



CODE OF ETHICS

1. FUNDAMENTAL PRINCIPLES

- 1.1 A Member should behave with integrity in all professional and business relationships. Integrity requires not only honesty but fair dealing and fair play having due regard for the principles of good sportsmanship.
- 1.2 A Member should carry out their professional work with due skill, care and diligence and with proper regard for the technical and professional standards expected of them as a Member.
- 1.3 A member should conduct themselves with courtesy and consideration towards all those that they come into contact with during the course of performing their work.
- 1.4 A Member shall at all times, both on and off the golf course, conduct and present themselves in a manner which reflects favourably on the game of golf, upon fellow Members and upon the Association.
- 1.5 A Member shall not do anything that is likely to injure or discredit the reputation of the Association or any of its Members, or is contrary to the policy or objects of the Association or wilfully violates or disregards the Constitution of the Association or any Regulations made pursuant to it.
- 1.6 A Member shall not make reference to their elected or appointed position or office within the Association in the endorsement or promotion of any product or service without the specific written approval of the Board of Directors.
- 1.7 A Member shall abide by any regulations or policy relating to child protection matters as may be determined by the Association from time to time.
- 1.8 Every Member is bound by these Regulations, rules and procedures and undertakes to abide by them and to use their best endeavours to uphold the good name of the Association and the game of golf.

2. MEMBERS RESPONSIBILITY

- 2.1 Members must report:
 - 2.1.1 details of any conviction for a criminal offence to the Membership Manager within 7 days of their conviction;
 - 2.1.2 any violation of the Constitution or Regulations of the Association, or conduct likely to injure or discredit the Association to the Membership Manager at the earliest practicable opportunity. In this context Members must make known their knowledge of any conviction by a court of law or possible criminal record of any Member or prospective applicant for membership;
 - 2.1.3 to the Membership Manager any voluntary arrangement made with creditors or bankruptcy order being made;

- 2.1.4 to the Membership Manager any change of residential or business address or any other material change in their personal details within 14 days of such change being made. (Failure to comply with this provision may result in a fine of R100);
- 2.1.5 to the Membership Manager any change in their physical or mental health which materially affects their ability to carry out their role as a PGA Professional.
- 2.2 If a Member wishes to visit or play on a course or golf establishment other than their own, they should adopt the following procedures:
 - 2.2.1 if they are engaged in any professional activity whatsoever (being any activity carried out in their capacity as a Golf Professional and/or Association Member whether or not for profit) they must discuss the nature of their visit and any business they plan to transact at the establishment with the resident Professional before confirming their arrangements;
 - 2.2.2 telephone the resident Professional the day before or earlier to ensure the visit can be accommodated;
 - 2.2.3 make the appropriate introductions to the resident Professional, Director of Golf and Club Manager on arrival; and
 - 2.2.4 produce a current membership to substantiate identity.
- 2.3 If a Member wishes to play a courtesy round on a course other than their own, they should contact the head Professional at that course at least one day in advance to advise that Professional of their wish to play a courtesy round and seeking that Professional's approval for the round.
- 2.4 In the course of their business as a PGA Professional, Members shall dress smartly and be well presented at all times. In this respect, jeans, training shoes, excessive visible tattoos and unkempt long hair are not acceptable in relation to the professional appearance of a Member of the Association. Members must also comply with the etiquette and dress requirements for tournaments as set out in the Tournament Regulations.

3. DISCIPLINARY PROCEDURES

- 3.1 The intention of these procedures is to:
 - 3.1.1 ensure that the Members are aware of their obligations as golf professionals and the procedures that will be used by the Association in enforcing those obligations; and to
 - 3.1.2 provide a fair and efficient means of resolving disciplinary issues concerning Members in the best interests of the whole membership of the Association and the game of golf.
- 3.2 Without limitation on the following circumstances, a Member shall be liable to Disciplinary Action if:

