

# **CROSSGAR GOLF CLUB**

# **CONSTITUTION AND RULES**

February 2017

## **1. PRELIMINARY DEFINITIONS AND INTERPRETATIONS**

- 1.1 Rules herein contained are indicated by consecutive numbers.
- 1.2 Crossgar golf club shall mean the group of male and female amateur playing golfers operating under a constitution acceptable to the Golfing Union of Ireland and the Ladies Golf Union.

## **2. TITLE**

- 2.1 The name of the club shall be Crossgar Golf Club.
- 2.2 The official address of the Club is Derryboy Road, Crossgar in the County of Down.

### **3. OWNERSHIP**

3.1 The Land on which the Golf Course and Clubhouse have been constructed is the property of John Cuffey whose address is 231 Derryboy Road, Crossgar in the County of Down hereinafter called the 'Owner', which expression shall include his successors and assigns.

### **4. LEASE**

4.1 The Club used the facilities under a Fixed Term Lease from the owner of the Golf Course and Clubhouse. In the event of the Lease not being renewed the Club shall notify the Men's and Ladies Unions forthwith.

4.2 The Club accepts that the Lease granted by the Owner to use the facilities will not entitle the club to any legal interest in the property.

4.3 The Lease shall stand in the name of the Owner and the Club.

### **5. MEMBERSHIP**

5.1 The membership of the Club shall consist of Male and Female playing members, who are Life Members, Ordinary Members, and other subscribing Playing Members as may be elected from time to time under rule 14.3. any such Honorary Members (including life) as may be elected from time to time by the Committee.

5.2 Only Ordinary Members shall be:

Entitled to attend and vote at all Annual General, Special or Extraordinary General Meetings, and entitled to nomination for and election to office and General committee in the Club

### **6. OBJECTS**

6.1 The Club shall:

- Promote the amateur game of golf amongst its members.
- Apply for affiliation of the Golfing Union of Ireland and the Ladies Golf Union and undertake, in writing, to accept and abide by the constitution and Bye-Laws of each Union and Bye-Laws of the Branch in whose Province the Course is situated.

6.2 In compliance with Union Bye-Law 2, (GUI) and constitution (LGU) pay on 1<sup>st</sup> January:

- A per capita subscription on every male playing member of the Club to the Union (GUI) and a per capita levy to its Provincial Council at the end of its last financial year in the categories prescribed by such Bye-Laws or Constitution.
- A per capita subscription on every female playing member of the Club at the end of its last financial year in the categories prescribed by such Bye-Laws or Constitution.

- 6.3 Accept and apply the Standard Scratch Score and Handicapping Scheme as prescribed by the Council of National Golf Unions and such rules there under as may be required to be implemented from time to time by the Golfing Union of Ireland.
- 6.4 Accept and apply the Handicapping Scheme as prescribed by the Irish Ladies Golf Union and such rules there under as may be required to be implemented from time to time by such Union.
- 6.5 Accept and recognise the royal and Ancient Golf Club of St Andrews as the sole authority for prescribing the implementation of the Rules of Golf and the rules of Amateur Status.

## **7. OFFICERS**

7.1 The Officers of the Club shall be:

- President
- Captain
- Vice-Captain
- Honorary secretary
- Honorary Treasurer
- Honorary Match and Handicapping Secretary

In the event that an Officer holds two positions, an extra male member shall be elected to the General Committee.

7.2 (Each of the above positions with the exception of President (Men's Club only) shall apply to the Men's and Ladies sections of the Club)

7.3 Ordinary members to exceed the number of Honorary Officers.

## **8. MANAGEMENT Allocation of Functions**

8.1 The business and affairs of the Club shall be under the jurisdiction and control of a General committee (hereinafter referred to as the Committee) consisting of the Officers of the Men's Club and six other voting members of the Club elected under rule 9.5. The six voting members shall comprise two members from the men's section and four members from the ladies section. The aforementioned Committee may exercise its powers notwithstanding that there might be a vacancy in its membership.

8.2 At meetings of the Committee:

- Seven of those entitled to attend and vote shall form a quorum.
- At Meetings of such Committee the Chair shall be taken by the Captain, or, if absent by the Vice-Captain. In the absence of both these Officers those attending shall elect a Chairperson.
- The Chairperson at a Meeting shall in addition to a deliberative vote, have, and shall exercise, a casting vote.

