



FootGolf

South Africa

Constitution

As adopted on 08 August 2024 and amended on 05 September 2025,
in line with the Transitional Provision of this Constitution.

FOOTGOLF SOUTH AFRICA

1. PREAMBLE

FootGolf South Africa (FGSA) is the sole governing body for the sport of FootGolf in South Africa and the official member of the Federation for International FootGolf (FIFG). The main objectives of FGSA are to develop, create structures, and promote the sport of FootGolf within South Africa.

The Constitution of FootGolf South Africa serves as the supreme governing document of the Federation. No policy, rule, or decision of FootGolf South Africa may supersede the provisions of this Constitution.

This Constitution provides the foundation for accountable leadership, transparent operations, and inclusive development of the sport across the Republic. In alignment with South Africa's broader constitutional principles, it aspires to be progressive, responsive, and exemplary, ensuring both national credibility and international recognition for the Federation.

2. NAME

The name of the Federation is FootGolf South Africa (FGSA).

3. HEADQUARTERS

FGSA's headquarters will be at Olifantsfontein or at such other place as the federation may determine from time to time.

FOOTGOLF SOUTH AFRICA

4. DEFINITIONS AND INTERPRETATION

4.1. Definitions:

For purposes of this Constitution, unless the context indicates otherwise:

Affiliation Fee: shall mean the annual subscription payable by Members to the Federation, as determined from time to time.

Area of Jurisdiction: shall mean the Republic of South Africa.

Chief Executive Officer (CEO): shall mean the senior executive officer of FootGolf South Africa, appointed by the Executive Committee, responsible for the day-to-day management, operational execution of policies, and implementation of decisions of the National Council and Executive Committee, in accordance with this Constitution and any delegation of authority approved by the Executive Committee.

Federation (FGSA): shall mean FootGolf South Africa, the recognised national governing body of the sport of FootGolf.

Federation for International FootGolf (FIFG): shall mean the global governing body of FootGolf, responsible for developing the sport, organising international competitions, and setting official rules and regulations. FIFG works with national federations worldwide to promote FootGolf and ensure its growth at all levels.

Executive Committee / Executive: shall mean the management organ of the Federation, elected or appointed in accordance with this Constitution, acting under the authority of the National Council.

FootGolf Course: shall mean a designated section of a private or public sports facility or golf course that has been developed, marked, and approved for the playing of FootGolf, whether operated directly by the facility or under a permanent right of use granted to FGSA or an affiliated Regional FootGolf Club.

Members: shall mean the Provincial Associations, affiliated Regional Clubs, and such other organisations as may be admitted to membership of the Federation in accordance with this Constitution, including Honorary Life Members with restricted rights as provided herein.

National Council: shall mean the supreme decision-making body of the Federation, composed of duly appointed representatives of Members, and vested with ultimate authority over policy, governance, and oversight of the Executive Committee.

Player / FootGolfer: shall mean an athlete who is a duly registered individual member of FGSA through an affiliated Regional Club or recognised Member body. A Player may compete in recreational activities or, where selected, represent the Federation in national or international competitions, either individually or as part of a team.

Priority Groups: shall mean those groups identified in the National Sport and Recreation Plan (NSRP) and subsequent government frameworks.

Regional FootGolf Club: shall mean a duly constituted, non-profit sporting body affiliated to FGSA, established within a geographic boundary defined by FGSA in alignment with national, provincial or municipal demarcations, for the purpose of promoting and administering FootGolf at the grassroots level.

SAIDS: shall mean the South African Institute for Drug-Free Sport, established in terms of Act No. 14 of 1997.

SASCOC: shall mean the South African Sports Confederation and Olympic Committee, recognised as the national multi-coded sporting body.

SportAccord: shall mean the global organisation and umbrella body that supports and unites both Olympic and non-Olympic international sports federations, acting as a central platform for their common interests and collaboration.

Transformation Charter: shall mean the transformation framework adopted by Government, SASCOC and affiliated members to guide transformation initiatives within sport. The concept of transformation has its foundations in the 1996 Constitution of the Republic of South Africa. Four distinct parts of the Constitution set the tone, the parameters, and the rationale for transformation in our country and, consequently, in our sport. These are:

- a) The Preamble to the Constitution
- b) The Founding Values of the Constitution
- c) The Equality Clause of the Bill of Rights
- d) The Human Dignity clause of the Bill of Rights.

4.2 Interpretation:

In case of doubt as to the meaning of any clause, the matter shall be referred to the Judicial Committee for determination, with a right of appeal to SASCOC in terms of its dispute resolution rules. Where this Constitution is silent, the provisions of the SportAccord Governance Code, SASCOC Constitution, and applicable South African law shall apply.

5. STATUS AND PURPOSE OF THE FEDERATION

5.1. The Federation is the controlling body of all FootGolf in its Area of Jurisdiction, and its purpose is to coordinate the activities of its members and to ensure the maintenance of the traditions of FootGolf in the Area of Jurisdiction.

5.2. The Federation's mandate is to encourage, promote, develop and oversee FootGolf at all levels throughout the Area of Jurisdiction.

5.3. The Federation's obligation is to establish and maintain the effective administration of the sport of FootGolf and safeguard good governance practices.