- 3.2.1 They fail to conduct themselves in accordance with the principles set out in the Regulations;
- 3.2.2 They commit a serious breach of the Rules of Golf established by The Royal and Ancient Golf Club of St Andrews and in force at the relevant time; or
- 3.2.3 They commit a serious breach or persistent breaches of any Tournament Conditions and Local Rules as defined by the Association;
- 3.2.4 They commit any misconduct, including without limitation;
 - 3.2.4.1 a criminal offence;
 - 3.2.4.2 financial irregularities;
 - 3.2.4.3 falsification of membership forms;
 - 3.2.4.4 violent, abusive or intimidating conduct;
 - 3.2.4.5 abuse of membership privileges, failure to display good manners, etiquette and conduct;
 - 3.2.4.6 canvassing for or gaining business by unprofessional means;
 - 3.2.4.7 critical or derogatory statements about the Association or any of its Members;
 - 3.2.4.8 non-payment of debts;
 - 3.2.4.9 failure to inform the Association of any change to residential or business address;
 - 3.2.4.10 failure to abide by the relevant host venue mobile telephone rules;
 - 3.2.4.11 failure to inform the Association of any criminal conviction, bankruptcy or voluntary arrangement made with creditors (and specifically including the insolvency or entry into voluntary arrangement of any limited company of which the Member is a Director) within 14 days of the said event;
 - 3.2.4.12 failure to bring to the attention of the relevant officials or the Association any breach of tournament rules or non-observance of the Rules of Golf during competitive play of any nature at the earliest practicable opportunity; or
 - 3.2.4.13 reference to an elected or appointed position or office within the Association in the endorsement or promotion of any product or service without the specific written approval of the Board.

4. RESPONSIBILITY FOR DISCIPLINE

- 4.1 Ultimate responsibility for disciplinary matters lies with the Board and the Chief Executive. They shall ensure the observance of the Code of Ethics, the Constitution and the Regulations by all the Members.
- 4.2 The Board and the Chief Executive shall be assisted by the Regional Committees.

- 4.3 When holding a disciplinary hearing, the Board shall:
- 4.3.1 exclude the chairman of the Regional Committee and any person who attended the regional hearing relating to the case being presented to the Board;
 - 4.3.2 exclude any member who declares a conflicting interest in any matter before the Board;
 - 4.3.3 not conduct a meeting unless a quorum of three is present.
- 4.4 Disciplinary hearings may be held at any Board meeting or specially arranged disciplinary meeting with not less than three Board members present.

5. JURISDICTION

- 5.1 Disciplinary offences should be dealt with at the level appropriate to their apparent gravity. Therefore, many matters may be dealt with at Regional level as set out below. The list below is for guidance only and does not preclude a Region from referring any matter to the Board.
- 5.2 Regional Committees shall have jurisdiction which includes, but is not limited to, breaches at Regional tournaments and dress codes.
- 5.3 All other disciplinary matters will be referred to the Board.
- 5.4 If criminal or civil proceedings are pending which may in any way affect the matter before the relevant body, that body may postpone its hearing pending the outcome of the criminal or civil case, but their discretion to adjudicate on the matter without postponement shall in no way be fettered.

6. PROCEDURE

6.1 Allegations and Complaints

The Regional Executive and/or the Chief Executive must be informed at the earliest opportunity of any allegation and/or complaint made against any Member where such Member is alleged to have committed a serious disciplinary offence falling within the relevant jurisdiction. This duty to inform the Executive is owed by any Member who becomes aware of any such allegation and/or complaint.

6.2 Notification

The respective Regional Executive, in consultation with the Chief Executive, will then inform the Accused Member in writing of the nature of the complaint against them.

6.3 Suspension

The Regional Committee or the Board will normally consider a complaint before it exercises the right to suspend the Accused Member, but where a complaint is deemed by the Regional Committee or the Board to be of a serious or potentially serious nature, a power to suspend forthwith all or any membership privileges from the Accused Member may be exercised by the Regional

Executive or the Chief Executive, as the case may be, as soon as the complaint is received.

In the absence of the Regional Executive or Chief Executive, the Regional Chairman, or the Chairman of the Association may suspend all or any membership privileges from the Accused Member as soon as the complaint is received. Any Accused Member may appeal in writing, setting out the grounds of the appeal, to the Chairman of the Association or the Chief Executive being the person who did not make the decision to suspend under the earlier provisions of this paragraph.

6.4 Investigation

6.4.1 The Regional Executive or the Chief Executive may either

6.4.1.1 appoint an Investigating Officer to investigate the conduct of that Member (“the Accused Member”) who will report to whomever appointed them. Such Investigating Officer may not be a Regional Committee member from the same region as the Accused Member nor a member of the Board, but rather a member of a Regional Committee different to that where the Accused Member is affiliated.

6.4.1.2 investigate the matter by correspondence (oral and/or written) with the Accused Member and any other appropriate individual.

6.4.2 Where the Regional Executive or the Chief Executive appoints an Investigating Officer, they must inform the Accused Member of the existence of the investigation within 5 days of the said appointment.

6.4.3 The Investigating Officer must, within 28 days of receipt of instruction from the Regional Executive or the Chief Executive, provide a written report to that relevant person of the results of their investigation. The period of 28 days may be extended by the relevant Executive if, in their opinion, such extension is necessary for the proper conduct of the investigation.