## **9. Elections, Officers and Committees:-**

- 9.1 The Captain of the Club shall retire after one year's service and shall be succeeded by the vice-captain, provided always that the members of the Annual Meeting May vote that the outgoing Captain should serve in that capacity for a longer period. Should the outgoing Captain consent and be re-elected the tenure of office of the Vice-Captain shall be extended for a similar period.
- 9.2 The election of Office Bearers, Members of the General Committee shall be made at the Annual General Meetings.
- 9.3 Nominations (with the consent of the nominee) for election to any Honorary Office or as an Ordinary member of committee shall be made by the General Committee of the Club or by any two members of the Club.
- 9.4 All nomination shall be given to the Honorary Secretary of the Club at least 14 days prior to the Annual General Meeting of the Club.
- 9.5 A composite list of Nominees (Officers and Committees) together with their proposers and seconders must be posted on the club Notice board for a least seven days prior to the date of the particular Annual General Meeting.
- 9.6 The Committee shall have power to fill vacancies in any of these offices (including membership of its committee) during any year. The person to appointed shall hold office until the next Annual general Meeting of the Club. Such appointments shall not be construed as forming part of any time limit provided for in rule 9.2.
- 9.7 At any General Meeting, if the election of a continuing member of the Committee to a position as an Office Bearer will leave a vacancy on the Committee, then such vacancy shall be filled at that Annual General Meeting from candidates already nominated for membership of the Committee. In the event that there are not sufficient candidates to fill such vacancies the Chairperson shall first declare the nominated candidates elected and then invite verbal nominations from the voting members present at the meeting.
- 9.8 The office of any Office Bearer shall be vacated by such Office Bearer resigning there from or on ceasing to be a member of the Club or being removed by a resolution at any Annual General Meeting of the Club.

## **10 Committee Meetings**

- 10.1 Stated meetings of the Committee shall be held not less than nine times per annum.
- 10.2 Upon a requisition signed by not less than three members of a Committee stating the nature of the business to be transacted, the Captain or Honorary Secretary of the Club shall call a Special Meeting of such Committee for the consideration thereof: and if the Officers designated above neglect or refuse to call such a Meeting within

seven days the same may be convened by notice signed by four members of such Committee.

## **11. Appointment of Sub-Committees**

11.1 The Committee shall have power to appoint Sub-Committees and to define the scope of their authority and to delegate and confer on such Committees the power necessary for the discharge of the function or functions for which such SubCommittees are formed. No Sub-Committee may be appointed to elect members.

11.2 Each Sub-Committee shall retire annually on the date of the Annual General Meeting of the Club or when the function for which it was appointed is completed.

11.3 The quorum of each Sub-Committee shall be defined at the time of appointment.

11.4 The Chairperson of each Sub-Committee shall, in addition to a deliberative vote, have and shall exercise a casting vote.

## **12. ADMINISTRATION**

12.1 The club shall be administered as follows:

12.2 The Honorary Secretary of the Club shall be responsible for the everyday affairs of the Club except such duties which are specifically assigned to another Officer of the Club.

12.3 All written complaints concerning matters under the jurisdiction and control of the Committee of the Club shall be referred primarily to the Honorary Secretary of the Club who, if unable to resolve same, shall place the complaint on the Agenda for the next Meeting of the Committee of the Club for investigation and decision.

## **13. FINANCE**

13.1 The financial affairs of the Club shall be administered as follows:

13.2 The Honorary Treasurer shall keep full and detailed accounts, books and records showing the financial affairs, receipts and disbursements of the Club.

13.3 The Banking account shall be kept in the name of the Club and in such Bank as the Committee may, from time to time determine. All cheques shall be signed as authorised by resolution of the committee.

13.4 The Committee shall be responsible for the payment to the Golfing Union of Ireland of the annual per capita subscription and Provincial Levy on members as required by the Bye-Laws of that Union and payment to the Irish Ladies Golf Union of the annual per capita subscription on members as required by the Constitution of that Union.

