



ZAMBIA GOLF UNION

CONSTITUTION (enacted 27 November 2016)



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CONSTITUTION OF THE ZAMBIA GOLF UNION

1.0 NAME

1.1 The name of the Union shall be the Zambia Golf Union

2.0 HEADQUARTERS

2.1 The Headquarters of the Union shall be at such place as the Union Executive may, from time to time, determine.

3.0 DEFINITIONS AND INTERPRETATION

3.1. In this constitution, unless the context shall otherwise require:

- 3.1.1 Affiliation Fee: Shall mean an amount paid annually by a Member as shall be determined by the Annual General meeting.
- 3.1.2. Area of Jurisdiction: shall mean the Republic of Zambia.
- 3.1.3. Union: shall mean the Zambia Golf Union.
- 3.1.4. President: shall mean the President of the Union.
- 3.1.5. Executive: shall mean the Executive Committee of the Union as hereinafter referred to, and members of the Executive Committee shall be referred to as the "Executive members".
- 3.1.6. Golf Club : shall mean and include a golf club, and a sports club or country club having a golf section, which owns a golf course or has a permanent right to the use of a golf course, a golf club, golfing society, sports club or country club.
- 3.1.7. Levy: A per capita amount paid by each golfing member. This levy is collected on behalf of the Union by its Members.
- 3.1.8. Members: shall mean the Members of the Union as specified in clause 9 and such further Members as may hereafter be admitted to Membership in terms of clause 10.
- 3.1.9. Members of a club: shall mean male members appearing on the membership register of a Club.
- 3.1.10. Player: shall mean an amateur golfer being a member handicapped at an affiliated Member Club **that uses a handicapping system approved by the Union.**



In case of doubt as to the interpretation of any clause hereof, the interpretation of the Executive shall be binding upon Members, until such time as the Union may otherwise determine at a General Meeting. Any decision made by the Union at a General Meeting, under the provisions of this paragraph, shall not affect the validity of any act done or omitted in terms of prior valid ruling given by the Executive.

4.0 TRANSITION PROVISION

- 4.1. The constitution of the Zambia Golf Union (as amended November 27, 2011) is hereby repealed.
- 4.2. Notwithstanding the repeal, the term of office of the office bearers shall continue and be concluded in accordance with this constitution as if the constitution has not been repealed.
- 4.3. Any acts done by the Union under the repealed constitution (as amended November 27, 2011) shall not be invalidated.

5.0 STATUS AND PURPOSE OF THE UNION

- 5.1. The Union is the controlling body of amateur golf in Zambia. It is a not for profit organization whose purpose is to promote golfing excellence at all levels and to co-ordinate the activities of its members and the maintenance of the traditions of golf.
- 5.2. Office bearers, trustees or committee members of the union shall, unless otherwise specifically provided, serve the Union on a voluntary basis, but shall be eligible for re-imbusement of bona fide expenses incurred in the discharge of the Union's business. Members shall not directly or indirectly engage in any economic activity linked to or deriving from golf for self –interest without declaration of such interest in writing to the Union Executive through the Honorary Secretary, and shall recuse themselves from voting or taking part in decisions where there is possible conflict of interest.

6.0 OBJECTIVES OF THE UNION

The objectives of the Union are:

- 6.1. To promote, advance, encourage and foster the game of golf in the interests of the game and its Members and their Players.
- 6.2. To bring about and maintain close co-operation between its Members.
- 6.3. To guide and assist members in their administration and general conduct of the game of golf.
- 6.4. To promote and encourage the holding of competitions, championships and tournaments on the golf courses of its members and to assist in the conduct and control thereof.
- 6.5. To formulate, control and regulate the conditions governing the playing of tournaments, championships and golfing events.
- 6.6. To organize and manage championships and tournaments and arrange for participation by Players either as individuals or as members of teams, in international tournaments, matches and events.