5.3.1. No activity will directly or indirectly promote the economic self-interest of any fiduciary or employee of the organisation otherwise than by way of reasonable remuneration.

- 5.3.2. At least three persons will accept fiduciary responsibilities for the public benefit organisation. They will not be connected persons in relation to each other, and no single person directly or indirectly controls the decision-making powers relating to such an organisation.
- 5.3.3. The funds of the public benefit organisation will be used solely for the objects for which it was established.
- 5.3.4. No funds will be distributed to any person (other than in the course of undertaking any public benefit activity).
- 5.3.5. No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation.
- 5.3.6. Any remuneration paid to any employee, office bearer, Executive member, or other person may not be excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is inconsistent with the objectives of the Federation.
- 5.3.7. The public benefit organisation will not be party to, or does not knowingly permit, or has not knowingly permitted, itself to be used as a part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under this Act or any other Act administered by the commissioner.

FOOTGOLF SOUTH AFRICA

6. OBJECTIVES OF THE FEDERATION

- 6.1. To promote, advance, encourage and foster the sport of FootGolf in the interests of the sport 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 sport of FootGolf.
- 6.4. To promote and encourage the establishment of FootGolf Clubs by its Members in all municipalities within the Area of Jurisdiction.
- 6.5. To promote and encourage the hosting of competitions, championships, and tournaments on the FootGolf courses of its Members and to assist in the conduct and control thereof.
- 6.6. To formulate, control and regulate the conditions governing the playing of FootGolf tournaments, championships, and events as it may, from time to time.
- 6.7. To organise and manage championships and tournaments and arrange for participation by Players either as individuals or as Members of teams, in international tournaments, competitions and events.
- 6.8. To afford mechanisms whereby disputes and differences between Members and between Members and Players may be resolved.
- 6.9. 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 Federation, including grants and loans to its Members and payments to Players, either as individuals or as members of teams, and officials representing the Federation at authorised championships, tournaments, events and functions. The Federation may also make donations or grants to approved causes or persons.
- 6.10. 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 Federation.

- 6.11. To invest any funds not immediately required by the Federation in such a manner as may from time to time be decided.
- 6.12. To institute, conduct and defend any legal proceedings by or against the Federation or its officers.
- 6.13. 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.
- 6.14. To promote and encourage Members to adopt and adhere to SAIDS anti-doping standards and practices and assist SAIDS where necessary to realise the objectives of the World Anti-Doping Code.
- 6.15. To collaborate with SAIDS to implement anti-doping, values-based education and drug-testing amongst Members in order to:
 - 6.15.1. Know the rules and responsibilities; and
 - 6.15.2. Promote the values of clean sport and help foster a clean sport environment.
- 6.16. To establish and cooperate with other bodies and administer a fund for the development of FootGolf among the disadvantaged sections of the community.
- 6.17. To further safeguard the interests of the Federation.
- 6.18. To ensure that Members undertake to subscribe to the objectives of the Federation as set out in this Constitution.
- 6.19. To award National Colours and awards to Players in accordance with SASCOC Regulations.

- 6.20. To encourage the playing of FootGolf by Priority Groups, through tuition and competition, or by any other means as decided upon by the Executive.
- 6.21. To promote inclusiveness by encouraging players with a disability to participate in FootGolf, including participation in our annual tournaments for the deaf.
- 6.22. To encourage the formation of Priority Groups divisions across all levels of Footgolf structures within the Area of Jurisdiction.
- 6.23. To develop and encourage correct etiquette amongst all FootGolfers.
- 6.24. To entitle the Federation to conduct its own audit of any Member, there should be reasonable grounds to suspect that mismanagement exists.
- 6.25. To encourage life-long learning in FootGolf through our education and training initiatives.

7. FOOTGOLF GROUPINGS AND PLAYERS' AGE CATEGORIES

- 7.1. The Federation shall integrate and incorporate operations in relation to FootGolf age category groupings. The Federation shall, for each grouping, stipulate any player age participation criteria.
- 7.2. Player (Men and Women) Category Groupings (which include people with disabilities) will be as follows:
 - 7.2.1. Juniors (under 18)
 - 7.2.2. Seniors (18 - 45)
 - 7.2.3. Seniors + (45+)
 - 7.2.4. Teams

8. RULES OF FOOTGOLF

The Federation accepts and is bound by the Rules of the Federation for International FootGolf (FIGF).

8.1. Rules Pertaining to FootGolf Events

- 8.1.1. All rights pertaining to FootGolf events staged under the auspices or within the jurisdiction of FGSA shall be vested in FGSA, subject thereto that such rights may be ceded or sold to FGSA Members or third parties.
- 8.1.2. All broadcasting rights, namely TV, radio, streaming, and any other broadcast rights, to any FootGolf event taking place in South Africa, shall be vested in FGSA.
- 8.1.3. The respective Members shall have the right to negotiate with regard to the sale of promotional and sponsorship rights thereof, subject to the provisions of this Constitution and FGSA Rules and Regulations.
- 8.1.4. All surplus funds derived from any FootGolf event staged by any person, organisation, or member of FGSA in the area of jurisdiction of FGSA will be used strictly for the promotion and advancement of FootGolf within that area of jurisdiction of FGSA, or as the Executive Board Members may decide.
- 8.1.5. In a case where a right to organise an event is ceded to a third party, Clause 8.1.4. shall be strictly enforceable, to ensure that no funds are siphoned out of FootGolf.
- 8.1.6. No FootGolfer shall be allowed to participate in events sanctioned by FGSA (or its Members) without valid FGSA license numbers, unless the Executive Board Members decide otherwise in exceptional cases.

