

MBABANE GOLF CLUB BY-LAWS

1. NAME

The name of the club shall be “Mbabane Golf Club”.

2. OBJECTS

As per the provisions of the Mbabane Main Club Constitution - Section 38, the Mbabane Golf Club shall operate as a section of the Mbabane Main Club and as such all functions shall be governed by the Mbabane Club Constitution.

The objects of the Mbabane Golf Club shall be the promotion, advancement and encouragement of the game of golf by:

- a. fulfilling the bona fide, general objectives and functions of a Golf Club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives;
- b. arranging tournaments, competitions and championships for its members;
- c. affiliating to one or more recognised Golf Unions of Golf Associations;
- d. leasing and/or purchasing land and/or equipment suitable for the purposes and functions of the Club;
and
- e. selling and dealing in liquor, mineral/aerated water, cigars, cigarettes, tobacco, matches, other related products as well as refreshments, foodstuffs and golfing equipment in accordance with the provisions of the current Liquor Act, and by obtaining the necessary statutory, provincial and municipal licences and permits necessary for the above.

3. RULES OF THE GAME

The rules of the game of golf shall be those of the Royal and Ancient Golf Club of St. Andrews, subject, however, to such modifications, alterations and additions as may be necessary in the opinion of the general committee, to suit local circumstances and conditions, provided that such modifications, alterations and additions shall not be inconsistent with the aforementioned rules.

4. MEMBERSHIP

The membership and types of membership thereof shall be as defined by the “Mbabane Club Constitution”.

5. APPLICATION FOR MEMBERSHIP

A person desiring to be a member of the “Mbabane Golf Club” shall do so by written application for such membership to the “Mbabane Club”.

6. RIGHTS OF MEMBERSHIP

Membership of the Club does not and shall not give to any member of any category any right, title, interest, claim or demand in or to any of the monies, property or assets of the Golf Club, but only confers upon such member the right and privilege of entering into and upon the grounds and erections of the Golf Club, and to use the same in accordance with the uses to which they are devoted by the Committee of the Golf Club, and subject to such restrictions and charges as the Committee may from time to time impose, and subject to the Rules, and Regulations of the Golf Club from time to time in force.

7. FEES

a. MEMBERSHIP FEES

- i. As a sub-section of the Mbabane Main Club, all membership fees shall be managed by the aforementioned body.
- ii. Such fees may be amended from time to time by the general committee of the Mbabane Main Club.
- iii. Golf Membership recognition may only be granted following verification by the general committee of a member's subscription status with the Mbabane Main Club.
- iv. Any member who shall fail to pay his subscription when due as provided for under section 14 and 15 of the Mbabane Main Club constitution, may have his Golf Membership revoked.

b. AFFILIATION FEES

Mbabane Golf Club by virtue of any affiliation to any recognized local governing body may levy affiliation fees to members.

- i. The fees payable by members shall be such amount as the Committee may from time to time determine.

c. GREEN FEES

- i. The fees payable by members shall be such amount as the Committee may from time to time determine, but no increase in excess of 20% (twenty percent) above the prevailing fee may take place without the approval of full members given at a General Meeting or an Extra-Ordinary General Meeting.

d. COMPETITION FEES

- i. The fees payable by members shall be such amount as the Committee may from time to time determine.

e. HANDICAP FEES

- i. The fees payable for the maintenance of a handicap system on behalf of members shall be such amount as the Committee may from time to time determine.
- ii. The fees are payable in respect of the Golf Club's financial year and shall become due on the first day of February of each year.

8. DEFAULT IN FEES

- a. Any member whose fees, other than Membership fee as mentioned in section 7(a), that have been in arrears for three calendar months shall be liable to have his or her name posted in the Mbabane Golf Club clubhouse as being in arrears, and if such member fails to pay the amount due within one month from the date of the name being posted as aforesaid, the Committee shall be at liberty to erase his or her name from the list of golf members; but such member may be reinstated by the Committee at its discretion, subject to such terms and conditions as the Committee may impose: provided, however, that before such member's name be posted as aforesaid a notice calling upon him or her to pay the arrear subscription within 14 days (fourteen) days shall be sent to such member.

9. CONDUCT OF MEMBERS

Any matters related to the conduct of members shall be governed and dealt with in accordance of section 17 of the Mbabane Club Constitution.