- 6.8. To afford means whereby disputes and differences between Members and between Members and Players may be resolved.
- 6.9. To institute, conduct and defend any legal proceedings by or against the Union or its officers.
- 6.10. To assist and generally promote the interest of its members.
- 6.11. To raise funds as it may deem fit, to administer such funds as herein provided, to make payments from such funds as may be necessary to carry out the objects of the Union, including grants and loans to its Members and payments to Players, either as individuals or as members of teams, and officials representing the Union at authorized championships, tournaments, events and functions. It may also make donations or grants to approved causes or persons. The objects of the Union must be carried on in a non-profit manner and with an altruistic or philanthropic intent.
- 6.12. To publish brochures, journals or publications and to conclude arrangements with other persons in order to publicize the activities of the Union and its Members and to disseminate matters of interest to Members and Players.
- 6.13. To acquire by purchase, lease or otherwise, both movable and immovable property and to sell, dispose of or otherwise deal with any of the property or the assets of the Union.
- 6.14. To invest any funds not immediately required by the Union in such a manner as may from time to time be decided.
- 6.15. To institute, conduct and defend any legal proceedings by or against the or its officers.
- 6.16. To formulate and prescribe rules of conduct and etiquette to be observed by Players and to take such steps as may be necessary to ensure that these are observed.
- 6.17. To establish and co-operate with other bodies and administer a fund for the development of golf among the disadvantaged sections of the community.
- 6.18. To further and safeguard the interests of the Union.
- 6.19. To ensure that members undertake to subscribe to the objectives of the Union as set out in this Constitution.
- 6.20. To establish, regulate and maintain a uniform Handicapping system and rating of golf courses within the realm of the Union.
- 6.21. To award national colours and awards to Players in accordance with National Sports Council of Zambia Regulations.
- 6.22. To promote junior golf throughout Zambia.
- 6.23. To encourage the playing of golf by the youth of Zambia, through tuition and competition, or by any other means as decided upon by the Executive.
- 6.24. To encourage the formation of junior sections in golf clubs.



- 6.25. To develop and encourage correct etiquette amongst junior golfers.
- 6.26. To ensure good corporate governance of its Members, who shall submit audited financial statements to the Union annually within three (3) months of the Member's AGM.

7.0 RULES OF GOLF AND AMATEUR STATUS

- 7.1 The Union accepts and is bound by the Rules of Golf and the Rules of Amateur Status together With such amendments or additions thereto as may from time to time be adopted by R & A Rules Limited and the decisions which it may from time to time take on the interpretation of the Rules of Golf.

8.0 INCOME, PROPERTIES AND MONIES

- 8.1 The income, property and monies of the Union from whatever source derived shall be applied and invested solely towards the promotion of the objectives of the Union as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of bonus or otherwise by way of profit to any Member. Nothing herein contained shall however, prevent the making of grants by the Union to a Member for the purpose of carrying out its objectives or furthering its interests or the payment of out of pocket expenses to any Member of the Executive or to the payment of remuneration to any person for any service actually rendered to the Union.

9.0 LIABILITY OF MEMBERS

- 9.1 Members shall not be liable to meet the debts, engagements and liabilities of the Union and the liability of Members shall be limited solely to the amounts due by them in respect of affiliation fees or other monies payable by them in terms of this Constitution.

10.0 MEMBERSHIP

- a. Members of the Union shall be those clubs in Zambia which, after applying for membership to the Union, have been so elected.
- B To qualify for membership of the Union, a member shall operate a regulation golf course comprising a minimum of nine holes.

The Union shall comprise the following already elected golf clubs:

- Chainama Hills Golf Club.
- Chibuluma Golf Club
- Chila Golf Club
- Chilanga Golf club
- Chipata Golf Club
- Choma Golf Club
- Kabwe Golf Club
- Kasama Golf Club
- Konkola Golf Club

- Livingstone Golf and Country Club
- Lusaka Golf Club
- Maamba Golf Club.
- Mansa Golf Club
- Mazabuka Golf club
- Mkushi Country Club
- Monze Golf Club
- Mpika Golf Club
- Mufulira Golf Club.
- Nchanga Golf Club
- Ndola Golf Club
- Nkana Golf Club
- Roan Antelope Golf Club.
- Sanje Golf Club.

And any such other Golf club or golf section of a sports club as may from time to time apply for membership and so elected by the union.

11.0 ZONES

11.1 Unless otherwise altered by a resolution of a General Meeting, the Union shall comprise two zones, viz: Southern Zone which shall include all clubs situated South of, but including Kabwe and Chipata, and the Northern Zone which shall include all clubs situated North of the Southern Zone.

12.0 INTEGRATION OF GOLF GROUPINGS AND PLAYERS' AGE CATEGORIES:

12.1 The Union shall integrate and where pertinent and practical, incorporate peripheral operations related to the various Golf Groupings. The Union shall for each Golf Grouping contemplated in clause 12.2. Stipulate any Player age participation criteria.

12.2.1 Golf groupings integrated into the operations of the Union are at present:

12.2.1 Junior golf.

12.2.2 Amateur golf.

13.0 HONORARY MEMBERSHIP

13.1 The Union may, in General Meeting, in recognition of outstanding services rendered to golf, confer honorary membership to an individual, for such period as the Union may decide, upon nomination by a member club in good standing Such a nomination must be submitted by the member club not less than forty two (42) days prior to the general meeting and seconded by another member club in good standing.

