

**Nomads**



**Australia**

**NOMADS GOLF CLUB (AUSTRALIA)  
INCORPORATED**

NSW INC9881076

**CONSTITUTION**

As amended 26<sup>th</sup> October 2013

(version 3.0)

# Nomads



# Australia

## 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.'

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## 1. NAME

The name of the Club shall be the NOMADS GOLF CLUB (AUSTRALIA) INCORPORATED (hereinafter referred to as "NOMADS"), comprising those clubs adopting this Constitution.

## 2. HEADQUARTERS

The headquarters of Nomads shall be at such place as may be decided at a duly constituted meeting of the National Executive (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 remains the property of the Nomads South Africa Golf Club who has given unconditional permission to Nomads Golf Club (Australia) Incorporated to use the insignia in accordance with the constitution and the rules of play 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 Australia.
- 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 governing body 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 governing body.

- 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.

## 5. MEMBER CLUBS

Nomads shall comprise such Member Clubs as may be decided by the National Executive from time to time. Member Clubs shall operate under the same principles and guidelines set for and by the National Executive as contained in the Nomads Golf Club (Australia) Incorporated Constitution which Constitution, as amended from time to time, will be the Constitution for all Member Clubs.

## 6. LEGAL STATUS

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

- 6.1. Nomads shall have perpetual succession (subject always to the dissolution of Nomads as a whole in terms of clause 25 hereof).
- 6.2. Nomads shall in no way pursue the acquisition of any financial profit or gain or material benefit for any of its Members. Any profit or gain or material benefit made by any individual during the course of his Nomads activities shall immediately be disclosed to his Member Club Committee for appropriation in terms of the aims and objects of Nomads.
- 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 Executive.
- 6.5. The liability of Members shall be limited to the amount of their Annual Subscription. Each Member club shall have and maintain suitable public liability cover and indemnify Nomads Golf Club (Australia) Incorporated as well as other Member Clubs from any liability.
- 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.

## 7. MEMBERSHIP

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

### 7.1. HONORARY LIFE MEMBERSHIP

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

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

7.1.3. Honorary Life Members of Nomads shall not be required to meet the participation obligations of Members.

7.1.4. Honorary Life Members

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

7.1.4.2. May wear Nomads insignia.

7.1.4.3. Shall be eligible to participate in any Nomads competition.

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

7.1.5. Neither entrance fees, nor subscriptions fees are payable by Honorary Life Members.

7.1.6. 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 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.
- 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. 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 an approved applicant who is 18 years of age and over in accordance with clause 7.3.2. Members shall be affiliated to a Golf governing body recognised by the International Golf Federation (or by whatever name that body becomes known in the future) or the Professional Golfers Association and must be handicapped by that Golf governing body.
- 7.3.2. Full Membership may be awarded at the discretion of the Executive Committee of any Member Club upon application, proposed and seconded by current members in good standing for at least one year except in the case of new clubs which have existed for less than two years. Any proposed new member will play as a visitor in the Member Club monthly meeting as a guest of a committee member, who after completion of the game will endorse, favorably or otherwise, the application for membership. After favourable endorsement the proposed member shall be inducted into the club, with due formality, at the

end of his third game as a visitor. Full Members are entitled to enter all meetings and annual competitions.

7.3.3.A Full Member shall play in a minimum of three (3) 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 or suspended 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 a Member Club being unable to accommodate a player in the monthly meeting of that Club.

7.3.3.2. Should a player fail to play in a monthly meeting of his Member Club but plays in the current or following month in a monthly meeting of another Nomad Club, his obligation for that particular month shall be deemed to have been met. Such scores shall not count towards any of his Member Club's annual competitions nor be used for handicapping purposes. 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.

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 three (3) monthly meetings during that 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 Club.

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**

An Associate Member shall be and remain affiliated to a Golf governing body recognised by the International Golf Federation (or by whatever name that body becomes known in the future) or the Professional Golfers Association and must be handicapped by that Golf governing body.

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 three (3) 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 three (3) 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 unless permission to do so is granted by the Member Club Executive committee.

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, 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 affiliated to a Golf governing body recognised by the International Golf Federation (or by whatever name that body becomes known in the 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 not 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**

7.7.1. 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.

7.7.2. The Executive Committee of a Member Club may at its discretion bestow retrospective Suspensive Membership without any arrear subscription obligations, to any member who had previously been a Member of a Nomads club in another country and had ceased such membership to reside in Australia in an area where no Member Club existed, provided that such member joins the Australian Member club within one year of its inauguration in his area of residence and that the member had left his former club in good standing. Such Member is accordingly conferred all reinstatement rights.

