

RONDEBOSCH GOLF CLUB CONSTITUTION

2024

As Amended 25TH JULY 2024

1. DEFINITIONS

- 1.1. In this Agreement, unless the context specifically indicates the contrary, words importing the masculine gender shall include the feminine gender and words importing the singular shall include the plural.
- 1.2. **Club** means Rondebosch Golf Club
- 1.3. **Club Manager** means an employee of the Club appointed as such by the ExCo with powers delegated to enable the Club Manager to administer the Club's affairs
- 1.4. **Club Website** means a website set up and maintained by the Club for the purpose of communicating with members and others
- 1.5. **ExCo** means the Executive Committee as constituted by clause 17 hereof
- 1.6. **Member** means a person defined in clause 0 hereof
- 1.7. **Notice Board** means a place designated as such by the Club Manager and visible to members at reasonable times and shall include the Club Website
- 1.8. **PAC** means the President's Advisory Council as constituted by clause 16 hereof
- 1.9. **Woman** means a biologically female person

2. NAME

- 2.1. The name of the Club is the **RONDEBOSCH GOLF CLUB** hereinafter referred to as "the Club."
- 2.2. The Club shall be a Body Corporate having an existence independent of its members and, subject to Clause 24, with perpetual succession, capable of suing and being sued in its own name.
- 2.3. The Club shall be a member of the Western Province Golf Union or its successors in title.

3. OBJECTIVES OF THE CLUB

- 3.1. The objectives of the club shall be to operate as a non-profit organization that provides opportunities for and promotes and encourages the playing of the game of golf.
- 3.2. The Club's income and property will not be distributable to its members or office-bearers, except as reasonable compensation for services rendered and members or office-bearers will have no rights in the property or other assets of the Club solely by virtue of their being members or office-bearers.

4. RULES AND ETIQUETTE OF THE GAME

The rules and etiquette of the game shall be those determined by the Royal and Ancient Golf Club of St Andrews and by the South African Golf Association and such rules and by-laws as may from time to time be made by the Executive Committee.

5. MEMBERSHIP

- 5.1. A Member shall have the right and privilege at all times to enter into and upon the Club premises and course and to use the Club premises and course and to use the Club house and grounds, and their amenities and to play on the course, subject to the traditions, customs and practices of the Club and to such rules, by-laws, conditions and restrictions as this Constitution and the Executive Committee may from time to time impose either generally or with reference to particular classes or categories of Members or particular occasions circumstances.

- 5.2. Membership of the Club shall consist of the following categories defined as follows:

- 5.2.1. Life

- 5.2.1.1. A person who has been elected to Life membership at an



Annual General Meeting in recognition of services rendered to the Club shall be entitled to all privileges of membership without payment of subscription. Life members shall be liable for the payment of members' Playing Fees.

5.2.1.2. All nominations for Life Membership shall be submitted to the Executive Committee at least two months before the Annual General Meeting, which shall decide:

5.2.1.2.1. whether the nomination fulfils the qualifications for Life Membership and:

5.2.1.2.2. in consultation with the nominator whether the nomination shall be submitted for consideration to the Annual General Meeting. The decision of the Executive Committee shall be final.

5.2.1.2.3. All nominations for Life Membership at an Annual General Meeting shall be by resolution of the meeting and the members shall be given fourteen (14) days' notice of any such resolution.

5.2.2. Full Playing

A Full Playing Member shall be not less than 18 (EIGHTEEN) years of age. He or she shall be entitled to the full privileges of the Club (subject to any by-laws pertaining thereto) and the entitlement to play on the course at all times, subject to any reservation in regard thereto as may from time to time be laid down by the Executive Committee. He or she shall be entitled to vote at General Meetings.

5.2.3. Senior

A Senior Member is a member of not less than 10 years standing over the age of 65 (SIXTY FIVE).

5.2.4. Honorary

An Honorary Member is a person who holds a public office or who has conferred a benefit on the Club and may be elected as such at an Annual General Meeting. Such election shall be for one year only but may be repeated annually. He or she shall be entitled to all the privileges of membership without payment of entrance fee or subscription but shall not be entitled to vote at General Meetings. Should an Honorary Member wish to play golf, he or she shall pay the Full Member's Playing Fee.