14.0 RIGHTS AND PRIVILEGES OF MEMBERS

14.1 All members shall be bound by this Constitution.

- 14.2 Membership of the Union shall, subject to the provisions of this constitution, entitle members to enjoy the privileges and advantages of the Union including the rights of the players to participate in golf tournaments and events held under the aegis of the union and its members and under the conditions governing the game.

15.0 AFFILIATION FEES AND LEVIES PAYABLE BY MEMBERS

- 15.1. Each Member shall pay to the Union an annual Affiliation Fee and such further levies as may be prescribed from time to time at a General Meeting, except that the Executive Committee, may without the consent of a General Meeting, raise annual affiliation fees by no more than ten percent (10%) per annum from the previous year's figure.
- 15.2. Liability for payment of affiliation fees and levies, if and when prescribed, by Members shall accrue as from the 1st day of January and these shall be paid by not later than 31st March in the same year.
- 15.3. The annual affiliation fees and any levies payable by a Member shall be based on the membership register of a Club. The affiliation fees of new Players collected as per clause 15.1 above shall be paid over to the Union on a monthly basis.
- 15.4. When making payment to the Union in terms of sub-clause 15.2 each Member shall send to the Honorary Secretary the following particulars as at the 1st day of January:
- 15.4.1. The number, names and addresses of **male members** affiliated to it.
- 15.4.2. The number of Players at each such golf club.
- 15.4.3. The composition of same as either senior or junior.
- 15.5. No Member ceasing its Membership of the Union for whatever cause, shall be entitled to a refund of any amount, or portion thereof, paid by it to the Union in terms of the foregoing.
- 15.6. Members shall be responsible to the Union for the payment to it of the prescribed affiliation fees and such further levies due. If a Member has not paid the affiliation fees and levies, if any, due to the Union by the final date specified in sub-clause 15.2 and fails thereafter to pay the same within one month after the Member has been called upon to do so, by the Union, the Member concerned shall cease to be affiliated to the Union, until such time as the due affiliation fees and levies have been paid by the Member concerned.
- 15.7. Any Member failing to comply with clause 15.6 above shall have its rights in terms of clause 14 suspended.

16.0 APPLICATION FOR MEMBERSHIP

- 16.1.1 Application for membership shall be sent to the Honorary Secretary at least two months prior to the date of annual general meeting together with an application fee determined by the Executive. This application fee is purely for administrative purposes and not based on capitation.
- 16.2 All such applications made to the General Secretary shall include the following information:

- 16.2.1 The name of the club.
 - 16.2.2 A copy of the registration certificate from the Registrar of Societies.
 - 16.2.3 The names of its male members (or the names of the male golfing members of the sports club).
 - 16.2.4 A copy of the constitution / rules or any by-laws of the club.
 - 16.2.5 The names of the officers of the club.
- 16.3 If the application for membership reaches the General Secretary six months or more before an annual general meeting, the General Secretary may, in consultation with the Executive Committee and the President grant provisional membership pending to the club pending election by the annual general meeting. Such applications shall be considered at the next annual general meeting. For election to membership a majority vote of two-thirds of those present and forming a Quorum shall be required.

The members thus elected shall be entitled to take part in all discussions, and to vote in any motions immediately after their election. Their subscription fee becomes payable and due immediately after their election.

17.0 TERMINATION OF MEMBERSHIP

- 17.1. A Member shall cease to be a Member of the Union and to enjoy the privileges thereof if it resigns, in writing, from the Union or, if its membership is withdrawn by the Union, at a General Meeting.
- 17.2. If, in the opinion of the Executive, a Member has conducted its affairs in an irregular or improper manner, or has willfully committed a breach of the provisions of this Constitution, or any of the terms and conditions upon which it was admitted to membership or has contravened any of the basic rules of golf in the conduct of its affairs or has disregarded or contravened any ruling issued by the Union in General Meeting or the Executive, the Executive may after giving such Member an opportunity to be heard, suspend such Member for such period as the Executive may deem fit or may terminate its membership of Union, provided that the Member concerned may within one week after receipt of written notification of the decision of the Executive require the Executive to call a Special General Meeting to consider the said decision. The Union may at such Special General Meeting, or any lawful adjournment thereof, confirm, vary or set aside the decision of the Executive. The decision of the Executive shall remain in full force and effect until it be varied or set aside by the Union as aforesaid.

18.0 REINSTATEMENT OF MEMBERSHIP

- 18.1 The Executive may, upon receipt of an application, in writing, from a Member whose membership has been terminated in terms of any of the foregoing sub-clauses, reinstate such Member upon such terms and conditions as it may decide.