9. INCOME, PROPERTIES AND MONIES

- 9.1. The CEO shall serve as the accounting officer of the Federation, responsible for ensuring that proper financial records are kept and that financial policies approved by the Executive Committee are implemented.
- 9.2. The income, property and monies of the Federation from whatever source derived shall be applied and invested solely towards the promotion of the objects of the Federation as set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any Member. Nothing herein contained shall, however, prevent the making of grants by the Federation to a Member for the purpose of carrying out the objective of the Federation or furthering the interests of the Federation 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 Federation.
- 9.3. The public benefit organisation will not be party to, or does not knowingly permit, or has not knowingly permitted, itself to be used as a part of any transaction, operation or scheme of which the sole or main purpose is the reduction, postponement or avoidance of liability for any tax, duty or levy which, but for such transaction, operation or scheme, would have been or would have become payable by any person under this Act or any other Act administered by the commissioner.
- 9.4. No resources will be used, directly or indirectly, to support advance or oppose any political party.

10. LIABILITY OF MEMBERS

- 10.1. The Federation shall be a body corporate having an existence independent of its Members with perpetual succession capable of suing or being sued in its own name. All its assets shall be registered or held

in the name of, or on behalf of, the Federation. Members who shall not be liable to meet the debts, engagements and liabilities of the Federation 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.

11. MEMBERSHIP

Membership of the Federation consists of the following Categories of members, namely:

11.1. Ordinary Members

11.1.1. Ordinary Members of the Federation shall be the duly constituted Provincial FootGolf Associations, established in accordance with the geopolitical and/or provincial demarcations of the Republic of South Africa.

11.1.2. Each Provincial Association shall be composed of a minimum number of Regional Clubs, as determined from time to time by the Federation.

11.1.3. Each Provincial Association shall be responsible for the administration, development, and promotion of FootGolf within its Province, in alignment with the objectives and policies of the Federation.

11.1.4. Each Provincial Association shall elect its own Executive Committee, consisting of a President, Vice-President, Treasurer, Secretary, and any duly co-opted members, each of whom shall have a vote at the provincial level.

11.1.5. Each Provincial Association shall, upon request, submit to the Federation:

11.1.5.1. Evidence of the democratic election of its office bearers; and

11.1.5.2. Evidence of the affiliation and good standing of its constituent Regional Clubs.

- 11.1.6. Ordinary Members shall each be represented at the National Council by their duly elected delegate, who shall exercise full voting rights on behalf of their Province.

11.2. Affiliate Members

- 11.2.1. Affiliate Members of the Federation shall be the duly constituted Regional FootGolf Clubs, operating within their respective Provinces or local communities.
- 11.2.2. Regional Clubs shall form the grassroots base of the Federation. They shall:
 - 11.2.2.1. Promote and administer FootGolf at the community level;
 - 11.2.2.2. Organise and participate in competitions, training, and development activities in their locality;
 - 11.2.2.3. Affiliate with their relevant Provincial Association; and
 - 11.2.2.4. Subscribe to the Constitution, Code of Conduct, and policies of the Federation.
- 11.2.3. Regional Clubs shall enjoy recognition as Affiliate Members of the Federation and shall be entitled to:
 - 11.2.3.1. Receive development support, technical assistance, and oversight from the Federation;
 - 11.2.3.2. Participate in Federation programmes, competitions, and licensing schemes;
 - 11.2.3.3. Be represented at the Provincial level, through which they exercise their rights at the National Council; and
 - 11.2.3.4. Have access to dispute resolution mechanisms of the Federation.
- 11.2.4. Affiliate Members shall not have direct voting rights at the National Council of the Federation. Their collective interests shall be exercised through their Provincial Association, which represents them as an Ordinary Member at the national level.

11.3. Institutional Affiliates

11.3.1. An organisation may be recognised as an Institutional Affiliate by resolution of the Executive Committee, subject to criteria set by FGSA. Recognition may be withdrawn on notice for non-compliance or conduct prejudicial to FGSA. (No voting rights)

11.4. General Provisions

11.4.1. Membership of both Ordinary and Affiliate Members shall be subject to compliance with this Constitution and the regulations of the Federation.

11.4.2. All Members shall enjoy equal recognition within their respective categories, regardless of their date of admission.

11.4.3. The Federation may issue further regulations governing the affiliation, rights, and obligations of Members, provided such regulations are consistent with this Constitution.

11.5. Honorary Life Members

Executive Committee Members shall, from time to time, nominate any individual who has rendered exceptionally meritorious service or outstanding and notable service over a long period of time, to whom it wishes to recognise and honour as an Honorary Life Member.

Such nomination shall be presented to the National Council for adoption at the next AGM and, if adopted by the National Council, such person shall become an Honorary Life Member and shall enjoy the rights and privileges, namely to attend the AGM with the right to speak if invited to do so by the President but with no right to vote, and to be a special guest of the President or the organisers of any event or championship held under the auspices of FootGolf South Africa.