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5.2.5. Junior

- 5.2.5.1. A Junior member is a member under the age of 23 (TWENTY THREE) who may use the Club only under such conditions as may be decided upon from time to time by the Executive Committee.
- 5.2.5.2. After attaining the age of 18 (EIGHTEEN), a Junior Member may be elected to Full Playing membership.
- 5.2.5.3. A Junior Member, who has graduated to any other category of membership from Prentice Membership, shall not be required to pay an entrance fee on election thereto.

5.2.6. Student

A Student member is:

- 5.2.6.1. any full-time student, under the age of 25 years, at any recognised University or other institute of tertiary learning and who provides the Club with proof that he or she is engaged in full time study and shall be subject to the same conditions of membership as a Junior Member or,
- 5.2.6.2. any full-time student, over the age of 25 years, at any recognised University or other institute of tertiary learning and who provides the Club with proof satisfactory to the Executive Committee that he/she is engaged in full time study and is not earning income and shall be subject to the same conditions of membership as a Junior Member.

5.2.7. Prentice

The Executive Committee in its discretion may permit persons under 18 (EIGHTEEN) years of age to play under conditions as may be determined and such members shall be Prentice Members. Prentice Members may be elected subsequently to any other category of membership without payment of Entrance Fees.

5.2.8. Non-Playing

A person who has been a Member of any of the foregoing categories and who is unable to play for reasons which are satisfactory to the Executive Committee, or a person who has been a Playing Member (Full) for at least 5 years, may be transferred to the category of Non-Playing at his or her own request and subject to the discretion of the Executive Committee. Such Non-Playing Members have no playing

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privileges nor have the right to vote at General Meetings.

5.2.9. Visitors

Any person not being a Member, who pays the requisite Playing Fee shall be entitled to the privileges of the Club as set out in Clause 5.1 above for the day upon which he/she so plays.

5.2.10. Guests

5.2.10.1. Any Member may introduce any person as a guest and shall pay the guest fee for such person. Categories of guests and the guest fee for each category of Guest shall be determined from time to time by the Executive Committee.

5.2.10.2. No person may be introduced as a guest more than twelve times in a calendar year. A guest may only be introduced on a Saturday afternoon by consent of the Captain. The Captain may delegate the granting of such consent to the Club Manager.

5.2.11. Associate Member

An Associate Member is one who, the Executive Committee may admit to Associate Membership and who is entitled to the full privileges of the club other than the restrictions determined by the Executive Committee. The fee structure of Associate Membership shall be determined by the Executive Committee.

6. ELECTION TO MEMBERSHIP

- 6.1. Save for Life and Honorary Members, all membership of the Club shall be accorded only to those members elected as members by the Executive Committee.
- 6.2. Candidates for election to membership shall submit the approved proposal form which shall be scrutinised by the Club Manager, who shall make appropriate enquiries regarding the background of the candidate.
- 6.3. Should the Manager not be satisfied that the candidate is a fit and proper person to be a member of the Club, he shall refer the application of such candidate to the Executive Committee for its decision.
- 6.4. A candidate not elected shall not be proposed for election again within a period of 12 (TWELVE) months from the date of the Executive Committee's decision.

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7. WOMEN'S SECTION

- 7.1. All Woman Members shall together be regarded as forming an integral section within the Club and shall be known as the Women's Section of the Rondebosch Golf Club and the members thereof regardless of category shall be referred to as Woman Members herein.
- 7.2. The Women's Section shall control its own domestic affairs, subject always to the general control of the Executive Committee of the Club.
- 7.3. The Women's Section shall elect its own Committee to be known as the Women's Committee consisting of a Captain, Vice-Captain and up to six other members, one of whom shall be appointed as honorary secretary of the section.
- 7.4. The Women's Section shall:
 - 7.4.1. convene an Annual General Meeting of Woman Members to be held before 30 June of each year at which meeting the Women's Committee referred to in clause 7.3 shall be elected.
 - 7.4.2. meet whenever the Captain of the Women's Section so directs and the Secretary of the Women's Section shall cause minutes of meetings to be kept.
 - 7.4.3. have no authority to hold funds or incur any liability on behalf of the Club without the express prior permission of the Executive Committee.
- 7.5. Any dispute concerning government of the affairs of the Women's Section or the interpretation of any of the terms of this Constitution as it applies to Woman Members, shall be referred to the Executive Committee whose decision shall be final and binding.