#### **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 to representatives of sponsors of a 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 Special Meetings of their Member Clubs but shall have no vote.
- 7.9.1.5. shall be eligible for participation in a National Tournament at the discretion of his Member Club or of that of the National Executive Committee.
- 7.9.1.6. shall pay the playing fee levied by his club for each and every time he participates in a monthly meeting.

7.9.1.7. shall meet the minimum playing commitment as set out in paragraph 7.3.3 above, should he wish to participate in any of the annual competitions.

7.9.1.8. shall, save for the foregoing, be subject to the provisions of the Constitution with the exception of paragraph 7.3.3 as read with paragraph 7.9.1.7 and 7.11.

7.9.1.9. shall cease to be a Member, on either:

7.9.1.9.1. the Sponsor, which he represents, ceasing to sponsor the club; or

7.9.1.9.2. leaving the employ of the Sponsor

#### 7.10. **TRANSFeree MEMBERSHIP**

7.10.1. A Member of Nomads who wishes to transfer to another Club, shall be granted an automatic transfer to such Club in the same membership category as held by him in his former Club, provided:

7.10.1.1. He is, and has been in good standing in terms of paragraph 7.11 at his Club for a period of two (2) years prior to his application for transfer; and

7.10.1.2. His former Club has within thirty (30) days of the date of his application for transfer remitted the following to the transferee Club:

- (i) His original application form to become a Nomad;
- (ii) His transfer application form;
- (iii) His playing record.

7.10.2. A Member of Nomads wishing to transfer to another Club shall apply to such Club within six (6) months of his leaving his former Club. His failure to do so will cause his membership of Nomads to lapse.

7.10.3. Where the Member seeking transfer does not meet the requirements of paragraph 7.10.1.1 and provided paragraph 7.10.1.2 has been complied with, the Executive Committee of the transferee Club shall have the discretion to either grant him an automatic transfer or to accord Transferee Membership to him.

7.10.4. A Transferee Member may not participate in more than two (2) normal monthly meetings of his transferee Member Club in any playing year, This restriction may be waived at the discretion of the transferee Member Club Executive Committee.

7.10.5. Where a Member is accorded Transferee Membership, he shall remain a Member in such category until two (2) years after the date of his originally becoming a Member of Nomads, whereupon he shall automatically revert to the category of membership held by him at his former Club, provided he has maintained a playing commitment of two (2) games per year during the period of Transferee Membership..

7.10.6. The Transferee, irrespective of the category of membership accorded to him, shall within twelve (12) months of the date of his application for transfer, become and remain affiliated to a Golf governing body recognised by the International Golf Federation (or by whatever name that body becomes known in the future) or the Professional Golfers Association. The Transferee shall further be handicapped by that Golf Governing body.

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

7.11.       **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, has no disciplinary constraint and if his annual subscriptions are paid in accordance with clauses 10 and 11 of the Constitution.

## 8. FOUNDER, LONG STANDING MEMBERS AND BADGES FOR MEMBERS OF THE NATIONAL EXECUTIVE

- 8.1. A Founder Member of a Club shall be a Member who joins a Member Club at its inception or within a stated period thereafter. Each Member Club shall recognize the Founder Members in their Club, who shall be entitled to a special Nomads badge.
- 8.2. Each Member Club shall recognize 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 or insignia representing their period as a Member as authorised by the National Executive.
- 8.3. Each Member Club shall recognize a special tie and/or blazer pocket badge for any special trips conducted overseas if authorised by the National Executive.
- 8.4. The National Executive 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 President and Past National Presidents 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 tie, the cost of which shall be borne by the Member Club. A replacement tie may be issued and the cost thereof borne by the Member. In addition all Members of Nomads shall be entitled to wear such ties and other insignia as shall be decided by the National Executive.

## 10. ENTRANCE FEE AND SUBSCRIPTIONS

- 10.1. Each Member Club Executive shall decide upon the following:
  - 10.1.1. Entrance fee payable by Members.
  - 10.1.2. The annual subscription payable by Members.



