



# **GARMOUTH & KINGSTON GOLF CLUB**

## **Constitution**

Approved on December 2 2022

### **1.. NAME:**

1.1. The Name of the Club shall be the Garmouth & Kingston Golf Club, hereby referred to as the Club.

1.2. The Club shall affiliate to "Scottish Golf" and to North District.

### **2.. OBJECTIVES:**

2.1. The Club shall hold the following as its aim and objectives and shall strive to fulfill these aims and objectives at all times:-

2.1.1. To fulfill the general objectives and functions of a golf club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives.

2.1.2. To generally promote the game of golf for the benefit of members and the local community.

2.1.3. To promote and abide by the Rules of Golf as they are fixed from time to time by the R&A.

2.1.4. To provide access to golf for players of all standards in a friendly and welcoming atmosphere that does not discriminate on the grounds of gender, age, race, religion or belief, sexual orientation or disability.

2.1.5. To arrange competitions and matches for members.

2.1.6. To lease and/or purchase land and/or equipment suitable for the purpose and functions of the Club as laid down in sections 6.2 and 6.3.

2.1.7. To sell and deal in alcohol, minerals/aerated water and other related products as well as refreshments, foodstuffs and golfing equipment in accordance with the

provisions of any licensing laws and by obtaining the necessary statutory consents and licenses for this.

### **3. MEMBERSHIP:**

**3.1. The election and admission of all classes of members shall be in the hands of the Management Committee, who shall have the power to reject any nomination, and shall by ballot. Candidates shall be admitted at a meeting of the management committee by a majority of those present and voting.**

**3.2. Honorary membership may be conferred on persons elected to the Club, at an Annual General Meeting, as being deserving of the honour on account of their position in the golfing world, services rendered to the Club, or promotion of the game of golf.**

**3.3. Life membership may, from time to time, be offered to full members of the Club. Terms and conditions to be determined by the management committee.**

**3.4. Membership categories shall be decided by the management committee.**

**3.5. Only full, honorary and life members shall have the right to vote on any motion. All other adult members will have the right to vote on matter deemed to be “non-golfing”.**

**3.6. The Club may also admit temporary members. Persons admitted as temporary members may be granted such privileges of the course and clubhouse as the management committee shall determine. The terms of temporary membership shall be those fixed by the management committee from time to time. Any payment requested of temporary members shall be payable in advance.**

**3.7. All members joining the Club shall be deemed to accept the terms of this Constitution and any bylaws from time to time adopted by the Club in particular including the requirements to conduct themselves with any conduct rules, the equity policy and disciplinary procedures.**

**3.8. Membership is open to all and no application shall be refused on grounds of gender, gender reassignment, age, race, religion, or belief, sexual orientation, marriage, and civil partnership, pregnancy and maternity or disability.**

### **4. SUBSCRIPTIONS:**

**4.1. Subscriptions shall be fixed and implemented by the management committee, if the annual increase in subscription will be no more than 5% of the previous year full membership fee. Any proposed changes in excess of this limit shall only be approved by Club members at the Annual general meeting.**

4.2. Annual subscriptions shall be due on the anniversary of a member joining the club however, the Management Committee shall approve other methods of payment at their discretion.

4.3. All members where applicable shall be due for affiliation fees to official golfing bodies.

## 5. MANAGEMENT OF THE CLUB:

5.1. There shall be a management committee responsible for the overall management of the Club and shall have the powers to make Bylaws. The management committee will be elected by the members at the Annual General Meeting.

5.2. The management committee shall hold meetings from time to time as may be required for the dispatch of all competent business. A meeting of the committee shall be called by the Captain at any time, and the Secretary shall be bound to call such on a written request addressed to them by any five members of the management committee.

5.3. The management committee shall consist of the following members:

5.3.1. Office Bearers – Captain, Vice-Captain, Secretary and Treasurer. Each Office bearer shall be appointed for a two year period, by ballot, at the Annual General Meeting, and if necessary two positions may be combined. The Captain and Vice-Captain must be either a full, honorary or life member.

