NOMADS GOLF CLUB OF SOUTH AFRICA

CONSTITUTION

CONTENTS

NOMADS GOLF CLUB CONSTITUTION 2
1. NAME 2
2. HEADQUARTERS 2
3. NOMADS INSIGNIA 2
4. AIMS AND OBJECTS 2
5. MEMBERS CLUB 3
6. LEGAL STATUS 3
7. MEMBERSHIP 3
8. FOUNDER, LONG STANDING MEMBERS, HONORARY LIFE MEMBERS AND BADGES FOR MEMBERS OF NATIONAL COUNCIL 10
9. NOMADS INSIGNIA TO BE AWARDED TO MEMBERS 11
10. ENTRANCE FEE AND SUBSCRIPTIONS 11
11. RESIGNATION AND DEFAULT OF MEMBERS 11
12. THE FINANCIAL YEAR 12
13. MANAGEMENT OF THE AFFAIRS OF THE CLUB 12
14. NATIONAL EXECUTIVE COMMITTEE AND NATIONAL COUNCIL 13
15. NATIONAL MANAGEMENT COMMITTEE 17
16. CO-OPTION OF MEMBERS 19
17. DECISION OF NATIONAL COUNCIL AND NATIONAL MANAGEMENT COMMITTEE 19
18. MEMBER CLUB EXECUTIVE COMMITTEE 19
19. CAPITATION FEES 23
20. CLUB MEETINGS 24
21. ANNUAL COMPETITIONS 24
22. DISCIPLINE 24
23. NATIONAL TOURNAMENT 26
24. INTERPRETATION OF CONSTITUTION AND RULES 26
25. WINDING-UP 26
26. NOMADS ANDREW MENTIS ENDOWMENT FUND COMMITTEE 27
27. RULES OF PLAY, REGULATIONS AND BYE-LAWS 28
28. PREVIOUS CONSTITUTIONS 28
29. CASUS OMISSUS 28
30. DATE OF COMING INTO FORCE 29
VERSION CONTROL 30

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 CLUB

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

6. LEGAL STATUS

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.

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

In recognition of the tremendous work and commitment shown in founding and building the Nomads Golf Club, the category of Founder Life President was accorded to Mr. M.H.A. Florance by the National Council of Nomads in April 1967.

Further, membership of Nomads may be accorded in any of the following categories:

7.1 Honorary Life Membership

7.1.1 Honorary Life Membership of Nomads shall only be extended to such Nomads deemed proper recipients of the highest honour Nomads can bestow, in recognition of long and exceptional meritorious

service to Nomads.

7.1.2 A dedicated HLM Committee shall be formed for the purpose of evaluating Nomads Members as suitable potential candidates to be considered for Honorary Life Membership status.

7.1.2.1 The persons comprising the initial HLM Committee shall be decided by the current outgoing HLM Committee and the elected Members of the National Executive. Thereafter the composition shall be decided by the incumbent Members of the HLM Committee and drawn from the list of the then current HLM Members.

7.1.2.2 The initial Honorary Life Membership Committee shall remain in place, *deus volente*, for a minimum of three years to provide stability and continuity.

7.1.2.3 The HLM Committee is to comprise a minimum of three (3) but preferably five (5) Members of Honorary Life Member status with the requirement that the individuals selected are deemed to have retained an active interest in the administration of Nomads affairs at National level.

7.1.2.4 The HLM Committee shall elect its own Chairman who shall remain in office for a minimum period of 3 years. Such Chairmanship shall, however, be confirmed formally by the Committee on an annual basis but may be extended until either the Chairman relinquishes the position voluntarily or is opposed for the position by another Member(s) of the Committee, whereupon the Committee shall deliberate the situation and decide by formal vote. Any candidate(s) for the Chairmanship shall not have a representative vote at such election.

7.1.2.5 In the interests of continuity, in the case of there being only 3 Members of the HLM Committee only one Member may be replaced each year. If the HLM Committee consists of more than 3 Members no more than two Members may be replaced each year.