- 10.1.3. The date upon which such Entrance Fee and subscription shall become due and payable, provided that subscriptions may be payable in such installments as may be decided upon by each individual Member Club.
- 10.2. If a prospective Member applies for membership of a Member Club in the second half of the financial year the Member Club concerned shall be entitled to reduce the annual subscription payable by such prospective Members 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.
- 11.2. A Member more than one month in arrears with his subscription shall be sent a registered letter or email 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 30<sup>th</sup> June 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

The National Council is composed of the National President, the Immediate Past National President ex Officio, Senior and Junior Vice-Presidents, the National Secretary, the National Treasurer, the National PRO, Honorary Life Members and the Captains, Vice-Captains, Secretaries and Treasurers of all Clubs, plus two (2) Club representatives.

### 13.2. National Executive

This Committee shall carry out the executive function of the National Council and is composed of the National President, the Immediate Past National President, the Senior and Junior Vice-Presidents, the National Secretary, the National Treasurer, the National PRO and the Captains of all Member Clubs or their nominated representatives.

## 14. THE NATIONAL EXECUTIVE

### 14.1. **COMPOSITION OF THE NATIONAL EXECUTIVE COMMITTEE**

14.1.1. National President

14.1.2. National Senior Vice-President

14.1.3. National Junior Vice-President

14.1.4. National Secretary

14.1.5. National Treasurer

14.1.6. National PRO

14.1.7. Immediate Past National President

14.1.8. Captains of all Member Clubs or their nominated representatives.

### 14.2. **FUNCTION OF THE NATIONAL EXECUTIVE COMMITTEE**

The function of the National Executive Committee shall be to carry out the executive function of the National Council and 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 National Council Meetings.

### 14.3. **OFFICE BEARERS**

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

14.3.1.1. National President

14.3.1.2. National Vice-President

14.3.1.3. National Junior Vice-President

14.3.1.4. National Secretary

14.3.1.5. National Treasurer

14.3.1.6. National PRO

14.3.2. In the event of more nominations than required for the above office 14.3.1.1, 14.3.1.2, 14.3.1.3 being received, election shall be by elimination of the candidates receiving the least votes until there are two candidates whereupon elections shall be by ballot of members eligible to vote. Provided that in the event of there being more nominations than one for the offices 14.3.1.1 and 14.3.1.2, the unsuccessful candidate shall automatically qualify as a candidate for election to the office 14.3.1.2 and 14.3.1.3 respectively without having to be specifically nominated thereto in terms of Clause 14.3.3 hereof. Provided further, that in the event of the unsuccessful candidate for office 14.3.1.1 automatically qualifying for election to office 14.3.1.2 and being unsuccessful he shall automatically qualify as a candidate for election to 14.1.3.

14.3.3. Candidates for election to the aforesaid office 14.3.1.1, 14.3.1.2, 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.

14.3.4. Immediately after the date of the 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.

14.3.5. The National Secretary, the National Treasurer, and the National PRO shall be appointed to their offices by invitation of the National President once he is elected, subject to the approval of the National Council with the National President exercising a casting vote in the event of an equality in voting for such approval, provided that the National Executive member so elected shall be and remain a Member of a Member Club in Australia.

14.3.6. In the event that an office bearer cannot fulfill his obligations during the term of his office, he will be replaced, for the remaining term of the vacating office bearer, by election/appointment as follows:

14.3.6.1. National President, by the National Vice-President and thereby also giving effect to 14.3.6.2 and 14.3.6.3.

14.3.6.2. National Vice-President, by the National Junior Vice-President and thereby also giving effect to 14.3.6.3.

14.3.6.3. National Junior Vice-President, by a special meeting of the National Council

14.3.6.4. National Secretary, by invitation of the National President

14.3.6.5. National Treasurer, by invitation of the National President

14.3.6.6. National PRO; by invitation of the National President

14.4. **NOTICE OF MEETING**

Notice of all meetings of the National Executive Committee together with an Agenda shall be forwarded to all 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.

14.5. **MINUTES**

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

14.6. **QUORUM**

A quorum for the National Executive Committee shall be (five) 5 duly accredited delegates which shall include two of the National President, National Senior Vice-President and National Junior Vice President. 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.

14.7. **ALTERATION TO THE RULES OF PLAY**

Alterations to the Rules of Play may be proposed by Member Clubs or the National Executive only and shall be made only at a National Executive Committee 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 Executive meeting.

14.8. **VOTING**

Voting shall be on a show of hands or by ballot.

## 15. THE NATIONAL COUNCIL

### 15.1. **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 circularized to all Members of the National Council at least 30 days before the date of the said meeting.