13.5 The Committee shall be entitled to charge and retain all entry fees in club and Open competitions under its control and management and for which it has arranged for the provision of prizes.

13.6 The Honorary Treasurer shall issue and audited Statement of the Affairs of the Club for the financial year ended January for consideration by the Committee and for

presentation and approval by members at the Annual General Meeting of the Men's club which shall be held not later than March following.

#### **14. ELECTION OF MEMBERS**

14.1 Subject to the agreed limitation as to the number of members electable to the different categories of member:-

14.2 The election of all members shall be in the hands of the Committee.

14.3 The procedure for the election of members shall be as follows:-

- Each candidate for election must be proposed by one Voting Member of the Club and seconded by another Voting Member.
- The Proposer and Secunder must each know their candidate personally and shall state on the application form their personal knowledge of their candidate.
- A Voting Member wishing to propose the candidate for election shall obtain from the Honorary Secretary of the Club a form known as an Application for Membership form and shall in due course return it to the Honorary Secretary duly completed and signed by the Proposer and Secunder.
- Any omission from or inaccuracy in the particulars relating to any applicant shall render voidable at the discretion of the Committee.
- Immediately on election, notice in writing shall be dispatched to all elected candidates by the Honorary Secretary of the Club together with information on where to access the Club Constitution and Rules and a request to remit to the Honorary Treasurer of the Club within one calendar month from the date of such request the amount of the Entrance Fee (where applicable) and first Subscription and other charges payable by the category of Member to which the candidate has been elected.
- Should the requested payment be not made within one calendar month of the date of request as aforesaid, the election shall be void unless the candidate can satisfy the Committee that the delay in payment was due to unavoidable cause.
- If a candidate is not elected to membership and at a later date wishes to make a further application for membership, the same procedure as set out above must be followed on any subsequent application.

It shall be the duty of every elected Member to acquaint himself/herself of the Constitution, Rules and Bye-Laws of the Club and each such Member shall be bound by same and by all acts or deeds of any person or person acting for or on behalf of the Club under any power, authority or discretion conferred by or pursuant to such Constitution, Rules or Bye-Laws.

- No person shall be considered a Member (except Honorary) until his/her entrance Fee and Subscription shall have been paid.

- In the situation whereby an applicant has submitted his application and paid his fees he shall be deemed a provisional member and have full entitlements of a full member pending acceptance of his application.
- By such payment a Member shall be entitled to the rights and privileges of membership of the category of Member to which he/she shall have been elected.
- Acknowledges that he/she submits to and is bound by the Constitution, Rules and Bye-Laws of the Club and every renewal of subscription by him/her shall be deemed to be a similar acknowledgement.

## 15. CATEGORIES OF MEMBER

15.1 Voting and non-voting members may be elected to the Club.

15.2 The following shall be voting members:-

15.3 **ORDINARY MEMBERS** who shall comprise:

- **MALE MEMBERS** who, having paid the Entrance Fee; and Annual subscription to this category shall be entitled to attend and vote at all annual general and all Special General or Extraordinary General Meetings of the Club.
- **FEMALE MEMBERS** who, having paid the Entrance Fee; and Annual subscription to this category shall be entitled to attend and vote at all annual general and all Special General or Extraordinary General Meetings of the Club.

15.4 An Ordinary Member elected an Honorary Member of the Club shall retain all rights and privileges of membership of this category.

15.5 The following, of either gender, shall be non-voting members of the Club. All members of these categories, except Honorary Members, shall be required to pay the Annual Subscription applicable to each category.

- **JUNIOR AND JUVENILE MEMBERS** shall comprise young persons whose age at date of membership shall not be less than eight years or more than eighteen years. Such membership shall cease on 31<sup>st</sup> March next after such person has attained the age of twenty one years.