Any past President of the Federation, members of the National Council or its Affiliate Member may become an Honorary Life Member of the

Federation if so nominated and such nomination is adopted at an AGM of the National Council.

The names of all Honorary Life Members of the Federation shall be continuously displayed on the Website of the Federation.

11.6. All Members shall be bound by this Constitution.

Membership to the Federation shall, subject to the provisions of this Constitution, entitle Members to enjoy the privileges and advantages of the Federation, including the rights of Players to participate in FootGolf tournaments and events held under the aegis of the Federation and its Members and under the conditions governing the sport.

12. AFFILIATION FEES PAYABLE BY MEMBERS

12.1. Each Member shall pay to the Federation an annual Affiliation Fee as may be prescribed from time to time at a General Meeting.

12.2. Liability for payment of Affiliation Fees 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 May in the same year.

13. TERMINATION OF MEMBERSHIP

13.1. A Member shall cease to be a Member of the Federation and to enjoy the privileges thereof upon resignation, in writing, from the Federation or, upon the withdrawal of one's membership by the Federation at a General Meeting and or by the National Council.

13.2. If in the opinion of the Executive and or National Council, a Member has conducted its affairs in an irregular or improper manner, or has wilfully 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 FootGolf in the conduct of its affairs or has disregarded or contravened any ruling issued by the

Federation in General Meeting or the Executive or the National Council, the Executive or National Council may after giving such Member an opportunity to be heard, suspend such Member for such period as the Executive or National Council may deem fit or may terminate its membership of Association.

14. REINSTATEMENT OF MEMBERSHIP

The Executive or the National Council 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.

15. MANAGEMENT AND GOVERNANCE

15.1. The Federation shall be governed, and its affairs and activities administered, by an Executive Committee. The Executive Committee shall act under the authority delegated to it by this Constitution and by resolutions adopted by the National Council, which is the supreme decision-making body of the Federation.

15.2. The National Council shall be composed of:

15.2.1. The founding members of the Federation; and

15.2.2. Such other duly constituted Provincial FootGolf Associations as may be admitted as Ordinary Members in accordance with this Constitution.

15.3. The Federation shall also be incorporated as a Non-Profit Company (NPC) under South African law. The Directors of the NPC shall include the President, Vice-President and Secretary of the Federation, together with such additional Directors as may be appointed by the National Council to ensure appropriate representation, skills and diversity in governance, in accordance with applicable legislation and good governance practice.

- 15.4. The National Council shall admit as Members such Provincial Associations and Affiliate Members (Regional Clubs) as may be recognised under this Constitution. The admission process shall be transparent and non-discriminatory, and all Members shall enjoy equal rights and obligations within their category, regardless of the date of admission.
- 15.5. Transitional Provision. For a period not exceeding three (3) years from the date of adoption of this Constitution, the governance and decision-making authority of the Federation may remain primarily vested in the founding members, acting as the National Council. During this period, the Federation shall actively support the establishment and recognition of Provincial and Regional FootGolf Associations, with the intention that such Associations shall progressively be admitted as Members and represented within the National Council. At the conclusion of the transitional period, the National Council shall be reconstituted to reflect the broader membership base, in accordance with this Constitution.
- 15.6. Transitional Recognition of the Executive Director. During the transitional period defined in this Constitution, the office of the Executive Director shall also be recognised as a founding function of the Federation, originating from the establishment of FootGolf South Africa (Pty) Ltd by the founding members. For the avoidance of doubt:
- 15.6.1.1. The Executive Director shall continue to exercise the administrative, compliance, and governance support functions set out in Clause 15.8;
 - 15.6.1.2. The Executive Director shall serve as a non-voting officer of the Executive Committee and National Council;
 - 15.6.1.3. This recognition shall not affect the appointment, performance review, or removal of the Executive Director, which shall remain subject to the authority of

the Executive Committee in accordance with the Appointment Policy; and

15.6.1.4. Upon the conclusion of the transitional period, the office of the Executive Director shall continue as an appointed role under this Constitution, without any special status arising from its founding origin.

15.7. Chief Executive Officer (CEO).

15.7.1. The Federation shall appoint a Chief Executive Officer (CEO), who shall:

15.7.1.1. Be responsible for the strategic leadership, growth, external relations, sponsorship, and stakeholder engagement of the Federation;

15.7.1.2. Implement the decisions and policies of the National Council and Executive Committee relating to strategy and external affairs;

15.7.1.3. Report to the Executive Committee through the President;

15.7.1.4. Attend meetings of the National Council and Executive Committee in an ex officio, non-voting capacity, unless otherwise determined; and

15.7.1.5. Be appointed, reviewed, and, if necessary, removed by the Executive Committee, in accordance with the relevant Appointment Policy.

15.8. Executive Director (ED).

15.8.1. The Federation shall appoint an Executive Director (ED), who shall:

15.8.1.1. Be responsible for the administration, compliance, governance support, and internal operations of the Federation;

- 15.8.1.2. Ensure the implementation of decisions of the National Council and Executive Committee relating to administration, governance, and compliance;
- 15.8.1.3. Maintain records, communications, and documentation of the Federation;
- 15.8.1.4. Attend meetings of the National Council and Executive Committee in an ex officio, non-voting capacity; and
- 15.8.1.5. Be appointed, reviewed, and, if necessary, removed by the Executive Committee, in accordance with the relevant Appointment Policy.