### 15.2. **SPECIAL GENERAL MEETING**

Upon the request of the National President 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 President. 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 President and National Senior Vice-President. If the prescribed quorum is not present within 15 minutes of the advertised time the meeting shall be abandoned.

### 15.3. **MINUTES**

Minutes of all meetings of the National Council shall be recorded and shall be circularized 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.

### 15.4. **ANNUAL FINANCIAL STATEMENTS**

The National Treasurer shall keep true and proper account of all income and expenditure under his control. He shall present annual financial statements as at the end of each financial year duly audited by a practicing professional Accountant to the annual meeting of the National Council. All funds received by the National Executive shall be deposited in a registered Commercial Bank in Australia in the name of the National Club and all movement of funds be drawn by two of four signatories appointed by the National Executive Committee, one of whom shall preferably be the National Treasurer.

### 15.5. **QUORUM**

The quorum for the Annual National Council Meeting shall be 7 duly accredited delegates which shall include two of the National President, National Senior Vice-President and National Junior Vice-President. 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.

#### **15.6. ALTERATIONS TO THE CONSTITUTION**

15.6.1. Alterations to the Constitution may be proposed by Member Clubs or the National Executive Committee only and shall be made only 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.

15.6.2. 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 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 Executive in writing of any proposed alterations to the Constitution.

#### **15.7. VOTING**

15.7.1. Each of the following persons shall have one vote: the National President, the Immediate Past National President, the National Senior Vice-President, the National Junior Vice-President, the National Secretary, the National Treasurer, the National PRO, Honorary Life Members and the Captain of each Member Club, or his nominee, will have four votes. Subject to anything contrary herein contained, matters shall be decided by a majority whether on a show of hands or by ballot and the National President 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.

15.7.2. At neither National Council or Special General Meetings will proxy votes be accepted other than for those available to Club Captains in terms of Clauses 15.7.1.

### **16. CO-OPTION OF MEMBERS**

Either the National Council or the National Executive 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. DECISIONS OF THE NATIONAL COUNCIL AND NATIONAL EXECUTIVE COMMITTEE**

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

## 18. MEMBER CLUB EXECUTIVE COMMITTEE

### 18.1. **FUNCTION (OF THE MEMBER CLUB EXECUTIVE COMMITTEE)**

Each Member Club Executive Committee shall deal with matters affecting the affairs of such Members Club and such matters as it considers should be referred to the National Executive 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. **COMPOSITION**

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

18.2.1. The Immediate Past Captain

18.2.2. The Club Captain

18.2.3. The Vice Captain

18.2.4. The Junior Vice Captain

18.2.5. The Secretary

18.2.6. The Treasurer

and such other functional officers as may be considered desirable.

### 18.3. **TERM OF OFFICE**

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

18.3.2. The term of office of appointed officers of the Member Club Committees shall be for a minimum of 1(one) Nomads playing calendar year.

### 18.4. **ELECTION OF OFFICE BEARERS**

18.4.1. At the Annual General Meeting of each Member Club, each Member Club shall elect a Junior-Vice Captain to succeed the existing Junior-Vice-Captain. 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 Junior Vice-Captain being received, elections shall be by elimination of the candidates receiving the least votes.

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 as soon as possible after the end of the Nomads playing year being on completion of all proceedings in relation to the final monthly meeting and Gold Cup event both of which are held on the annual Gold Cup day. A notice of the day, hour and business of the Annual General Meeting shall be posted to all Members at least 21 days prior to the date of the meeting. The procedure to be adopted at such Annual General Meeting shall be as follows:

18.5.1. To read the notice convening the meeting

18.5.2. To confirm the Minutes of the previous Annual General Meeting and of any Special General Meeting.

18.5.3. To receive and consider the Captain's Annual Report on the affairs of the Club together with the duly audited balance sheet and statement of accounts for the year.

18.5.4. To elect 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**

A quorum for an Annual General Meeting of a Member Club shall be 20 percent, or 25 in number, of Members present and entitled to vote whichever is the larger. 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 the adjourned meeting a quorum is not present within half an hour from the appointed meeting those present and entitled to vote shall be a quorum.

18.7. **SPECIAL GENERAL MEETING**

18.7.1. The Secretary shall at the request of the Captain of a Member Club or upon receipt of a requisition signed by at least 20 percent, or 25 in number, of Members in good standing, whichever is the larger, specifying the object for which the meeting is desired call a special General Meeting.