8. ENTRANCE FEES AND SUBSCRIPTIONS

- 8.1. Annual Subscriptions shall be determined by Members in General Meeting but the Executive Committee shall be entitled, if it considers it necessary, to increase such subscriptions by no more than 15% (FIFTEEN PER CENT) per annum.
- 8.2. The Entrance Fee payable by any other category of Member shall be determined by the Executive Committee but shall in no such category be more than applicable for Full Playing Members.

9. PAYMENT OF SUBSCRIPTIONS

All subscriptions shall be payable in advance and are payable on or before the 1st day

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of March of each year, or within such extended period as the Executive Committee in its sole discretion may in any instance allow. A member whose subscription is not paid within one month of due date shall be declared a defaulter and cease to be a member of the club. The Executive Committee has the power, however, to reinstate such member when his or her obligations to the Club have been discharged. The Executive Committee has the power to institute a debit order system for members without members forfeiting their rights and privileges. An administration fee, as determined by the Executive Committee, may be payable on all debit orders.

10. PLAYING FEES

The Playing Fees for Members and the conditions of play and playing fees for visitors shall be determined by the Executive Committee from time to time.

11. DISCIPLINARY ACTION

11.1. The ExCo shall have the power to appoint, at such times and for such purposes as the ExCo may deem fit, a sub-committee dealing with disciplinary matters ("the disciplinary committee") which shall consist of at least three members, at least a majority of whom shall be members of the ExCo other than the Captain and the Vice-Captain. The ExCo may appoint an independent person, being either a Member or not. This sub-committee shall have the following powers:

11.1.1. to convene a disciplinary enquiry to enquire into the conduct of a Member or any other person;

11.1.2. to summon a Member or such other person to attend such enquiry;

11.1.3. to determine the rules of procedure for such enquiry, provided that such rules of procedure comply with the rules of natural justice;

11.1.4. to determine, by majority vote if the members are not unanimous, whether such conduct amounts to:

11.1.4.1. a breach of the Rules of Golf; or

11.1.4.2. a breach of the Rules of Amateur Status; or

11.1.4.3. a breach of the standards of etiquette required of golfers in general; or

11.1.4.4. conduct unbecoming of a golfer; or

11.1.4.5. conduct which could bring the Club or the game of golf into disrepute, if the fact of such conduct became known; or

11.1.4.6. any combination of the above.

11.1.5. to impose one or more of the following penalties:

11.1.5.1. suspension or termination of the membership of a Member;

11.1.5.2. a formal reprimand;



- 11.1.5.3. a fine;
- 11.1.5.4. suspension of a Member from playing in or attending at competitions for a period of time;
- 11.1.5.5. removal of a Member from Club representative teams or from Club office;
- 11.1.5.6. suspension of a Member from selection for Club representative teams for a period of time;
- 11.1.5.7. any combination of the above whether in the alternative or otherwise.

11.2. Any person who is found to be guilty of any of the offences set out in clause 11.1.4 above and is penalised in terms of clause 11.1.5 above shall have the right of appeal against the finding of guilt and/or the penalty to a Committee consisting of the Captain, the Vice-Captain and one other member appointed by the Captain which member shall not have been a member of the disciplinary committee which made the finding of guilt and/or which imposed the punishment. Such appeal shall be noted by the giving of written notice to the Executive of such appeal within fourteen days after the handing down of the decision of the disciplinary committee unless the ExCo shall have granted an extension of such time period in which case they shall lay down the extended time limit.

12. DEFAULTERS AND SUSPENDED OR EXPELLED MEMBERS

A member who is declared a defaulter in terms of Clause 9 or who has been suspended or expelled from the Club, shall not be permitted to use any of the facilities of the Club, including the course, even as the guest of a member or of an organisation granted the courtesy of the course.

