

# **WEST LINTON GOLF CLUB**

## **CONSTITUTION AND RULES AS AMENDED November 2013**

### **1. NAME**

The name of the Club shall be "West Linton Golf Club".

### **2. OBJECTS**

The objects of the Club shall be to encourage the playing of the game of golf, and to provide facilities for playing in the neighbourhood of West Linton. The Club shall be a non profit making body. No surpluses of assets shall be distributed to the Club's members. Such surpluses shall be devoted to the maintenance or improvement of golfing facilities except in the case of dissolution of the Club as described in paragraph 25.

### **3. MEMBERSHIP**

- a) Full Members only shall have voting rights.
- b) Junior Members shall be under 18 years of age on 1<sup>st</sup> January of the year in which they are Junior Members. They shall be subject to such restrictions as may be imposed by the Council from time to time. They shall have no voting rights. They may play in senior competitions at the discretion of the Council.
- c) Non-playing members. Members who do not wish to play golf but wish to have an association with the Club. They shall have no voting rights.
- d) Honorary Members. Upon a recommendation by the Council of the Club it shall be competent for two thirds of the members present and voting at a General Meeting to confer upon any person the distinction of Honorary Life Membership, in recognition of services rendered to the Club or to the Game of Golf. Honorary Members shall be entitled to all privileges of Full Membership.
- e) Temporary Members. The Council shall have the power to grant Temporary Membership. The persons eligible for such membership will be:
  - i) Members of Golf Clubs or other persons who may be invited by the Council to any Club Match, Competition or Function to be held by the Club.
  - ii) Visitors to the Course who have paid the Green Fee current at the time and who have played or intend to play golf. Temporary Membership shall only be valid for the day of the visit.
- f) Five Day Members. Five Day Members shall be 18 years of age and over. They shall have no voting rights. Five Day Members will only be permitted to play on Mondays to Fridays inclusive and shall be subject to such restrictions as may be imposed by the Council from time to time. Five Day Members will be permitted to use the Clubhouse facilities at all times.
- g) Young Adult members shall be 18 – 29 years of age. They shall have no voting rights.
- h) The Council shall have the power to introduce other categories of membership to meet specific needs. Such members may have the same rights and playing privileges as Full Members but shall have no voting rights.

### **4. PLAY**

Play shall be permitted on weekdays and on Sundays.

### **5. PROPERTY**

The whole property of the Club, subject to the liabilities thereof, shall belong to the members for the time being. No member shall by reason of his membership have any transmissible interest in any such property. On any member ceasing by death, resignation or otherwise to be a member, all his interest shall accrue and belong to the other members for the time being.

### **6. TRUSTEES**

- a) The whole property of the Club, heritable and movable, shall be vested in Trustees for behoof of the members of the Club.

- b) The Trustees shall have power, with the authority of a majority of the members present and voting at any General Meeting, to purchase heritable property, to borrow monies by means of loan or overdraft, and to arrange and execute Leases, Bonds or Debentures for borrowed money, Feus and 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.
- c) The Trustees shall consist of the Captain, Vice-Captain and Treasurer for the time being. They shall hold office in their 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 bonafide actions by members of the Club.

## **7. COUNCIL**

- a) The Captain, Vice-Captain and Treasurer shall be elected annually by a majority of votes of the members present and voting at the Annual General Meeting. The Captain and Vice-Captain shall not hold office as Captain and Vice-Captain respectively for more than two successive years.  
The Trustees along with nine members of Committee shall form the Council of the Club. The Club may also, if it so desires, elect an Honorary President and any number of Honorary Vice-Presidents.
- b) Members of the Committee shall be elected by a majority of votes of the members present and voting at the Annual General Meeting of the Club. They shall hold office for three years after which they shall retire by rotation and shall be eligible for re-election.
- c) The Council shall have power to fill any vacancies which may occur during the year, and Members of Council so co-opted shall retain office until the next Annual General Meeting when they shall be eligible for election in the ordinary course. They shall retire from the Council at the time the Members whose vacancies they are filling would have retired.
- d) All nominations for membership of the Council shall be sent in writing to the Secretary so as to be in his hands at least three days before the Annual General Meeting. Such nominations must be signed by a Proposer and a Secunder and must be accompanied by the written consent of the nominee.
- e) In the case of nominations for any post as Trustee, nominations must be submitted in writing to the Secretary so as to be in his hands no later than 31 January immediately preceding the Annual General Meeting. Such nominations must be signed by a Proposer and Secunder and must be accompanied by the written consent of the nominee. The Secretary shall record in the notice calling the Annual General Meeting the names of any nominees proposed for election, stating whether a contested election will be held. This provision regarding nomination does not apply to any existing Trustee who intends to continue in office in accordance with the provisions of clause 7a, although that intention will be noted in the notice calling the Annual General Meeting if it will result in a contested election.
- f) No Trustee shall rent or lease land to the Club and no Trustee shall be a relative, business partner or person acting under the direction of any person leasing or renting land to the Club.
- g) The Council shall hold periodical meetings.