18.7.2. The notice calling a Special General Meeting shall state the object for which the meeting is called and no other business may be transacted at that meeting. The secretary shall give at least 14 days' notice to all the Members of the Member Club of the time and place fixed by the Executive Committee of the Member Club of such meeting.

18.7.3. A quorum for a Special General Meeting of a Member Club shall be 20 percent, or 25 in number, of Members present and entitled to vote whichever is the larger. If within half an hour from the time appointed for any meeting as above, a quorum is not present, the meeting shall be abandoned.

18.8. **MINUTES**

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

18.9. **ANNUAL FINANCIAL STATEMENTS**

The Honorary Treasurer of each Member Club shall keep a true and proper account of all the income and expenditure of his Member Club. He shall present annual financial statements duly audited by a practicing professional Accountant for the preceding financial year to the Annual General Meeting of the Member Club and upon it being confirmed at such meeting shall forward a copy thereof to the National Treasurer in time for presentation at the first meeting in each year of the National Executive Committee. Copies of such accounts shall be made available to all Members of the Member Club. Funds received by the Member Club shall be banked in the name of that Member Club and shall be operated upon by two signatories out of three appointed by the Executive Committee of the Member Club.

18.10. **QUORUM**

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

#### 18.11. **VOTING**

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

#### 18.12. **INABILITY OF AN ELECTED CLUB EXECUTIVE OFFICER TO ACT**

18.12.1. In the event that an elected Member of a Club Executive be unable to continue his duties then the procedure to be followed for his replacement shall be as laid down from time to time by the National Executive in conjunction with the affected Club. In no circumstances may a Captain or Vice-Captain (as opposed to an Acting Captain or Acting Vice-Captain) assume the position without being elected at an Annual General Meeting or a Special General Meeting.

18.12.2. The quorum at a Special General Meetings called in terms of Clause 18.7 for the purposes of an election under Clause 18.12.1 shall be 20 percent of the Members or 25 in number present and entitled to vote whichever is the larger. 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 Executive such fee in respect of each of its Members (excluding Non-Playing Members) registered as at 28<sup>th</sup> February annually as may be decided by the National Executive from time to time. Payment of these fees shall reach the National Treasurer annually by not later than 31st March. If any Member Club has not paid its annual Capitation Fees, its delegates to the National Council or National Executive Meeting shall be disqualified from voting at such Meeting and the defaulting Club's Members shall not be allowed to participate in the National 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 21st December 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 the month of 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 AGU Handicap.
- 20.5. Each handicapper of a Member Club shall, subject to the terms of 20.4 above, be entitled to exercise his discretion in allocating a handicap to a participant in any Nomads meeting.

## 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 Executive Committee, Such competitions shall terminate when the Annual Gold Cup competition is held, namely;

- 21.1. The Nomads Knock-Out Competition.
- 21.2. The Best Six Competition
- 21.3. The Evens Trophy
- 21.4. The Gold Cup Competition
- 21.5. The Odds Trophy
- 21.6. Player of the Year

## 22. DISCIPLINE

22.1. Should any member, in the opinion of the National Executive or his Member Club Executive Committee, commit any willful breach of the Constitution, Rules, 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 such Committee shall have the power.

22.1.1. To expel such Member; or

22.1.2. To deprive such Member of all or any rights and advantages of their 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. Notwithstanding anything hereinbefore contained, no Member shall be expelled 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 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:
- 22.2.1. 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 favor of the decision.
- 22.2.2. 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.
- 22.2.3. 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.
- 22.3. Any Member expelled as a result of a decision of his Member Club shall be entitled to appeal against such decision to the National Executive. The appeal by the expelled Member shall be lodged in writing with the National Secretary within 14 days of the decision of his Member Club and shall state such expelled Member's grounds of appeal and a copy thereof shall simultaneously be delivered to the Secretary of his Member Club, In such event the Secretary of such Member Club shall, within 30 days of the noting of such appeal, transmit a copy of the proceedings to the meeting at which the decision to expel such Member was taken together with a resume of the evidence led and the findings of the Member Club and its reasons therefore, 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 circularize copies thereof to the Members of the National Executive to be received by them no later than 30 days before the next meeting of the National Executive. Such appeal shall be adjudicated upon by the National Executive who shall not be obliged to hear additional evidence but who shall receive argument from such expelled Member who shall be entitled to a right of reply. Having heard such argument the National Executive shall allow or disallow such appeal on a majority vote. Pending the outcome of the appeal, such expelled Member's membership shall be suspended and all his rights and obligations shall be suspended until the decision of the National Executive shall be made known. The decision of the National Executive shall be final and binding.