15.6 **CROSSGAR GOLF CLUB IS FULLY COMMITTED TO SAFEGUARDING THE WELL BEING OF ITS MEMBERS. EVERY INDIVIDUAL IN THE CLUB SHOULD AT ALL TIMES SHOW RESPECT AND UNDERSTANDING FOR THE RIGHTS, SAFETY AND WELFARE OF ALL. THEY SHOULD CONDUCT THEMSELVES IN A WAY THAT REFLECTS THE PRINCIPLES OF THE CLUB AND THE GUIDELINES IN THE CODE OF ETHICS AND GOOD PRACTICE FOR CHILDREN'S SPORT IN IRELAND.**

- 15.7 **HONORARY MEMBERS** shall comprise persons who the Committee wish to acknowledge as having rendered exceptional service to the Club or the game of golf or whose distinguished position or public service would render their membership of special advantage to the Club.
- 15.8 The following shall be the categories of member which are transferable within the membership structure.
- Junior/Juvenile members on ceasing to be eligible for these categories and wishing to be elected to another category shall be treated with priority at the next election.

## **16 ANNUAL CLUB SUBSCRIPTIONS**

- 16.1 All categories of member, except Honorary Members, shall be obliged to pay an Annual Club Subscription.
- 16.2 The amount payable by the different categories shall be decided as follows;-
- 16.3 The subscription payable to the Club to cover domestic requirements including subscriptions payable to tits Unions and Branch or District, team expenses the provision of prizes for competition and the general running of the Club shall be fixed by the General Committee.
- 16.4 All subscriptions shall be paid by 1<sup>st</sup> April each year.
- 16.5 Any member whose subscription shall be unpaid on 1<sup>st</sup> May in any year shall cease to be a member of the Club, but the Committee may re-elect such member without re-nomination or re-posting, within three months from the date when the subscription became due, on payment of all subscriptions and other monies due to the Club, and in addition a fine of £20.00.
- 16.6 Any member whose subscription is unpaid by 1<sup>st</sup> May shall be ineligible to compete in club or Open competitions, to enter Championships or Tournaments or to represent the Club.

## **17. VISITORS**

- 17.1 Prior to playing on the Course a visitor introduced by a member shall pay the appropriate Green Fee.

## **18. FINES**

- 18.1 The Committee of the Club concerned is empowered to impose fines for breaches of the Rules, Bye-Laws and Regulations of the Club in force for the time being or for breaches of the etiquette of golf, and may also at any time (either instead of, or in addition to, fines) temporary withdraw, inasmuch as it is in its power to do so, the use of the Clubhouse and Course from any members whose conduct or breaches of the Rules, Bye-Laws and Regulations may, in the opinion of the Committee, justify this action.



18.2 Any member refusing or failing to pay a fine so imposed within 4 weeks after notification thereof, shall, in so far as it is in the Committee's power to do so not be permitted to use the Clubhouse of course until such fine has been paid. Alternatively, notification from the Honorary Treasurer to the Honorary Secretary, in writing, that the fine remains unpaid shall entitle the Committee to avail of Rule 19.

**19. REMOVAL OF MEMBER FROM THE CLUB AND SUSPENSION OF MEMBER.**

19.1 If any allegations of misconduct by a Member be submitted to an Officer of the Club, in writing, any Officer of the Club shall make such enquiries as are considered necessary to obtain all relevant details. Such information shall be placed before the Committee of the Club which elected such member which shall, in meeting, enquire into such conduct.

19.2 If in the opinion of the Committee the conduct in question may warrant the suspension (by the temporary withdrawal of the privileges of Membership) or expulsion of such Member he or she shall be so informed in writing. The member shall have the right to appear and speak at and/or to make a written submission which shall be read at any subsequent Meeting at which the conduct in question shall be considered and all related information shall be placed before the Committee.

19.3 If after making such further enquiries as it considers necessary into the conduct of the Member and hearing such explanation, if any, as he or she may offer, the committee decides that his or her conduct has not been explained or accounted for to its satisfaction but was not such as to warrant the expulsion of the Member, the Committee may instead, by a simple majority, suspend the Member for a period not exceeding three months. Should a majority of the Committee not be satisfied that the charges of misconduct have been proved no further action shall be taken.

19.4 If no explanation of his or her conduct shall be given by the Member, or if such explanation shall have been considered unsatisfactory by the Committee, it may expel the Member, provided that not less than a two-third majority of the Members of the Committee vote for such a course of action.

19.5 If on taking of a vote under rule 19.4 less than six Members vote for expulsion the Committee shall make a decision in accordance with the provisions of rule 19.3.