10. RESIGNATION

Any member desirous of resigning his golf membership shall tender his resignation in writing to the general committee, who may accept the same provided all monies due by him to the golf Club have been paid.

11. CONTROL OF THE CLUB

a. COMPOSITION OF COMMITTEE

- i. The Club shall be controlled by a general committee of eight (8) members, seven (7) who shall be elected by members of the Golf Club. This Committee shall be composed as follows: Captain, Vice-Captain, Secretary, Treasurer, Ladies Captain and two (2) additional members. In addition, the Outgoing-Captain shall also serve on the committee.
- ii. The general committee may additionally appoint a "Green Keeper" from the current elected members, or by appointment of an additional member from members of the Golf Club.
 1. Such member will not form part of the general committee, but may be called upon to provide reports and attend general meetings of the general committee.
- iii. The Committee may invite any member of the Club or management to attend a meeting or meetings of the Committee or Sub-committees. Such persons do not have voting rights at such meetings.

b. ELECTION OF COMMITTEE

- i. The eight (8) Committee members are elected at the Annual General Meeting by a majority vote.
- ii. Candidates for election are nominated in writing by a proposer and seconder and this nomination is accepted in writing by the candidate. Such nomination is posted on the Mbabane Club's notice board at least seven days before the Annual General Meeting.

- iii. If a vacancy occurs on the Committee, the Committee has the right to fill such a vacancy by co-opting a member and such co-opted member shall be taken as elected at the Annual General Meeting at which the member in whose place he has been co-opted, was elected. Such a co-opted person remains a member of the Committee until the first Annual General Meeting after his co-option.
- iv. A retiring member of the Committee shall be eligible for election to any position on the Committee without written nomination provided notice of his intention to do so is posted on the Notice Board at least seven days prior to the Meeting. A member other than a retiring member of the Committee, shall be eligible for election to the Committee only if a nomination signed by two Full Members and endorsed with the consent of the nominated member has been received by the Club at least 7 (seven) days prior to the date of the Meeting.
- v. The Captain and Vice-Captain are elected annually at the Annual General Meeting, before the additional members of the general committee are elected and must be specifically nominated for these offices.
- vi. The position of Captain is extended to the previous committee's Vice-Captain provided such nomination is confirmed and signed by two members and additionally endorsed with the consent of the nominee.
- vii. Any person nominated to the office of Captain but not elected as such is eligible as Vice- Captain or as a member of the Committee. Any person nominated for the office of Vice- Captain but not elected as such is eligible as a member of the Committee.
- viii. All elected members shall be provided and familiarize themselves with the Mbabane Club Constitution and the Mbabane Golf Club By-Laws.

c. CAPTAIN

- i. Candidates for the position of Captain are nominated in accordance with section 10(b), and elected in the same manner as ordinary committee members. The captain holds office for a term of one year and may serve a maximum of two consecutive terms.
- ii. The Captain takes the chair at all general meetings of the golf club and in his absence the vice-captain, or in his absence, the immediate past-captain. If the immediate past-captain is also absent, the meeting shall elect a chairman from among those members present.
- iii. Shall the captain not complete his/her term, the vice-captain will be confirmed as captain for the remainder of the term.

d. COMMITTEE MEETING ROCEDURES

- i. The Committee shall hold regular meetings preferably once every month or more often as occasion requires.
- ii. At least two (2) clear days notice shall be given of all meetings of the Committee, unless all members of the Committee agree to accept a shorter notice.

- iii. At all meetings of the Committee, five (5) shall constitute a quorum.
- iv. Any member of the Committee absenting himself or herself without leave from more than three consecutive meetings, of which due notice has been given, shall cease to be a member of the Committee, provided that such three meetings do not take place within a period of thirty days.
- v. All decisions at Committee Meetings shall be decided by a majority of votes, unless otherwise specified herein, and the declaration of the result by the Chairman shall be conclusive.
- vi. The Chairman of a Committee meeting shall have a casting vote in addition to a deliberative vote.
- vii. A committee meeting may be convened at the request of the Chairman or on the written request of at least two members of the Committee.

e. CHAIRMAIN OF COMMITTEE

- i. The Captain takes the chair at all general meetings of the club and in his absence the vice-captain, or in his absence, the immediate past captain. If the immediate past-captain is also absent, the meeting shall elect a chairman from among those members present.
- ii. The chairman of any meeting shall have a casting vote in addition to his deliberative vote.

