

# ABERDARE GOLF CLUB

## CONSTITUTION

### **1 Name**

The Club shall be called Aberdare Golf Club

### **2 Purposes**

The main purpose of the Club is to provide facilities for and to promote and encourage participation in the sport of golf and its associated activities at all levels.

The Club is formed as a not for profit organisation, all surplus income is re-invested in the Club or the sport of golf.

The Club is registered with HMRC as a Community Amateur Sports Club (CASC)

No surpluses or assets will be distributed to members or a third party except in the case of dissolution when rule 19.2 shall apply.

The Club provides for the members, guests and associate members a golf course, for the playing of golf according to the rules of the Royal and Ancient Club and any local rules in force at the time.

The Club provides for the members, guests' associate members and visitors a clubhouse for the supply of refreshments and all things incidental to the playing of golf.

The Club will promote the use of the course, clubhouse and facilities for the community within the licensing laws applicable at the time.

### **3 Membership**

Membership of the Club shall be open to all the community irrespective of ethnicity, nationality, sexual orientation, religion or beliefs, or of age, sex or disability except as a necessary consequence of the requirements of golf as a particular sport.

#### **3.1 Membership Categories**

The Club shall consist exclusively of the following categories of Members who shall have the qualifications and rights (unless Rule 7.3 applies) listed under each category and no others.

**3.1.1. Full Members.** Adult persons who shall be entitled to:

- a) all facilities afforded by the course and clubhouse.
- b) after one year of membership propose or second a candidate for membership of the Club.
- c) after one year of membership nominate or second a Member who is qualified to serve on the Management Committee.
- d) after two years of membership be nominated to stand for election to Club Committees
- e) vote at all General Meetings (unless Rule 9.3 applies)

3.1.2 **Social Members.** Adult persons who shall be entitled to:

- a) the facilities afforded by the clubhouse only.
- b) have no voting rights.

3.1.3. **Country Members.** Who must be or at the discretion of the Management Committee, have been, full members of another golf club residing permanently beyond a radius of 30 miles from Aberdare clubhouse. They shall be entitled to:

- a) the facilities afforded by the course and clubhouse but will not be eligible to compete in Club trophy competitions or represent the Club in any Club team.
- b) enter qualifying competitions for handicap purposes only.

3.1.4. **Junior Members.** Young persons above the age of 8 and below the age of 18. They shall be entitled to:

- a) the facilities of the course and clubhouse (except supply of intoxicating liquor and use of gaming machines) with restrictions as determined by the Management Committee from time to time.
- b) upon reaching the age of 18 apply to the Secretary/Manager for Full or if qualified under Rule 3.1.5., Young Person Membership without the need for nomination.

3.1.5 Young Person Membership. Young persons between the ages of 18 and 25 who will be entitled to all the rights afforded to Full Members under Rule 3.1.1 at a reduced subscription rate of an amount determined by the Management Committee from time to time and confirmed at a General Meeting. On the 1<sup>st</sup> January at the age of 26, membership will continue as a full member and concession will cease.

3.1.6. **Honorary Members.** The Management Committee may elect any golfer or servant of the game of distinction to be an Honorary Member for any period of time and on such terms as they may decide. They shall:

- a) be entitled to the facilities afforded by the clubhouse and course (subject to decided terms) without paying the annual subscription.
- b) not be eligible to compete in any Club trophy competition or represent the Club in any Club team.

3.1.7. **Life Members.** The Management Committee may for a good reason at any time elect a Full adult Member to be a life Member of the Club who shall be entitled to all the rights and qualifications under Rule 3.1.1. without paying the annual subscription.

#### **4. Election of Members.**

4.1 Anyone desirous of becoming a Member of the Club of whatever category under Rule 3.1. hereof (except Honorary or Life Membership) must:

a) be proposed and seconded by two Full Members of the Club qualified under Rule 3.1.1.b at the time of the application.

b) fully complete the nomination form (particulars of which to be determined by the Management Committee) supported by a letter of introduction from the proposer and handed to the Secretary/Manager who shall place it on the notice board where it must remain for at least seven full days before the interview as set out hereafter.

c) be interviewed by a membership sub-committee consisting of the President and Captain at the time and one Committee member appointed by the Management Committee.