19.6 When the Committee concerned has resolved that a Member be suspended or expelled, such Member shall, within seven days of the decision, be given notice, in writing, by the Honorary Secretary, or other authorised Officer of his or her Club, of the decision, by registered post or by delivery of such notice to his or her last known address. Such person shall have the right of appeal against the decision,

within fourteen days of the date of notification. The appeal shall be made, in writing, to the Honorary Secretary of the Club.

- 19.7 Notice of an appeal under rule 19.6, having been given, the decision shall not take effect for a period of twenty-one days from the date of the notification by the Club to the Member.
- 19.8 The Member shall have the right to have the appeal heard at an Extraordinary General Meeting requisitioned under rule 21.3. Provided that the necessary signatures for such requisition are procured either by the Member in question or by any other Ordinary Member of the club. This meeting shall, by a majority, decide whether the expulsion shall be confirmed or repealed, or decide whether the period of suspension shall be confirmed, reduced or repealed. Should the signatures provided for in rule 21.3 not be obtained within twenty-one days from the date of notification by the club to the Member, the committee shall have power to deem the appeal to have lapsed and to enforce the decision forthwith or to allow an additional period should it decide by a simple majority, that the circumstances warrant it.
- 19.9 A decision of the committee under this rule shall stand unless and until an appeal is received, by an Officer of the club, against it. Provided an appeal has been received, and an Extraordinary General Meeting duly requisitioned, the expulsion or suspension shall not then take effect, pending the holding of the Extraordinary General Meeting.
- 19.10 During the period of suspension the Member shall not be entitled:
- To enter upon the club property in so far as it is the Club's authority to enforce it, whether in the company of another member or otherwise.
  - Save only to collect his or her property, or
  - For the purpose of attending any general Meeting which may be held during the period of suspension.
  - To the refund or rebate of the whole or any part of his or her annual subscription or other sum paid or payable by him or her to the club in respect of the year in which the suspension occurs.
- 19.11 A person who has been expelled from Membership shall not be entitled:
- To enter upon the club property in so far as it is in the Club's authority to enforce it, whether in the company of another member or otherwise, save only to collect his or her property.
  - To the refund or rebate of the whole or any part of his or her annual subscription or other sum paid or payable by him or her to the club in respect of the year in which the suspension occurs.

19.12 All voting under this rule shall be by secret ballot.

## **20. GENERAL MEETING**

- 20.1 The Annual General Meeting of the Club shall, save in exceptional circumstances, be held in the month of February for receiving the Club Committee's Annual report and the Financial Statement for the year ended the previous January for electing Office Bearers, Members of committee and Auditors, revising its rules and transacting such other business of the Club as may be on the Agenda.
- 20.2 Fourteen days' notice, at least, of such Annual General Meeting shall be given to the Ordinary Members of the club who are the only persons entitled to attend and vote at an Annual General Meeting of the Club.
- 20.3 Notices of Motion and Nominations of Officers and Members of the General Committee of the Club must be made to the Honorary Secretary in writing at least 14 days before the date of such Meeting.
- 20.4 Such Notices and Nominations shall be promptly posted in the main entrance hall of the Clubhouse.
- 20.5 Notices of Motion and Nominations not made as required cannot be considered at the Annual General Meeting.

## **21. SPECIAL AND EXTRAORDINARY GENERAL MEETING**

- 21.1 In addition to the Statutory Annual General Meeting.
- 21.2 The Committee of the Club may, at its discretion, convene a Special General Meeting of the voting Members of such club to consider and decide on any matters which the Committee considers is of such urgency that it cannot be held over until the Statutory Annual General Meeting.
- 21.3 A group of not less than 20 voting members of the Club may submit a requisition to the Honorary Secretary of the Club requesting that an Extraordinary General Meeting of the voting Members of such Club be convened. The requisition shall state the business to be brought forward and this matter will be the only business to be considered at such Meeting.
- 21.4 On receipt of such requisition it shall be the duty of the Committee of the Club to have an Extraordinary General Meeting convened without delay and failing notice of such Meeting being issued by direction of the Committee within fourteen days after receipt of such notice by the Honorary Secretary, any five members who have signed the requisition may issue notice of an Extraordinary General Meeting, which notice shall be sufficient if published in three successive issues of a daily newspaper circulating in the locality of the club at least ten days before the day fixed for such meeting.

