

NOMADS GOLF CLUB – SOUTH AFRICA  
CONSTITUTION



## NOMADS GOLF CLUB

### CONSTITUTION

#### THE CLUB SYMBOL

Our Club badge, a bell crossed by a golf club, is symbolic of the raison d'être of the 'NOMADS' - **through golf, the remembrance of others.**

It is printed in the renowned extract from the Meditations of John Donne (1573-1631):

**'No man is an island entire of itself;  
Every man is a piece of the continent, a part of the main;  
Any man's death diminishes me, because I am involved in mankind;  
And therefore, never send to know for whom the bell tolls;  
It tolls for thee.'**

#### NOMADS GOLF CLUB CONSTITUTION

##### 1. NAME

The name of the Club shall be the **NOMADS GOLF CLUB – SOUTH AFRICA** (hereinafter referred to as NOMADS) comprising the following separate legal entities.

- Nomads Golf Club – National Executive
- Nomads Golf Club – Boland
- Nomads Golf Club – Border
- Nomads Golf Club – Eastern Cape
- Nomads Golf Club – Easterns
- Nomads Golf Club – Free State
- Nomads Golf Club – Gauteng
- Nomads Golf Club – Lowveld
- Nomads Golf Club – Natal
- Nomads Golf Club – Northerns
- Nomads Golf Club – Southern Cape
- Nomads Golf Club – Southern Natal
- Nomads Golf Club – Western Province

##### 2. HEADQUARTERS

The headquarters of Nomads shall be at such place as may be decided at a duly constituted meeting of the National Council (hereinafter more properly described).

### **3. NOMADS INSIGNIA**

The insignia shall be a bell at an angle of 45° from right to left with a golf club crossing from left to right at right angles to the bell. The insignia shall be displayed on all Nomads ties, badges or presentations made by Nomads. The insignia shall be registered and may only be worn by Members in good standing.

### **4. AIMS AND OBJECTS**

The aims and objects of Nomads shall be:

- 4.1 To encourage and promote, foster and support the game of golf and in particular to provide a source of service as may be used for the benefit of golf in Southern Africa.
- 4.2 To generate funds which may be distributed in the furtherance of 4.1 and to such charitable causes as the Members of Nomads may deem proper.
- 4.3 To provide an opportunity for Members in all walks of life to meet one another at least once a month in order to make and/or cement new and/or old friendships.
- 4.4 To work in harmony with any recognised Golf Union wheresoever and to obtain for all Members of Nomads the advantages and benefits of such a relationship.
- 4.5 To be affiliated to any recognised Golf Union wheresoever.
- 4.6 To do anything that may be expedient, necessary or desirable to further the aims and objects of Nomads or which may be incidental thereto, including the appointment or removal of Honorary or paid officials of Nomads and the formation of a Company formed in terms of the provisions of Section 21 of the Companies Act or any other Non-Profit Organisation or Corporate body for the purpose of furthering the "Aims and Objectives" of Nomads.

### **5. MEMBERS CLUBS**

Nomads shall comprise such Member Clubs as may be decided by the National Council from time to time.

### **6. LEGAL STATUS**

Nomads shall be an organisation with its own separate legal persona and accordingly:

- 6.1 Nomads shall have perpetual succession (subject always to the dissolution of Nomads as a whole in terms of Clause 25 hereof).
- 6.2 Nomads shall in no way pursue the acquisition of any financial profit or gain or material benefit for any of its Members. Any profit or gain or material benefit made by any individual during the course of his activities shall immediately be disclosed to his Member Club Executive Committee for appropriation in terms of the aims and objects of the Nomads Golf Club.
- 6.3 No Member of Nomads shall by virtue of his membership have any right or claim of whatsoever nature to any property of Nomads.

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- 6.4 Nomads may sue or be sued in any Court of law, and may be cited in any capacity in any arbitration or other tribunal in its own name and may be represented in any proceedings whether in a Court of Law or in any arbitration or any other tribunal or otherwise, by any person or persons duly authorised by the National Council and/or its functional arm, the National Management Committee.
- 6.5 The liability of Members shall be limited to the amount of their Annual Subscription.
- 6.6 In this Constitution, and in the Rules of Play, unless the context should otherwise indicate, the male gender shall include the female and vice versa.
- 6.7 In this Constitution and in the Rules of Play, where any form of written communication is required, either specified or inferred, an e-mail to the address registered with the Club Secretary is deemed to be sufficient. In the case where an e-mail address has not been registered with the Club, a registered letter to the postal or physical address registered with the Club will also be sufficient. However, where a Member has chosen to resign, all communications must be in written form and have that Member's original signature on them.

## 7. MEMBERSHIP

Membership of Nomads shall be accorded in any of the following categories:

### 7.1 Honorary Life Membership

- 7.1.1 Honorary Life Membership of the Club shall be extended only by invitation of the National Council in recognition of long and meritorious service to Nomads. Any Member Club and the combined elected Members of the National Executive may propose candidates for this office.

7.1.1.1 The elected members of the National Executive shall undertake the formation of a dedicated committee for the dual purpose of, firstly, evaluating the membership of Nomads annually for suitable candidates for Honorary Life Membership status, and secondly, to evaluate any proposal received from the Member Clubs within the prescribed time frame.

The Honorary Life Membership Committee is to make recommendations to the Member Club on the suitability of the proposed candidate, so that the Club may proceed or decline to formally lodge the proposal with the National Secretary by the stated deadline for such submissions.

This Committee shall be appointed annually at the National Council meeting by the elected Members of the National Executive.

The Committee will comprise a minimum of three (3) and a maximum of five (5) members of Past National Chairman or Honorary Life Member status.

The Honorary Life Membership Committee will be appointed for a minimum of three years to provide stability and continuity and no more than two Members of the Honorary Life Membership Committee may be replaced each year.

Any previous Member may be re-appointed to any subsequent Honorary Life Membership Committee.

7.1.1.2 Proposers are required to submit their proposed candidate(s) together with their résumé(s) to the Chairman of the Honorary Life Member Committee by the date of the start of the 1st National Management Meeting in any given year. The

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Honorary Life Membership Committee is to make recommendations to the Member Club on its view on the suitability of any proposed candidate, so that the Club may proceed or decline to formally lodge a proposal with the National Secretary by the stated deadline for such submissions.

7.1.1.3 The Honorary Life Member Committee shall make known to the National Management Committee at the 2nd Management Meeting of each year whether or not they have themselves proposed any nominations for Honorary Life membership, to the National Executive Committee. The name of the nominee shall however remain confidential.

7.1.1.4 The nomination(s) and résumé(s) of candidates for Honorary Life Membership shall be in the hands of the National Secretary by no later than December 31st of the year preceding the next National Council Meeting. The résumés of such candidates shall be distributed in strictest confidence to all eligible voters within fourteen (14) days of the aforementioned closing date for nominations.

7.1.1.5 The Chairman of the Honorary Life Member Committee will inform all eligible voters of their endorsement, or otherwise, of any candidates proposed, within seven (7) days of the distribution of the candidates résumés referred to in 7.1.1.4.

7.1.2 Honorary Life Membership shall be extended only to such Nomads as shall be deemed proper recipients of the highest honour Nomads can bestow, and only for exceptional voluntary services to the game of Golf in general, and Nomads in particular.

7.1.3 Honorary Life Members of Nomads shall not be required to meet the participation obligations of Full Members but shall be required to belong to a recognised Golf Club as stipulated in Clause 7.3.1 of the Constitution unless he may be categorised as Non-Active in terms of Clause 7.6.

7.1.4 The voting rights in respect of Clause 7.1 (specifically to apply only to the issue in relation to nominations for Honorary Life Membership), shall be as follows. Those eligible to vote shall be: All Honorary Life Members, all Past National Chairmen, and the current elected Members of the National Executive.