4.2 Any objection must be made in writing to the Secretary/Manager within the time the application is displayed on the notice board, and in any event prior to any interview.

4.3 A candidate shall be elected if all of the Committee members present at the interview vote in favour otherwise the nomination must be referred to the Management Committee. The candidate will be elected if a majority of those present and voting on the Management Committee will vote in favour.

4.4 On election the candidate will receive a Rule Book and will be requested to pay the current entrance fee and annual subscription. Members elected after the 30<sup>th</sup> June will pay the whole current entrance fee and half of the current annual subscription.

4.5 Management Committee may deem the election void:

a) for any omission or inaccuracy in the particulars of the application form.

b) if the due entrance fee and subscription is not paid within one month of election.

c) within twelve months of election at which time any entrance fee shall be returned.

#### **5. Members Obligations**

5.1 All Members shall be bound by and submit to the Rules and Regulations of the Club.

5.2 No Member shall take away, or permit to be taken away from the clubhouse under any pretence whatsoever or shall damage or destroy any article, notice, book or pamphlet the property of the Club.

5.3 No paper, notice or placard written or printed shall be exhibited in the clubhouse without the consent of the Management Committee given through the Secretary/Manager or Captain.

5.4 Members shall pay all expenses they incur in the clubhouse on their or their visitors behalf before they leave the clubhouse.

5.5 All Members shall inform the Secretary/Manager of any change of address. Such change of address will be entered in the register of Members, and all notices sent by post to the address on such register shall be deemed to be duly delivered on the day following the date of posting.

5.6 Members shall at all times on the golf course and on the Club premises behave in a lawful and orderly manner.

## **6. Membership Termination**

6.1 A Member may at any time give notice in writing to the Secretary/Manager resigning his membership.

6.2 A Member giving notice of resignation later than one month after the due date for subscription renewal shall be liable for the whole subscription for the year commencing with the due date and for any subscription unpaid at the date of resignation.

6.3 Members resigning their Full Membership but applying for Social Membership, which may be granted at the discretion of the Management Committee must do so in writing to the Secretary/Manager stating reason at least one month before subscription due date. Failing to do so they will be liable for full subscription and subject to Rule 6.2

6.4 Members will cease to be Members:

a) by defaulting on payment of the annual subscription one month after the due dates determined by the Management Committee from time to time.

b) by defaulting on payment of a fine incurred under these Rules within one month of being notified.

c) as otherwise provided in the Rules

6.5 Any Member ceasing to be a Member under these Rules shall forfeit such rights to, or claim upon, the Club or its property or funds as they otherwise would have by reasons of their membership.

## **7. Powers of Committee**

7.1 The Management Committee in addition to any other powers conferred on it shall have:

7.1.1 The control of finances and all other administrative powers as may be necessary to properly carry out the objects of the Club in accordance with these Rules

7.1.2 Power to raise or borrow for the purposes of the Club, when authorised to do so by a resolution passed in a General Meeting, such amount of money at one time or from time to time at such a rate of interest and in such a form and manner and manner and upon such security as specified in such resolution. Thereupon the Trustees shall at the direction of the Management Committee make all such dispositions of the Club property, or parts thereof, and enter into such agreements in relation thereto as the Management Committee may deem proper for giving security of such loans and interest. All Members whether voting or not on such resolution and all new Members elected after the passing of such resolution shall be deemed to have assented to the same as if they voted in favour of such resolution.

7.1.3 Power to engage, control and dismiss employees of the Club.

7.1.4 Power to make, amend or repeal all such Regulations (not consistent with these Rules) as they think expedient for proper management and wellbeing of the Club.

7.2 Power to act as a Discipline and an Appeal Committee (whose decision will be final) and as such have the power to:

7.2.1 Reprimand, fine, suspend (for a period not exceeding 3 years) or expel any Member whose conduct shall in the opinion of the Committee have been injurious to the Club. Before such action is considered the Complaints Procedure as set out by the Management Committee shall be followed. The document setting out the procedure is available in the Secretary/Managers office.