5.3.2. Other committee members - up to seven full members and up to two Social members of the Club. Shall be appointed for a three year period by ballot at the Annual General Meeting

In addition the Current Lady Captain and ONE other member of the Ladies section shall automatically be included on the Club Committee.

5.4. Management committee meetings shall require a minimum of SIX members.

5.5. The Management Committee shall have a minimum of TWO members of either sex.

## 6.. RESPONSIBILITIES OF THE MANAGEMENT COMMITTEE:

6.1. The Management committee shall be chaired by the Captain and shall;

6.1.1. Establish Club policies and oversee the administration of those policies.

6.1.2. Be responsible for the creation and enforcement of Bylaws of the Club.

6.1.3. Be responsible for ensuring the Club, its office bearers and employees have in place adequate and relevant insurance cover at all times.

- 6.1.4. Approve membership applications and welcome new members.
- 6.1.5. Review and approve recommendations made by the Club's appointed sub-committees.
- 6.1.6. Fill vacancies that occur among their members or among Office-bearers between Annual General Meetings. Any member so co-opted must retire at the next Annual General Meeting and will then be eligible for re-election in the normal way.
- 6.1.7. Organise Club competitions, prizes, and administer handicaps.
- 6.1.8. Make and amend rules for regulating internal affairs of the Club. Any such alterations to be displayed in the Clubhouse.
- 6.1.9. Appoint and agree contracts of employment with all employees of the Club.
- 6.1.10. Delegate to a Ladies Committee powers to organise all Ladies competitions and administer Ladies official handicaps.
- 6.1.11. The management committee shall cause proper Minutes of meetings to be recorded along with proper accounts. A Minute Secretary shall be appointed by the management committee.
- 6.1.12. Specified members of the management committee will be given responsibility for authorizing transactions on behalf of the Club.
- 6.1.13. All structural alterations to the course shall be approved by majority vote of the management committee.
- 6.1.14. All major structural alterations to the course or Clubhouse shall be displayed on notice boards in Clubhouse for one month prior to entering into any contract for such alterations.
- 6.1.15. Oversee fiscal management of the Club including setting annual subscriptions, membership categories, entrance fees, and level of audit requirements.
- 6.1.16. Members guests shall be allowed under terms and conditions laid down by the management committee and the details shall be posted in the Clubhouse.
- 6.2. The management committee will not have the power to purchase, sell or lease heritable property without specific authority of members at a general meeting.
- 6.3. The management committee shall have the power to purchase moveable property up to a value of £80.000 in any one year.
- 6.4. The members of the management committee shall also be trustees of the Club and shall hold any property of the Club in their name. They shall be indemnified by the Club members where acting in good faith in their capacity as trustees of the Club.
- 6.5. At general and management meetings the Club captain shall act as chairperson and in his absence a chairperson nominated by the management committee shall preside. The chairperson shall have a casting vote.

**7. ANNUAL GENERAL MEETING:**

**7.1. The Annual General Meeting shall be held once per calendar year, within a maximum of four months of the end of the financial year, and shall have as its main business:**

**7.1.1. The presentation of the management committee report for the past year.**

**7.1.2. Approval of the minutes of the last Annual General meeting and any other extra general meetings held during the year.**

**7.1.3. Presentation of accounts for the last financial year.**

**7.1.4. Election of any office bearers and/or ordinary management committee members.**

**7.1.5. Consider and approve any changes to the Constitution.**

**7.1.6. Set the level of subscription for the year if not already set by the management committee under clause 4.1.**

**7.1.7. Approve honoraria to the Secretary and Treasurer.**

**7.1.8. Consider any other business on the agenda. Notice of business for consideration must be in writing, signed and delivered to the Secretary at least seven days prior to the AGM.**

**7.2. Notice of the Annual General meeting must be circulated and a copy of the accounts available seven days prior to the meeting. Nominations for any office bearers and/or ordinary management committee members should also be displayed in the Clubhouse at least seven days prior to the meeting.**

**7.3. The quorum for any Annual General meeting shall be 20 full members or 15% of the voting membership, whichever is the lowest. Voting on any matters other than a change to the Constitution shall be by simple majority of members present.**