7.1.4.1 The maximum number of eligible voters would comprise the total of those Members in the above 3 (Three) categories.

7.1.4.2 Individuals who consider themselves not qualified to cast an informed vote should declare this fact and abstain from voting. The total number of eligible votes would then be reduced accordingly and the remainder would then carry out the voting.

7.1.4.3 Voting is to take place in writing, and must be lodged simultaneously with the Chairman of the Honorary Life Membership Committee and the National Secretary no later than 30 (Thirty) days before the date of the National Council Meeting.

7.1.4.4 A voter may cast only one vote per nominee irrespective of the number of categories in which the voter may qualify to vote.

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7.1.5 Within 7 (Seven) days of the date for the submission of the votes by the eligible voters having passed, the votes received will be scrutinised by the National Chairman or his nominated representatives.

7.1.5.1 A person shall be accepted as Honorary Life Member if the number of votes cast for is equal to or greater than the nearest whole number below that which constitutes 75 per cent of those voting.

7.1.5.2 Once the votes have been scrutinised and an outcome determined;

7.1.5.2.1 The eligible voters will be informed in writing of the outcome by the National Secretary in strictest confidence;

7.1.5.2.2 In the event that a candidate is accepted then Honorary Life status must be conferred on them at the subsequent National Council Meeting or failing that at the earliest possible opportunity.

7.1.5.3 In the event that a candidate is rejected, then that candidate's name shall not be eligible to be put forward again for a minimum period of 2 (Two) years.

7.1.6 Honorary Life Members

7.1.6.1 Will receive all Nomads publications as issued by the National Secretary.

7.1.6.2 May wear Nomads insignia.

7.1.6.3 Shall be eligible to participate in any Nomads competition.

7.1.6.4 Automatically are Members of the National Council of Nomads and may attend Committee Meetings of their Member Club and may vote thereat.

7.1.7 Neither annual subscriptions, nor any monthly competition entry fees are payable by Honorary Life Members.

7.1.8 Honorary Life Members who transfer to other Nomads Golf Clubs across international borders transfer as Honorary members of the Club to which they have transferred but shall continue to be recognised as Honorary Life members of the Nomads Club in the country from which they have transferred.

7.2 Honorary Membership

7.2.1 The Executive of a Member Club may extend Honorary Membership to any male person deemed worthy of the honour by virtue of –

7.2.1.1 the high office they hold;

7.2.1.2 services they have rendered to the game of golf;

7.2.1.3 services they have rendered to Nomads;

7.2.1.4 services rendered by Members of Nomads to Nomads.

7.2.2 Honorary Members of Nomads shall not be required to meet the qualifying or participation obligations of Full Members but shall be required to belong to a recognised Golf Club as stipulated in Rule 7.3.1 of the Constitution unless he may be categorised as Non-Active in terms of Clause 7.6.

7.2.3 Honorary Membership awarded by reason of the High Office held by the representative shall terminate as and when that office is no longer held.

7.2.4 Any Honorary Member (upon ceasing to be so in terms of 7.2.3 above) may become a Full Member of Nomads without payment of an entrance fee.

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## 7.2.5 Honorary Members

- 7.2.5.1 Will receive all Nomads publications from their Member Clubs.
- 7.2.5.2 May wear Nomads insignia.
- 7.2.5.3 May enter any Nomads competitions.
- 7.2.5.4 Elected in terms of 7.2.1 shall be eligible to serve on the Executive Committee of their Member Clubs and may vote at all General or Special Meetings of their Member Clubs.
- 7.2.5.5 May attend Committee Meetings of their Member Club and may vote thereat.

7.2.6 No entrance fee or subscriptions in terms of paragraphs 10.1.1 and 10.1.2 are payable by Honorary Members but they will be responsible for all competition entry fees subject to the discretion of the Executive Committee of the Member Club which retains the right to waive this provision.

## 7.3 Full Membership

- 7.3.1 Full Membership shall be available to approved males who are 21 years of age and older. Full Members shall be and remain members of a recognised Golf Club affiliated to a Golf Union recognised by the International Golf Federation (or by whatever such name that body becomes known in future) or the Professional Golfers Association and must be handicapped by that Golf Club.
- 7.3.2 Full Membership may be awarded at the discretion of the Executive Committee of any Member Club upon application of a proposer and a seconder both being Full Members.  
Full Members are entitled to enter all meetings and annual competitions.
- 7.3.3 A Full Member shall play in a minimum of 6 (Six) monthly meetings of his Member Club during the Club's playing year. In the event of a Full Member failing to meet this obligation and at the discretion of the Executive Committee of the Member Club, he may be offered Associate Membership or his membership may be terminated provided that:
  - 7.3.3.1 The Executive Committee of any Member Club may waive the requirements set out in 7.3.3 in the event of his Member Club being unable to accommodate him in the monthly meeting of his Club.
  - 7.3.3.2 Should a player fail to play in a monthly meeting of his Member Club but plays in any of the two preceding months, or in either of the four following months, in the monthly meeting of another Nomad Club, (whether locally or at any international Club), his obligation for that particular month shall be deemed to have been met. Such scores shall not count towards any of his Member Club's annual competitions nor be used for handicapping. Any Nomad playing a make-up game shall be able to win as a Nomad of the day, but shall not qualify for that Club's Gold Cup Competition.
  - 7.3.3.3 Unless otherwise agreed to by the Executive Committee of the Member Club, each Full Member shall be allowed a maximum of two (2) make-up games per annum.
  - 7.3.3.4 Leave of Absence may be granted to any Full Member unable to participate in any monthly meeting of his Member Club at the discretion of the Executive Committee of the Member Club and if granted the Full Member shall be deemed to have met his playing obligation as regards that particular meeting or meetings for which leave of absence was granted.

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7.3.3.5 Notwithstanding the provisions of Clause 7.3.3.2, no player shall be deemed to have met his playing obligation in terms of Clause 7.3.3 unless he has played in a minimum of 6 (Six) monthly meetings of which 4 (Four) must be played at his Member Club during the Club's playing year.

7.3.4 Full Members

7.3.4.1 Will receive all Nomad publications of their Member Club.

7.3.4.2 May wear Nomad insignia.

7.3.4.3 Are eligible to serve on the Executive Committee of their Member Clubs.

7.3.4.4 May vote at all General or Special meetings of their Member Club, provided they are in good standing.

7.4 Associate Membership (Male only) 21 years of age and over.

Associate Members shall be and remain Members of a recognised Golf Club affiliated to a Golf Union recognised by the International Golf Federation (or by whatever such name that body becomes known in future) or the Professional Golfers Association and must be handicapped by that Golf Club.

7.4.1 Associate Membership may be awarded by the Executive Committee of any Member Club upon application by a Member who through unavoidable circumstances will be unable to meet his minimum participation obligations and who wishes to avoid the automatic termination of his membership.

7.4.2 An Associate Member may not participate in more than two (2) normal monthly meetings of his Member Club in any playing year; provided that in the event of the field of any Nomad Club not being full he may play in more than two (2) monthly meetings in a playing year. An Associate Member shall not be eligible to participate in any annual competition.

7.4.3 Associate Members may apply for election to Full Membership and in the event of a vacancy in the membership of the club shall be given preference over an application on the waiting list.

7.4.4 Associate Members

7.4.4.1 Will receive all Nomad publications of their Member Clubs.

7.4.4.2 may wear Nomad insignia.

7.4.4.3 are not eligible to serve on the Executive Committee of their Member Clubs.

7.4.4.4 may attend all General or Special Meetings of their Member Clubs but shall have no vote.

7.4.4.5 An Associate Member shall only be eligible for participation in a National Tournament if his Member Club is unable to fill the allotted number of places made available to that Club and then only at the discretion of the Executive Committee of his Member Club.