7.3 A Member suspended in accordance with the Disciplinary Code shall:

a) not be entitled to use the Club's facilities, attend meetings or vote.

b) not be entitled to hold office during suspension.

c) in all other ways remain liable for payment of subscriptions.

## **8 Complaints**

8.1 Any complaint against a Member, employee of the Club or visitor shall be made to the Secretary/Manager who, if he is unable to deal with it and the complaint is regarding the conduct of any Member of the Club, will follow the Discipline Code of Procedure as set out by the Management Committee Rule 7.2.1

8.2 In no instance shall the complainant reprimand or enter into any discussion with the person with whom the complaint is against.

## **9 Annual subscription and Entrance Fee**

9.1 There shall be an annual subscription fee paid in advance and due on the 1<sup>st</sup> January each year of such amount for each category of membership in Rule 3 as the Management Committee may determine from time to time. Annual subscription increases in excess of 5% shall be determined at the annual General Meeting by a majority of those present and voting.

9.2 Methods of subscription payment shall be determined by the Management Committee from time to time.

9.3 Members whose subscriptions are in arrears as determined by the payment method chosen and until Rule 6.4. applies shall:

- a) not be able to compete in any Club competition or play for any team representing the Club
- b) vote at any general Meeting

9.4 If direct debit is offered as payment method failure to pay any monthly instalment will result in the whole of the balance being due immediately and Rule 9.3 shall apply.

9.5 Members having been Full Members uninterrupted for 15 years will be entitled to an age concession at the age of 65 of an amount determined from time to time by the Management Committee and confirmed at a General Meeting. The concession to begin on the 1<sup>st</sup> January in the year following the attainment of the age.

9.5.1 Full Members joining after the 19<sup>th</sup> January 2006 shall not be entitled to the concession as in Rule 9.5

9.6 New Members once elected will pay an entrance fee of an amount determined by the Management Committee from time to time.

## **10 General Meetings**

10.1 All Members qualified under Rule 3.1 shall be entitled to attend any General Meeting but only those present and qualified to vote under the same rule are entitled to do so, and forty shall provide a quorum.

10.1.1. Notice of any General Meeting shall be posted in the clubhouse and sent to every member by post to the address on the register specifying the business to be transacted and the date, place and time of meeting.

10.1.2. The President or another member of the Management Committee selected for the purpose by this Committee will be the Chairperson of a General Meeting whose decision as to the result of the voting will be final.

### **10.2 The Annual General Meeting**

10.2.1 The Annual General Meeting of the Club shall be held each year at such time and place as the Management Committee shall determine and 15 months shall not elapse without such a meeting. The notice conveying the meeting shall be sent at least 21 days beforehand and include:

- a) the date and time of the Meeting
- b) names of retiring Committee members eligible for re-election

c) full names of proposed officers

d) names of Members given Life Membership status

e) Income and Expenditure Account, and Budget as prepared by the Treasurer

10.2.2 It's business will be:

a) receive from the Committee a report on the condition and progress of the Club during the preceding year

b) receive and if approved adopt a report on the audited Statement of Accounts and Balance Sheet for the preceding financial year

c) receive the annual subscription for all categories of membership and determine increases if exceeding 5% (Rule 9.1)

d) confirm the election of Officers

e) fill vacancies on the Management Committee

f) appoint an Auditor and Solicitor for the ensuing year

g) to transact business relating to the affairs of the Club of which due notice has been submitted to the meeting as hereinafter provided.

10.2.3 Any voting Member desirous of moving any resolution at such Meeting shall give notice thereof in writing to the Secretary/Manager at least 14 days before the date of such meeting. The submitted resolution shall have been forthwith posted at the clubhouse. No business other than that of which notice has been given shall be brought forward at such meeting.

### **10.3 Extra-ordinary General Meeting**

10.3.1. Giving at least 7 days notice, the Management Committee may at any time for any special purpose call an Extra-ordinary General Meeting and shall be bound to do so on receiving a written requisition signed by 40 Members qualified to vote under Rule 3.1 stating the purpose for which such meeting is required.