19.0 INSTITUTIONAL BODIES OF THE UNION

- 19.1 The institutional bodies of the Union are:
- 19.1.1 The General Meeting
 - 19.1.2 The Executive Committee
 - 19.1.3 The Zambia Junior Golf Directorate

- 19.2 The age limitation for membership to the Zambia Junior Golf Directorate shall be as determined by the Union.
- 19.3 The Directorate shall be headed by a Director who shall be appointed by the Union Executive.
- 19.4 The Union shall regulate the golf club membership fee policy for all junior golfers in line with the aspirations of the Union and the Royal and Ancient Golf Club of St. Andrews.

20.0 ANNUAL GENERAL MEETING

- 20.1 The annual general meeting is the supreme governing body of the Union. This institutional body consists of the members of the Union, and shall be held at such place and such time as the Executive may decide, but not later than fifteen months after the date on which the previous Annual General Meeting was held.
- 20.2 The quorum for any general meeting shall be one-third of the union's duly accredited delegates except that any meeting requisitioned to amend any part of the constitution shall require a quorum for 75% of such delegates.
- 20.2 A general meeting not forming a quorum within one hour of the official time set for such a meeting shall stand postponed to the following week at the same time and place. Those persons present and entitled to vote at such postponed meeting shall constitute a quorum, irrespective of the number present and may transact the business of the General Meeting.

21.0 BUSINESS TO BE CONDUCTED AT AN ANNUAL GENERAL MEETING

- 21.1 The annual general meeting shall transact the following business:
 - 20.2.1 To receive delegates credentials in writing.
 - 20.2.2 To confirm the minutes of the previous annual general meeting and of any Special General meetings that may have been held since the preceding Annual General Meeting.
 - 21.1.3 To receive, consider and if approved, adopt the report of the executive for the preceding year.
 - 21.1.4 To receive, consider and if approved, adopt the Audited Financial Statements for the past financial year.
 - 21.1.5 To appoint auditors.
 - 21.1.6 To elect office bearers for the ensuing term in an election year.
 - 21.1.7 To set the calendar dates for all the amateur championships for the ensuing year.
 - 21.1.8 To elect applicants for membership.
 - 21.1.9 To determine the rate of annual membership subscription for the ensuing year and also to approve the budget for the ensuing year.
 - 21.1.10 To consider any motion for which due notice has been given as hereinbefore provided.

22.0 NOTICE OF THE ANNUAL GENERAL MEETING

- 22.1 The General Secretary shall give at least sixty (60) days preliminary notice of the date of the Annual General Meeting to Members.



- 22.2 Notice of any motions which the Executive or any Member wishes to be considered at an Annual General Meeting shall be submitted in writing to the Secretary not less than forty two (42) days before the date of the Annual General Meeting. A motion submitted by a Member must be seconded by at least two other Members.
- 22.3 A formal notice of an annual general meeting shall be given by the honorary secretary, giving 28 days' notice, stating the date, time and place of such meeting and business to be transacted at the Meeting.
- 22.4 Any decisions and resolutions made at the Annual General Meeting take effect immediately after the annual general meeting unless the resolutions specify otherwise.

23.0 PROCEDURE AT ANNUAL GENERAL MEETINGS

- 23.1 The President, or in his absence, one of the two Vice-Presidents shall preside as Chairman at Annual General Meetings. In the absence of all the aforementioned, the persons present at such Meeting shall appoint one of its number to act as Chairman.
- 23.2 No business or motion of which due notice has not been given shall be discussed at the Annual General Meeting provided that it shall be competent for the Chairman, at his discretion, to allow any amendment of wording of any resolution to be moved notwithstanding that due notice has not been given of the intention to move such amendment.
- 23.3 The Honorary Secretary shall take minutes of the proceedings of the Annual General Meeting and shall circulate these to Executive members and Members as soon as possible after the meeting.
- 23.4 Save as is otherwise provided by this Constitution, all resolutions passed at an Annual General Meeting shall be valid and effectual if carried by a majority of the Executive and delegates present and entitled to vote at the Meeting.
- 23.5 The Chairperson shall have a casting vote and the Executive, immediate past President and delegates present shall each have the votes as prescribed in clause 31. Voting shall subject to sub-paragraph 21.8 be by show of hands unless a ballot is demanded by a majority of the persons present at the Meeting, subject to proxy votes as prescribed in clause 47 hereafter.
- 23.6 Any Member which has not paid its affiliation fees or levies as hereinbefore provided by the date of the Annual General Meeting shall not be entitled to attend or vote at such Annual or Special General Meeting.

24.0 SPECIAL GENERAL MEETINGS

- 24.1 On the requisition by 50% or more members in good standing or at the request of the Executive Committee, a special general meeting shall be called by the Honorary Secretary with a notice of 21 days.
- 24.2 At all Special General Meetings the provisions of Annual General Meetings shall, *mutatis mutandis*, apply provided, however, that if a quorum is not formed, the Special General

Meeting shall be deemed to be dissolved further that should the members that requisitioned the special general meeting not be present “in Toto” such a Special General Meeting shall “fall away”.