13. RESIGNATION

A member deciding to resign his or her membership must give written notice thereof to the Club Manager before 1st March each year. Such a member shall be liable for all subscriptions or debts owing by him or her to the Club. Should no notice of such resignation be received, the membership shall be still in force. Ex-members who have resigned and apply for re-election may upon re-election, at the discretion of the Executive Committee, be exempt from payment of the entrance fee, provided all amounts due by them to the Club have been paid. In considering whether to grant such exemption the Executive Committee shall have regard to whether the ex-member resigned for the purpose of joining another Golf Club under the auspices of the WPGU.

14. GENERAL MEETING OF MEMBERS

General Meetings of Members shall ordinarily be held at the Club House.

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14.1. Annual General Meeting

An Annual General Meeting of members shall be held not later than 30th June of each year for the purpose of transacting the following business.

- 14.1.1. To confirm the minutes of the previous Annual General Meeting and any Special General Meetings held subsequent thereto.
- 14.1.2. To discuss matters arising from these minutes.
- 14.1.3. To receive and, if approved, adopt the Captain's Report.
- 14.1.4. To receive and, if approved, adopt the audited financial statements for the preceding financial year.
- 14.1.5. To consider any notice of motion of which due notice has been lodged with the Club Manager.
- 14.1.6. To elect a President and not more than two Vice-Presidents, as referred to in Clause 15 hereafter, the Club Captain, the Vice-Captain and members of the Executive Committee for the ensuing year.
- 14.1.7. To elect a Captain, a Vice-Captain and a maximum of five additional members of the Executive Committee.
- 14.1.8. To elect Honorary and or Life Members, if any.
- 14.1.9. To elect an auditor for the ensuing year.
- 14.1.10. To transact any other competent business.

14.2. Special General Meeting

The Executive Committee may at any time and shall upon a requisition signed by at least 20 (TWENTY) members entitled to vote at General Meetings, call a Special General Meeting of members and such requisition shall set out the purpose of such meeting and such resolutions as are to be proposed thereat.

14.3. Notices

- 14.3.1. Notice of the Annual General Meeting shall be given to all members not less than 14 (FOURTEEN) days prior to the date of the Meeting and shall be accompanied by notice of any resolution or notice of motion to be considered thereat and by and shall state the hour, date and place thereof.

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- 14.3.2. A copy of the audited accounts for the preceding year shall be given to all members not less than 7 (SEVEN) days prior to the date of the Annual General Meeting.
- 14.3.3. Notice of any Special General Meeting shall be given to all members not less than 14 (FOURTEEN) days prior to the date of the Meeting and shall set out the purpose of the Meeting and any resolutions to be considered thereat.
- 14.3.4. Notice of any motion for consideration at an Annual General Meeting shall be given to the Club Manager, in writing, at least 21 (TWENTY ONE) days before the date for the Annual General Meeting and shall state the name of the proposer and seconder and terms of the motion.
- 14.3.5. Omission to send a notice to any Member shall not invalidate a General Meeting.
- 14.3.6. A copy of every notice convening a General Meeting and of every notice of motion or resolution to be considered thereat shall be posted on the Club noticeboard for a period of at least 14 (FOURTEEN) clear prior to the date of such meeting.
- 14.3.7. Any notice to a member shall be deemed to have been properly given if it has been e-mailed to the member's e-mail address as furnished by him or her to the Club Manager. The notice shall be deemed to have been given at the time of e-mailing the aforesaid.
- 14.3.8. A register shall be maintained by the Club Manager recording the name, e-mail address and category of each member. It shall be the obligation of each member to keep the Club Manager informed of his or her e-mail address for the purpose of the said register.

14.4. Procedure at General Meetings

- 14.4.1. Twenty members present and entitled to vote shall form a quorum for any General Meeting. Only Life, Full Playing, Senior and Six- Day members in good standing shall be entitled to vote at General Meetings. If a quorum be not present within 15 minutes of the time fixed for the meeting then, in the case of the Annual General Meeting or a Special General Meeting convened at the discretion of the Executive Committee shall stand adjourned until the same day and hour in the following week when the members present and entitled to vote shall be deemed to form a quorum. If no quorum is present within 15 minutes of the time fixed for the Special General Meeting convened on a requisition of the members, the meeting shall not be adjourned but shall be dissolved and deemed cancelled and no business shall be

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transacted thereat.

14.4.2. The President or, in his absence one of the Vice-Presidents shall preside at all General Meetings. In the absence of all three of the aforementioned, the members present and entitled to vote shall select a Chairman from their number.