## **11 Officers**

11.1 The Officers of the Club shall be the President ( who shall serve for a period of three years from the date of election), Captain, Vice-Captain and Treasurer. They shall be proposed, seconded and elected (by ballot if necessary) at the Annual General Meeting and shall be eligible for re-election. The Captain shall not hold office for more than two years in succession.

## **12. Management Committee**

12.1.1. Composition

The Management Committee shall consist of the Officers, the immediate Past Captain, nine full members elected under Rule 12.3 and two Trustees (who shall serve in rotation as nominated by the Management Committee). Five members of this Committee shall form a quorum. The Committee shall annually elect its Chairperson.

#### 12.1.2 Meetings

The Committee shall meet as and when required and special Meetings shall be called by the Secretary/Manager on the written request of any two members of such Committee.

12.2 At least three Full Members shall be eligible for election to this Committee each year.

#### 12.3 Election to

a) retiring Committee members are eligible for re-election

b) nominations to fill vacancies shall be delivered in writing to the Secretary/Manager at least five days before an Annual General Meeting and shall be proposed and seconded by Members qualified under Rule 3.1

c) a list of the names of those nominated shall be placed on the notice board at least three days before the date of the Annual General Meeting

d) ballot papers shall contain the names of the candidates only

e) qualified voting Members shall be entitled to vote for up to as many candidates as there are vacancies. Any ballot paper with more votes than vacancies shall be deemed spoiled.

f) if two or more candidates obtain an equal number of votes another ballot will take place of those candidates only to decide who shall be elected.

#### 12.4 Casual vacancies

12.4.1 The Management Committee may fill by election any casual vacancy.

12.4.2 Any qualified Member under Rule 3.1.1 so chosen shall be treated as elected if the person whose seat he fills was elected and shall retire at the following Annual General Meeting but shall be eligible to be a candidate (subject to Rule 12.3.b) for election at such meeting

#### 12.5 Sub-Committees

12.5.1 The Management Committee shall each year appoint the following sub-committee:

Finance, Greens and Handicapping, House and Social. The Captain, Vice-Captain and three elected members duly appointed by the Management Committee shall be members of the sub-committees.

12.5.2 The House committee shall consist only of members of the Management Committee who have been elected to the Management Committee at a General Meeting and amongst the duties of



this sub-committee shall be the purchase of all intoxicating liquors and decide the prices which these shall be supplied to Members.

#### 12.6 Treasurer

The Treasurer shall be responsible for the accounts of the Club and shall each year make up the annual Statement of Accounts and Balance Sheet to the end of the preceding financial year and after audit print and circulate to all Members with the notice of the Annual General Meeting. He shall be entitled to an honorarium and expense allowance of such amount as shall from time to time be decided by the Management Committee.

#### 12.7 Indemnity

All duly elected officers and committee members shall be indemnified against risk and expenses by an insurance policy and if necessary out of Club assets.

#### 12.8 Auditor

The auditor shall be appointed at the Annual general Meeting. He will certify the annual accounts before they are printed.

### **13 Secretary/Manager**

13.1 The Secretary/Manager shall be appointed by the Management Committee on such terms and conditions and upon such remuneration as the management Committee shall think fit.

13.1.1 The Secretary/Manager shall under the direction of the Management Committee:

- a) keep full and correct record of all business transacted at Committee and General Meetings
- b) convene meetings of the Management Committee on at least three days notice.
- c) have custody of all documents belonging to the Club
- d) receive subscriptions, entrance fees and other amounts due to the Club and forward them to the Club's bankers
- e) be responsible for all Club purchases
- f) send to all Members copies of all relevant papers required under Rule 10. To transact the business of General Meetings
- g) accept administrative responsibility for all staff employed at the Club

13.1.2 Other duties will be at the discretion of the Management Committee and may be reviewed from time to time.

13.2 For as long as the Secretary/Manager shall hold office be an Honorary member of the Club without the restriction imposed by Rule 3.1.6 b)

## **14 Trustees**

14.1 There will be no more than four trustees of the Club who shall hold office until

a) death or resignation

b) removed from office by a resolution of the Management Committee who may do so for any reason which may seem sufficient to a majority of them present and voting.