7.1.2.6 A previous HLM Committee Member may be re-appointed to any subsequent Honorary Life Membership Committee.

7.1.2.7 Newly elevated HLMs are eligible to be brought onto the Committee with immediate effect.

7.1.2.8 Not less than 10 days before the National Council Meeting the HLM Committee is to inform the incoming National Chairman of the names of those Members comprising such HLM Committee for the following year.

7.1.2.9 The incoming National Chairman shall announce the names of the Members of the HLM Committee for the ensuing year, annually, at the National Council Meeting.

7.1.2.10 It is mandatory upon all Members of the HLM Committee that the maximum of confidentiality is maintained concerning the content of any deliberations and decisions taken by that Committee.

7.1.3 The HLM Committee

7.1.3.1 has sole and absolute authority over the selection of candidates.

7.1.3.2 has discretion to award HLM status to persons who have not served directly on, with, or for the National Executive.

7.1.3.3 shall be the only body with voting rights over the elevation of a Nomads to HLM status.

7.1.4 The HLM Committee are required to

7.1.4.1 convene at least once per year, preferably in person but via electronic media if necessary, to evaluate the suitability of candidates and vote thereon.

7.1.4.2 submit a résumé of any nomination they are intending to table, to the HLM Committee Chairman and their fellow Committee Members. a minimum of 2 (Two) weeks prior to such a Meeting as required in 7.1.4.1, being held,

7.1.4.3 decide who, if any, of the candidates nominated merit elevation to HLM status no later than 30 (Thirty) days before the date of the National Council Meeting but are not

7.1.4.3.1 required to nominate any Nomad(s) for elevation in any particular year. However, they may table several candidates for consideration at any one time where appropriate.

7.1.4.3.2 limited to the number of persons they may nominate from any individual Club in any time period.

7.1.5 The voting rights in respect of Clause 7.1 shall be as follows.

7.1.5.1 A person shall be accepted as Honorary Life Member where

7.1.5.1.1 for an HLM Committee comprising 3 (Three) persons the vote is unanimous or,

7.1.5.1.2 for a HLM Committee comprising any number in excess of 3 (Three) persons the candidate receives a majority vote.

7.1.5.2 Proxy votes are permitted

7.1.5.3 In the event of a tie the HLM Committee Chairman does not have a casting vote.

7.1.6 Elevation

When a candidate has been accepted, then Honorary Life status can be conferred on them either at the subsequent National Council Meeting or failing that at the earliest possible mutually convenient opportunity.

7.1.7 Honorary Life Members

7.1.7.1 May wear Nomads insignia.

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

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

7.1.7.4 Are not required to pay annual subscriptions or any monthly competition entry fees.

7.1.7.5 Shall be eligible to participate in any Nomads competition.

7.1.7.6 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.

7.1.8 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.

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 18 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 but shall 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.

The following shall be deemed valid reasons for granting a leave of absence:

7.3.3.4.1 Days for valid medical reasons (surgery, treatment, etc.), provided written notification and application of such medical leave of absence is received prior to the occurrence; and

7.3.3.4.2 Days performing Golforama duties only for such days that fall on the date of a monthly game at the Members home Club; and

7.3.3.4.3 Days performing National Executive Committee duties and only for such days that fall on the date of a monthly game at the Members home Club.

The leave of absence shall be recorded in the member club’s executive committee meeting minutes, and on the Scoring and Membership System of Nomads (SAMSON), indicating the reason, start date and end date.

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 or had leave of absence accorded in terms of 7.3.3.4 above, 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

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

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

(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 a 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

7.9.1.9 shall cease to be a Member, on the sponsor, which he represents, ceasing to sponsor the club.

7.10 Transfer to another Member Club

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

7.10.1.2 His former club has within thirty (30) days of the date of his application for transfer remit his transfer application form.

7.10.2 No club may request a transfer of a member who has not met their fee or playing obligations as per paragraph 7.11, until that member has rectified their situation and complied with such clause.

7.10.3 The former Member Club shall forthwith forward all member details, records etc. to the destination Member Club, and effect the transfer electronically, as the case may be.