7.5 Non-Playing Membership

7.5.1 Non-Playing Membership may be awarded by the Executive Committee of a Member Club to any person, male or female, assisting the Member Club in its functions. This category of membership shall not be granted to any registered playing Club Member of Nomads.

7.5.2 Non-Playing Members

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- 7.5.2.1 may wear all relevant Nomad insignia.
- 7.5.2.2 are not eligible to serve on the Executive Committee of their Member Club unless invited to do so by the Club Captain.
- 7.5.2.3 may attend all General or Special Meetings of their Member Club but shall have no vote.
- 7.5.2.4 do not pay annual subscriptions.

## 7.6 Non-Active Membership

Non-Active Membership may at the discretion of the Executive Committee of a Member Club be awarded to any Nomad who due to age, ill health, infirmity or otherwise is no longer able to play golf and who may no longer be a member of a recognised Golf Club affiliated to a Golf Union recognised by the International Golf Federation (or by whatever such name that body becomes known in future) or the Professional Golfers Association.

### 7.6.1 Non-Active Members

- 7.6.1.1 may receive all Nomad publications of their Member Clubs.
- 7.6.1.2 may wear all relevant Nomad insignia.
- 7.6.1.3 are eligible to serve on the Executive Committee of their Member Club.
- 7.6.1.4 may not play in any Nomad competition.
- 7.6.1.5 may attend and vote at all General or Special Meetings of their Member Club.
- 7.6.1.6 shall pay such subscriptions as laid down by the Executive Committee of their Member Club in its discretion but shall not exceed the subscription payable by a Full Member.
- 7.6.1.7 shall be eligible for non-playing participation at a National Tournament.

## 7.7 Suspensive Membership

The Executive Committee of a Member Club may at its discretion transfer to Suspensive Membership any of its Members who will be absent from the Member Club for an extended period of a year or more, or will reside for the same period in an area in which there is no Member Club of Nomads, but wish to retain their association with Nomads. A Suspensive Member shall be liable for the annual subscription of his Member Club and may enter any Nomad competition during temporary visits to an area served by a Nomad Club. At the discretion of the National Executive Committee, and upon payment of the relevant fee, he may attend a National Tournament. On his return to permanent residence in his relevant area, he shall be automatically reinstated as a Member with the applicable rights and obligations.

## 7.8 Reciprocal Membership

Membership of any one Member Club automatically implies membership of all other Member Clubs. A Member may only vote at the Club to which he is attached. Membership is confined to one Member Club.

## 7.9 Sponsor Membership

At the discretion of the Executive Committee, Sponsor membership may be accorded in two categories



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- (a) National Sponsor Member - those representing sponsors common to all clubs and recognised as such by the National Executive Committee.
- (b) Local Sponsor Member – those representing sponsors pertinent to the home club.

#### 7.9.1 Sponsor Members

- 7.9.1.1 will receive all Nomad publications of their Member Clubs.
- 7.9.1.2 may wear Nomad insignia.
- 7.9.1.3 are not eligible to serve on the Executive Committee of their Member Clubs.
- 7.9.1.4 may attend all General or Special Meetings of their Member Clubs but shall have no vote.
- 7.9.1.5 shall be eligible for participation in a National Tournament at the discretion of his Member Club or of that of the National Executive Committee.
- 7.9.1.6 shall pay the playing fee levied by his club for each and every time he participates in a monthly meeting.
- 7.9.1.7 shall meet the minimum playing commitment as set out in paragraph 7.3.3 above, should he wish to participate in any of the annual competitions.
- 7.9.1.8 shall, save for the foregoing, be subject to the provisions of the Constitution with the exception of paragraph 7.3.3 as read with paragraphs 7.9.1.7 and paragraph 7.11.
- 7.9.1.9 shall cease to be a Member, on the sponsor, which he represents, ceasing to sponsor the club.

#### 7.10 Transferee Membership

- 7.10.1 A Member of Nomads who wishes to transfer to another Club, shall be granted an automatic transfer to such Club in the same membership category as held by him in his former Club, provided:
  - 7.10.1.1 He is, and has been, in good standing in terms of paragraph 7.11 at his Club for a period of two (2) years prior to his application for transfer.
  - 7.10.1.2 His former club has within thirty (30) days of the date of his application for transfer remitted the following to the transferee Club:
    - (i) His original application form to become a Nomad;
    - (ii) His transfer application form;
    - (iii) His playing record.
- 7.10.2 A Member of Nomads wishing to transfer to another Club shall apply to such Club within six (6) months of his leaving his former Club. His failure to do so will cause his membership of Nomads to lapse.
- 7.10.3 Where the Member seeking transfer does not meet the requirements of paragraph 7.10.1.1, and provided paragraph 7.10.1.2 has been complied with, the Executive Committee of the transferee Club shall have the discretion to either grant him an automatic transfer or to accord Transferee Membership to him.
- 7.10.4 A Transferee Member may not participate in more than two (2) normal monthly meetings of his Member Club in any playing year.
- 7.10.5 Where a Member is accorded Transferee Membership, he shall remain a Member in such category until two (2) years after the date of his originally

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becoming a Member of Nomads, whereupon he shall automatically revert to the category of membership held by him at his former Club, provided he has maintained a playing commitment of two (2) games per year during his period of Transferee Membership.

- 7.10.6 The transferee, irrespective of the category of membership accorded to him, shall within twelve (12) months of the date of his application for transfer, become and remain a Member of a recognised Golf Club within the area of his

new Nomads Club, such Golf Club to be affiliated to a Golf Union recognised by the International Golf Federation (or by whatever such name that body becomes known in future) or the Professional Golfers Association. The transferee shall further be handicapped by that Golf Club.

- 7.10.7 Should a Transferee Member not have maintained a playing commitment as required by paragraph 7.10.4, or should a transferee (irrespective of his category of membership) not have complied with paragraph 7.10.5, then he shall be deemed to be a Member not in good standing.

- 7.10.8 Any Member of any of our Nomads Golf Clubs, up to and including Honorary Members, transferring to any other of our Nomads Golf Clubs, locally or internationally, shall be accepted by that Club in the category as held by him in his former Club.

#### 7.11 Member in Good Standing

At the discretion of the Executive Committee of the Member Club, a Member shall be deemed to be in good standing if he has met or is in a position to meet his playing obligations, where applicable, and if his annual subscriptions are paid in accordance with paragraphs 10 and 11 of the Constitution.

### **8. FOUNDER, LONG STANDING MEMBERS, HONORARY LIFE MEMBERS AND BADGES FOR MEMBERS OF NATIONAL COUNCIL**

- 8.1 A Founder Member of a Club shall be a male Member who joins a Member Club at its inception or within a stated period thereafter. Each Member Club shall recognise the Founder Members in their Club, who shall be entitled to a special Nomads badge.
- 8.2 Each Member Club shall recognise membership of Nomads in multiples of five years and Members who so qualify by length of service and good standing, shall be entitled to wear a special tie representing their period as a Member as authorised by the National Council.
- 8.3 Each Member Club shall recognise a special tie and/or blazer pocket badge for any special trips conducted overseas if authorised by the National Council.
- 8.4 The National Council shall from time to time decide on what lapel badges may be worn by its Members and what blazer and blazer pocket badges may be worn by the National Chairman and Past National Chairmen respectively.
- 8.5 The background colour to the badge worn to designate Honorary Life Membership of Nomads differentiates the specific country which bestowed the honour on that individual.