14.2 Liability

14.2.1. The property of the Club (other than cash) shall be vested in the Trustees to be dealt with by them as the Management Committee shall from time to time direct by resolution of which an entry in the Minute Book shall be conclusive evidence.

14.2.2 When directed by the Management Committee under Rule 6.1.2 make all dispositions and enter into such agreements in relation thereto as the Committee may deem proper.

14.3 Appointment

14.3.1 Where it is necessary that a new trustee be appointed the Management Committee shall by resolution nominate the person to be such Trustee. For the purpose of giving effect to such nomination the president for the time being of the Club is hereby declared the person empowered to appoint new Trustees of the Club within the meaning of section 36 of the trustees Act 1925 and shall by deed duly appoint the person or persons so nominated by the Management Committee.

14.4 Indemnity

The Trustees shall be indemnified against risk and expense by an insurance policy and if necessary out of Club Assets.

## **15 Facilities**

15.1 Course

15.1.1 The golf course and greens shall be open from dawn to dusk

15.2 Clubhouse

15.2.1 The Clubhouse will be open between 8 am and midnight or as the Management Committee may determine from time to time. The Secretary/Manager may close the clubhouse in extreme conditions, in the absence of the Secretary/Manager authority is delegated to the Club Steward.

15.2.2 The Club shall be open for supply of intoxicating liquors for periods determined by the Management Committee but not exceeding hours permitted by the licensing authorities.

## **16 Visitors**

16.1 Course

16.1.1. The Secretary/Manager may admit members of recognised clubs as a visitor who shall be permitted to play golf provided that:

- a) they pay the appropriate green fee in advance
- b) have a valid and recognised handicap certificate
- c) abide at all times by the Rules and Regulations of the Club

16.1.2. A Member may introduce up to three visitors permitting them to play golf providing that:

- a) they pay the appropriate green fee in advance and enter the visitors name and their own in the visitors book
- b) the visitors are accompanied by a Member when playing
- c) have a valid and accepted handicap certificate
- d) the Member is at all times responsible for the behaviour and adherence to the Club Rules of his guests

16.2 Green fee shall be determined by the Management Committee from time to time

16.3 Clubhouse

16.3.1 Visitors will be admitted to the clubhouse provided:

- a) they have been admitted under Rule 16.1
- b) accompanied by a member and their name entered in the visitors book before any privileges are accorded. Such visitors shall not be introduced more than four times in the same year.

## **17. Rules**

17.1 These Rules shall not be repealed or altered and no new Rule added save by a two-thirds majority of those present and qualified to vote under Rule 3.1 in a General Meeting

17.2 At least 21 days notice shall be given to the Secretary/Manager of the intention to propose any new Rule, or alteration or repeal, who shall send notice of proposal to every Member and post same at the Clubhouse at least seven days before the General Meeting

17.3 Any alteration must be notified in writing to the Clerk of the Justices and the Chief of Police within 28 days of alteration

17.4 The Management Committee will be the sole authority for interpreting these Rules and its decision will be final

## **18 Equal Opportunity Policy**

18.1 Aberdare Golf Club has a policy for promoting equal opportunities for all its employees and Members. The Management Committee is responsible for its implementation. The policy document is available for inspection at the Secretary/Mangers office.

## **19. Dissolution**

19.1 The Club shall be dissolved by a resolution at a properly convened General Meeting provided that:

a) at least 21 clear days notice of such Meeting is given to all Members qualified to vote under Rule 3.1

b) the notice convening the Meeting shall state that a resolution for dissolution is being proposed

c) the resolution is passed by a majority of three quarters of Members voting

19.2 In the event of dissolution of the Club, any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the Members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:

a) A registered charitable organisation

b) Another club which is registered as a Community Amateur Sports Club (CASC)

c) The sports national governing body for use by them for related community sports