- 24.3 A special general meeting called by the Executive will proceed as long as the President of the union and at least four other members of the Executive Committee are present.
- 24.4 The Special General Meeting shall only discuss the matter or matters contained in the requisite Notice given by the Members or Executive Committee.

25.0 EMERGENCY COMMITTEE

The President, General Secretary and the two Vice-Presidents of the Union shall form an Emergency Committee with power to act in relation to any situation or matter which the President certifies to be of an urgent nature. The President shall be required to give due notice to other members of the Emergency Committee of the matter to be considered and of which he has noted to be of an urgent nature. Two members of the Emergency Committee shall constitute a quorum to act on behalf of the Union, subject to any action taken by such Committee being reported to the next ensuing Meeting of the Executive and duly ratified. The powers hereby conferred shall relate to the necessity to act in relation to all urgent contracts, matters of a legal nature, agreements or legal process, but shall not empower the said Committee to take policy decisions on behalf of the Union. The said Committee shall have powers of co-opting any person to the said Committee for such purposes as required, but such person shall have no vote.

26.0 EXECUTIVE COMMITTEE

- 26.1. The Union shall be managed by an executive committee comprising the following office bearers.
- President
 - Vice President-North
 - Vice President-South
 - General Secretary
 - Treasurer
 - Executive Member-North
 - Executive Member-South
 - Director-Zambia Junior Golf Directorate
 - Immediate Past President
- 26.2. The Executive Committee (apart from the Director – Junior Golf and the Immediate Past President) shall be elected at an elective Annual General Meeting and shall take office immediately after the close of the General Meeting at which they are elected.
- 26.3. The Immediate Past President is an ex-officio member of the Executive Committee. The Director – Junior Golf is an appointed member of the Executive in accordance with clause 19.3.
- 26.4. All the Executive Committee members shall be members in good standing in their own respective member clubs and their clubs shall be in good standing with the Union.



- 26.5. Should an Executive Committee member's Nominating club be expelled from the Union or should the Executive Member's club resign its membership from the Union, the Executive Committee Member shall automatically lose his position in the executive committee.
- 26.6. An Executive Committee Member may be removed from office by the Executive Committee if he has failed to perform his duties to the satisfaction of the Executive Committee or for reasons of gross indiscipline, failure to attend three consecutive meetings without leave of absence or for any other act or omission that might bring the Union into disrepute.

27.0 NOMINATIONS AND ELECTIONS FOR EXECUTIVE COMMITTEE MEMBERS

- 27.1. Only persons who served as Executive Committee Member at a Member Club level for a cumulative period of four **(4)** years and served with a clean record, shall qualify for election to any position on the Executive Committee.
- 27.2. Any person aspiring to serve as a member of the Executive Committee must be of sound mind and sober habits, must not have been convicted for any criminal activity at any time and must have good credibility,
- 27.3. All nominations for the position of President must be proposed by the candidate's home member club in good standing and seconded by four member clubs in good standing, two from each Zone.
- 27.4. All other candidates will be duly proposed by their home member clubs in good standing and seconded, in the case of an ordinary committee position, by any member club in good standing.
- 27.5. All candidates vying for a zone position will be duly proposed by their home member clubs in good standing and seconded by a member club in good standing, from the zone they are contesting a position.
- 27.6. All nominated candidates will indicate their written acceptance of such nominations using the prescribed Form.
- 27.7. All validly completed nominations shall be sent to the General Secretary not less than forty two (42) days before the Annual General Meeting. The General Secretary will circulate the final list to all member clubs together with the notice of the meeting after verifying the validity of the nominations in accordance with the rules herein.
- 27.8. All nominated candidates will ensure that they are personally present at the Annual General Meeting in order to participate in the election, Should they, under extenuating circumstances, be unable to make it to the Annual General Meeting, leave of absence in writing must be sought from the General Secretary prior to the Annual General Meeting.
- 27.9. In the event that there are positions not contested for, the Executive Committee may appoint, within 30 days of the Annual General Meeting, a suitable candidate from a Member Club in good standing.
- 27.10. In the event that there is a tie for any position, the chairman of the Annual General Meeting shall exercise his casting vote, **which vote(s) shall have been cast and secured prior to commencement of voting by the members in the general meeting.**

- 27.11. Proxy votes shall be allowed, so long as they are in the prescribed form as per Appendix A and registered with the General Secretary not less than 30 minutes before the start of the meeting.
- 27.12. The term of office for any elected Executive Committee shall be for **Three (3)** years. The President elected at any such Annual General Meeting shall serve a maximum of two terms after which he cannot be eligible for election for a further term. Should the office of President become vacant for whatever reason, the Executive Committee may appoint one Vice President, or should a Vice President not be available, any other office bearer who qualifies for the office of President to take up the office for the remainder of the term. Such a person taking up the remainder of the office may contest the position of President and still qualify for the two terms clause at the next elective Annual General Meeting,
- 27.13. The newly elected Executive Committee takes office immediately after election at the General Meeting at which it is elected.
- 27.14 A Member of the Union Executive who shall assume a partisan political status shall be obliged to take leave of the Executive within Seven (07) Days of his adoption by the desired Political Organization. This shall also apply to Members of the executive committees of all the affiliated clubs.

