

CONSTITUTIONAL RULES – updated November 2017 – ASHTON UNDER LYNE GOLF CLUB

Name: The Club shall be called Ashton-under-Lyne Golf Club and throughout these Constitutional Rules the term Club shall refer to the same.

1. Club Purpose

The object of the Club is to provide facilities for and promote participation of the community of Ashton-under-Lyne and further afield in the sport of Golf.

2. Permitted means of advancing the Purpose

- 2.1 The Committee shall have the power to make regulations for the general comfort and accommodation of the members, both as regards to the playing facilities and the club house and associated land and all regulations made by the committee and orders given to them shall be binding on every member until and unless set aside at a General Meeting of the Members.
- 2.2 By affiliation to the English Golf Union, and by doing so, abide by the Rules of Golf and regulations set out by this body to which it is affiliated.

3. Membership

- 3.1 Persons of either sex are eligible for membership of the Club provided they are at least 18 years of age. No person shall be denied membership of the Club on the grounds of race ethnic origin, creed colour, age, disability, sex, occupation, sexual orientation, religion, political or other beliefs.
- 3.2 Persons below the age of 18 years may be elected as Junior members without any right to hold office or vote at general meetings.
- 3.3 The Management Committee may limit the number of members in any one category of membership based on available facilities.
- 3.4 Admission of members.
Any person who wishes to become a member must submit an application in such form as the management committee shall decide. Every candidate for membership shall be considered by the management committee, which shall admit the candidate to membership of the Club unless to do so would be contrary to the interests of the sport or the good conduct and interests of the Club.
- 3.5 The property, effects and monies of the club shall belong to the full members during membership equally, but the rights and interests of every member shall expire with his or her membership. It shall not be assignable, or passed on to heirs or executors.

3.6 Classes of Membership

- 3.7 Seven day members may play the course on all days of the week, providing there is available time. All members are subject to any daily & competition timetables.
- 3.8 Six day members may play the course between Sunday and Friday inclusive, and after 3.00pm on Saturdays subject to any daily & competition timetables, and may play in designated mid-week and designated Sunday competitions.
- 3.9 Five day members may play the course on weekdays only, and are eligible to play in Tuesday competitions (excluding Tuesday Cup) before 4.00pm.
- 3.10 Three day members may play the course on Sunday, Monday & Tuesday only, and are eligible to play in Sunday competitions (excluding any majors), and in Tuesday competitions before 4:00pm (excluding Tuesday Cup).
- 3.11 Junior members. A Junior member shall be under the age of 18 years, as at the 25th March. When a Junior member reaches the age of 18 years he/she will on the following 25th March transfer to six or seven day membership on payment of the appropriate subscription and if they have been a member for more than three years he/she will not have to pay a Joining Fee. Junior members may play in all competitions including the Kenworthy Cup but excluding all other Majors, subject to any restrictions imposed by the Management Committee.
- 3.12 Country member. Persons who are full playing members of another UK golf club and reside outside a radius of thirty miles from the Club can apply for Country Membership, which has a reduced subscription.
- 3.13 Honorary & Life Member. Any person who has been an adult playing member for fifty years unbroken

membership shall be entitled to Life Membership. Further the Management Committee may advise from time to time, that a member who has given exceptional service to the Club, or who has brought outstanding recognition to the Club through exceptional playing achievements can also be made an Honorary Member, for life or for a specified time.

- 3.14 Non-playing member. Non-playing members have use of the clubhouse facilities and can attend or arrange functions in the clubhouse.
- 3.15 Temporary members. The management committee can make temporary members for a short period of time at a subscription rate of its choosing.
- 3.16 All adult playing members shall be entitled to receive notice of general meetings and they can attend such meetings, and vote. Members in non-playing social and junior categories have no such right to attend or vote.
- 3.17 All members shall be subject to these Rules and Regulations of the Club and others that may be in force. All playing members must have amateur status.

4 Entrance Fees and Subscriptions

- 4.1 The proposed annual subscription, for the following year, shall be notified to the members in the Notice to the Annual General Meeting and the Annual Subscriptions shall be confirmed by vote at the Annual General Meeting. The Annual Subscriptions will become due on the 25th March each year. Payment schemes may be introduced by the committee to spread the annual subscription. Advance payment schemes, at reasonable discounts, may be introduced by the committee for periods not to exceed 10 years. The Committee may introduce incentive schemes to encourage new members to join and existing members to step up a category or categories of membership.
- 4.2 On joining the Club, the Member will pay an entrance fee set at such an amount as from time to time the committee shall determine. The management committee shall have the power at any time to suspend or waive the entrance fee, either generally or in any individual case. Entrance Fees and subscriptions for Juniors should not be set a level prohibitive to young people wanting to take up the sport.
- 4.3 No member shall be eligible to play in competitions, be selected to represent the Club or enter any Club Knockout competition until such time as the member has paid his/her subscription, locker rent and any other monies due to the Club or agreed to abide by a Club payment scheme.
- 4.4 If a members subscription be unpaid or payment arrangements not be set up on the 25th March or such date the management committee may decide after this, but not later than 30th April, the committee shall, after due notice has been served to the said member by the Secretary or Treasurer, remove the members name from the list of members, and this member will no longer be welcome at the Club.
- 4.5 Following the resolution passed at the 1999 AGM the age-related loyalty discount will only apply to members who joined the club prior to 25th March 2000.
The discount for members aged over 65 with 15 years unbroken full playing membership will be 33% of the subscription payable for the year 2000/2001.
For members aged over 70 with 20 years unbroken full playing membership the discount increases to 50%. Applications for the discount should be made prior to 25th March.