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 instalments 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 31st 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:

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.

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.

14.2.1 Any meeting of the National Executive Committee may be conducted by means of electronic communication, provided that the electronic communication employed each other without an intermediary and to participate effectively. The electronic communication may be audio only or audio and visual in nature. The following conditions must be met:

14.2.1.1 The full sitting of the National Executive Committee may participate electronically;

14.2.1.2 That the National Chairman in his sole discretion will approve a request to participate electronically in any given meeting;

14.2.1.3 All such National Executive Committee Members must be connected for the duration of the electronic meeting;

14.2.1.4 The entire subject matter of the meeting agenda must be discussed; and,

14.2.1.5 The National Secretary must certify in writing that the aforementioned requirements have been met.

14.2.1.6 The National Secretary shall record the voting results of any decisions taken at a virtual meeting.

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 present 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 14.3.4 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 or 14.3.1.2 or 14.3.1.3 the nominee must have served a full term as Club Captain as defined in 18.3 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

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 Cycle Process

14.7.1 Annual Financial Statements

14.7.1.1 The National Treasurer shall keep true and proper account of all income and expenditure under his control.

14.7.1.2 The National Treasurer 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, by the end of May.

14.7.1.3 The National Treasurer shall present a résumé of the independently reviewed annual financial statements to the next meeting of the National Executive Committee, and subsequently, the National Management Committee.

14.7.2 Budgeting

14.7.2.1 The National Treasurer shall, in consultation with the National Senior Vice Chairman, prepare a budget for the ensuing year, taking into account changes to foreseen travel expenditures, anniversary and NEC meeting expenses, etc. for review at the mid-year National Executive Committee meeting.

14.7.2.2 This budget shall propose the capitation fee, mentioned in 19. below, for the ensuing year and this shall be circulated to the member clubs prior to the next meeting of the National Management Committee.

14.7.3 Movement of funds

14.7.3.1 All funds received by the National Council shall be deposited in a registered Commercial Bank 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.

14.7.3.2 All expense claims shall be as per claim schedules, and in the form prescribed by the National Treasurer, from time to time.

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

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

14.7.4.2 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;

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

14.7.4.4 Not distribute any surplus funds to any person;

14.7.4.5 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;

14.7.4.6 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;

14.7.4.7 Entitle all members to annual membership;

14.7.4.8 Submit copies of all amendments to the constitution to the Commissioner of the South African Revenue Services;

14.7.4.9 Not allow members to sell their membership rights or any entitlement in terms thereof;

14.7.4.10 And 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, the National Executive Committee, or the Review and Implementation 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 present and 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 Golforama Director, the National PRO, the National Andrew Mentis Director, the National Furtherance of Golf Director and Honorary Life Members (when official delegates). Each Member Club, represented by the Captain or his nominee, shall 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 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, the National Executive Committee, or the Review and Implementation Committee 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 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, the National Furtherance of Golf Director, and 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 Nomad members in good standing:

The Immediate Past Captain;

The Club Captain;

The Vice-Captain (and Nomads Andrew Mentis Endowment Fund portfolio holder);

The Secretary;

The Treasurer;

The PRO;

The Golforama;

The Furtherance of Golf;

In addition, a Member Club shall be entitled to elect a Junior Vice-Captain.

The Executive Committee of a Member Club 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.

The Club Executive Committee shall be empowered to appoint additional Nomad committee members, as may be considered desirable, to deal with specific functions of Nomads.

18.3 Term of Office

The Club Captain shall assume office at the conclusion of the monthly meeting succeeding the Annual General Meeting of the Club and shall remain in office until the following monthly meeting succeeding the Annual General 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 present, or electronically connected, 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.

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 1st March and 30th April in each year, or at a later date, or virtually, if so declared by the National Executive Committee, due to extenuating circumstances. A notice stating the venue, or if deemed justifiable; a virtual meeting platform, the day, hour and business of the Annual General Meeting shall be e-mailed/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

18.6.1 25 Members present, or electronically connected, 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 venue, or on the same electronic conferencing platform, and time, and if at that adjourned meeting a quorum is not constituted within half-an-hour from the time appointed for the meeting those present, or electronically connected, and entitled to vote shall be a quorum.