15.9. Relationship of CEO and ED.

15.9.1. The CEO is the accounting officer for the Federation and is responsible for financial reporting and implementation of financial policy. Legal documents and transactions on behalf of the Federation must be signed by any two of: President, Treasurer and CEO (or such persons as the Executive Committee may authorise). NPC director duties remain as described in clause 15.3 and must be reflected in the NPC Memorandum/Articles.

- 15.9.1.1. The CEO and ED are independent, non-voting officers of the Federation, each with distinct functions.
- 15.9.1.2. Neither shall supervise the other; both are directly accountable to the Executive Committee.
- 15.9.1.3. A Performance and Remuneration Committee, appointed by the Executive Committee, shall oversee the performance reviews of both the CEO and the ED.

16. NATIONAL COUNCIL

16.1. The National Council shall consist of:

- 16.1.1. The elected Presidents (or duly appointed representatives) of each Provincial Association admitted as a Member;

- 16.1.2. Representatives of affiliated Regional Clubs may attend by invitation as observers without voting rights unless otherwise provided by this Constitution;
- 16.1.3. Such additional delegates as may be admitted in accordance with the membership provisions; and
- 16.1.4. Each Member shall exercise its rights within the National Council through duly elected or appointed representatives, designated in accordance with its own constitution or statutes.

16.2. The National Council shall have the power to:

- 16.2.1. Approve or amend the Constitution of the Federation;
- 16.2.2. Elect and remove members of the Executive Committee;
- 16.2.3. Admit or expel Members;
- 16.2.4. Approve budgets, financial statements, and strategic plans;
- 16.2.5. Exercise any power not expressly delegated to the Executive Committee.

17. EXECUTIVE COMMITTEE COMPOSITION

17.1. The Executive Committee shall consist of:

- 17.1.1. The President;
- 17.1.2. One Vice-President;
- 17.1.3. The Treasurer;
- 17.1.4. The Secretary;
- 17.1.5. The Chairperson of the Judicial Committee;
- 17.1.6. The Chairperson of the Remuneration and Finance Committee;
- 17.1.7. Such additional members as may be determined by the National Council to ensure skills diversity and gender balance.

17.2. Members of the Executive Committee shall be appointed by a 75% majority resolution of the National Council.

17.3. Executive Committee members shall serve for a term of four (4) years, renewable once.

17.4. The Executive Committee shall report annually to the National Council and shall remain accountable to it at all times.

18. TRANSITIONAL GOVERNANCE PROVISION

18.1. For a period not exceeding three (3) years from the adoption of this Constitution, governance and decision-making authority may remain primarily vested in the founding members, acting as the National Council.

18.2. During this transitional period, the Federation shall actively support the establishment and recognition of Provincial Associations and Regional Clubs to be admitted as Members.

18.3. At the conclusion of the transitional period, the National Council shall be reconstituted to reflect the full membership base, and the authority of the founding members shall lapse automatically.

18.4. Any amendment to this Constitution during the transitional period shall be valid only if:

18.4.1. Adopted by a 75% majority of the founding members acting as the National Council; and

18.4.2. Ratified by the reconstituted National Council at the first full Council meeting after the transitional period ends.

19. EXECUTIVE COMMITTEE MEETINGS

19.1. The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, and such other elected members as may be determined by the Constitution or National Council.

19.2. The Executive Committee shall be the governing authority of the Federation between meetings of the National Council and shall exercise such powers as are necessary to manage the affairs of the Federation, save where reserved to the National Council.

19.3. Without limiting the generality of the foregoing, the powers and duties of the Executive Committee shall include:

19.3.1.1. The appointment, supervision, and removal of the Chief Executive Officer (CEO) and the Executive Director (ED);

19.3.1.2. The delegation of specific functions to the CEO and ED, provided such delegation does not relieve the Executive Committee of its overall accountability;

19.3.1.3. Oversight of the strategic direction (through the CEO) and administrative functioning (through the ED) of the Federation;

19.3.1.4. Approval of budgets, financial policies, and resource allocations;

19.3.1.5. Oversight of membership admission, compliance, and discipline as prescribed by this Constitution;

19.3.1.6. Appointment of committees, commissions, and working groups as necessary;

19.3.1.7. Monitoring of safeguarding, integrity, and governance compliance across the Federation.

19.4. The CEO and ED shall attend meetings of the Executive Committee in an ex officio, non-voting capacity, and may be required to provide reports, updates, and recommendations within their respective mandates.