### **9. NOMADS INSIGNIA TO BE AWARDED TO MEMBERS**

Each Member of Nomads shall be provided with a Nomads Name Badge, the cost of which shall be borne by the Member Club. In the event of this being lost a replacement may be issued and the cost thereof borne by the Member. In either event the Name Badge shall remain the property of the Club at all times. In addition all Members of Nomads shall be entitled to wear such ties and blazer pocket badges as shall be decided by the National Council.

## **10. ENTRANCE FEE AND SUBSCRIPTIONS**

- 10.1 The National Council shall decide upon the following:-
- 10.1.1 The maximum entrance fee payable by Members.
  - 10.1.2 The maximum annual subscription payable by Members.
  - 10.1.3 The date upon which such Entrance Fee and Subscription shall become due and payable, provided that subscriptions may be payable in such installments as may be decided upon by each individual Member Club.
- 10.2 If a prospective Member applies for membership of a Member Club in the second half of the financial year the Member Club concerned shall be entitled to reduce the annual subscription payable by such prospective Member to 50% of that determined by the Member Club.
- 10.3 Payment of his annual subscription shall be irrefutable acknowledgement on the part of any existing or prospective Member that he is bound by the Constitution, Rules and Regulations of Nomads.
- 10.4 The Member Club shall be empowered at its discretion in what it considers exceptional circumstances to waive partly or entirely the annual subscription of any Member for such period and on such conditions as it may determine.

## **11. RESIGNATION AND DEFAULT OF MEMBERS**

- 11.1 Any Member wishing to resign his membership shall do so in writing addressed to the Secretary of the Member Club. Such resignation shall be effective from the date of sending the letter. No Member resigning shall be entitled to any refund of entrance fee or subscription paid in advance. Upon acceptance of his resignation the Member's Name Badge is to be returned to his Club.
- 11.2 A Member more than one month in arrears with his subscription shall be sent a registered letter or e-mail to the address registered with the Secretary drawing attention to this fact. If after a lapse of two weeks such subscription remains unpaid, the Member shall be suspended by his Club's Executive Committee.
- 11.3 A Club Executive Committee may reinstate a defaulter on satisfactory grounds being shown for the default and on payment of all arrears or such amount as his Club's Executive Committee considers may meet the case.
- 11.4 Should any defaulting Member neglect or omit to pay the arrears specified in the notice and/or apply for reinstatement within a period of one month after his suspension, such Member shall cease to be a Member of the Club and that fact shall be circulated to all Member Clubs.

## **12. THE FINANCIAL YEAR**

The Financial Year of Nomads shall end on 31<sup>st</sup> December each year.

## **13. MANAGEMENT OF THE AFFAIRS OF THE CLUB**

Nomads shall be administered as set out hereafter and the responsibility of such administration shall rest in the following:

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## 13.1 National Council

This Council is composed of the National Chairman, the Immediate Past National Chairman ex Officio, National Senior and Junior Vice-Chairmen, the National Secretary, the National Treasurer, the National Golforama Director, the National PRO, the National Andrew Mentis Director, the National Furtherance of Golf Director, Honorary Life Members and four representatives from each Club being, wherever possible, the Captain, Vice-Captain, Junior Vice-Captain and Secretary or Treasurer.

## 13.2 National Management Committee

This Committee shall carry out the executive function of the National Council and comprises the National Chairman, the Immediate Past National Chairman, the National Senior and National Junior Vice-Chairmen, the National Secretary, the National Treasurer, the National Golforama Director, the National PRO, the National Andrew Mentis Director, the National Furtherance of Golf Director, Honorary Life Members and the Captains of all Member Clubs or their nominated representatives.

## 13.3 Andrew Mentis Nomads Foundation

The Andrew Mentis Nomads Foundation is a registered Non-Profit Company that is formed and remains at the pleasure of Nomads Golf Club – South Africa. It is run in strict accordance with its Memorandum of Incorporation and any changes thereto must be ratified by either the National Council or National Management Committee of Nomads.

13.3.1 There shall be 3 (Three) Members of the Andrew Mentis Nomads Foundation, namely the National Executive of Nomads as a single Member and the balance being members of the Mentis family.

13.3.2 There shall be minimum of 3 (Three) and a maximum of 5 (Five) Directors of the Andrew Mentis Nomads Foundation.

13.3.3 The Treasurer of the Andrew Mentis Nomads Foundation shall liaise directly with the National Treasurer and shall provide him annually with audited financial statements of the Andrew Mentis Nomads Foundation as well as any other interim information that may be required.

13.3.4 The Andrew Mentis Nomads Foundation shall be represented on the National Executive Committee of Nomads by the Director responsible for the National Nomads Andrew Mentis Endowment Fund and he will hold the office of National Andrew Mentis Director. He or his nominated representative shall report on the activities of his organisation to the National Executive Committee and at all National Management and National Council meetings. The Andrew Mentis Nomads Foundation Director of the National Nomads Andrew Mentis Endowment Fund is required to communicate directly with his counterparts at Nomads Club executive committee level.

## 13.4 Furtherance of Golf Nomads Foundation

The Furtherance of Golf Nomads Foundation is a registered Non-Profit Company that is formed and remains at the pleasure of the National Council of Nomads. It is run in strict accordance with its Memorandum of Incorporation and any changes thereto must be ratified by either the National Council or National Management Committee of Nomads.

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13.4.1 The Members of the Furtherance of Golf Nomads Foundation shall consist of the constituent clubs of Nomads Golf Club South Africa as detailed in Clause 1. of this Constitution.

13.4.2 There shall be a minimum of 3 (Three) and a maximum of 12 (Twelve) Directors of the Furtherance of Golf Nomads Foundation.

13.4.3 The Chairman of the Furtherance of Golf Nomads Foundation board of Directors or his nominated representative shall report on the activities of his organisation to the National Executive Committee and at all National Management and National Council meetings.

13.4.4 The Furtherance of Golf Nomads Foundation shall be required to have its own financial officer who will be responsible to its board of Directors as its Treasurer. He is to liaise directly with the National Treasurer and shall provide him annually with audited financial statements of the Furtherance of Golf Nomads Foundation as well as any other interim information that may be required.

13.4.5 The Furtherance of Golf Nomads Foundation is represented on the National Executive Committee by the holders of the National Golforama and National Furtherance of Golf offices. The National Golforama and National Furtherance of Golf representatives are required to communicate directly with their counterparts at Nomads Club executive committee level.

#### **14. NATIONAL EXECUTIVE COMMITTEE AND NATIONAL COUNCIL**

14.1 Composition of National Executive Committee:

- 14.1.1 National Chairman;
- 14.1.2 National Senior Vice-Chairman;
- 14.1.3 National Junior Vice-Chairman;
- 14.1.4 National Secretary;
- 14.1.5 National Treasurer;
- 14.1.6 National Golforama Director;
- 14.1.7 National PRO;
- 14.1.8 Immediate Past National Chairman ex Officio;
- 14.1.9 National Andrew Mentis Director;

and

14.1.10 National Furtherance of Golf Director.

14.2 Function of National Executive Committee

This Committee shall deal with matters which may be referred to it from time to time or arise between Management Committee meetings or National Council meetings and which require urgent attention. All decisions taken are subject to ratification at the following National Council meeting or National Management meeting whichever occurs first. This Committee's terms of reference shall be determined as and when each occasion shall arise.

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### 14.3 Office Bearers

14.3.1 The following Office Bearers shall be elected and/or appointed at the annual meeting of the National Council and shall hold office until the conclusion of the National Tournament immediately following the next annual meeting of the National Council.

