

SOUTH WESTERN DISTRICTS CRICKET

SOCIAL AND ETHICS COMMITTEE REPORT: 2015/16

by MS SAMANTHA HENDRICKS

INTRODUCTION

The Board of Directors of South Western Districts Cricket “the Board” resolved in terms of section 72(4) of the Companies Act, Act 71 of 2008 “the Act” to establish a statutory committee, namely the Social and Ethics Committee. The Committee will fulfil the duties as listed below in respect of the Company and in compliance with the Act, the Memorandum of Incorporation of the Company and the Operational Policy on its Code of Ethics. Neither the appointment nor the duties of the Committee will reduce the duties or accountability of the Board of Directors of the Company.

PURPOSE OF THE COMMITTEE

The Committee is established to assist the Board with the oversight of social and ethical matters and in ensuring that the company is and remains a committed socially responsible corporate citizen.

The commitment to sustainable development involves ensuring that the Company conducts business in a manner that meets its existing needs without knowingly compromising the ability of future generations to meet their needs.

The Committees primary role is to supplement, support, advise and provide guidance on the effectiveness or otherwise of management’s efforts in respect of social and ethics and sustainable development related matters which, *inter alia*, include the following:

- a. Cricket Community Development
- b. Corporate Social Investment
- c. Ethics Management
- d. Employment Equity

- e. Health and Wellness
- f. Safety
- g. Stakeholder Engagement
- h. Protection of Company Assets
- i. Environmental Management

FUNCTIONS AND RESPONSIBILITIES

To monitor the Company's activities (Statutory Duties (s72 (4) of the Act, Regulation 43 and s32 of the MOI) having regard to any relevant legislation, other legal requirements or prevailing codes of best practice with regard to matters relating to:

- a. Social and economic development , including the Company's standing in terms of the goals and purposes of –
 - i. The 10 principles set out in the United Nations Global Compact Principles and
 - The OECD recommendations regarding corruption
 - The Employment Equity Act
 - The Broad Based Black Economic Empowerment Act;
 - ii. Good corporate citizenship, including the Company's –
 - Promotion of equality, prevention of unfair discrimination and reduction of corruption
 - Contribution to development of the communities in which its activities are predominantly conducted or within which its products or services are predominantly marketed; and
 - Record of sponsorship, donations and charitable giving

- iii. The environment, health and public safety, including the impact of the Company's activities and of its products and services;
- iv. Consumer relationships, including the Company's advertising, public relations and compliance with consumer protection laws; and
- v. Labour and Employment, including-
 - The company's standing in terms of the International Labour Organization Protocol on decent work and working conditions; and
 - The Company's employment relationships, and its contribution toward the educational development of its employees;
- vi. To draw matters within its mandate to the attention of the Board as occasion requires
- vii. To report, through one of its members, to the Affiliate Members at the Annual General Meeting on the matters within its mandate.

GENERAL

- **Governance.** The Committee forms the anchor in terms of the Governance compliance requirements of Cricket South Africa (CSA) and assessing the results of the CSA Operational Score Card on SWD the Social and Ethics Committee played a very positive contributing role in the good results achieved by SWD.
- **MOI Stipulations.** The Committee recognized the judgement as made by Mr André Swart in terms of the protocol in terms of the approval of the Rules and Code of Conduct and ensured, together with the Board of Directors, that such requirements were met.
- **Road Show with regards to Drug and Alcohol Abuse.** Following the request from an affiliated club it was agreed that the committee will roll out and implement a road show to address drug and alcohol abuse. The focus will be to involve the entire club with specific aim at the players and will therefore be implemented decentralised in conjunction of SANCA. The committee will compile a roll-out program that will be introduced with the cricket players at their clubs during the season.

BOARD COMMITTEE MEMBERS & MEETINGS

The following members served on the committee:

- a. Ms Samantha Hendricks (Chairperson)
- b. Mr Isaac Felix
- c. Mr Shael Laminie (with effect from 13 February 2016)
- d. Mr Warren Muller
- e. Mr Albertus Kennedy (CEO) – *Ex Officio*

The committee had the following meetings:

- a. 2 November 2015: Revision of the Code of Ethics Policy, Amendments to the MOI as prescribed by CSA, an Enquiry on Conflict of Interest activities (involving Mr Lluwellyn Marx) and Alleged Allegations of Ball tempering
- b. 30 November 2015: Allegations made by Messrs Isaac Felix and Leroy Hector regarding Governance and Financial mismanagement (as sent to Western Cape Cricket)
- c. 10 February 2016: Amendments to MOI and Social and Ethics Policy, Captain's Report by the captain of Riversdale CC and Social Media correspondence
- d. 4 April 2016: Appeal Ruling of Mr André Swart, Amendments to MOI and Social and Ethics Policy, Captain's Report by the captain of Riversdale CC, Social Media correspondence, Player breaching Code of Conduct, Revision of Shareholders Agreement with Western Cape Cricket and allegations regarding the constitutional requirements of the AGM of Pacaltsdorp United CC.