

ABERNETHY GOLF CLUB CONSTITUTION

NAME AND OBJECTS OF THE CLUB

1. **NAME** The Club shall be called "The Abernethy Golf Club" and shall be a Non-Profit Making Body dedicated to the supply of sporting services.
2. **OBJECTS** The objects of the Club are to provide for its Members and visitors facilities for playing the game of golf and suitable Clubhouse amenities.

TYPES OF MEMBERSHIP

3. **MEMBERSHIP** The membership of the Club shall comprise the following classes:
 - (a) Ordinary Membership: The following shall be eligible:
 - (i) persons whose main residence is in the Parish of Abernethy or an adjacent Parish.
 - (ii) all owners of property in the Parish of Abernethy with eligibility extended to partners, their children and grandchildren.
 - (iii) at the discretion of the Committee – persons taking up employment of a permanent nature in the Parish of Abernethy.
 - (b) Country Membership: Persons not having the qualifications for Ordinary Membership may be admitted as Country Members.
 - (c) Honorary Members – Ordinary or Country Members who are exempt from paying annual subscriptions.
 - (d) Senior Plus Members – Ordinary Members who have attained the age of 65 years and been Members of the Club for the preceding ten years.
 - (e) Supernumerary Members – either
 - (i) a Member who leaves the United Kingdom for a prolonged period or
 - (ii) any Member who is unable to play golf due to valid health reasons for a prolonged periodon notifying the Secretary accordingly may become a Supernumerary Member during the period at the discretion of the Committee.
 - (f) Junior Member Persons under the age of 18 on the first of January in the relevant year shall be Junior Members.
 - (g) Youth Member – Persons who are aged 18 or over but under 21 on the first of January in the relevant year may apply for Youth Membership.

ADMISSION OF MEMBERS

4. **HONORARY MEMBERS** On a recommendation from the Committee it shall be competent for a two-thirds majority of the Members present and voting at a General Meeting of the Club to elect as an Honorary Member any person who merits this distinction.

5. ALL OTHER MEMBERS

The selection of Members shall rest with the Committee. Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex; sexual orientation, political or other opinion. An application must be made on the printed form obtainable from the Secretary or from the Club's website and must contain the full name and permanent address of the candidate. On receipt of an application form the Secretary shall exhibit the form on the Notice Board of the Club for at least fourteen days before consideration by the Committee. Applications received when the clubhouse is closed shall be exhibited once the clubhouse opens. Applicants will be notified of this rule and may be offered a winter season ticket at a cost to be decided by the Committee.

On the election of a Member, the Secretary shall at once give that elected Member written notice thereof and request payment of any entry money and subscription. Ordinary and Country Members shall also be furnished with a copy of the Constitution of the Club. The elected Member shall not be entitled to the privileges of the Club until all money due has been paid. If money due is not paid one month after the date of such notice the election shall be void.

6. **REJECTED CANDIDATE** No person who has been rejected by the Committee shall again be eligible as a Candidate until the lapse of one year.

7. **CHANGE OF CATEGORY** Members ceasing to be eligible for the category of Membership to which they belong will be transferred to a category for which they are eligible without reapplying for

Membership. Members wishing to change category may, on successful application to the Committee, be transferred without reapplying for Membership

MEMBERSHIP RIGHTS AND DUTIES

8. MEMBERSHIP RIGHTS Only Ordinary Members, including Honorary Ordinary Members and Senior Plus Members, shall have any right or interest in the property of the Club or any say in the management of the Club's affairs.

Country Members, including Honorary Country Members, Supernumerary Members, Junior Members and Youth Members have no voting rights nor any right or interest in the property of the Club.

9. PLAYING RIGHTS Subject to Para 27 below, except for Supernumerary Members, all Members with a CONGU Handicap shall be eligible to play in CONGU Qualifying events subject to rules set by the SGU and LGU and to any relevant qualifying criteria (such as age or gender) required in particular Club competitions.

10. COMPLAINTS No complaint shall be considered by the Committee unless made in writing to the Secretary.

11. CHANGE OF ADDRESS Each Member of the Club shall inform the Secretary in writing of any change of address. It shall be considered sufficient intimation to Members if notices are sent to them at their addresses as shown in the Secretary's book.

12. LAPSE OF MEMBERSHIP

In order to retain Membership it will be necessary for Members to pay their annual subscriptions on a regular basis each year, otherwise their Membership status will be considered as having lapsed after one year. In such event it will be necessary to apply for new Membership, although this rule may be relaxed at the discretion of the Committee.

MANAGEMENT

13. COMMITTEE The Club shall be managed by a Committee comprising the Office-Bearers, the Lady Captain, any immediate past Captain and not more than nine Ordinary Members.