14.3.1.1	National Chairman
14.3.1.2	National Senior Vice-Chairman
14.3.1.3	National Junior Vice-Chairman
14.3.1.4	National Secretary
14.3.1.5	National Treasurer
14.3.1.6	National Golforama Director
14.3.1.7	National PRO
14.3.1.8	National Andrew Mentis Director
14.3.1.9	National Furtherance of Golf Director

14.3.2 In the event of more nominations than required for the above office 14.3.1.1, 14.3.1.2 and 14.3.1.3 being received, elections shall be based on a weighted preference system. Each eligible voter shall place a "one" next to the name of his preferred candidate, "two" next to his second preference and so on down to that number which is equal to the number of candidates, for his least preferred candidate. The candidate with the lowest combined total is then declared elected. In the case of a tie the candidate who receives the most numbers of "one" is declared elected. If there is still a tie the candidate who receives the most numbers of "two" is declared elected and so on. In the event of an equality in total numbers the National Chairman shall exercise a casting vote. Provided that in the event of there being more nominations than one for the offices 14.3.1.1 and 14.3.1.2, the unsuccessful candidate shall automatically qualify as a candidate for election to the office 14.3.1.2 and 14.3.1.3 respectively without having to be specifically nominated thereto in terms of

Clause 14.3.3 hereof. Provided further, that in the event of the unsuccessful candidate for office 14.3.1.1 automatically qualifying for election to office 14.3.1.2 and being unsuccessful he shall automatically qualify as a candidate for election to 14.3.1.3.

14.3.3 In order to qualify as a candidate for election to the aforesaid office 14.3.1.1, 14.3.1.2 and 14.3.1.3 the incumbent must have served a full term of office as a Club Captain as defined in 18.2 of this Constitution

14.3.4 Candidates for election to the aforesaid office 14.3.1.1, 14.3.1.2 and 14.3.1.3 shall be nominated in writing by their Member Club, which nomination shall be in the hands of the National Secretary not less than 45 days before the date of the National Council Meeting.

14.3.5 Immediately after the date of closing of the nominations and not less than 30 days before the date of the said meeting, the National Secretary shall advise Member Clubs in writing of the candidates so nominated.

14.3.6 The National Secretary, the National Treasurer, the National Golforama Director, the National PRO, the National Andrew Mentis Director and National Furtherance of Golf Director shall be appointed to their offices by invitation of the National Chairman once he is elected, subject to the approval of the National Council, provided that the National Treasurer shall be and remain a Member of a Member Club in the Republic of South Africa.

### 14.4 Annual Meeting

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The National Council shall meet once annually immediately before or during the National Tournament each year. The National Secretary shall prepare an Agenda which shall be circularised to all Members of the National Council at least 30 days before the date of the said meeting.

#### 14.5 Special General Meeting

Upon the request of the National Chairman or upon the request of two Member Clubs, the National Secretary shall call a Special General Meeting of the National Council. Such Special General Meeting shall be held on 14 days notice to the Members of the National Council at such place as shall be determined by the National Chairman. The notice calling a Special General Meeting shall state the object for which the meeting is called and no other business may be transacted at that meeting. A quorum shall be seven duly accredited delegates who may include the National Chairman and National Senior Vice-Chairman. If the prescribed quorum is not present within 15 minutes of the advertised time the meeting shall be abandoned.

#### 14.6 Minutes

Minutes of all meetings of the National Council shall be recorded and shall be circularised to the Members thereof as soon as possible after the holding of the meeting and shall be confirmed at the next ensuing meeting of the National Council.

#### 14.7 Annual Financial Statements

- 14.7.1 The National Treasurer shall keep true and proper account of all income and expenditure under his control. He shall present annual financial statements as at the end of each financial year and a registered firm of Chartered Accountants shall be appointed (and, if necessary, removed and replaced), to undertake an independent annual review of those financial statements. The National Treasurer will present a résumé of the independently reviewed annual financial statements to the next meeting of the National Council. All funds received by the National Council shall be deposited in a registered Commercial

Bank or Building Society in the Republic of South Africa in the name of the Council and all movement of funds be drawn by two of four signatories appointed by the National Management Committee, one of whom shall preferably be the National Treasurer.

- 14.7.2 Nomads will at all times comply with the provisions of Section 30A (2) of the Income Tax Act No. 58 of 1962

14.7.2.1 Submit annual income tax returns to the South African Revenue Services' Tax Exemption Unit;

14.7.2.2 Have at least three persons, who are not connected persons in relation to each other, to accept the fiduciary responsibility of Nomads and no single person directly or indirectly controlling the decision making powers relating to Nomads;

14.7.2.3 Carry on its activities solely in a non-profit manner;

14.7.2.4 Not distribute any surplus funds to any person;

14.7.2.5 On dissolution of Nomads, transfer all assets and funds to another club approved in terms of section 30A of the Act or to a public benefit organization approved in terms of section 30(3) of the Act;

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- 14.7.2.6 Not pay excessive remuneration to any person having regard to what is generally considered reasonable in the sector and in relation to the service rendered;
  - 14.7.2.7 Entitle all members to annual membership;
  - 14.7.2.8 Submit copies of all amendments to the constitution to the Commissioner of the South African Revenue Services;
  - 14.7.2.9 Not allow members to sell their membership rights or any entitlement in terms thereof;
- and
- 14.7.2.10 Not be part of a tax avoidance scheme.

#### 14.8 Quorum

The quorum for the Annual National Council Meeting shall be 7 duly accredited delegates which shall include two of the National Chairman, National Senior Vice-Chairman and National Junior Vice-Chairman. If within half-an-hour from the time appointed for the National Council Meeting a quorum is not present, the meeting shall stand adjourned to the following day at the same time and place and if at that adjourned meeting a quorum is not present within half-an-hour

from the time appointed for the meeting those present and entitled to vote shall form a quorum.

#### 14.9 Alterations to the Constitution

- 14.9.1 Alterations to the Constitution may be proposed by Member Clubs or the National Executive Committee only and shall be made at National Management Meetings or at a National Council Meeting. No alteration shall be made unless it receives the approval of not less than two-thirds of those eligible to vote.
- 14.9.2 Notice of any proposed amendment or addition to the Constitution shall be made in writing to be in the hands of the National Secretary not less than 45 days before the date of any National Council or National Management Meeting, and the National Secretary shall forthwith and not less than 30 days before such meeting advise Member Clubs and other delegates, in writing, of any such proposed alterations or additions.

#### 14.10 Voting

Each of the following persons shall have one vote: the National Chairman, the Immediate Past National Chairman, the National Senior Vice-Chairman, the National Junior Vice-Chairman, the National Secretary, the National Treasurer, the National Golf forama Director, the National PRO, the National Andrew Mentis Director, the National Furtherance of Golf Director and Honorary Life Members. The Captain of each Member Club, or his nominee, will have four votes.

Subject to anything contrary herein contained, matters shall be decided by a majority whether on a show of hands or by ballot and the National Chairman shall in all instances have a second or casting vote. At neither an Annual Meeting nor a Special General Meeting of the National Council may any delegate represent more than one Member Club.

14.11 At neither National Council, National Management or Special General Meetings will proxy votes be accepted other than for those available to Club Captains in terms of Clauses 14.10 and 15.7.

14.12 At meetings of the National Executive Committee or the National Council, all persons holding office in terms of 13.3.2 and 13.4.2 of this Constitution are excluded from voting on



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matters that are related in any respect to the activities of their respective Non-Profit Companies, namely the Andrew Mentis Nomads Foundation or Furtherance of Golf Nomads Foundation, or any future derivative thereof.

**15. NATIONAL MANAGEMENT COMMITTEE**

15.1 The Chairman of this Committee shall be the National Chairman. The Committee shall comprise the National Chairman, the Immediate Past National Chairman, the Senior Vice-Chairman, the Junior Vice-Chairman, the National Secretary, the National Treasurer, the National Golforama Director, the National PRO, the National Andrew Mentis Director and National Furtherance of Golf Director and the Captains of all Member Clubs or their nominated representatives.