28.0 EXECUTIVE COMMITTEE MEETINGS

- 28.1. The Executive shall meet at least quarterly.
- 28.2 Notwithstanding the provisions of sub-clause 25.1 further meetings of the Executive shall be held on the directions of the President or on a requisition in writing to the General Secretary by not less than three (3) Executive members.
- 28.3. Meetings of the Executive shall be held at such time and place as the President may decide.
- 28.4. At least two (2) weeks written notice of meetings shall be given to the Executive members by the Honorary Secretary.
- 28.5. Minutes shall be kept by the General Secretary.
- 28.7.Four (4) Executive members shall constitute a quorum for meetings of the Executive.
- 28.8. The President shall chair all Union meetings. Should the President not be able to chair any of the Union meetings for whatever reason, he shall delegate any of the Vice Presidents to Chair, and any and all resolutions reached by the meeting under the Vice President's chairmanship shall have same legal effect and standing as if they were presided over by the Union President.
- 28.9. Voting at meetings shall be by show of hands unless a ballot is demanded by a majority of the Executive Members present.



29.0 EXECUTIVE COMMITTEE POWERS

- 29.1** The Executive shall have the power to do all things necessary to carry out and promote the objectives of the Union except such matters as are required by this Constitution to be submitted to a General Meeting. Without limiting the powers and duties of the Executive and in addition to such powers as are conferred upon the Executive by this Constitution, the powers and duties of the Executive shall include the following:
- 29.2 To adopt, amend, review or rescind by-laws for the regulation and administration of the affairs of the Union and its Members;
- 29.3 To appoint such Committees and sub-committees from among its number, or otherwise, for such purposes and upon such terms as may be considered desirable and to delegate such powers thereto as may be necessary.
- 29.4 To summon, at any time a Special General Meeting of the Union;
- 29.5 To receive and authorize the investment and the expenditure of monies in Accordance with this Constitution;
- 29.6 To open banking accounts in the name of the Union and to resolve the manner of operation of such accounts.
- 29.7 To select teams to represent the Union in golf matches or competitions and to prescribe the rules of conduct to be observed by such Players and officials;
- 29.8 To determine the manner in which national colors shall be awarded to Players and officials;
- 29.9 To organize, promote and stage golf tournaments, championships and competitions, to prescribe rules for the right of entry therein and the conduct thereof and to endeavor in its discretion to arrange sponsors for tournaments staged by the Union;
- 29.10 To issue rulings and interpretations on any matter submitted to it or falling within the jurisdiction of the Union.
- 29.11 To take disciplinary action in or Player who, in the opinion of the Executive, has committed a breach of the Rules of Golf or the Rules of Amateur Status in any competition, whether national or otherwise, or whose conduct in the opinion of the Executive is unbecoming of a Player or detrimental to the game of golf, or who has in any other way committed a breach of any rule falling within the jurisdiction of the Union.
- 29.12 To appoint any person to represent the Union on any golf or other sporting body, which the Executive considers necessary or advantageous.
- 29.13 To review and rescind its own motion or decision. A motion to review and rescind a decision shall require a two-thirds majority; such motion to be submitted to the office in writing fourteen (14) days before a meeting at which such motion is to be considered and/or reviewed. A new counter-motion must accompany such a review. Once a motion to review and rescind is successful, a simple majority will be required to pass such motion.



30.0 PAST PRESIDENTS' COUNCIL

- 30.1 There shall be a past presidents' council which shall be an advisory body of the Union to give guidance on specific matters referred to it.
- 30.2 The Past Presidents' Council shall select one of their members as chairman in any proceeding.