## 23. NATIONAL TOURNAMENT

- 23.1. Nomads shall hold a National Tournament at a centre to be decided at a meeting of the National Executive. The Executive Committee of the host Club at which such tournament is played shall nominate a National Coordinator and venue subject to the approval of the National Executive and who, upon such approval, shall thereafter be responsible to the National President and the National Council. Each Member Club shall nominate a Club Coordinator who shall attend to the local co-ordination of its Members and arrange for their attendance at the National Tournament in collaboration with the National Coordinator. The National Executive Committee shall, on consideration of recommendations from the National Coordinator, 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 Executive from time to time. The National Executive 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 less the cost of green fees. 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 Executive 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 THE CONSTITUTION AND RULES

In case of doubt as to the meaning of any of the Rules of Nomads the interpretation of the National Executive shall be binding upon all Members. Any decision of the National Executive in terms of this rule shall not affect the validity of anything done in conformity with a decision of the National Executive 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 three (3) calendar months prior to the date of the meeting.

## 26. NOMADS CHARITY GOLF DAY

- 26.1. Each Member Club, in existence at 1st February in any year, shall hold an annual tournament which will be known as the Nomads Charity Golf Day or any other name deemed appropriate by the Member Club Committee.
- 26.2. Such tournament shall be the responsibility of the Vice Captain
- 26.3. The net proceeds raised by each Member Club as a result of such tournament shall be donated by such Club to a charity or charities selected by the Vice Captain of the Member Club and ratified by the Member Club Executive Committee.
- 26.4. 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 otherwise in a manner not disallowed by the National Executive.
- 26.5. The Vice-Captain of each Member Club shall be responsible for the conduct of the tournament and the raising of funds and he shall be entitled to form a sub-committee for that purpose. All decisions taken will be by a majority vote of the members of such sub-committee but in the event of an equality of votes, the Vice-Captain shall have a second or casting vote and such decisions shall be binding upon all Members.



- 26.6. 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 Member Club Executive Committee. Such statement shall in any event be forwarded to the National Executive to be received by it by not later than 60 days following after such tournament.

## 27. RULES OF PLAY, REGULATIONS AND BYLAWS

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

## 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 Executive 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 President.

*BY ORDER OF THE NATIONAL EXECUTIVE OF NOMADS*

*26<sup>TH</sup> OCTOBER 2013*

## MEMBER CLUBS ADOPTING THIS CONSTITUTION

<u>Club Name</u>	<u>Registration Number</u>	<u>Date of adoption under formal incorporation</u>
Nomads Golf Club (Sydney North) Incorporated	NSW INC9887189	19 <sup>th</sup> March 2007
Nomads Brisbane Inc.	QLD IA36524	15 <sup>th</sup> August 2008
Nomads Golf Club (Sydney South) Incorporated	Not yet incorporated	Not yet incorporated
Nomads Golf Club (Perth) Incorporated	Not yet incorporated	Not yet incorporated

## MASTER COPY AND VERSION CONTROL

<u>Version History</u>	<u>Effective Date</u>	<u>Summary of key amendments</u>
Version 1.0 as amended	December 2004	Inaugural constitution registered on incorporation (21 <sup>st</sup> January 2004)
Version 1.1	1 January 2009	Minor cross reference and logic corrections No substantive amendments
Version 1.2	31 January 2012	Exec tenure reduced to 2 years Delete Eclectic Delete Club membership requirement Word Reformat, x-references embedded Table of Contents & Version Control Minor cross reference and logic corrections Capitation Fee payment deadlines
Version 2.0	6 October 2012	Clarify 2 tier governance structures and include Captains in National Exec All clubs adopt this Constitution Financial Year – 30 June Delete references to Male Retrospective suspensive membership
Version 3.0	26 <sup>th</sup> October 2013	Non substantive “clean-ups” Various HLM matters National Exec elections process clarified National Exec mid-term vacancy process clarified Club Exec mid-term vacancy process clarified Quorums clarified

This document has been amended in terms of all decisions taken and amendments made up to and including those taken at the National Council Meeting held at Noosa Springs Golf Club, QLD, on Saturday 26<sup>th</sup> October 2013.

D Jones

National President

M Craye

National Secretary