14. OFFICE-BEARERS The Office-Bearers of the Club shall consist of a Captain, Vice-Captain, Secretary and Treasurer. The Secretary and Treasurer shall be elected annually by a majority of the votes of the Ordinary Members present and voting at the Annual General Meeting. The Captain and Vice-Captain shall be elected annually by a majority of the votes of the Ordinary Members present and voting at the Annual General Meeting and each may hold office for two years consecutively. The nominations for Captain and Vice-Captain must be selected from persons who have been Members of the Club for at least the three consecutive years immediately prior to the elections being held. The Vice-Captain on demitting office will be eligible for election as Captain. No Office-Bearer shall rent or lease land to the Club. No Office-Bearer shall be a relative, business partner or person acting under the direction of any person leasing or renting land to the Club.

15. IMMEDIATE PAST CAPTAIN On demitting office, the Captain shall become a Member of Committee for one year.

16. LADY CAPTAIN The Lady Captain shall be elected by the lady Members at their Annual General Meeting

17. COMMITTEE MEMBERS Ordinary Members shall be elected to the Committee by a majority of votes of the Members present and voting at the Annual General Meeting and each will hold office for one year.

18. VACANCIES Any vacancies in the Committee occurring during the year may be filled by the Committee. Such appointments shall cease at the date of the next Annual General Meeting and any Members so co-opted shall be eligible for re-election.

19. CHAIRMAN OF MEETINGS At all meetings of the Club or of the Committee the Captain, or in the Captain's absence the Vice-Captain, shall take the Chair; and failing both, the meeting shall elect a Chairman. At any sub-Committee meetings, the Convener shall take the Chair, or, failing the Convener, the meeting shall elect a Chairman.

20. CASTING VOTE At all meetings of the Club, the Committee and Sub-Committees, the Chairman shall have a deliberative and, in the case of equality, a casting vote.

21. COMMITTEE MEETINGS The Committee shall at intervals hold meetings for the despatch of all competent business.

22. SUB-COMMITTEES The Captain and Vice-Captain shall be ex-officio Members of all Sub-Committees.

23. BOOKS AND ACCOUNTS The Committee shall see that correct Books and Accounts are kept, showing the financial affairs and intromissions of the Club

24. POWERS OF THE COMMITTEE The Committee shall have the management of all matters connected with the Club. All regulations and bye-laws made by the Committee shall be binding on the Members until altered or set aside by a General Meeting.

FINANCIAL

25. ENTRY MONEY AND SUBSCRIPTIONS The Entry Money and Subscriptions for Ordinary, Country, Senior Plus, Junior and Youth Members shall be fixed by the majority of Members present and voting at the Annual General or a Special General Meeting of the Club. Charges for Visitors shall be set by the Management Committee

26. PAYMENT OF SUBSCRIPTION The annual subscription is payable in advance and becomes due immediately after the Annual General Meeting. The Committee shall have the right to notify any Members whose subscriptions are not paid by the thirtieth of April in the year in question that they have been deemed to have resigned from the Club.

27. MEMBERS IN ARREARS No Member in arrears with the subscription shall be eligible to vote on or take part in the discussion of any motions or questions at any Meeting of the Club or to compete for any of the Club Prizes or Medals.

28. SUPERNUMERARY MEMBERS The subscription or part thereof to be charged to a Supernumerary Member in the year that that Member becomes Supernumerary and in the year that that Member ceases to be Supernumerary shall be decided by the Committee.

29. ACCOUNTS The Treasurer shall receive all money due to the Club and make all disbursements for the Club. Money belonging to the Club shall be lodged in the name of the Club in a bank as determined by the Committee and all cheques shall be signed by the Treasurer and one other Office-Bearer.

The Treasurer shall make up an Account of the financial transactions each year to thirty-first December, which shall thereafter be independently examined and submitted to the Annual General Meeting for approval.

Reporting Accountants shall be appointed annually by the Club at the Annual General Meeting.

30. PROPERTY The whole property of the Club, heritable and moveable shall be vested in Trustees for behoof of the Members of the Club. The Trustees shall have power, with the authority of the Members assembled in General Meeting, to purchase heritable property and arrange and execute Leases, to borrow money and grant security in respect of such borrowing by granting securities including Standard Securities, Charges, Bonds or Debentures and to execute such other Deeds as may be required; and the obligations undertaken on behalf of the Club in such Deeds shall be binding on every Member of the Club. The Trustees shall consist of the Office-Bearers of the Club for the time being. They shall hold office in the several capacities as Office-Bearers of the Club for behoof of the Members and as such no personal liability shall attach to them in respect of their duties and they shall be relieved of all personal responsibility and indemnified for their bona fide actions by the Members of the Club.