14.4.3. All business shall, unless this Constitution otherwise provides, be decided by members present and entitled to vote on a simple majority vote by a show of hands unless a ballot is demanded by at least 3 (THREE) such members. In the case of an equality of votes, either on a show of hands or on a ballot, the Chairman shall be entitled to a second or casting vote. A declaration by the Chairman that a resolution has on a show of hands been carried shall be conclusive unless a poll is demanded.

14.5. Minutes of the Annual General Meeting and all Special General Meeting will be recorded by the Club Manager, and records of all minutes are to be kept at the Club.

15. ELECTION OF PRESIDENT AND VICE PRESIDENTS

15.1. The Club shall have a President and not more than two Vice Presidents elected by members at the Annual General Meeting each year. The President and any Vice President shall be Life, Full Playing or Senior members of not less than 5 years standing. Nominations for the position of President and Vice President shall be in writing and signed by a proposer and seconder who must be Life, Full Playing, Senior or Six-Day Members of not less than five years standing and be accepted in writing by the nominee and shall state clearly whether the candidate is nominated as President or Vice President. Such duly accepted nominations must be handed to the Club Manager and posted on the noticeboard ten (10) clear days before such Annual General Meeting.

15.2. Where the President or any Vice President vacates office for any reason, the President's Advisory Council may fill the vacancy, with any person from amongst the members of the Club who would ordinarily qualify to be nominated to such vacant position, until the next Annual General Meeting.

16. PRESIDENT'S ADVISORY COUNCIL

16.1. There shall be a President's Advisory Council which shall consist of:

16.1.1. The President;

16.1.2. The Vice-Presidents; and

16.1.3. One other person, not being a member of the Executive Committee, to

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be nominated by the President after consultation with the Vice-Presidents.

- 16.2. The President's Advisory Council will act as an advisory body to the Executive Committee and shall consult with the Captain on issues of strategic importance to the Club.
- 16.3. The President's Advisory Council may, when it deems it fit so to do and after so deciding unanimously, call a Special General Meeting of the Club for any purpose.
- 16.4. The President, in consultation with the Captain, will convene a meeting of the President's Advisory Council as soon as possible after each Annual General Meeting whereafter the members of the President's Advisory Council may meet, adjourn and otherwise regulate their Meetings as they think fit.
- 16.5. The President's Advisory Council will receive a copy of the minutes of all Executive Meetings as well as the monthly financial statements and may pose questions to the Captain if necessary.

17. EXECUTIVE COMMITTEE

17.1. Management of the Club

The Management of the Club shall be carried out by the Executive Committee.

17.2. Constitution of Executive Committee

The Executive Committee shall consist of:

17.2.1. the Captain;

17.2.2. the Vice-Captain;

17.2.3. the Captain of the Women's Section; and

17.2.4. five (5) additional members, all of whom shall be Life, Full Playing or Senior Members of not less than 3 years standing.

17.3. Election of Executive Committee

17.3.1. The Executive Committee shall be elected at the Annual General Meeting by those members present thereat and entitled to vote and shall hold office until the next Annual General Meeting.

17.3.2. Nominations for the members of the Executive Committee (including the Captain and Vice-Captain) shall be in writing and signed by a

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proposer and seconder who must be Life, Full Playing or Senior Members of not less than three years standing and be accepted in writing by the nominee, and shall state clearly whether the candidate is nominated as Captain or Executive Committee member, save that a retiring member of the Executive Committee, other than a co-opted member, who offers him/herself for re-election shall be eligible for re-election without nomination as aforesaid. Such duly accepted nominations must be handed to the Club Manager 10 (TEN) days before the Annual General Meeting and posted on the Club notice board 10 (TEN) days before such Annual General Meeting. The provisions of this clause shall not apply to the Captain of the Women's Section.

17.3.3. Nominees shall submit brief *curricula vitae* together with their nominations and these shall be posted on the Notice Board.

17.3.4. At any time after the AGM, the Executive Committee may co-opt a maximum of 2 (TWO) additional members to the Executive Committee to ensure that skills requirements are met.

17.3.5. The Executive Committee have the power to fill any vacancy in its numbers which may occur during its year of office.