5 Resignations

- 5.1 Members wishing to resign their membership must send notice of their intention to do so, in writing, preferably email, to the Secretary on or before the 25th March. Unless such notice has been sent, the membership shall not be deemed to have lapsed and may be dealt with under Rule 4.4.

6 Refusal of Membership

- 6.1 The committee may refuse membership only for good and sufficient cause such as conduct or character likely to bring the Club or the sport into disrepute. Appeal against such a decision may be made to the Club by writing, preferably email, to the Secretary and this appeal must be heard by a disciplinary sub-committee consisting of three members, chaired by the Club President or other senior member of at least 10 years standing, none of whom were party to the decision to expel or refuse entry.

- 6.2 An applicant shall not be refused membership, unless he is given 14 days' notice of the meeting of the disciplinary sub-committee, at which his refusal is to be considered and written details as to why the management committee is considering this action shall be given. The applicant shall be invited to attend the meeting and if he so wishes be accompanied by a representative or friend. The majority of this panel must vote in favour of refusal if the motion is to be passed.

7 Disciplinary Procedure

- 7.1 All complaints against members shall be dealt with under the National Golf Clubs Advisory Association Disciplinary Codes and Procedures.

8 The Management Committee

Subject to these Rules, the committee shall have the responsibility for the management of the Club, its funds, property, licences, sales and purchases and affairs.

- 8.1 The property and funds of the Club cannot be used for the direct or indirect private benefits of the members. No surpluses or assets will be distributed to members or third parties
- 8.2 The Club shall indemnify the members of the committee acting properly in the course of running the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).
- 8.3 The Management Committee shall have due regard to the laws of the land including the Licensing Laws appertaining to its licence and any government regulations that affect the club specifically The committee will have due regard to disability discrimination, sex, gender and race discrimination and child protection laws and procedures.
- 8.4 The Club shall be managed by a Committee consisting of:
- (a) the President
 - (b) the Captain
 - (c) the Lady Captain
 - (d) the Captain Elect
 - (e) the Past Captain
 - (f) the Club Secretary
 - (g) the Club Treasurer
- who shall be known as the Officers of the Club, and nine committee members all of whom are elected from the adult playing Membership, by the adult playing Members.
- The President shall be elected from a recommendation by the Past Presidents and may hold office for a maximum of three years.
- The Captain shall be elected from a recommendation from the Past Captains and shall take up office for one year.
- The Captain Elect shall be elected from a recommendation from the Past Captains and shall take up office for one year.
- The Lady Captain shall be elected from a recommendation from the Past Lady Captains and shall take up office for one year.
- The Club Secretary shall be elected by the adult playing Members and shall serve for three years but may seek re-election.
- The Club Treasurer shall be elected by the adult playing Members and shall serve for three years but may seek re-election.
- 8.5 A committee member or officer ceases to be such if he or she ceases to be a member of the Club, resigns by written notice, or is removed by the management committee for good cause after the member has been given an opportunity to put his or her case to the committee, with the right to appeal to the members or is removed by the members at a general meeting. The management committee shall fairly decide the time limits and formalities for these steps.
- 8.6 Any vacancy occurring among officials or members of the committee may be filled by co-option. The member so co-opted may hold the position until the next Annual General Meeting.
- 8.7 Any person nominated to be a member of the management committee must have been an adult playing member for at least three years and his/her proposer and seconder must likewise have been an adult playing members for at least three years.

- 8.8 In special circumstances as defined by a majority of the Officers of the Club, the requirement for the Club Secretary or Club Treasurer to have been a member for three years may be waived
- 8.9 To enable a member to assist the Committee to perform a specific task as defined by a majority of the Officers of the Club a member may be co-opted to the Committee until the task is completed or the next Annual General Meeting. A maximum of one member may be co-opted in this way.
- 8.10 The Nomination Sheet for Officers and Committee shall be posted in the Clubhouse on 1st October and taken down on 28th October each year and such nominations will be voted-on at the Annual General Meeting.

