club's controlling bodies, or to play in any domestic Club competitions, may not participate in any of the aforementioned activities for any other club.

#### 40.6. REPRESENTATIVE TEAMS:

- 40.6.1. The method of selecting a rink to represent the Club at a South African Tournament, shall be determined by the majority vote of members present at the Annual General Meeting.
- 40.6.2. Not later than fourteen (14) days prior to the date determined by the Committee for the selection of such rink or rinks, a list shall be posted in the locker room calling for names of members who are eligible for selection.
- 40.6.3. (c) Unofficial rinks entered by members in open competitions shall not be allowed to take the Club's name unless all players in such rink are members of the Club.

#### 40.7. GREENS

- 40.7.1. Any member or members of the Greens Committee may decide when the greens are in condition for play, and bowlers shall abide by his or her or their decision.
- 40.7.2. Should the Greens Committee decide that the greens are unfit for play, the matches set down for that day will be postponed.

## 40.8. VISITORS

- 40.8.1. In the absolute discretion of the Bowls Captain, members will be permitted to entertain visiting teams on Sunday mornings and Public Holidays.
- 40.8.2. Members shall have the privilege of bringing to the green occasionally a visiting player. It is expected that members will not abuse these privileges.
- 40.8.3. Visitors will however still be obligated to pay Green fees

## 40.9. DRESS

- 40.9.1. Members intending to play shall on all occasions wear attire associated with the game as laid down by Bowls South Africa, unless otherwise permitted by the sectional Committee.
- 40.9.2. No player shall be allowed to take part in any game on the greens unless he or she wears regulation shoes.
- 40.9.3. Approved Club Colours shall be worn for all club and outside competitions. During the closed season (defined as the 1st Saturday after the greens are closed for the season and the last Sunday before the greens are officially opened for the new season) casual attire may be worn.

## 40.10. FLAGS

- 40.10.1. The Flag of the Republic of South Africa and the Kensington Club flag shall be flown on all official club days except during the Closed Season.
- 40.10.2. The Kensington Club flag shall be flown at half mast in memory of current members passing away. The flag shall be flown at half mast until the day of the funeral/memorial service.

## 40.11. LOCKERS

Bowls should not be left on the Club premises except in the lockers provided for that purpose.

## 41. CODE OF CONDUCT

The Kensington Club is operated primarily by volunteers for the benefit of its members, and all members of the Club have an individual and collective responsibility to contribute in a positive way to the operations of the Club.

The Kensington Club Code of Conduct applies equally to members, agents, employees, sub-contractors and their guests, including players from other clubs visiting the Club for sporting competitions and members attending social functions.

### 41.1. On The Greens

- Participate for the ENJOYMENT OF THE GAME and be proud of being a Club Member.
- Be a TEAM PLAYER – get along with the other Members. Appreciate the contribution each person makes to the Club, however small that contribution may seem to you.
- Always uphold the LAWS OF THE GAME and set a positive example to others.
- RESPECT the rights and feelings of other Members, teammates, Club volunteers and competitors alike.
- Learn to lose with DIGNITY and win with GRACE.
- SHOW INTEREST in other Members, ask questions and congratulate them on their



efforts and achievements.

- Understand and accept that you are ACCOUNTABLE for your actions.
- The Club discourages all forms of harassment towards fellow Members, Club staff and competitors including sexual harassment, racial harassment, physical or mental disability harassment and bullying.
- Our Club discourages offensive or abusive language, dissent, conduct unbecoming, or actions, which would bring the game of Bowls or the Club into disrepute.

## 41.2. Within The Clubhouse

- Members, family and guests are encouraged to enjoy the hospitality of the club without fear of acts of discrimination, racial vilification or verbal abuse.
- Members, family and guests will ensure that the comfort of other patrons is not unreasonably disturbed.
- Members, family and guests will respect other patrons and will conduct themselves in a manner that will not cause offense.
- The Club is a long standing member of the community around it and as such pledges itself to practices that will avoid disturbing the comfort of the local area by respecting the right of neighbours and by encouraging customers to do the same.
- Members, family and guests, when consuming alcohol, will do so responsibly, and will accept any staff or licensee decision to amend behaviour or discontinue the serving of alcohol without complaint nor resistance.

## 41.3. Dress Code

- Neat dress standards are important. Prior to 6pm, members visiting the Club from work in the trades may wear work clobber but should present themselves as neatly as possible. Singlets are not permitted.

## 41.4. Smoking

- Smoking tobacco and products that resemble tobacco products (e.g. e-cigarettes), is not permitted by law in the clubhouse or within five (5) metres of any entrance. Smoking is not permitted within 5 metres of any green where competitions and/or social games of bowls are being played.
- Smokers must dispose cigarette butts in the Butt Containers, which are located around the periphery of the grounds of the Club. Please DO NOT drop cigarette butts in the gardens, around the grounds, outside fences or in used drink bottles.

## 41.5. Social Media

- All club references in social media postings, blogs, status updates and tweets will be treated as public 'comment'. No statements should be made that are misleading, false or likely to injure a person's reputation or bring our club into disrepute.
- Any abusive, discriminatory, intimidating, misleading or offensive statements will not be tolerated. Offending posts will be removed and those responsible will be blocked from the site.
- When sharing information or posting material on public websites connected to the club, members must follow the following guidelines for electronic communication:
  - It should be restricted to club matters
  - It must not offend, intimidate, humiliate or harass another person
  - It must not be misleading, false or injure the reputation of another person

- It should respect and maintain the privacy of members
- It must not bring the club into disrepute.
- Members who send inappropriate electronic communication or post online content or comments that harass, offend, intimidate or humiliate another member may be found in breach of the Member's Code of Conduct and as a result may be liable for a claim of misconduct, under the Club Constitution.

#### 41.6. Member Disputes

- All members must follow the Club Constitution and By-laws to handle any disputes with another member or with the Executive committee of the Club.
- The President and the Executive Committee of the Club may take any action considered necessary on occasion of a reported breach of this Code of Conduct. Any member found in breach of this Code of Conduct may be liable for a claim of misconduct, under the Club Constitution and as such may see his/her membership terminated.

This Constitution was adopted by the Members of the Executive Committee on 10 December 2022.