20. EXECUTIVE COMMITTEE POWERS

20.1. The Executive shall have the power to do all things necessary to carry out and promote the objects of the Federation 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 Committee and in addition to such powers as are conferred upon the Executive Committee by this Constitution, the powers and duties of the Executive shall include the following:

- 20.1.1. To adopt, amend, review or rescind by-laws for the regulation and administration of the affairs of the Association and its Members.
- 20.1.2. A motion to review and rescind a decision shall require a seventy-five (75) percent majority of the National Council ; 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 countermotion must accompany such a review. Once a motion to review and rescind is successful, a simple majority will be required to pass such a motion.
- 20.1.3. To appoint, remove or suspend the CEO and employees of the Federation upon such terms and conditions as may be considered appropriate.
- 20.1.4. 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.
- 20.1.5. To summon, at any time, a Special General Meeting of the Federation.
- 20.1.6. To receive and authorise the investment and the expenditure of monies in accordance with this Constitution and the approval of seventy-five (75) percent majority of the National Council.
- 20.1.7. To depute and authorise officers of the Federation to act on its behalf in the acquisition and alienation of property and to mortgage or use the same as security.
- 20.1.8. To select teams to represent the Federation in FootGolf competitions and to prescribe the rules of conduct to be observed by such Players and officials.
- 20.1.9. To determine the manner in which national colours shall be awarded to Players and officials.
- 20.1.10. To organise, promote and stage FootGolf tournaments, championships and competitions, to prescribe rules for the right of entry therein and the conduct thereof and to endeavour in its

discretion to arrange sponsors for tournaments staged by the Federation.

20.1.11. To issue rulings and interpretations on any matter submitted to it or falling within the Area of Jurisdiction.

20.1.12. To take disciplinary action against any Member who, in the opinion of the Executive Committee, has committed a breach of the Rules of FootGolf 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 sport of FootGolf, or who has in any other way committed a breach of any rule falling within the Area of Jurisdiction of the Federation.

20.1.13. To appoint any person to represent the Federation on any FootGolf or other sporting body, which the Executive considers necessary or advantageous.

20.2. The Executive Committee may delegate to the CEO such powers and functions as it deems necessary for the effective management of the Federation, provided that such delegation shall not relieve the Executive Committee of its overall accountability.

21. SUB-COMMITTEES

21.1. Recognising the fact that various aspects of the duties performed by the Executive Committee may require certain expertise or experience for the most effective discharge of those duties, the following Sub-Committees are hereby established;

21.1.1. Finance and Remuneration Committee whose duty is to deal with all financial matters, including but not limited to budgeting, considering remuneration packages for employees, and ensuring that financial statements are produced timeously.

21.1.2. Judicial Committee whose duty is to deal with all legal matters including but not limited to assist the Federation with legal matters in all forms inclusive of investigations and hearings, set up and continuously update a Code of Conduct at all levels of

participation and management, set up and continuously update a Resolution of Disputes Code to be adopted by the Executive Committee, hear internal appeals against any decision of any Member affiliated to the Federation as contemplated in the disciplinary Code, to hear any matter falling under the Judicial Committee, as well as to adjudicate thereon in terms of their powers in any dispute and/or disciplinary matter of whatever nature, including decisions relating to any selection criteria or dispute, and to adjudicate, mediate and arbitrate upon other legal matters.

21.1.2.1. The Judicial Committee shall be constituted by independent persons (not serving Executive Committee members), appointed by the National Council on nomination of the Executive Committee for fixed terms.

21.1.2.2. Judicial Committee panels for individual disputes shall exclude any member with a conflict of interest.

21.1.2.3. Appeal panels shall be composed of persons independent of the original decision makers and shall issue written reasons within set timelines (e.g., 21 days).

21.2. Subject to provisions of Sub-clause 21.1, which deals with the constitution of the Sub Committees, the convenors and membership of each Sub Committee shall be decided by the Executive Committee.

21.3. The Sub Committee shall maintain the balance between female and male Committee members.

21.4. The Sub Committees report to the Executive Committee.

21.5. The roles and responsibilities of Committee members in each Sub Committee shall be defined in the respective Committee's bylaws.

21.6. Other subcommittees may be established as and when the need arises by the Executive Committee and ratified by the National Council.

21.7. People living with disability are encouraged to volunteer to be members of committees, to an extent that there are no potential contraventions with FIG.

21.8. Whenever deemed necessary by the Executive Committee, a training and education committee may be established to assist it in discharging its duties effectively.

22. FINANCIAL YEAR

The financial year of the Federation shall run from the 1st day of April to the 31st day of March.

23. BOOKS OF ACCOUNT

Books of account of the affairs of the Federation 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 Federation, shall be kept by the President and shall be at all times accessible to Members of the Executive Committee. The Executive Committee shall, from time to time, determine under what conditions or regulations the books of account and other documents of the Federation shall be open to inspection.

24. BANKING ACCOUNT

All monies paid to the Federation shall, as soon as possible after receipt, be deposited in the name of the Federation with a Bank, or other financial institution as the Executive may decide and shall be withdrawn therefrom, 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 authorised thereto by the Executive.

25. AUDITORS

The Accounts of the Federation 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 Federation. 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.

26. ANNUAL GENERAL MEETING

- 26.1. An Annual General Meeting of the Federation shall be held each year. Should the Executive agree to change the time of year in which the Annual General Meeting is held, the Annual General Meeting shall be held at such place and at such time as the Executive may decide, but not later than eighteen (18) months after the date on which the previous Annual General Meeting was held.
- 26.2. The President shall give at least eight (8) weeks' preliminary notice of the date of the Annual General Meeting to members of the Executive Committee.
- 26.3. Notice of any special business which the Executive or any Member wishes to be considered at the Annual General Meeting shall be submitted in writing to the President not less than six (6) weeks before the date of the Annual General Meeting.
- 26.4. Formal notice of the Annual General Meeting incorporating:
 - 26.4.1. The Agenda for the meeting;
 - 26.4.2. any special business or resolution to be considered thereat,
 - 26.4.2.1. The Annual Report of the Executive; and
 - 26.4.2.2. The Audited Financial Statements for the past financial year shall be given to Executive Members, past Presidents and at least four (4) weeks before the date of the Annual General Meeting.