## **8. MANAGEMENT**

The Management of the affairs of the Club, including the admission of members, the upkeep of the Green and the Clubhouse and the arrangement of Competitions shall be in the hands of the Council who shall be entitled to appoint Sub-Committees with powers to carry out any of their functions. Members of Sub-Committees shall not necessarily be Members of Council.

## **9. DUTIES OF SECRETARY**

The Secretary, who shall be appointed by the Council, preferably from the membership, shall be responsible for the conduct and management of the affairs of the Club subject to the directions of the Council.

## **10. DUTIES OF THE TREASURER**

The Treasurer shall receive all monies due to, hold all monies belonging to, and make all disbursements for, the Club. He shall make up an Account of his transactions each year to 31<sup>st</sup> December, which shall thereafter be inspected by one or more persons appointed in accordance with Clause 11 and submitted to the Annual General Meeting for approval. A copy of the abstract of the Accounts, together with the

report of the Internal Examiner(s), shall be sent to the members with the notice calling the Annual General Meeting.

### **11. EXAMINATION OF ACCOUNTS**

The Accounts of the Club shall be inspected by one or more members, referred to as Internal Examiners, who shall prepare a report for submission to the Annual General Meeting, confirming the completeness and accuracy of the Accounts. The Internal Examiner(s) shall be someone of appropriate experience and/ or knowledge and shall be appointed initially by Council, with reappointment proposed at the Annual General Meeting annually. He may be a member of the Club but not of the Council.

### **12. GENERAL MEETINGS**

- a) The Annual General Meeting of the Club shall be held in March or April. At that Meeting, the Council's Report and the Accounts for the year ending 31<sup>st</sup> December preceding, with the Auditor's report thereon, shall be submitted. Trustees, Members of Committee and an Auditor for the ensuing year shall be elected, and any other competent business transacted.
- b) Notice of any business to be submitted at the Annual General Meeting must be in the hands of the Secretary not later than 31<sup>st</sup> January, and shall be included in the notice calling the Meeting.
- c) An Extraordinary General Meeting of the Club shall be called by the Secretary at the request of the Council, or on the requisition in writing of not less than fifteen members of the Club. The object of calling such a Meeting shall be specified in the requisition and in the notice calling the Meeting. No other business shall be transacted at the meeting.
- d) All General Meetings of the Club shall be called by circular issued at least seven days previous to the date of the meeting.

### **13. CHAIRMANSHIP OF MEETINGS**

All meetings, whether of the Club or of the Council, shall be presided over by the Captain or, in his absence, by the Vice-Captain. In the absence of both the Captain and the Vice-Captain, a Chairman shall be elected by the meeting. The Chairman of any Meeting shall have a deliberative vote and shall also have a casting vote in the event of equality.

### **14. QUORUMS**

- a) At all meetings of the Club thirty members present shall form a quorum.
- b) At all meetings of the Council four members present shall form a quorum.

### **15. APPLICATION FOR MEMBERSHIP**

Candidates for admission as members of the Club must be proposed and seconded by Full Members. Their names must be sent by the Proposer or Seconder to the Secretary in writing and shall be displayed on the notice board for one week before election and two weeks shall elapse between nomination and submission to the Council who shall have power to admit Members and to refuse admission without assigning a reason. When a Member is admitted the Secretary shall intimate the fact to him and shall inform him that payment by him of his Subscription shall be held to signify his assent to abide by the Rules and Bye-Laws of the Club. If payment be not made within one month of the intimation of admission, the application shall be held to have been dropped.

### **16. SUBSCRIPTIONS**

The Annual Subscription for Membership shall be such amounts as may be fixed from time to time by the Council except that the Annual Subscription shall not be increased by more than 7.5% in any one year without the approval of Members in General Meeting. Subscriptions are payable in advance and fall due on the 1<sup>st</sup> January each year. Members whose subscriptions are not paid by 1<sup>st</sup> February shall be notified by the Secretary during February that if payment is not made by 1<sup>st</sup> March their membership may be terminated.

New Members invited to join the club after 1<sup>st</sup> July shall be required to pay one half of the Annual Subscription.

New Members invited to join the club after 1<sup>st</sup> October shall be required to pay one quarter of the Annual Subscription.

## **17. GREEN FEES**

Green Fees for Temporary Membership shall be such amounts as may be fixed from time to time by the Council. Temporary Membership shall include use of course and clubhouse with its facilities for the period covered by the green fee.