31. CLUB ASSETS No profits or surpluses will at any time be distributed to Members and if upon winding up or dissolution of the Club there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall be given or transferred to some other organisation or organisations having objects similar to the objects of the Club, such organisation or organisations to be determined by the Members of the Club by resolution passed at a General Meeting at or before the time of dissolution and insofar as effect cannot be given to such provision then to some charitable object. All profits and surpluses generated by Club activities shall be devoted to maintenance or improvement of Club facilities.

32. ASSESSMENT OF MEMBERS The Ordinary Members of the Club by a majority of votes of those present and voting at a General Meeting shall have power to assess the whole of the Ordinary Members equally for payment of such sum as may be considered necessary for satisfying the obligations of the Club; and any Member failing to make payment of that Member's share within thirty days after written notice from the Secretary shall cease to be a Member of the Club and that Member's name shall be struck off the Roll of Members; but that Member shall notwithstanding remain liable for that Member's share of the Club's obligations.

MEETINGS OF THE CLUB

33. ANNUAL GENERAL MEETING The Annual General Meeting shall be held in the month of February when a Statement of Accounts, duly examined, shall be submitted, the Office-Bearers and Committee elected and any other competent business transacted. Notice of any Motion to be

submitted other than by the Committee at the Annual General Meeting shall be intimated in writing to the Secretary on or before fifteenth December immediately preceding the Annual General Meeting . A notice shall be exhibited by the Secretary giving at least seven clear days intimation of the Annual General Meeting including an intimation of the business to be transacted.

34. SPECIAL MEETINGS A Special General Meeting may be called by the Committee at any time and shall be called by the Secretary upon a requisition addressed to the Secretary, signed by not fewer than six Ordinary Members and containing the Motion or Motions to be submitted at the Special Meeting. Such a meeting shall be held within thirty days of receipt of the requisition; and notice shall be exhibited by the Secretary not less than seven days before the date of the Meeting, specifying the purpose for which the meeting is called. No other business may be competently transacted at such a meeting.

35. QUORUM – CLUB At all meetings of the Club, ten shall form a quorum. If after thirty minutes from the time appointed for the meeting such quorum shall be not present, the Meeting if convened upon the requisition of Members shall be dissolved. In all other cases, it shall stand adjourned to a day, time and place to be fixed by the Committee.

36. QUORUM - COMMITTEE At all meetings of the Committee, five shall form a quorum.

DISCIPLINARY ACTION

37. POWERS. The Committee has the power to discipline any Member who, in the opinion of the Committee, has brought that Member, the Club or the game of golf into disrepute. The Committee may suspend such a Member for up to six months or may expel such a Member. Such powers need a unanimous vote of the Committee Members present at any meeting considering the matter. Such a vote shall be by ballot.

38. COMMITTEE MEMBER BEING DISCIPLINED If it is deemed necessary to discipline a Committee Member, such Committee Member shall be deemed to have resigned from the Committee before any disciplinary action is taken.

39. NOTIFICATION Immediately following a meeting at which the Committee have voted to suspend or expel a Member, that Member must be notified in writing setting out the appeals procedure.

40. APPEALS Any Member who has been disciplined has the right to appeal to and address a meeting of the Club provided that written notice of appeal has been lodged with the Secretary within fourteen days of the Committee meeting suspending or expelling the Member. The appellant shall be responsible for the costs of the General Meeting if the appeal is unsuccessful. The costs of the meeting shall be lodged with the Secretary along with the notice of appeal. The costs will be refunded in full if the appeal is successful. If two-thirds of the Members present and voting at such a meeting uphold the Committee decision, the appeal shall be unsuccessful. Such voting shall be by ballot.

41 SUSPENDED MEMBERS Any Member serving a period of suspension shall have all Membership privileges withdrawn during the period of suspension.

42 EXPELLED MEMBERS Any Member who has been expelled shall forfeit all right and interest that Member may have had as a Member of the Club but shall remain liable for that Member's share of any Assessment in respect of obligations incurred before the date of expulsion. That Member shall be ineligible to re-apply for Membership until a period of two years has elapsed since the date of the expulsion.

CONSTITUTION

43. ALTERATION OF CONSTITUTION The foregoing Constitution shall not be altered or added to except at an Annual or Special Meeting of the Club. Notice of any motion for alteration or addition must be lodged with the Secretary not less than fourteen days before the date of such meeting or on or before the fifteenth of December immediately preceding the Annual General Meeting if the alteration or addition is to be considered at the Annual General Meeting. The notice must contain details of the alterations or additions proposed. Intimation of the proposed alterations and additions shall be exhibited by the Secretary on the Notice Board not less than seven days before the date of the General Meeting. No motion shall take effect unless it is affirmed by a two-thirds majority of the Members present and voting.