9 Proceedings of the Management Committee

- 9.1 Committee meetings shall be held as often as the Management Committee thinks fit provided that there shall not be less than 12 per year.
- 9.2 Whenever a committee member has a personal interest in a matter it must be declared and the member must withdraw from the meeting, not be counted in the quorum for that agenda item and have no vote on the matter concerned.
- 9.3 Quorum for a meeting shall be eight members present.
- 9.4 The Captain or in his absence, the Past Captain, or in their absence, the President shall chair meetings.
- 9.5 Decisions shall be by simple majority with no casting vote. If a proposition receives equal numbers for and against, the proposition is deemed to be lost.
- 9.6 The committee may delegate any of its functions to sub committees but must be specific in its direction of the activities and powers given to the sub committee. The sub committee must report back to the full committee and cannot spend Club funds outside a budget set by the full committee. The committee may wind up a sub committee at any time or change its mandate and operating terms. To be quorate a sub committee must have four members and a disciplinary sub committee, three.
- 9.7 The Committee shall have the power to manage the Club's Bank Accounts, and from time to time arrange short-term facilities directly with the Club's Bankers. Approval for such facilities shall be in accordance with the bank mandates as they exist at that time.
The power to arrange Fixed Term Loans (greater than one year term), mortgages and charges against the whole or any part of the Club shall be vested with the Trustees of the Club.

10 Trustees

- 10.1 The management committee will appoint Trustees in whom shall be vested such part of or parts of the property of the Club as the management committee shall direct. No remuneration shall be given for their services. The Trustees shall be adult playing members of the Club. There shall be no more than three or no less than two Trustees and they should hold office until death, resignation, or resignation from membership, unless removed from office by the resolution of the management committee.
- 10.2 The Trustees shall deal with the property so vested in them as directed by the resolutions of the Committee from time to time and they shall be indemnified out of the property of the Club against any claims and expenses by reason of any property having been invested in them or by any reason of anything done by them pursuant to any direction given by the committee.
- 10.3 The Trustees shall, at the discretion of the committee, following a meeting of the members, have the power to mortgage or charge the whole or any part of the Club vested in the Trustees, and further at the request of the Committee borrow monies for the benefit of the Club. At the discretion of the committee they may enter into a transaction with lenders and or third parties for the purpose of managing the risk of the Club arising from charges in the interest rates on loans and other borrowings or other factors affecting the activities or finances of the Club.

11 Annual General Meeting

- 11.1 The annual general meeting of the Club shall be held on the last Thursday in November, or if the Committee decide that date to be unsuitable, on the first convenient date thereafter, to transact the following business:
 - (a) To receive the Secretary's report of the activities of the Club during the previous year.
 - (b) To receive and consider the accounts of the Club for the previous year, the Auditors' report, the Treasurer's report and the subscription proposals for the following year.
 - (c) To remove and elect the auditor or confirm that he remain in office.

- (d) To elect the officers and other committee members.
 - (e) To decide on resolutions which may be duly submitted in accordance with Rule 11.2 below.
 - (f) To deal with any other matters which the management committee desires to bring before the membership.
- 11.2 Notice of any resolution proposed to be moved at the annual general meeting shall be given in writing, preferably email, to the Secretary not less than 28 days before the meeting.
- 11.3 Notice of the Annual General Meeting, with a copy of the accounts as of 30th September of the current year should be posted or emailed to all adult playing members not less than fourteen days before the date of the meeting.

12 Extraordinary General Meeting

- 12.1 The Secretary shall call an extraordinary meeting within twenty-one days of a request to that effect from the committee or on a written request of not less than fifty adult playing members signed by them. Such an extraordinary meeting shall be held not less fourteen days nor more than twenty-one days, from the notice of such a meeting.

13 Liquor Licence

- 13.1 The permitted hours for the supply of intoxicating liquor and provision of regulated entertainment shall be as permitted by the Club's Premises Licence.

14 Disclosure

- 14.1 Annual Club reports and statements of account must be made available for inspection to any member, and all Club records may be inspected by any committee member.

15 Amendments

- 15.1 These Rules may be amended at a general meeting by majority of the votes cast, providing that the correct procedure for calling the meeting has been followed and the meeting is quorate, (80 members present) but not so as to jeopardise the Club's status as a Community Amateur Sports Club as first provided by the Finance Act 2002 and not in any event to alter its purposes, unless the procedure set out below has been followed or winding up provisions take place.
- 15.2 The Club's Purpose may be changed to include other eligible sports if the committee unanimously agrees and the members at an extra ordinary meeting also agree the change by a 75% majority of the votes cast.

16 Winding up the Club

- 16.1 (a) The members may vote to wind up the Club if not less than 75% of those present and voting, support that proposal at a properly convened meeting, providing the meeting is quorate.
- (b) The committee will then be responsible for the orderly winding up of the Club's affairs.
- (c) After settling all liabilities of the Club, the committee shall dispose of the net assets remaining to one of the following:
- a. to another club with similar sports purposes, which is a registered charity and/or;
 - b. to another club with similar sports purposes, which is a registered CASC and/or;
 - c. to the Sport's governing body, the English Golf Union, or its successors, to be used by them for related community sports.

Adopted at a General Meeting

of the members of Ashton-under-Lyne Golf Club.

on **30th November 2017**

Signed _____

Mr L Butterwoth
Captain chairing the meeting

Witnessed by_____

Mr S Martin
Honorary Secretary