18.6.2 The Club Secretary shall be responsible for monitoring the quorum and notifying the meeting should this quorum cease to exist at any time during the meeting. Should the number of virtual meeting participants decrease to below that number required for a quorum due to poor connectivity or other issues, the meeting proceedings shall be suspended for 5 minutes. If a quorum is not constituted online within 5 minutes, the meeting shall stand adjourned for a further 30 minutes after which it shall be reconvened, and if the quorum is still not constituted the meeting shall stand adjourned for one week when it shall be held at the same venue, or on the same electronic conferencing platform, and time.

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, or electronically generated, by at least 25 Members in good standing, specifying the object for which the meeting is desired, call either a physical, or if deemed justifiable, a virtual, 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 18.12.2 hereof, be 20% of the Members or 25 in number present, or electronically connected, 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 constituted, the meeting shall be abandoned.

18.7.4 If, at a Member Club Special General Meeting of the members specifically convened to table a vote of no confidence, a vote supported by a two-thirds majority of the members present, eligible to vote and in good standing, passes a motion of no confidence in any one of the Club's Executive Committee office bearers, whether elected or not, that office bearer shall relinquish that office forthwith.

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

18.9.1 Financial Statements

18.9.1.1 The Honorary Treasurer of each Member Club shall keep a true and proper account of all the income and expenditure of that Member Club.

18.9.1.2 All Clubs are required to produce Annual Financial Statements which reflect the affairs of the Club and an Income Statement and Balance Sheet as at the 31st December of each year.

18.9.1.3 These financials are to be prepared in line with the South African Accounting Standards on Reviews and reviewed by an independent auditor who shall be appointed (and, if necessary, removed and replaced). The appointee shall be a registered Chartered Accountant.

18.9.1.4 Clubs are entitled to appoint an independent, registered practice to prepare them books monthly at a reasonable cost.

18.9.1.5 To be included as part of these financial statements is an audit report reflecting the results of an audit conducted by an auditor in public practice that the Andrew Mentis Endowment Fund has been audited in so far as the funds that have been received have been distributed to the beneficiaries as selected by the Committee appointed to do so and approved by either the National Council or Management Meeting, within the year under review or at least committed to be spent within the year under review.

18.9.1.6 Should there be an excess profit including excess reserves which combined exceed R 50,000 then this excess shall be distributed to a deserving beneficiary by the Captain elected for the year under review.

18.9.1.7 The financial statements need to be signed by both the independent reviewer and auditor as above and those financial statements need to be approve d at the Annual General Meeting of the Club or at a properly constituted Special General meeting. For this purpose, a Special General meeting approving these financial statements can be held at a monthly game as long as proper notice has been given and a quorum is present.

18.9.1.8 Upon the financial statements being confirmed at such meeting the Honorary Treasurer shall forward a copy thereof to the National Treasurer

18.9.1.9 Copies of such annual financial statements shall be made available to all Members of the Member Club.

18.9.1.10 These financials need to be approved by no later than nine (9) months after the last day of the financial year under review.

18.9.1.11 Should this not be achieved then the Executive Committee of each Member Club that has not complied will not be allowed to participate in any Interclub events, cross-border events, any local or International National Tournaments unless approval has been granted by the National Executive Committee and issued by the National Chairman, in writing, when circumstances so merit this exemption.

18.9.2 Control and Disbursement of Funds

18.9.2.1 Funds received by the Member Club shall be banked in the name of that Member Club

18.9.2.2 There shall be two (2) signatories required either electronically or by hand for approval of all disbursement of funds.

18.9.2.3 All disbursements of funds need to be supported by supporting documents or other evidence that necessitate such disbursement of funds

18.9.2.4 Appropriate written documentary proof of the receipt of the benefits of such funds by the beneficiary shall be provided.