12. LIABILITY OF COMMITTEE

The members of the Committee and Sub-Committees are hereby indemnified and held harmless against any loss or damage that may be suffered as a result of endeavours made by them in good faith to give effect to the duties and powers vested in them.

13. STAFF MEMBERS

The staff members of the Mbabane Golf Club, being a sub-section of the Mbabane Main Club, fall under the provisions of the Mbabane Main Club, including the management and discipline thereof.

14. FINANCES

- a. The general committee shall be responsible for the finances and running of the Golf Club.
- b. The financial year of the Club shall commence on the 1st September in each year.
- c. The Golf Club shall maintain a banking account with a reputable and licensed commercial bank in Mbabane, in the name of "Mbabane Golf Club".
- d. All cheques drawn on the account shall be signed by any two of the following: Captain, Vice-Captain, Secretary, Treasurer and any other person authorised by the general committee.
- e. The general committee shall be responsible for the maintenance of true accounts of the sums of money received and expended by the Club, and the matter in respect of which such transactions take place. Such records shall be open for inspection by members at any reasonable time.

- f. Monthly accounts shall be prepared within twenty-one days after the month end and tabled at the next monthly meeting of the general committee.
- g. At the close of the financial year, the Treasurer will cause to have drawn up a statement of accounts for the year and a balance sheet at the annual general meeting.
- h. Such accounts as approved and adopted by members must be submitted to the Mbabane Main Club.

15. ANNUAL GENERAL MEETING

- a. The annual general meeting shall be held during the month of September of every year, subject however to paragraph 14(b) below, and at least fourteen days notice of the time, date and place of the meeting shall be given by either:
 - i. the posting of a copy of the notice to every member;
 - ii. the display of a copy on the notice on the Mbabane Main Club notice board.
- b. The business of the annual general meeting shall be:
 - i. to amend, if necessary, and confirm the minutes of the previous annual general meeting;
 - ii. to receive and consider a report presented by the Captain and the finalized statements of accounts and balance sheet in respect of the year ended 31 August;
 - iii. to elect the Captain and Vice-Captain as provided herein;
 - iv. to elect a general committee as provided herein;
 - v. to consider any resolution concerning the affairs of the Golf Club of which due notice has been given and any business concerning the affairs of the Golf Club which is brought under consideration by the aforesaid reports and financial statements.
- c. Notice of any resolution to be proposed at the annual general meeting, other than ordinary business, must be lodged with the secretary at least five days before the date fixed for such meeting, and be posted by the secretary on the notice board for at least three days before such meeting.

16. EXTRA-ORDINARY GENERAL MEETING

The general committee shall have the power to call an extraordinary general meeting at any time by giving the same notice thereof as for an annual general meeting. The general committee shall in like manner call an extraordinary general meeting on requisition for the same, stating the purpose thereof, signed by at least two golf members and two committee members. The notice convening the meeting shall state the purpose thereof and at the meeting no other matter shall be discussed.

17. QUORUM OF MEMBERS

- a. No business shall be transacted at any general meeting unless a quorum of members be present, and the quorum shall be twenty members.
- b. a quorum is not present at any general meeting within thirty minutes of the time fixed for it, the meeting shall be postponed by the chairman to a later date not

exceeding seven (7) days ahead and at that date whatever members are present shall constitute a quorum.

18. AMMENDMENT OF BY-LAWS

No amendment or addition to these by-laws may be made except by resolution passed at a general meeting and carried by at least two-thirds of those members present thereat.

19. GENERAL

- a. Proper books shall be kept at all times.
- b. Any member of the Club is entitled to raise a complaint about any aspect of the Club, provided that he/she submits it in writing to the Captain or Vice-Captain.
- c. Any unlawful game of any kind whatsoever is strictly forbidden.
- d. Any letter, whether accounts or notices, to a member, shall be sent to his/her last known address.
- e. Notices regarding moneys in arrears or dealing with any matter which may result in a member's expulsion shall be sent by registered post and the Manager shall keep the receipt as proof of mailing.
- f. All cups and trophies remain the property of the Club and may not be removed from the Club's premises unless otherwise determined by the Committee.