**15.2 Function**

The function of the Management Committee shall be to deal with matters of routine nature affecting Nomads as a whole which require attention during the period between meetings of the National Council and put into effect decisions taken at a National Council Meeting.

**15.3 Notice of Meeting**

Notice of all meetings of the National Management Committee together with an Agenda shall be forwarded to all Club Captains and Members of the Committee by the National Secretary at least 30 days prior to the date of the meeting. Each Captain of a Member

Club shall have the right, if unable to attend in person, to nominate in writing a delegate to attend, speak and vote in his stead.

**15.4 Minutes**

Minutes of all meetings of the National Management Committee shall be recorded and circularised to the Members thereof and shall be confirmed at the next ensuing meeting of such Committee.

**15.5 Quorum**

A quorum for the National Management Meeting shall be 7 duly accredited delegates which shall include two of the National Chairman, National Senior Vice-Chairman and National Junior Vice-Chairman. If within half-an-hour from the time appointed for any meeting a quorum is not present, the meeting shall stand adjourned to the following day at the same time and place and if at that adjourned meeting a quorum is not present within half-an-hour from the time appointed for the meeting those present and entitled to vote shall be a quorum.

**15.6 Alterations to Rules of Play**

Alterations to the Rules of Play may be proposed by Member Clubs or the National Executive only and shall be made only at a National Council or Management Meeting. Notice of any proposed amendment or addition to the Rules of Play shall be made in writing to be in the hands of the National Secretary not less than 45 days before the date of any National Council or Management Committee Meeting, and the National Secretary shall forthwith and not less than 30 days before such Meeting advise Member Clubs and

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other Members of the National Council or National Management Committee in writing of any proposed alteration to the Rules of Play.

**15.7 Voting****15.7.1**

Each of the following persons shall have one vote: the National Chairman, the Immediate Past National Chairman, the National Senior Vice-Chairman, the National Junior Vice-Chairman, the National Secretary, the National Treasurer, the National Golforama Director, the National PRO, the National Andrew Mentis Director and National Furtherance of Golf Director, Honorary Life Members (when official delegates). Each Member Club, represented by the Captain or his nominee, shall have four votes.

**15.7.2**

At meetings of the National Management Committee all persons holding offices in terms of 13.3.2 and 13.4.2 of this Constitution are excluded from voting on matters that are related in any respect to the activities of their respective Non-Profit Companies, namely the Andrew Mentis Nomads Foundation or Furtherance of Golf Nomads Foundation, or any future derivative thereof.

Subject to anything contrary herein contained, matters shall be decided by a majority, whether on a show of hands or by ballot and the National Chairman shall in all instances have a second or casting vote.

**16. CO-OPTION OF MEMBERS**

Either the National Council or the National Management Committee shall be empowered to co-opt additional delegates to deal with specific functions of Nomads but such co-opted Members shall have no voting rights.

**17. DECISION OF NATIONAL COUNCIL AND NATIONAL MANAGEMENT COMMITTEE**

All decisions made and taken by the National Council and National Management Committee shall be final and binding on all Member Clubs and on all Members of Nomads.

**18. MEMBER CLUB EXECUTIVE COMMITTEE****18.1 Function**

Each Member Club Executive Committee shall deal with matters affecting the affairs of such Members Clubs and such matters as it considers should be referred to the National Council or National Management Committee for attention. All decisions taken will be by a majority vote of the Members of the Club Executive Committee but in the event of an equality of votes the Captain shall have a second or casting vote and such decisions shall be binding upon all Members of the Member Club.

**18.2 Constitution**

The Executive Committee of a Member Club shall comprise the following:

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The Immediate Past Captain;  
 The Club Captain;  
 The Vice-Captain;  
 The Secretary;  
 The Treasurer;  
 The PRO;  
 The Golorama;  
 The Andrew Mentis Endowment Fund;  
 The Furtherance of Golf;

and such other functional officers as may be considered desirable. In addition a Member Club shall be entitled to elect a Junior Vice-Captain.

The Member Club functional officers are required to liaise directly with and take instruction from their National Executive counterpart on all matters that are of a National nature and to report these communications to their respective Club executive committees.

### 18.3 Term of Office

The Club Captain shall assume office at the conclusion of the annual Gold Cup Meeting and shall remain in office until the following annual Gold Cup Meeting at which his Vice-Captain shall succeed him.

18.3.1 The term of office of appointed officers of the National Executive and Club Committees shall terminate at the end of the appointed year of office.

### 18.4 Election of Office Bearers

18.4.1 At the Annual General Meeting of each Member Club, each Member Club shall elect a Vice-Captain to succeed the existing Vice-Captain and Member Clubs shall be entitled but not obliged to elect a Junior Vice-Captain who shall also be elected at such Annual General Meeting. The Secretary, Treasurer and other functional Officers shall be appointed to their offices at the invitation of the Club Captain but in the interests of effective management and continuity 'en bloc' changes should not be made. In the event of more nominations than required for Vice-Captain and Junior Vice-Captain being received, elections shall be based on a weighted preference system. Each eligible voter shall place a "one" next to the name of his preferred candidate, "two" next to his second preference and so on down to that number which is equal to the number of candidates, for his least preferred candidate. The candidate with the lowest combined total is then declared elected. In the case of a tie the candidate who receives the most numbers of "one" is declared elected. If there is still a tie the candidate who receives the most numbers of "two" is declared elected and so on. In the event of an equality in total numbers the Chairman shall exercise a casting vote. Provided that in the event of there being more nominations than one for the office of Vice-Captain the unsuccessful candidate shall automatically qualify as a candidate for election to Junior Vice-Captain (should the Member Club have decided to appoint one) without having to be specifically nominated thereto.

18.4.2 Candidates for election to the aforesaid offices shall be nominated and seconded in writing, by Club Members in good standing, which nomination and the acceptance by the nominee shall be in the hands of the Club Secretary not less than 30 days before the date of the Annual General Meeting.

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- 18.4.3 Immediately after the date of the closing of the nominations and not less than 14 days before the date of the said meeting, the Club Secretary shall advise Members in writing of the candidate(s) so nominated.

#### 18.5 Annual General Meeting

Every Member Club shall hold an Annual General Meeting of Members between 1<sup>st</sup> March and 30<sup>th</sup> April in each year. A notice of the day, hour and business of the Annual General Meeting shall be posted to all Members at least 21 days prior to the date of the meeting. The procedure to be adopted at such Annual General Meeting shall be as follows:

- 18.5.1 To read the notice convening the meeting.
- 18.5.2 To confirm the Minutes of the previous Annual General Meeting and of any Special General Meeting.
- 18.5.3 To receive and consider the Captain's Annual Report on the affairs of the Club together with the independently reviewed annual financial statements for the year.
- 18.5.4 To elect a Vice-Captain and if so desired a Junior Vice-Captain.
- 18.5.5 To appoint an Auditor.
- 18.5.6 To deal with any other business concerning the affairs of the Club.

#### 18.6 Quorum at Annual General Meeting

25 Members present and entitled to vote shall constitute a quorum. Should there be no quorum within 30 minutes of the advertised time for the meeting, the meeting shall stand adjourned for one week when it shall be held at the same place and time, and if at that adjourned meeting a quorum is not present within half-an-hour from the time appointed for the meeting those present and entitled to vote shall be a quorum.

#### 18.7 Special General Meetings

- 18.7.1 The Secretary shall at the request of the Captain of a Member Club or upon receipt of a requisition signed by at least 25 Members in good standing specifying the object for which the meeting is desired call a Special General Meeting.
- 18.7.2 The notice calling a Special General Meeting shall state the object for which the meeting is called and no other business may be transacted at that meeting. The Secretary shall give at least 14 days notice to all the Members of the Member Club of the time and place fixed by the Executive Committee of the Member Club of such meeting.
- 18.7.3 A quorum for a Special General Meeting of a Member Club shall, subject to the provisions of Clause 18.11.2 hereof, be 20% of the Members or 25 in number present and entitled to vote whichever is the larger. If within half-an-hour from the time appointed for any meeting as above, a quorum is not present, the meeting shall, subject to the provisions of Clause 18.11.3 hereof, be abandoned.