18.10 Quorum

A quorum for a Club Committee Meeting, whether physical or, if deemed necessary, virtual, shall be a majority of the Club Executive Committee portfolio holders and 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 constituted then the meeting shall stand adjourned to the following day at the same time and venue, or on the same virtual meeting platform, and if at that adjourned meeting a quorum is not present within half-an-hour from the time appointed for the meeting those present, or electronically connected, and entitled to vote shall be a quorum.

18.11 Voting

18.11.1 Each Member present, or electronically connected, 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.

18.11.2 Should the Annual General Meeting be conducted on a virtual platform; the secret-ballot voting shall be by a suitable virtual polling/survey platform. The results thereof shall be accessible to two senior Nomads of the club, as agreed to by the Club Committee, for the counting of votes. These appointed Nomads shall collate the votes and provide the Captain with the overall outcome – i.e. not the actual count.

18.11.3 The Club Secretary shall record the voting result of all decisions taken in an Annual, or Special, General Meeting, whether physical or virtual, and time should be taken, during the meeting, to do so.

18.11.4 Club Executive Committee portfolio holders present, or electronically connected, and entitled to vote shall be entitled to one vote each at Club Committee Meetings, and not one vote per portfolio held. In the event of an equality of votes the Captain shall have a second or casting vote. Additionally appointed Nomad committee members shall have a voice, but no voting right.

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 18.12.1 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 28th 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 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 31st 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 November or December.

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 Nomads Maximum 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, Codes, Regulations or Bye-Laws of Nomads, or be guilty of improper, dishonest, unsportsmanlike or unseemly conduct or conduct which is prejudicial to the interests of Nomads, whether within the bounds of Nomads or outside, then the disciplinary Committee convened for the purpose of dealing with such conduct 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.

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 or suspended for a period exceeding six (6) months, as a result of a decision by his Member Club, shall be entitled to appeal against such decision to the National Executive Committee. The appeal by the expelled/suspended 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/suspended 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 14 days of the noting of such appeal, transmit a copy of the proceedings of the meeting at which the decision to expel/suspend 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 Executive Committee.

If the disciplinary measure imposed be for expulsion from the Club or for a suspension of the member for a period exceeding six (6) months, then four (4) members of the National Executive Committee shall be required to attend the appeal hearing hosted at the Member's Club, or mutually agreed venue or meeting modality, together with the expelled member and the Member's Captain, within 30 days of the receipt of the notice of appeal from the disciplined Member.

The National Executive Committee shall not be competent to hear additional evidence but shall receive argument from such disciplined 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 Executive Committee shall allow or disallow such appeal on a majority vote, with the most senior National Executive Committee Member present having the casting vote. Pending the outcome of the appeal, such disciplined Member's membership shall be suspended, and all his rights and obligations shall be suspended until the decision of the National Executive Committee shall be made known. Such appeal shall be adjudicated upon by the National Executive Committee as soon as practically possible, but no later than at the conclusion of their next official meeting.

The decision of the National Executive Committee shall be final and binding. It should also be noted that the appeal may not always result in a relaxing of the sanction; it may uphold the original decision of the club or, in fact, compound the sanction.

22.5 The National Executive Committee shall be empowered, pursuant to the incorporated Code of Conduct guidelines, to oversee and enforce equitable disciplinary measures, ensuring uniformity and coherence across all member clubs.

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.

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.

25.4 A Member Club may be dissolved, 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, and by due process according to the Bye-law specifically incorporated into this Constitution for that purpose in terms of clause 27.1.

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, who is the NAMEF portfolio holder, and shall include the Captain as an *ex officio* member in an oversight role, a Treasurer, who may, or may not, be the Club Treasurer, and any other club member in good standing, nominated and appointed by the Vice-Captain at the outset of his term of office, and no later than 30 days thereafter.

26.2 In their inaugural year Clubs formed after 1st 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 National Andrew Mentis Director, such tournament shall be held at any time during the period between 1st July and 31st December, annually.

