

GOLFRSA HANDICAP OBJECTION AND APPEAL PROCEDURE GUIDELINE

1. INTRODUCTION

This GolfRSA Handicap Objection and Appeal Procedure should be used by all Members, Clubs, Provincial Golf Unions (Provincial GU) and GolfRSA, should any Member/Club be dissatisfied with a decision made by a Club or Provincial GU.

2. DEFINITIONS

“Club Handicap Committee” – the appointed handicap committee of a Club.

“Handicap Decision” – any decision taken in respect of a GolfRSA Handicap Index pursuant to rule 7.1a of the Rules of Handicapping.

3. STAGE 1: CLUB DECISION

3.1. The Club Handicap Committee makes the Handicap Decision. The Club Handicap Committee must make a record of the Handicap Decision and the reasoning used, using the GolfRSA Handicap related guidelines for Clubs.

3.2. The member must exhaust the internal club processes prior to going to Stage 2 of this GolfRSA Objection and Appeal procedure.

3.3. An Objection to the Provincial GU by the member must reach the President of the Provincial GU within 14 (fourteen) days after the final decision by the Club was handed down. The Club must ensure that the Member has access to this GolfRSA Objection and Appeal Procedure.

4. STAGE 2: OBJECTION TO THE PRESIDENT OF PROVINCIAL GOLF UNION

4.1. Should the Member wish to object against the Handicap Decision, it may only be done based on one or more of the following grounds:

4.1.1. the Handicap Decision was made based on error of fact, or would not have been reasonably made by a handicap committee when faced with the evidence before it;

4.1.2. serious procedural or other irregularity in the decision-making process of the Handicap Committee;

4.1.3. the Handicap Decision was manifestly unreasonable in the light of the facts before the Handicap Committee; and/or

4.1.4. the Handicap Decision was inconsistent with, or contrary to, the GolfRSA Handicap related guidelines for Clubs.

4.2. The Member must submit a notice of objection to the President of the Provincial GU. The Member must send a copy of the notice of objection to his/her Club.

4.3. The notice of objection must:

4.3.1. state the date and details of the Handicap Decision against which the objection is lodged;

4.3.2. state the grounds of objection relied upon in accordance with clause 4.1 above;

4.3.3. set out the details upon which the objection is based and include any supporting documentation upon which the Member will rely; and

4.3.4. identify whether he/she seeks for the Provincial GU to consider the objection on paper or in a hearing with the Member present.

4.4. The Provincial GU must acknowledge receipt of the notice of objection and confirm with the Member and Club whether the objection will be considered on a paperwork basis or at a hearing. In either case, the objection must be heard and the decision communicated to the Member and Club within 28 days of receipt of the notice of objection by the Provincial GU.

4.5. The conduct of objection proceedings will be in accordance with the principles of natural justice as determined by and consistent with South African Law.

5. STAGE 3: APPEAL TO CHAIR OF GOLFRSA HANDICAP & COURSE RATING COMMITTEE

5.1. The Member or the Club may appeal the decision of the Provincial GU to GolfRSA only on one or more of the following grounds:

5.1.1. the objection decision was made based on error of fact, or would not have been reasonably made by a Provincial GU when faced with the evidence before it;

5.1.2. serious procedural or other irregularity in the decision-making process of the Provincial GU;

5.1.3. significant and relevant new evidence has become available, which was not available before the objection was considered but, had it been available, may have caused the Provincial GU to reach a materially different decision;

5.1.4. the objection decision was manifestly unreasonable in the light of the facts before the Provincial GU; and/or

5.1.5. the objection decision was inconsistent with, or contrary to, the GolfRSA Handicap related guidelines to Clubs.

5.2. The Member or the Club wishing to appeal must submit a notice of appeal within 7 (seven) days of notification of the Provincial GU decision.

5.3. The notice of appeal must:

5.3.1. state the date and details of the objection decision against which the appeal is lodged;

5.3.2. state the grounds of appeal relied upon in accordance with clause 5.1 above; and

5.3.3. set out the details upon which the appeal is based and include any supporting documentation upon which the Member or Club will rely.

5.4. GolfRSA shall conduct appeal proceedings, including the appointment of an appeal panel, timescales and decision making in accordance with the principles of natural justice as determined by and consistent with South African Law, the GolfRSA Handicap related guidelines to clubs and any other Manual governing the game of golf worldwide.

Where there is any conflict with the provisions of this GolfRSA Handicap Objection and Appeal Procedure, the provision contained herein shall prevail.

5.5. The Stage 3 appeal decision of GolfRSA shall be final and binding and there shall be no further right of appeal from it.