31.0 VOTING DELEGATES

- 31.1 Each member club in good standing having a male membership of 200 or less will provide two delegates, each member club in good standing with a male membership of 201 to 400 shall provide three delegates and each member club with a male membership of more than 400 shall provide four delegates.
- 31.2 The Union Executive Committee comprising the president, two vice presidents, the immediate past president, two executive members, the General Secretary, the Honorary Treasurer, and Director of Junior Golf shall each have one vote at all meetings
- 31.3 All other past presidents of the Union shall enjoy delegate status but shall have no voting right.
- 31.4 Each delegate shall be duly accredited in writing by the member club in good standing from where he originates, and this accreditation is not transferable unless by way of a written proxy from the member club in good standing; nor will any delegate represent more than one member club.
- 31.5 A member club in good-standing , may however instruct in writing to the union executive committee to appoint a delegate on its behalf, provided however that such a delegate shall only vote in accordance with the written mandate received by the union executive committee from that particular member club.

32.0 OTHER LEVIES

- 32.1 If thought necessary, the Executive Committee may levy, with the agreement of a general or special meeting, additional contributions from member clubs for specific projects or expenditure items provided, however, that such a levy does not exceed 25% of the current annual subscription fee capitation.

33.0 FINANCIAL YEAR

- 33.1 The financial year of the Union shall run from the 1st day of January to the 31st day of December.

34.0 BOOKS OF ACCOUNT

- 34.1 Books of account of the affairs of the Union shall be kept and such books, together with all other papers and documents connected with or relating to the business or the affairs of the Union, shall be kept by the Honorary Treasurer and shall be at all times be accessible to the Executive members. The Executive shall from time to time determine under what conditions or regulations the books of account and other documents of the Union shall be open to inspection.

35.0 BANKING ACCOUNTS

- 35.1 All monies paid to the Union shall, as soon as possible after receipt, be deposited in the name of the Union with a Bank, or other financial institution as the Executive may decide and shall be withdrawn therefore, from time to time as may be required. All cheques or electronic funds transfers shall be signed, endorsed or released by such person or persons as may be authorized thereto by the Executive.

36.0 AUDITORS

- 36.1 The Accounts of the Union shall be audited annually by a Registered Public Accountant and Auditor, who shall not be an Executive member and who shall be appointed at the Annual General Meeting of the Union. In case of a vacancy occurring in the office of Auditor during the year, the Executive shall forthwith appoint a Registered Public Accountant and Auditor to fill the vacancy.

37.0 DISCIPLINE

- 37.1.1 The Union shall cause to be written and broadcast a disciplinary code and code of conduct which shall be circulated to all member clubs. In addition, the union expects all member clubs to be familiar with the rules of golf and their relevant sanctions. This disciplinary code shall cover all and perceived offences of misconduct at member club level, national team level and at its own executive committee level.
- 37.2. The Individual Affiliated Clubs shall handle their members' disciplinary cases in accordance with their own constitutions and internal disciplinary procedures but within the provisions of the ZGU Code of Discipline whereas the Executive shall handle and dispose of cases involving the Union.
- 37.2 The Executive Committee shall appoint the chairman of the disciplinary committee who shall be a past president of the Union. The Executive Committee shall also appoint two other members of the disciplinary committee who need not be past presidents.
- 37.3 The Union shall have powers, upon petition by not less than 50% of the member club's membership in good standing and upon ascertaining that all the member club's internal processes have been exhausted, to intervene in internal wrangles and disputes in a member club. The Union will then have power to dissolve a member club executive committee and appoint an interim one, for a period not exceeding six months, and to call for fresh elections thereafter according to the member club's constitution, and in the absence of a constitution,



in accordance with the Union rules, or in the absence of a relevant rule, in accordance with the rules of natural justice.

38.0 RESOLUTION OF DISPUTES

- 38.1 In the event of any dispute or difference involving the Union, a Member, a player or club member and relating to matters of the game or the breach thereof; the parties shall use their endeavors to settle such dispute or differences amicably, to this end they shall consult and negotiate with each other, in good faith and understanding of their mutual interests to reach a joint and equitable solution satisfactory to the objectives of the Union and the game of golf.
- 38.2 In the event of the dispute failing to be resolved under sub-clause 38.1 the parties shall refer the dispute or difference as follows:
- 38.2.1 Appeal to the Member club,
 - 38.2.2 Appeal to the Union through its disciplinary committee,
 - 38.2.3 Appeal to the relevant governing body of sports in Zambia.
- 38.3 In the event the parties have exhausted the stages outlined in sub-clause 38.1 and 38.2 the dispute or difference the Union may refer the dispute or difference to a single mediator appointed by the Zambia Centre for Dispute Resolution.

39.0 ALTERATION TO RULES AND AMENDMENTS TO THE CONSTITUTION

- 39.1 The constitution shall not be repealed or amended except by a resolution passed at an Annual General or at a Special General Meeting of the Union called for that purpose, which resolution shall be passed by not less than two-thirds of the votes cast by those present and entitled to vote.
- 39.2 Any motion to amend any rule or the constitution shall be done and deposited with the Honorary Secretary not less than forty two (42) days before the annual general meeting or the proposed special general meeting.
- 39.3 **TRUSTEES**
Any property of the union shall be vested in three (3) trustees who shall be past presidents of the Union. The trustees shall be nominated by the Executive Committee and ratified by the annual general meeting.