- 26.5. Each Executive Member shall notify the Executive Director, in writing, prior to the holding of the Annual General Meeting, of the names of its delegates who will attend and represent it at the Annual General Meeting. Any omission to do so will disentitle the delegates of the Member concerned from voting at such a meeting.

27. PROCEDURE AT ANNUAL GENERAL MEETING

- 27.1. The President or, in his absence, the Vice-President, 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 members to act as Chairman.
- 27.2. A quorum for the Annual General Meeting shall be the presence, in person or via authorised electronic means, of delegates representing not less than one-third (1/3) of Ordinary Members. If a quorum is not present within thirty (30) minutes of the time appointed, the meeting shall stand adjourned to the same day in the following week, same place; at the adjourned meeting, the delegates present shall constitute a quorum.
- 27.3. No business or resolution 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.
- 27.4. The President or any elected Executive Committee Member shall take minutes of the proceedings of the Annual General Meeting and shall circularise these to Executive Board Members, past Presidents and Members as soon as possible after the meeting.
- 27.5. Save as is otherwise provided by this Constitution, all resolutions put to an Annual General Meeting shall be passed and shall be held as valid

and effectual if carried by a majority of the Executive Board Members, past Presidents and delegates present and entitled to vote at the Meeting.

27.6. **Voting classes:** For all meetings and votes under this Constitution:

27.6.1. **Ordinary Members (Provincial Associations)** vote through their appointed delegate (one vote per Ordinary Member);

27.6.2. **Affiliate Members (Regional Clubs)** have no vote at National Council or AGMs (unless specifically permitted by this Constitution);

27.6.3. **Past Presidents and designated ex officio office-holders** may attend and speak; any voting entitlement must be explicitly stated elsewhere.

27.6.4. Where this Constitution refers to “Executive Committee Members, past Presidents and delegates” for a vote, it means those persons who are present and formally credentialed in accordance with clause 26.4 and the federation’s voting registers.

27.7. The Chairperson shall hold both a deliberative and a casting vote, and each of the Executive Committee Members, past Presidents, and delegates present shall have the votes allocated to them. Voting shall generally be conducted by a show of hands unless a ballot is requested by a majority of those present at the Meeting, including proxy votes.

27.8. 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.

27.9. All operational outcomes and resolutions reached at the AGM must be circulated to the Provincial Councils within fifteen (15) days from the last AGM.

28. THE BUSINESS TO BE CONDUCTED AT ANNUAL GENERAL MEETING

- 28.1. The business to be transacted at the Annual General Meeting shall be:
 - 28.1.1. To receive the delegates' credentials.
 - 28.1.2. To confirm the minutes of the preceding Annual General Meeting and of any Special General Meetings that may have been held since the preceding Annual General Meeting.
 - 28.1.3. To receive, consider, and if approved, adopt the Report of the Executive on the affairs of the Federation for the preceding year.
 - 28.1.4. To receive, consider, and if approved, adopt the Audited Financial Statements for the past financial year.
 - 28.1.5. To appoint an Auditor for the ensuing year.
 - 28.1.6. To consider any resolution of which due notice has been given as hereinbefore provided.
 - 28.1.7. To appoint Honorary Members of the Executive.
 - 28.1.8. To consider any matter brought forward by the Executive.
 - 28.1.9. To consider any further business of a general or competent nature.

29. SPECIAL GENERAL MEETINGS

- 29.1. The Executive may at any time convene a Special General Meeting of the Federation, and it shall do so if so upon receiving a requisition to that effect signed by three members and stating the purpose of such Meeting.
- 29.2. Upon receipt of a directive from the Executive or a request as aforesaid, the Executive Director shall give four (4) weeks' written notice to Executive Committee Members of the date, time and place of the proposed Meeting and the business to be transacted thereat.
- 29.3. No business shall be discussed at a Special General Meeting save the business for which the Meeting shall have been called.

29.4. At all Special General Meetings, the provisions of clauses 26 and 27 shall, mutatis mutandis, apply, provided, however, that if a quorum is not present, the Special General Meeting shall be deemed to be dissolved except in the case of a Special General Meeting convened pursuant to a request in terms of sub-clause

30. AMENDMENT OF CONSTITUTION

30.1. The Constitution shall not be repealed or amended except by resolution passed at an Annual General Meeting or at a Special General Meeting called for that purpose, which resolution shall be passed by not less than seventy-five (75) percent of the Executive Committee Members, past Presidents and delegates present. A copy of all amendments to the Constitution must be submitted to the Commissioner for the South African Revenue Services.

30.2. Where a Special General Meeting is convened for the purpose of sub-clause 29.1, the provisions of clause 27 regarding notices of a meeting shall, mutatis mutandis, apply.

31. DISSOLUTION

31.1. The Federation may not be dissolved, wound up or placed in liquidation except by a resolution passed at a Special General Meeting of the Federation called for that specific purpose, which resolution shall be passed by not less than seventy-five (75) percent majority of the National Council, past Presidents and delegates present at such meeting and entitled to vote.