26.4 The net proceeds raised by each Member Club as a result of such tournament, and other fund raising activities and events, shall be donated by such Club to a charity or charities approved by the Andrew Mentis Nomads Foundation Non-Profit Company through its National Andrew Mentis 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, other fund raising activities and events, or otherwise in a manner not disallowed by the Andrew Mentis Nomads Foundation Non-Profit Company through its National Andrew Mentis 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 Andrew Mentis Director and shall transfer the excess of such funds in an account with a recognised financial institution. Such finalised statement, including other fund raising activities and events, shall in any event be forwarded to the said Director to be received by him not later than 28th February following upon such tournament.

26.8 The Vice-Captain of each Member Club shall submit a written report to the National Andrew Mentis Director. This must flow through his Member Club Captain and his committee 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 28th 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/disbursement statements, the Nomads Andrew Mentis Endowment Fund Treasurer, or Club Treasurer, as the case may be shall compile a financial report and financial account in respect of all fund raising events for submission and inclusion in the member club's Annual Financial Statements for AUDIT/REVIEW by not later than 28 February, as per 18.9.1.5 above. A copy of this shall be sent to the National Andrew Mentis Director for information purposes.

26.10 Within 30 days of his election, the Vice-Captain shall confirm the club's AMEF bank account details and signatories with the Andrew Mentis Nomads Foundation Non-Profit Company through its National Andrew Mentis Director. Furthermore, he shall report on the progress AMEF efforts at the club's monthly Executive Committee meetings in a format acceptable to the National Andrew Mentis Director, and amended from time to time.

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.

27.1.1 These Regulation or Bye-law reference documents maybe of the type; Policy, Procedure or Guideline.

27.1.2 Incorporated reference documents

Reference	Description Regulation or Bye-Law	Type	Last decision
A	Nomads official Club colours	Policy	1765
B	National Tournament Badges RSA Clubs	Policy	1678
C	National Tournament Opening and Closing Prayer	Guideline	1715
D	Nomads registered trademark icon	Policy	1716
E	Logo Standards & Policy for Usage	Policy	1926
F	Delegates to National Council Meetings	Guideline	1958
G	Delegates to National Management Committee Meetings	Guideline	1958
H	Delegates and costs to International National tournaments	Guideline	1958
I	Members' Code of Conduct	Guideline	1960
J	Member Re-joining and Membership Record Reinstatement Procedure	Procedure	1923
K	Social Media Policy	Guideline	1835
L	Dissolution of a Member Club	Procedure	1856
M	Club Captain's Checklist	Guideline	1860
N	PAIA and POPIA Policy	Policy	1874
O	Nomads Induction Process	Procedure	1894
P	Furtherance of Golf – A Guideline for Clubs	Guideline	1957
Q	AMNF Operational Guidelines	Guideline	1922

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 or the incorporated reference documents.

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

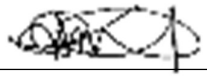
In the event of any *'Casus Omissus'* in the Constitution the National Council shall decide as it considers best and proper.

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 **27 September 2025**.