## **18. ASSESSMENTS**

The Club by a majority of votes of the members present and voting shall have power, at any General meeting, to assess the Full Members equally for payment of such sum as may be considered necessary for liquidating the obligations of the Club, and any member failing to make payment of his share within thirty days after written notice by the Treasurer demanding payment of the same, shall cease to be a member of the Club, and his name shall be struck off the Roll of Members, but he shall, notwithstanding, remain liable for his share of the Club's obligations.

## **19. RESIGNATION OF MEMBERS**

Any member wishing to resign his membership shall give written notice to the Secretary before the date of the Annual General Meeting and shall pay all arrears of subscription due by him at the date of such notice. Notwithstanding such notice he shall remain liable to pay his share of any Assessment that may have been, or may thereafter be made in respect of obligations incurred before the date of such notice. A member failing to give such notice shall be liable for his subscription for the current year.

## **20. SUSPENSION AND EXPULSION OF MEMBERS**

Upon being satisfied that any member has acted in defiance of any of the rules or Bye-Laws of the Club, or otherwise has made himself offensive, the Council shall have power, if at least eight of the Council approve of the decision, to suspend such member from exercising his privileges as a member of the Club; and in the event of three-fourths of the members present and voting at the first Annual or Extraordinary General Meeting thereafter confirming the Council's decision, the said member shall forthwith be expelled from the Club, and in that case he shall not be entitled to repayment of any part of his subscription, nor have any other claim against the Club or Council in respect of such expulsion; and any member so expelled shall thereupon forfeit all right and interest he may have had as a member of the Club.

## **21. TITLE TO SUE**

The Trustees shall have full power and authority to sue on behalf of the Club.

## **22. COMPETITIONS AND MATCHES**

Competitions and Matches may be held at such times as the Council may fix. Intimation shall be posted on the notice board, and the Council shall have power to reserve the course for such Competitions or Matches. The Council shall have the right to refuse competition entries from Members whose subscriptions are unpaid at the date of the first Medals.

## **23. RULES OF GOLF**

The Rules of Golf, as they may from time to time be fixed by the Royal and Ancient Golf Club, St Andrews, shall, so far as applicable and subject to such Bye-Laws and Local Rules as may be enacted by the Council, be the Rules observed by the Club.

## **24. BYE-LAWS AND LOCAL RULES**

Subject to the provisions contained in these Rules, the Council shall have power to frame Bye-Laws and Local Rules which shall be binding on all members. All Bye-Laws and Local Rules shall be printed on the Club score cards.

## **25. DISSOLUTION OF THE CLUB**

If two-thirds of the members present and voting at a General Meeting are in favour of the Club being dissolved, the Council shall, within four weeks, arrange for a postal vote on the question of all Full Members of the Club; if three-quarters of the votes cast in the postal vote are in favour of the Club being dissolved it shall be dissolved forthwith and the surplus assets of the Club, if any, shall be handed over to another Golf Club to be selected by the Council and approved by the Scottish Sports Council.

## **26. ALTERATION OF CONSTITUTION AND RULES**

The Constitution and Rules shall not be altered except with the consent of not less than two-thirds of the members present and voting at an Annual General Meeting, or at an Extraordinary General Meeting called for the purpose.

**27.** The Council shall manage the day to day administration of the Clubhouse and bar through a House Committee.

**28.** The Council or any person employed in or by the Club shall have no personal interest in the purchase by the Club or in the sale in the Club of alcoholic liquor, or in the profits arising from such sales. The Club shall not pay emoluments based on surpluses or turnover of any aspect of Club activity to any Trustee, relative of a Trustee, business partner of a Trustee or person acting under the direction of a Trustee.

**29.** No alcoholic liquor shall be supplied to persons under the age of 18.

**30.** Visitors shall not be supplied with alcoholic liquor in the Club premises unless on the invitation of and in the company of a member and that member shall enter his own name and the name and address of the visitor in a book kept for that purpose. A member may only introduce three visitors per day to the playing privileges of the course. Further, any member may take a friend or friends to the Clubhouse at any time but such friend or friends shall on no account be eligible to play the course except under the rules as above stated. The names and addresses of such friend or friends must be entered in a book kept for that purpose. Only full members shall be supplied with alcoholic liquor for consumption off the premises.

**31.** In respect of Bar hours and all other matters concerned with the sale of liquor on the Club premises, there shall be strict adherence to the terms of the Licensing (Scotland) Act, 1976 or such other statutes as may from time to time be in force.

## **32. COMPLAINTS**

No complaint will be considered by the Council unless made in writing to the Secretary.

August 2011