#### 18.8 Minutes

Minutes of all meetings of the Executive Committee of Member Clubs, Annual General Meetings of Member Clubs and Special General Meetings thereof shall be recorded and shall be confirmed at the next ensuing meeting of the body concerned and as many copies as shall be required by the National Secretary shall be forwarded to him.

#### 18.9 Annual Financial Statements

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The Honorary Treasurer of each Member Club shall keep a true and proper account of all the income and expenditure of his Member Club. He shall present annual financial statements as at the end of each financial year and a registered firm of Chartered Accountants shall be appointed (and, if necessary, removed and replaced) to undertake an independent annual review of these financial statements. The Honorary Treasurer of each Member Club will present the independently reviewed annual financial statements to the Annual General Meeting of the Member Club and upon it being confirmed at such meeting shall forward a copy thereof to the National Treasurer in time for presentation at the National Council Meeting each year. Copies of such annual financial statements shall be made available to all Members of the Member Club. Funds received by the Member Club shall be banked in the name of that Member Club and shall be operated upon by two signatories out of five appointed by the Executive Committee of the Member Club.

#### 18.10 Quorum

A quorum for a Club Committee Meeting shall be a majority of the Club Committee portfolio holders which shall include any two of the Captain, Immediate Past Captain, Senior Vice-Captain and Junior Vice-Captain. If within half-an-hour from the time appointed for any meeting a quorum is not present then the meeting shall stand adjourned to the following day at the same time and place and if at that adjourned meeting a quorum is not present within half-an-hour from the time appointed for the meeting those present and entitled to vote shall be a quorum.

#### 18.11 Voting

Each Member present and entitled to vote shall be entitled to one vote at both the Annual General Meeting and the Special Meetings. In the event of an equality of votes the Captain shall have a second or casting vote.

#### 18.12 Inability of an Elected Club Executive Officer to act

- 18.12.1 In the event that an elected Member of a Club Executive be unable to continue his duties then the procedure to be followed for his replacement shall be as laid down from time to time by the National Executive in conjunction with the affected Club. In no circumstances may a Captain or Vice-Captain (as opposed to an Acting Captain or Acting Vice-Captain) assume the position without being elected at an Annual General Meeting or a Special General Meeting.
- 18.12.2 The quorum at Special General Meetings called in terms of Clause 18.11.1 shall be 25 Members present and entitled to vote.
- 18.12.3 Should there be no quorum within 30 minutes of the advertised time for the meeting, the meeting shall stand adjourned for one week when it shall be held at the same place and time, and if at that adjourned meeting a quorum is not present within 30 minutes from the time appointed for the meeting those present and entitled to vote shall be a quorum.

### 19. CAPITATION FEES

- 19.1 Each Member Club shall pay to the National Council such fee in respect of each of its Members (excluding Non-Playing Members and National Sponsor Members) registered as at 1st January annually as may be decided by the National Management Committee from time to time. Payment of these fees shall reach the National Treasurer annually by not later than 28<sup>th</sup> February. Should any Member Club not have paid by the Management or by the Council Meeting following due date, then that Club shall be disqualified from

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voting at such Meeting. Participation in a National Tournament shall be denied any Club not having paid capitation fees by the date of the start of the Tournament.

- 19.2 Should any Club have paid a Capitation Fee in respect of any Member whose membership was subsequently terminated for non-payment of subscriptions, the National Treasurer shall refund the fees paid. Claims, in writing, for any such refund should reach the National Treasurer on or before 31<sup>st</sup> March each year.

## 20. CLUB MEETINGS

- 20.1 Each Member Club shall hold a golf competition at least 12 times each year to be played monthly if possible.
- 20.2 Each Member club shall conclude all its annual competitions on or before its Annual Gold Cup Meeting which shall be held during either the month of March or April.
- 20.3 Each Member Club may from time to time arrange Special Meetings to foster goodwill amongst golfers or for any charitable purpose.
- 20.4 At any Club Meeting of a Member Club no Member participating shall play off a handicap higher than his Club Handicap.

## 21. ANNUAL COMPETITIONS

Each Member Club shall conduct, in addition to any other competitions, the following annual competitions and shall follow the rules as laid down from time to time by the National Council and/or the National Management Committee. Such competitions shall terminate when the Annual Gold Cup competition is held, namely:

- 21.1 The Gary Player Knock-Out Competition.
- 21.2 The Andrew Mentis Competition.
- 21.3 The Annual Eclectic Competition.
- 21.4 The John Handley Trophy.
- 21.5 The Gold Cup Competition.

## 22. DISCIPLINE

- 22.1 Should any Member, in the opinion of the National Council, National Management Committee or his Member Club Executive Committee, commit any wilful breach of the Constitution, Rules, Regulations or Bye-Laws of Nomads, or be guilty of improper, dishonest, unsportsmanlike or unseemly conduct or of conduct which is prejudicial to the interests of Nomads, whether within the bounds of Nomads or outside then such Committee shall have the power
- 22.1.1 To expel such Member, or
- 22.1.2 To deprive such Member of all or any rights and advantages of his or her membership during such time or period as such Committee in its absolute discretion may deem fit and advisable; or
- 22.1.3 To call upon such Member in writing through the Secretary to resign and if he fails to resign within 7 (Seven) days of the date of such request to expel such Member; or
- 22.1.4 To reprimand such Member.
- 22.2 Any Member under suspension, for whatever reason, by their Member Club, shall likewise be de-barred from participating in any of the activities of any other Nomads Club for the duration of that suspension.

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- 22.3 Notwithstanding anything hereinbefore contained, no Member shall be expelled or suspended for a period exceeding two months unless and until such Committee shall have given him an opportunity to appear before it at such time and place as it in its discretion may deem fit, to explain his or her conduct. At any such hearing such Committee shall determine the procedure to be adopted, but such Committee shall have the power to summon any Member or any person to appear before it to give evidence for or against such Member and any such Member shall have the power to cross-examine any such witness, and shall have the power to tender the evidence of any Member or any other person he may deem fit, and in addition the following shall apply:
- 22.3.1 For the purpose of considering the expulsion of a Member, a quorum of two-thirds of such Committee shall be present. At least three-quarters of the votes of those present at such meeting must be in favour of the decision.
- 22.3.2 It shall not be incumbent upon such Committee to state its reasons for such expulsion, and no Member shall have cause for action for alleged wrongful expulsion.
- 22.3.3 It shall be obligatory on the Member Club to notify all the other Member Clubs of any membership which they have been compelled to terminate or of the resignation of a Member in circumstances set out above.
- 22.4 Any Member expelled as a result of a decision of his Member Club shall be entitled to appeal against such decision to the National Council. The appeal by the expelled Member shall be lodged in writing with the National Secretary within 14 days of the decision of his Member Club and shall state such expelled Member's grounds of appeal and a copy thereof shall simultaneously be delivered to the Secretary of his Member Club. In such event the Secretary of such Member Club shall, within 30 days of the noting of such appeal, transmit a copy of the proceedings of the meeting at which the decision to expel such Member was taken together with a résumé of the evidence led, and the findings of the Member Club and its reasons therefor, duly certified by the Captain of the Member Club as being a correct record of the proceedings to the National Secretary. The National Secretary shall circularise copies thereof to the Members of the National Council to be received by them not later than 30 days before the next annual meeting of the National Council. Such appeal shall be adjudicated upon by the National Council who shall not be competent to hear additional evidence but who shall receive argument from such expelled Member and the Captain of his Member Club in that order. The expelled Member shall be entitled to a right of reply. Having heard such argument the National Council shall allow or disallow such appeal on a majority vote but the Member Club of which the expelled Member is a Member shall have no vote. Pending the outcome of the appeal, such expelled Member's membership shall be suspended and all his rights and obligations shall be suspended until the decision of the National Council shall be made known. The decision of the National Council shall be final and binding.