17.3.6. In the event of a member of the Executive Committee being absent without leave from three consecutive meetings, his seat shall be declared vacant and filled as in clause 17.3.5 above.

17.4. Meetings of Executive Committee

17.4.1. The Executive Committee shall meet whenever the Captain so directs but not less than ten times in every financial year.

17.4.2. At all such meetings:

17.4.2.1. Four members shall form a quorum.

17.4.2.2. The Captain, or in his absence the Vice-Captain shall be Chairman and in the absence of both of them, the members present shall appoint a chairman from their number.

17.4.2.3. Every resolution put to the Executive Committee shall be decided on a majority vote by a show of hands. In the event of an equality of votes the Chairman shall have a second or casting vote.

17.5. Powers and Duties of the Executive Committee

Subject to the terms of this Constitution and to such directions as may from

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time to time be given by the Club in General Meeting, the Executive Committee shall, without limiting its powers, duties and authority to them, have the following powers and duties:

17.5.1. It may make, amend or repeal such by-laws as it considers necessary for the running of the Club.

17.5.2. Subject to the generally accepted Rules of Golf as referred to in Clause 4 hereof, it may make Local Rules.

17.5.3. It may appoint sub-Committees whose members may be members of the Executive Committee or of the club, not being Executive Committee members, as the Executive Committee may decide. Such Sub-Committees shall be responsible to the Executive Committee.

17.5.4. It may appoint all necessary officials and servants of the Club and fix their remuneration and may terminate the employment of any such person.

17.5.5. It shall conduct a bank account wherein all monies received on behalf of the Club shall be banked and may appoint such persons who may operate upon it.

17.5.6. It may incur obligations and liabilities in the name of the Club and, in particular may borrow money subject at all times to the provision that any amount borrowed or liability incurred shall not exceed the balance standing to the credit of the Club's Accumulated Funds as reflected on the balance sheet for the immediate preceding financial year plus any receipts for entrance fees and / or fund raising already received, less all known liabilities already incurred and due for repayment within 2 (TWO) years from the date of such anticipated new borrowing or liability. Any borrowing in excess of the limit imposed above shall require the approval of Members in General Meeting.

17.5.7. It shall ensure that:

17.5.7.1. Proper financial accounts and records of the Club's affairs are kept.

17.5.7.2. A financial statement and income and expenditure account, as at the end of each financial year, is placed before the Annual General Meeting.

17.5.8. It shall carry out those functions assigned to it elsewhere in the Constitution.

17.5.9. It may make rules for the conduct of its own meetings.

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- 17.5.10. It shall ensure that minutes of all meetings are kept and confirmed.
- 17.5.11. It may enter into affiliation and reciprocal arrangements with other golf clubs.
- 17.5.12. It shall regulate play on the course including the playing fees for members and visitors and control times of play, competitions and the use of Club facilities.
- 17.5.13. It may frame rules for the control and payment of caddies.
- 17.5.14. It may delegate any of its functions to any Sub-Committee appointed by it as aforesaid or to any individual member, official or servant of the Club as it may, in its discretion, deem fit.

18. RULES AND BY-LAWS

This Constitution, all Rules and By-Laws made by the Executive Committee shall be binding on all members and visitors unless amended or rescinded at a General Meeting.

19. LEVY

It shall be competent at any General Meeting after due notice thereof as provided herein to impose a Levy being a non-refundable financial contribution applicable to all or to such classes of members as the meeting may determine, which resolution shall be binding on the members concerned.

20. ASSETS OF THE CLUB

All assets of the Club shall be registered and held in the name of the Club.

21. INDEMNITY

The Executive Committee and other office bearers of the Club shall be indemnified and held harmless against any losses or damages that may be suffered as a result of the carrying out by them in good faith of their functions and as a result of endeavours made by them in good faith to give effect to the duties and powers herein. Members incur no liability other than for their entrance fees, subscriptions, or other monies owed by them to the Club. They shall not be liable for any debts, obligations or liabilities of the Club.

22. FINANCIAL YEAR

The Club's financial year means the twelve-month period from 1st March in any year to the last day of February in the following year, both dates inclusive.