John Kayula – National Chairman

Greg Clack – National Secretary

VERSION CONTROL

VERSION	DATE & AUTHOR	AMENDMENTS
0	March 2019 **Note:** Since 1966 there have been many previous versions of the Constitution, but this is the first Version Control document involved	Contents taken as being origination
1	September 2019	Clause 7.1 – the current Clause 7.1 removed and replaced with new HONORARY LIFE MEMBERSHIP mandate
		Clauses 14.3.2, 14.9.1 & 18.4.1 – Clarified VOTER ELIGIBILITY & PRESENCE requirements
		Clause 18.9 – removed the current Clause and replaced with new FINANCIAL COMPLIANCE requirements
		Clause 20.4 - amended to cater for NOMADS BASE HANDICAP
		Clause 22 – removed *(PARTS OF)* sections of the current Clause. New DISCIPLINARY CODE Appended
2	October 2020	The following clauses were amended, or added, to allow for the change in modalities of meeting and essentially paving the way for virtual meetings: 14.2.1.1, 14.2.1.6, 18.4.1, 18.5, 18.6.1, 18.6.2, 18.7.1, 18.7.3, 18.10, 18.11.1, 18.11.2 and 18.11.3
3	March 2021	Disciplinary Code Appendix removed, document re-formatted, CONTENTS page added, VERSION CONTROL table moved to end of document.
3	March 2021	Clauses 27.1 and 27.2 were amended to incorporate a list of bye-laws and regulations into the Constitution.
3	March 2021	Clause 25.4 added to cater for the Dissolution of a Member Club. Table in clause 27.1.2 amended accordingly.
3	March 2021	Constitutional clauses, regarding Transferee membership, 7.10.1.1, 7.10.2.2 and 7.10.2 amended and 7.10.3 to 7.10.8 deleted.
3	March 2021	Club Captain's Checklist added to table in clause 27.1.2.
4	October 2021	Reference to "Nomads Base handicap" changed to "Nomads Maximum Handicap" in clause 20.4.
4	October 2021	Incorporation of PAIA and POPIA Policy document - Table in clause 27.1.2 amended accordingly.
4	October 2021	Incorporation of revised Code of Conduct and Disciplinary Guidelines into the Constitution (Table in clause 27.1.2)

4	October 2021	Incorporation of revised Member Re-joining and Membership Record Reinstatement Procedure into the Constitution (Table in clause 27.1.2)
4	October 2021	Clause 7.10 changed to read "Transfer to another Member Club" and clause 7.10.3 added for practical clarification.
5	October 2022	Eligibility of nominees to the office of National Chairman, National Senior Vice Chairman or National Junior Vice Chairman changed in clause 14.3.3.
5	October 2022	Clause 20.4 is amended/clarified to allow for any Member expelled or suspended for a period exceeding six (6) months, as a result of a decision by his Member Club, shall be entitled to appeal against such decision to the National Executive Committee.
5	October 2022	A procedure detailing the Nomads Induction Process was incorporated into the constitution under clause 27.1.2.
5	October 2022	Clauses 14.9.1 and 15.6 altered to permit the Review and Implementation Committee (RIC) to also propose changes to the Constitution and Rules of
5	October 2022	A guideline to Furtherance of Golf ticket sales incorporated into the constitution under clause 27.1.2.
6	March 2023	Amendment to clause 7.1.2.4 of the Constitution – regarding election of HLM Committee Chairman
6	March 2023	Amendment of clause 7.1.4.3 to rectify clause numbering error
6	March 2023	Amendment to allow the HLM Committee leeway to defer a positive decision where multiple candidates of various merits are put forward at any one time.
7	September 2023	Constitutional clauses 18.2 and 26 was reviewed and updated to ensure Nomads Andrew Mentis Endowment Fund Committee, and the associated operating guidelines were aligned and read appropriately.
7	September 2023	Update of table in clause 27.1.2 of AMNF Operational Guidelines – Decision 1922 added, and Member Re-joining and Membership Record Reinstatement Procedure – Decision 1923 and Logo Standards & Policy for Usage – Decision 1926.
7	September 2023	Clause 18.7.4 added to the allow for a vote of no confidence in an club executive committee office bearer.
7	September 2023	Clauses 18.2 and 18.10 altered, and 18.11.4 added to achieve clarity with respect to Club Executive Committee composition and voting rights.

8	March 2024	Deemed valid reasons for Leave of Absence added to clause 7.3.3.4.
8	March 2024	7.1.6.2 and 7.1.6.3 repealed and 7.1.6.1 reverted to 7.1.6 regarding the rules of elevation to HLM status.
9	March 2025	14.7 amended, 14.7.1 expanded to 14.7.2 and 14.7.3 to document National Account financial cycle process, and subsequent numbering corrected.
9	March 2025	Table in 27.1.2 of incorporated documents updated, references F, G, H, and P.
10	September	Clause 22.5 added and Code of Conduct incorporated document updated.
Note: Latest amendments are indicated in blue in the main text.		**Updated:** September 2025