Such investigation should include interviews with as many relevant witnesses as possible, particularly including any complainant or such witnesses as are identified by the Accused Member. The investigation should, whenever, possible, also include an investigative interview with the Accused Member.

6.4.4 Any Accused Member may be accompanied at any investigative interview or personal hearing by any fellow Member of their choice.

6.4.5 The Regional Executive or the Chief Executive shall, on receipt of the Investigating Officer’s report or upon conclusion of their investigation by correspondence, decide whether or not further disciplinary proceedings are necessary.

The Chief Executive may in consultation with the Chairman, refer the matter to the relevant Regional Committee for disciplinary consideration. In either event, the Executive shall inform the Accused Member of the decision as soon as practicable.

6.5 Hearings

- 6.5.1 A personal hearing may be required and will, in any event, be offered to the Accused Member. If no hearing is deemed necessary by the Chairman, or is not requested by the Member, or the Member fails, without reasonable excuse in the relevant Committee's opinion, to appear at the scheduled hearing, the matter will be dealt with by the relevant Regional Committee or the Board taking into account the written representations of the Accused Member (if any) together with any other evidence including the report of the Investigating Officer, or any other evidence available.
- 6.5.2 The Chief Executive will give at least 14 days notice to the Accused Member of the date, place and time of any personal hearing.
- 6.5.3 Request for postponements with good reason will be considered by the Regional Executive or the Chief Executive which may, in their absolute discretion, be granted although the relevant Committee retains the right to proceed to deliberation of the matter in the absence of the Member where a postponement has not been granted and the Member fails to attend the scheduled hearing.
- 6.5.4 Any Accused Member may be accompanied at any personal hearing by a fellow Member of their choice, but only the Accused Member will have the right to address the relevant Committee, unless that relevant Committee consent in their absolute discretion to the accompanying person addressing them.

6.6 Conduct of the hearing

- 6.6.1 The Chairman of the relevant committee shall have the right to govern the conduct of any hearing in whatever manner they see fit and shall explain the procedure they intend to adopt to all present at such a hearing at the beginning of that meeting.
- 6.6.2 The failure of any person involved to attend a hearing, or to answer any question, or to produce any necessary papers shall not prevent the relevant Committee from proceeding to a decision.
- 6.6.3 The relevant Committee shall not be bound by an enactment of rule of law relating to the admissibility or probative value of evidence in proceedings before a Court of Law.
- 6.6.4 At any time during the hearing the Chairman of the relevant committee and members of the relevant committee, may ask questions of any witness or any person in attendance at the hearing.

The relevant committee may draw such inferences as it considers appropriate from the failure of the Accused Member or any other person to give evidence or answer a question put to them.

- 6.6.5 The decision of the relevant committee will be given in writing to the Accused Member within 14 days. Notification of the Right of Appeal where appropriate will be given at the same time.
- 6.6.6 A decision of the relevant Committee shall be deemed to be a decision of the Association and binding on the Member concerned. The Regional Executive or the Chief Executive as appropriate to the relevant committee will be responsible for keeping a written record of the proceedings of the relevant committee and the decisions it reaches, which shall be binding on the Association and its Members, except when the relevant committee is convinced of proven manifest error.

6.7 Witnesses

- 6.7.1 The Accused Member and/or the Association may call such witnesses as they deem appropriate, but the relevant committee retains the absolute discretion to exclude any witnesses whose evidence it reasonably believes to be irrelevant to the issue before it or not sufficiently material or proactive to justify the time spent in hearing it. This discretion also extends to any part of a witnesses evidence.
- 6.7.2 If any witness is called, the Accused Member or members of the relevant Committee or such other person as the Chairman of the relevant Committee may in their absolute discretion allow, may put questions to that witness. If a witness called by either party fails to attend any hearing the relevant Committee at its absolute discretion, may proceed with the hearing notwithstanding that witness' absence.
- 6.7.3 Any person acting as a witness shall be permitted to attend the hearing for the purposes of giving evidence only and shall, unless the relevant Committee otherwise decides, be excluded from the hearing except while giving evidence.

6.8 Appeal

Any Member ("the Applicant") wishing to appeal against a penalty or finding of guilt imposed by a Regional Committee under the disciplinary procedure shall lodge their appeal in writing with the Chief Executive within 21 days of the date of the letter of notification of the decision. Such written notice of appeal must contain the Appellants grounds of appeal and disclose any new or further evidence that they wish to be considered as part of their appeal. The time within which such further evidence may be submitted may be extended by the Chief Executive at the absolute discretion of the Chief Executive on the written request of the Appellant. Appeals will be dealt with as follows:

- 6.8.1 Appeals against a penalty imposed by a Regional Committee shall be referred to the Board whose decision will be final and from whose decision no further appeal may be made.