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23. AMENDMENT TO CONSTITUTION

No amendment or repeal of any of the provisions of the Constitution shall take place except on the resolution of not less than two-thirds of members present and entitled to vote at a Special General Meeting convened specially for the purpose or at an Annual General Meeting, notice of such amendment or resolution having been given as provided herein.

24. DISSOLUTION

24.1. The Club may not be dissolved, wound up or placed in voluntary liquidation except by a resolution passed at a Special General Meeting convened for the specific purpose and which resolution shall have been passed by not less than a two-thirds majority of members present and entitled to vote.

24.2. If upon dissolution of the Club there remain any assets whatsoever after the satisfaction of all its debts and liabilities, such assets shall not be paid to or distributed among its members but shall be given to such other sporting body or bodies preferably having similar objects, as may be decided either by the members at the General or Special Meeting at which it was decided to dissolve the Club or in default of such decision, as may be decided by the Western Province Golf Union.

25. DISPUTES

All disputes affecting members, whether regarding play, the interpretation of the Constitution or otherwise, shall be settled by the Executive Committee whose decision shall be final.

26. TAX EXEMPTION REQUIREMENTS

If, and for as long as the Club is approved as a "recreational club" in terms of section 30A of the Income Tax Act 58 of 1962 ("the Income Tax Act"), it must comply with the following requirements, conditions and restrictions, which will override any other inconsistent or contradictory provision of this Constitution:

26.1. The sole object of the Club must be and remain to promote social and recreational amenities or facilities to its members, on condition that all such activities must be carried on in a non-profit manner;

26.2. At least three of the Club's office-bearers must not be connected persons, as defined in the Income Tax Act, to each other and no single person must directly or indirectly control the decision-making powers of the Club;

26.3. No surplus funds must be directly or indirectly distributed to any person;


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- 26.4. On dissolution of the Club, its net assets must be transferred in the manner contemplated in clause 24.2 above, provided that the organisation to which such assets, if any, are transferred, must be:
- 26.4.1. Another recreational club approved by the Commissioner of the South African Revenue Service in terms of s30A of the Income Tax Act; or
 - 26.4.2. An approved Public Benefit Organisation; or
 - 26.4.3. Any institution, board or body exempt from tax in terms of the provisions of s10(1)(CA(i) of the Income Tax Act, which has as its sole or principal object the carrying on of one or more public benefit activities; or
 - 26.4.4. The national, provincial or local government, as contemplated in s10(1)(a) of the Income Tax Act.
- 26.5. The Club must not pay any remuneration, as defined in the Fourth Schedule to the Income Tax Act, to any employee, office bearer, or other person which is excessive, having regard to what is generally considered reasonable in the sector in which the Club operates, and in relation to the service rendered, nor may any such remuneration be determined as a percentage of any amount received or accrued to the Club.
- 26.6. All Membership packages may be subscribed for annually or seasonally.
- 26.7. Members are prohibited from selling their membership rights or any entitlement in terms of their membership.
- 26.8. A copy of any amendment to this Constitution must be submitted to the Commissioner of the South African Revenue Service.
- 26.9. The Club must not knowingly become a party to, or knowingly permit itself to be used as part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under the Income Tax Act or any other act administered by the Commissioner of the South African Revenue Service.
- 26.10. The Club must submit the required income tax returns together with the relevant supporting documents.
- 26.11. The Club must comply with such additional conditions as the Minister of Finance may prescribe by way of regulation to ensure that the activities and resources of the Club are directed in the furtherance of its objects.

END

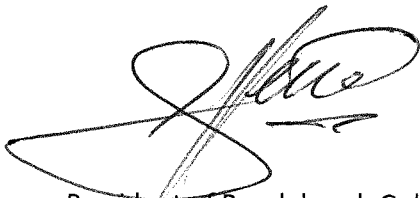
A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, located in the bottom right corner of the page.

SIGNED AT RONDEBOSCH ON THE 2ND DAY OF JULY 2024

A handwritten signature in black ink, appearing to read 'R. Lochan', written in a cursive style.

Captain of Rondebosch Golf Club

RAJ LOCHAN

A handwritten signature in black ink, appearing to read 'Michael John Heath', written in a cursive style with a large loop at the end.

President of Rondebosch Golf Club

MICHAEL JOHN HEATH

A handwritten signature in black ink, appearing to read 'M. J. Heath', written in a cursive style.