## 23. NATIONAL TOURNAMENT

- 23.1 Nomads shall hold a National Tournament at a centre to be decided at a meeting of the National Council. The Executive Committee of the host Club at which such Tournament is played shall nominate a National Co-ordinator whose appointment shall be subject to the approval of the National Management Committee and who, upon such approval, shall thereafter be responsible to the National Chairman and the National Council.

The National Coordinator shall then appoint a Steering Committee to recommend, based on a majority decision, the venue and dates for the event.

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Each Member Club shall nominate a Club Coordinator who shall attend to the local coordination of its Members and arrange for their attendance at the National Tournament in collaboration with the National Coordinator. The National Council or National Management Committee shall decide the entrance fee payable and the manner in which such Tournament shall be conducted and played.

- 23.2 During the National Tournament, such competitions shall be held as shall be decided by the National Council from time to time. The National Council shall decide on what trophies shall be awarded to the participants of such competitions.
- 23.3 A Non-Playing category of Members shall be recognised at National Tournaments. Such Members shall not be entitled to play in the Tournament but shall be entitled to participate in all official Tournament functions including the right to receive all regalia to which playing Members are entitled. Non-Playing Members shall be obliged to pay the Tournament entry fee. The number of Non-Playing Members, if any, shall be determined by the National Coordinator for the Tournament concerned, who shall allocate the number of vacancies per Member Club in accordance with such formula laid down by the National Management Committee from time to time. Selection at Club level of Non-Playing Members shall be at the discretion of Club Coordinators according to such formula as laid down by the Member Club Executive Committee concerned from time to time.

#### **24. INTERPRETATION OF CONSTITUTION AND RULES**

In case of doubt as to the meaning of any of the Rules of Nomads the interpretation of the National Council shall be binding upon all Members. Any decision of the National Council in terms of this rule shall not affect the validity of anything done in conformity with a decision of the National Council prior to such decision being reversed or altered.

#### **25. WINDING –UP**

- 25.1 Nomads may be wound-up and the property or assets disposed of by a resolution passed at a meeting of the National Council specially called for that purpose by a three-fourths majority of those Members present and eligible to vote.
- 25.2 The net proceeds of such winding-up shall be awarded to a charity to be nominated by a majority of the National Council provided that nothing herein contained shall prevent a Member Club from distributing such funds as may have been allocated to particular charities prior to the decision to affect a winding-up, and such Member Club shall notwithstanding the fact that such distribution takes place after the decision to wind-up nevertheless be empowered to effect such payments.
- 25.3 No such resolution to wind-up shall be passed unless notice of the proposal has been given to the National Council and all Member Clubs for a minimum period of 3 (Three) calendar months prior to the date of the meeting.

#### **26. NOMADS ANDREW MENTIS ENDOWMENT FUND COMMITTEE**

- 26.1 There shall be constituted a Club Committee to be known as the Nomads Andrew Mentis Endowment Fund Committee and which shall be chaired by the Club's Vice-Captain and include the Club's NAMEF Portfolio holder and any other member nominated and appointed by the Vice-Captain at the outset of his term of office.



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- 26.2 In their inaugural year Clubs formed after 1<sup>st</sup> July are not required to hold a Nomads Andrew Mentis Endowment Fund Tournament.
- 26.3 Subject to all the necessary formalities relating to the acceptance of the proposed beneficiary(ies) and the project(s) for which funds are being raised having been approved by the Andrew Mentis Nomads Foundation Non-Profit Company through its Nomads Andrew Mentis Endowment Fund Director, such tournament may be held, annually, at any time during the period between 1<sup>st</sup> July and 31<sup>st</sup> December annually.
- 26.4 The net proceeds raised by each Member Club as a result of such tournament shall be donated by such Club to a charity or charities approved by the Andrew Mentis Nomads Foundation Non-Profit Company through its Nomads Andrew Mentis Endowment Fund Director.
- 26.5 Each Member Club shall be entitled to canvass for donations by seeking sponsorship of golf tees and golf greens on the day of the tournament, by running ancillary competitions or otherwise in a manner not disallowed by the Andrew Mentis Nomads Foundation Non-Profit Company through its Nomads Andrew Mentis Endowment Fund Director.
- 26.6 The Vice-Captain of each Member club shall be responsible for the conduct of the tournament and the raising of funds. All decisions taken will be by a majority vote of the members of the Club's Andrew Mentis Endowment Fund Committee but in the event of an equality of votes, the Vice-Captain shall have a second or casting vote and such decision shall be binding upon all Members.
- 26.7 The Vice-Captain of each Member Club shall as soon as possible after the conclusion of the tournament submit an income and expenditure statement certified by him as being correct to the National Nomads Andrew Mentis Endowment Fund Director and shall transfer the excess of such funds in an account with a recognised financial institution. Such finalised statement shall in any event be forwarded to the said Director to be received by him not later than 28<sup>th</sup> February following upon such tournament.
- 26.8 The Vice-Captain of each Member Club shall submit a written report to the National Nomads Andrew Mentis Endowment Fund Director stating the methods employed in the raising of funds, the use to which the net proceeds of the fund raising were put, the publicity accorded to the fund raising events and a short résumé on the conduct of these events. Such report shall be received by the said Director by not later than 28<sup>th</sup> February following on the Nomads Andrew Mentis Endowment Fund tournament, who then shall distribute copies thereof to the Members and Directors of the Andrew Mentis Nomads Foundation Non-Profit Company for consideration at their Annual General Meeting.
- 26.9 Upon receipt of all income and expenditure statements, the Andrew Mentis Nomads Foundation Non-Profit Company Treasurer shall compile a financial report and financial account in respect of all fund raising events for submission by the Nomads Andrew Mentis Endowment Fund Director or his nominated representative together with his written report for consideration at the Andrew Mentis Nomads Foundation Non-Profit Company Annual General Meeting.

**27. RULES OF PLAY, REGULATIONS AND BYE-LAWS**

- 27.1 The National Council or the National Management Committee shall be entitled to issue and amend Rules of Play, governing the method of conducting various golf tournaments from time to time and the Regulations and Bye-Laws governing the affairs of Nomads, in terms not inconsistent with this Constitution.
- 27.2 Member Clubs shall be entitled to issue and amend Regulations and Bye-Laws governing the affairs of such Member Clubs in terms not inconsistent with this Constitution.

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CONSTITUTION

**28. PREVIOUS CONSTITUTIONS**

Any acts performed or decisions taken in terms of any previous Constitutions of Nomads shall be as valid and effectual as if the same had been validly performed or executed in terms of the provisions of this Constitution notwithstanding the fact that this Constitution may not provide for their performance or execution.

**29. CASUS OMISSUS**

In the event of any 'Casus Omissus' in the Constitution the National Council shall decide as it considers best and proper.

**30. DATE OF COMING INTO FORCE**

This Constitution shall come into force on the date set out at the foot hereof and upon the signing hereof by the National Chairman.

**BY ORDER OF THE  
NATIONAL COUNCIL OF NOMADS**

The above is a complete copy of the Constitution of the Nomads Golf Club – South Africa as it currently stands following the last meeting of the Nomads National Body held on 7<sup>th</sup> November 2015.

.....  
G. Rodwell  
National Chairman

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S. Lee  
National Secretary