## **22. CHAIRPERSON AT GENERAL MEETINGS**

- 22.1 The Captain, or if absent the Vice-Captain, shall preside at all General Meetings of the Club.

22.2 If any of the foregoing Officers are absent or decline to preside any other Chairperson may be appointed by the Meeting.

22.3 Each chairperson in addition to a deliberative vote, shall have and shall exercise a casting vote.

### **23. NOTICES OF GENERAL MEETING AND QUORUM**

23.1 Fourteen days' notice of every General Meeting convened by order of a Committee (except Meetings called under rule 21.3 when ten days' notice is required) shall be given to members entitled to vote by a circular specifying the time and place of such Meeting and the business to be transacted.

23.2 All notices calling Meetings may be sent by post and addressed to members at such addresses as may be recorded in the Club Books.

23.3 No business shall commence or continue unless there is a quorum of 10% of members entitled to vote in attendance at a General Meeting.

### **24. MODE OF VOTING AT GENERAL MEETINGS**

24.1 No proxies shall be allowed.

24.2 Voting shall be either by a show of hands or by ballot.

24.3 Ballot shall mean a vote on voting paper.

24.4 A majority of one shall be sufficient to decide any question under discussion unless a greater majority is required by some other Club rule.

24.5 In the event of a tie the Chairperson shall have and shall exercise a casting vote as provided in rule 22.3.

24.6 If any member at a General Meeting proposed that the mode of voting on any particular matter should be by ballot and this seconded by another member, then the question of whether voting should be by a show of hands or by ballot shall be decided by a show of hands.

24.7 An election of candidates for membership of the committee of the Club shall be by ballot and all members voting must vote for the full number of candidates for whom there are vacancies otherwise such voting paper will be invalid.

### **25. MINUTE BOOKS**

25.1 The Club shall keep:-

- A Minute Book in which shall be recorded the Minutes of all Annual General, Special General and Extraordinary General Meetings and; also a Minute Book in which shall be recorded the Minutes of all committee Meetings held in compliance with rule 10.
- The respective Minutes shall be read out at the next General Statutory or other Committee Meetings and, when approved as being a correct record, shall be signed and dated by the Chairperson.

## **26. PERSONAL PROPERTY**

- 26.1 Any personal belongings of Members, visitors and others, brought to, kept at or left on the premises of the club (either in the Clubhouse or outside in the car park or on the course) shall be at the sole risk of the owners thereof and the Committee shall not be responsible for any loss or damage thereto however arising, but this Rule shall not prejudice any claim by the Club or owners of the property lost or damaged against Insurance Companies in case of fire or when otherwise covered by Insurance. In addition the Members of the Club shall have due regard for any relevant conditions imposed the Owner of the facilities.

## **27. CHANGE OF CONSTITUTION AND RULES**

- 27.1 No Rule of the Club shall be repealed or altered or new Rule made except at a General Meeting of the Club and by consent of at least two thirds of the members present and entitled to vote at such Meeting and written notice of the proposed changes must be sent to the Honorary Secretary with the names of the proposer and seconder attached, at least three weeks previous to the Meeting at which same is to be considered.
- 27.2 The Honorary Secretary shall place the proposal on the Club Notice Board and put the item on the Agenda for the next General Meeting of the Club.
- 27.3 Any change in the Constitution of the Club which affects Rule 10 of the Constitution of the Golfing Union of Ireland must be submitted to the Union for approval prior to submission to the members of the Club for adoption.
- 27.4 No change in the Rules of the Club shall be in conflict with the Constitution of the Golfing Union of Ireland.

## **28. RULES OF GOLF AND LOCAL RULES**

- 28.1 The rules of golf for the Men's Section and the Ladies Section shall be the Rules of golf as proved by the Royal and ancient Golf Club of St Andrews.
- 28.2 The Committee shall from time to time prescribe such Local Rules as it considers necessary having regard to the nature of the Course or otherwise, provided such Local rules are not contrary to or at variance with the Rules of Golf or directives issued by the respective Union to which the Men's Section or the Ladies Section are affiliated.