31.2. If at a Special General Meeting of the Federation, it is resolved that the Federation is to be dissolved or wound up and placed in liquidation, a liquidator shall be appointed at that meeting. If, after payment of all debts and liabilities of the Federation, any property of whatsoever nature remains, the same shall be given to any similar public benefit organisation which has been approved in terms of section 30 of the Act.

32. NOTICES

- 32.1. All notices to be given in terms hereof shall be in writing and signed by the Executive Director.
- 32.2. Notices posted to the last known address of the persons entitled to receive the same shall be deemed to constitute effective notice.
- 32.3. 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 is related, or any decision taken thereat.
- 32.4. All property vesting in the Association shall be registered in the name of the Trustees for the time being of the South African FootGolf Federation, and all documents necessary for signature and authentication shall be deemed to have been duly signed and authenticated on behalf of the Federation, when signed by the signature of either the President or Vice-President, and by the Executive Director.
- 32.5. Data Protection and Records Compliance**
- 32.5.1. The Federation shall comply with the Protection of Personal Information Act, 2013 (“POPIA”), and any successor legislation, in its collection, storage, use, sharing and destruction of personal information.
- 32.5.2. The Executive Director shall be the designated Information Officer of the Federation for purposes of POPIA, unless otherwise resolved by the Executive Committee.
- 32.5.3. All records of the Federation, whether in physical or electronic form, shall be retained and disposed of in accordance with a Records Retention Schedule approved by the Executive Committee, consistent with applicable legislation, good governance practice and operational needs.

32.5.4. Access to personal data, membership records, and confidential Federation documents shall be strictly limited to the Executive Director and other authorised officers as determined by the Executive Committee. Any unauthorised access, use or disclosure shall constitute misconduct and may be subject to disciplinary action.

32.5.5. The Federation shall take reasonable organisational and technical measures to protect personal information and records against loss, unauthorised access, alteration or destruction.

33. SASCOC CONSTITUTION COMPLIANCE

The powers of FootGolf South Africa shall not be exercised in a manner which is contrary to the Constitution of SASCOC. In the event of a conflict, the Constitution of SASCOC will take precedence.

34. DISPUTE RESOLUTION

34.1. Every Member affiliated to FootGolf South Africa shall ensure that any dispute that it has with the Federation is resolved in accordance with the Dispute Prevention and Resolution Procedures set out in the Constitution, Rules and Regulations of SASCOC.

34.2. The provisions apply to all Members of the Federation and to all Registered Participants (including players, coaches, and officials) licensed or affiliated under FGSA, who by virtue of such registration or affiliation agree to be bound by this Constitution, Codes, and the jurisdiction of the Judicial Committee.

34.3. Where no specific dispute resolution procedure is set out in the Constitution, Rules or Regulations, or set out by the Judicial Committee, disputes shall be resolved by arbitration in terms of the Rules of SASCOC or its successor or, if appropriate, by the Court of Arbitration of Sport (CAS) in terms of CAS's Rules and Regulations.

34.4. The decision of SASCOC shall be final and binding on all parties, in all manners whatsoever.

35. PROXIES

The Instrument of Proxy shall be delivered to the Executive Director at least forty-eight (48) hours before the advertised time of the meeting. The Constitution permits electronic voting and participation where the Executive Committee has authorised remote access facilities, provided identity and integrity of the vote can be verified.

36. INTERPRETATION OF THE CONSTITUTION

36.1. Any disputes arising out of or in connection with the enforceability of this constitution or the application and interpretation of the provisions hereof, or any dispute between:

36.1.1. The Federation and another National Sports Federation; or

36.1.2. Between Members of the Executive Committee; or

36.1.3. Between the Executive Committee and a Member or Player;

36.1.3.1. shall be referred to the established Judicial Committee of the Federation and, if need be, elevated to SASCOC for resolution through mediation or expedited arbitration in terms of the Rules and Procedure for the Resolution of Disputes in Sport prevailing at the time such dispute is so referred. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

37. Amendment Record

37.1. This Constitution was adopted at the FGSA inaugural Annual General Meeting on 08 August 2024; and

37.1.1. It was subsequently amended on 05 September 2025 in line with the Transitional Provision of this Constitution.

37.2. Version Control and National Council Approval

37.2.1. **Approval Authority:** This Constitution, and any amendments thereto, shall be approved by the National Council. For the duration of the transitional period provided for in Clause 15.5, the founding members shall constitute the National Council for this purpose.




37.2.2. **Approval Date:** 05 September 2025

37.2.3. **Effective Date:** 05 September 2025

37.2.4. **Review Due:** September 2026 or upon material change.

37.3. Signatory Page: National Council Resolution

On this day, the undersigned members of the National Council of FootGolf South Africa, being, for the duration of the transitional period defined in Clause 15.5 of this Constitution, the founding members of the Federation, hereby adopt and approve this Constitution of FootGolf South Africa as the official and binding governance instrument of the Federation.

Name	Position	Signature	Date
Norman Moemise Mphake	Founding members		05/09/2025
Gilroy Teko Tlou	Founding members		05/09/2025
July Eric Mlambo	Founding members		05/09/2025

FOOTGOLF SOUTH AFRICA