- 6.8.2 Appeals against a penalty imposed by a Regional Committee will be considered by the Board whose decision in any such appeal will be final except where the Board in amending the penalty, imposes a penalty of suspension, expulsion or a fine exceeding R500 whereupon a further right of appeal lies to an Appeal Committee of the Association.
- 6.8.3 Appeals against any penalty imposed by the Board will be considered by an Appeals Committee of the Association as follows:
- 6.8.3.1 The Appeals Committee shall be appointed from any Members of the Association that have had no previous involvement in the preceding disciplinary hearings or appeal, comprising a quorum not less than three Members.
 - 6.8.3.2 The Chief Executive shall give to the Appellant not less than 14 days notice in writing of the date, time and place of any hearing.
 - 6.8.3.3 The Appeals Committee shall adjudicate upon the matter, taking into consideration such written or oral evidence, and or seeking such further information as it think fit. Any such further information will be disclosed to the Appellant in writing and they may make written representation in respect of it to be sent to the Chief Executive within 7 days from the date of the letter providing the information to the Appellant.
 - 6.8.3.4 The Appeal Committee may cancel, reduce, confirm or increase the penalty under appeal, or substitute a penalty of a different form
 - 6.8.3.5 If the penalty under appeal includes suspension, the start of the period of suspension may be deferred by the Chief Executive, with the approval of the Chairman, pending the outcome of the appeal.
 - 6.8.3.6 If the penalty under appeal is expulsion, the date of deletion from the register of members will be deferred until the outcome of the appeal under these procedures is known.
 - 6.8.3.7 Where the appeal is allowed in full and the original penalty is set aside (and not altered or increased) the costs of the appeal will be borne by the Association.
 - 6.8.3.8 Where the appeal is dismissed the appellant shall pay all costs (including but not limited to the costs of obtaining legal advice, the expenses of the Appeal Committee in attending any hearing and the expenses of any witnesses required to attend any hearing incurred by the Association since the date of the original hearing, and the Appellant must pay any fines within fourteen days of dispatch of a letter of notification to the appellant at their last known address. Non-payment of the fine will result in immediate suspension from membership.
 - 6.8.3.9 Costs charged above must be paid within 28 days failing which the appellant will be suspended from membership. If payment is not

made within three months, the name of the Member shall be removed from the Register of Members.

6.8.3.10 Where the Appeal Committee rejects an appeal against expulsion, the appellant may appeal this decision through the South African Law Courts.

6.8.3.11 An appellant wishing to make use of this final level of appeal, must inform the Association in writing within 21 days of the date on which the appeal committees decision to expel or confirm expulsion was posted to them at their last known address.

6.8.3.12 All further correspondence will, at this point, take place through the Association and the Appellants respective Counsels.

6.8.3.13 Where the appeal is dismissed by the Courts, the former Member shall pay all costs incurred by the Association since the date of the hearing by the Appeal Committee.

Costs charged must be paid within 28 days, failing which Court proceedings may be instituted against the former Member.

6.8.3.14 Where the appeal is successful, each party will be liable for their own expenses.

6.8.3.15 If the Appellant withdraws the appeal before the appeal hearing, they shall pay all costs incurred by the Association since the date of the original hearing. Costs charged under this paragraph must be paid within 28 days, failing which Court proceedings may be instituted against the Appellant.

7. PENALTIES

7.1 The Regional Committee shall have the power to impose suspension from Regional tournaments for up to one year and / or fines not exceeding R500 for minor breaches as set out in the Regulations.

7.2 If a Member is found to be in breach of the terms of the Constitution or Regulations, the Board shall have power to impose on the Member one or more of the following penalties:

7.2.1 censure;

7.2.2 fine (for a breach of the Code of Ethics – Minimum fine R500);

7.2.3 payment of any costs or expenses incurred by witnesses or others in relation to a hearing;

7.2.4 suspension from all or any of the rights and privileges of membership;

7.2.5 expulsion; or

7.2.6 any other penalty deemed appropriate.

7.3 All fines must be paid within 28 days. If payment is not made by due date, suspension from membership will follow. If payment is not made within three

months, the Members' name will be permanently removed from the Register. If payment is made following suspension, but prior to removal from the Register, then the Member's membership privileges may be reinstated at the next meeting of the Board following receipt of payment.