**8. SPECIAL GENERAL MEETINGS:**

**8.1. A special general meeting may be called by the management committee or by fifteen full members of the Club. Any such request must be submitted to the Secretary by written motion, setting out the rationale and basis for the general meeting being called.**

**8.2. No business shall be transacted at a special general meeting other than which notice has been given in the motion calling that special meeting.**

**8.3. At least 21 calendar days' notice of a general meeting must be given to the full Club membership. Notice to members shall be deemed to have been served by advertising locally and posting the agenda in the Clubhouse.**

**8.4. The Constitution and Bylaws shall apply at the special general meeting.**

**9. THE CONSTITUTION:**

9.1. The Constitution shall only be altered by consent of two thirds of voting members present at any general meeting.

**10. COMPLAINTS:**

10.1 All complaints must be made in writing to the Secretary and signed by the complainants, no action will be taken unless this procedure is followed.

10.2 The Secretary shall submit all such complaints to the management committee, who shall take the matter into their consideration, and they shall have the power to give such deliverance or order thereon as they consider necessary, and having fully investigated the complaint and based on available evidence, shall have the power to give such deliverance.

**11. EXCLUSION OF LIABILITY:**

11.1 Neither the Club nor any official thereof shall be liable to any member or guest of a member for any loss or damage to any property occurring, from whatever cause, in or about the Club premises; nor for any injury sustained by a member or guest whilst entering or leaving the premises. A notice to this effect shall at all times be displayed in a prominent position on the Club premises.

**12. DISSOLUTION OR WINDING UP OF THE CLUB:**

12.1 The Club is non- profit-making and all profits and surpluses will be used to maintain and/or improve the Club facilities or to carry out the objectives of the Club.

12.2 If upon winding up or dissolution of the Club there remains after the satisfaction of all debts and liabilities any property whatsoever this shall be transferred either to any association to which the Club is affiliated or, to some other organisations or organisations having objects similar to the Club. This organisation shall be determined by the members of the Club by resolution passed at a general meeting.

**13. CONDUCT OF MEMBERS:**

13.1 The management committee may suspend or terminate the membership of any member whose conduct, whether in the Club premises or elsewhere, is or has been in the opinion of the management committee, contrary or injurious to the character, or interest, or good order of the Club.

13.2 Any member so suspended shall have the right to appeal to the management committee. Such appeal shall only be valid if made in writing within seven days from the date of suspension or termination of membership. The appeal shall be considered at a meeting of the management committee convened for this purpose within seven days of receipt of the appeal notice. Notice of the appeal meeting shall be given to the

appellant in writing who shall be entitled to appear before the managements committee to make such representations as deemed relevant in support of the appeal. The management committee shall then consider all the facts out with the presence of the appellant who shall then be readmitted to the meeting and informed of the management committee's decision. The appellant may be accompanied / represented by another member, if so desired at any stage. Any so suspended member shall not be able to resign from the Club.

13.3 If the management committee is unable to uphold the appeal and if the appellant so requests in writing within seven days of the mentioned meeting, the management committee must refer the appeal to the general meeting of the Club, which must be held within fourteen days of receipt of such request by the appellant. At any such meeting, the basis of the original complaint, the grounds of the appeal, and the grounds for refusal shall be intimated and the decision. It shall not be competent to introduce any fresh evidence at this stage. The decision of the general meeting shall be final.

13.4 Any person who has had their membership of the Club terminated in terms of the above sections shall not be entitled to use any of the Club's facilities at any time in the future.

#### **14. PERSONAL INTERESTS OF MANAGEMENT COMMITTEE AND EMPLOYEES:**

14.1 No member of the management committee, and no manager or servant employed by the Club shall have any personal interest in the sale of excisable liquors therein, or profits arising from such sale.

14.2 If a member of the management committee has any pecuniary interest, direct or indirect, in any contract, or proposed contract, or other matter to be considered at management committee or one of its sub-committees' at which he is present he shall before such matter is considered disclose such an interest and shall not have any vote thereon.

This revised constitution has been approved in accordance with 9.1 above, and accepted as the constitution for the GARMOUTH & KINGSTON GOLF CLUB.