The trustees shall have power:

- 39.3.1 To assume control of the Union's affairs if for any reason the Executive Committee resigns "in toto" and take such action as may be necessary to conform with the articles of this constitution for the election of a new committee.
 - 39.3.2 In the event of vacancy occurring the office of trustee to act with all the power and authority vested in the trustee to act until such time as the vacancy is filled at a general meeting.
 - 39.3.3 To hold in trust, in the event of the Union at any time being wound up for any reason whatsoever, any funds and the proceeds from the realization of any assets. If within a period of five years, the union has not been resuscitated the funds shall be donated for the furtherance of the game of golf in Zambia in such manner as the trustees may decide.
- 39.4 The trustees shall continue in office unless they:
- 39.4.1 relocate from Zambia and permanently decide to reside outside Zambia; or
 - 39.4.2 retire; or
 - 39.4.3 are removed by two thirds majority of member clubs present at a general meeting voting therefore; or
 - 39.4.4 cease to be ordinary male members of a Member Club.
- 39.5 The trust shall be registered as a body –corporate under the land (perpetual succession) ordinance (Cap 288 of the Laws of Zambia).

40.0 DISSOLUTION OF THE UNION

- 40.1 The Union may not be dissolved, wound up or placed in liquidation except by a resolution passed at a Special General Meeting of the Union called for that specific purpose which resolution shall be by not less than seventy five (75%) percent of the votes cast by those present and entitled to vote.

41.0 NOTICES

- 41.1 All notices to be given in terms hereof shall be in writing and signed by the General Secretary of Union.
- 41.2. Notices posted to the last known address of the persons entitled to receive the same shall be deemed to constitute effective notice.
- 41.3 Notices e-mailed to the last known email address of the persons entitled to receive the same shall be deemed to constitute effective notice.
- 41.4 The accidental omission to give notice to a person entitled to receive the same or the non-receipt of such notice shall not invalidate any meeting or proceedings to which such notice related or any decision taken thereat.



42.0 CASUS OMISSUS

42.1 In the event of any “casus omissus” in these rules, the Executive Committee shall decide and act as they may think proper.

43.0 INTERPRETATION OF THIS CONSTITUTION

Any disputes arising out of or in connection with the enforceability of this constitution or the application and interpretation of these provisions or any dispute therein, shall be settled by arbitration pursuant to the Arbitration Act No. 19 of 2000 of the Laws of Zambia.



Appendix A
THE ZAMBIA GOLF UNION

I, _____ of _____ being an
Executive Committee Member / Delegate of _____ Golf Club, hereby
appoint _____

or failing him _____

or failing him _____

of _____ as my proxy to vote for me and on my behalf at
the Annual General Meeting / Special General Meeting (as the case may be) of the Union to be held on the day
of _____ 20__ and at any adjournment thereafter as follows:

	Favour	or	Against
Resolution No. 1	_____		_____
Resolution No. 2	_____		_____
Resolution No. 3	_____		_____

(Indicate instruction to proxy by way of a cross in space provided above.)

Unless otherwise instructed, my proxy may vote as he thinks fit.

Signed this _____ day of _____ 20_____

Signature _____

A motion to review and rescind a decision shall require a two-thirds majority; such motion to be submitted to the office in writing fourteen (14) days before a meeting at which such motion is to be considered and/or reviewed. A new counter-motion must accompany such a review. Once a motion to review and rescind is successful, a simple majority will be required to pass such motion.



Appendix B
THE ZAMBIA GOLF UNION

I, _____ of _____ being an
Executive Committee Member / Delegate of _____ Golf Club, hereby
appoint _____

or failing him _____

or failing him _____

of _____ as my proxy to vote for me and on my behalf at
the Annual General Meeting / Special General Meeting (as the case may be) of the Union to be held on the day
of _____ 20__ and at any adjournment thereafter as follows:

	Favour	or	Against
Candidate . 1	_____		_____
Candidate. 2	_____		_____
Candidate. 3	_____		_____

(Indicate instruction to proxy by way of a cross in space provided above.)

Unless otherwise instructed, my proxy may vote as he thinks fit.

Signed this _____ day of _____ 20__

Signature _____

A motion to review and rescind a decision shall require a two-thirds majority; such motion to be submitted to the office in writing fourteen (14) days before a meeting at which such motion is to be considered and/or reviewed. A new counter-motion must accompany such a review. Once a motion to review and rescind is successful, a simple majority will be required to pass such motion.