

# Castle Douglas



# Golf Club

## CONSTITUTION OR BY-LAWS

The Constitution, contained in this document, sets out the fundamental principles of the Club and determines the responsibilities and rights of Officers and Members

This document has been adapted from a template provided by Scottish Golf

The titles, 'Constitution & By-Laws' have been used in this document, but those titles can vary from region to region or even from sport to sport. The titles used can often be traditional or simply local terminology and are not as important as the information they contain

By-laws implemented by the Club set out the detailed regulations for the operation of the Club's activities. It is usual to make the setting of by-laws to the Management Committee. The advantage of enabling the making of by-laws by the Management Committee is that they can be altered in a normal Management Committee Meeting, whereas an alteration to the rules of the Club normally requires a specified majority in a General Meeting

## CONSTITUTION

### 1. Name

- 1.1 The name of the Club shall be the Castle Douglas Golf Club, initially constituted in 1905, hereafter referred to as 'the Club'
- 1.2 The Club shall affiliate to Scottish Golf and the South of Scotland Golfers Association

## 2. Objectives

- 2.1 The Club shall hold the following as its aims and objectives and shall strive to fulfil these aims and objectives at all times
  - 2.1.1 To fulfil the general objectives and functions of a golf club and sports club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives
  - 2.1.2 To generally promote the game of golf for the benefit of members and the local community
  - 2.1.3 The game will be played in accordance with the rules of the Royal and Ancient Golf Club of St Andrews adopted and in force at the time, subject to any by-laws. These rules can only be altered by majority vote at an A.G.M or at a special meeting, but not so as to jeopardize the Club's status as a Community Amateur Sports Club as first provided for by the Finance Act 2022. Notice of any proposed alterations must be given in writing or email to the Secretary at least 28-days' prior to the meeting, proposed and seconded by any Members eligible to vote. The Secretary will intimate the same on the circular calling the meeting
  - 2.1.4 To provide access to golf for players of all standards in a friendly and welcoming atmosphere that does not discriminate on the grounds of gender, age, race, religion or belief, sexual orientation or disability
  - 2.1.5 To provide coaching in golf to beginners and junior players
  - 2.1.6 To arrange competitions and matches for members
  - 2.1.7 To lease and/or purchase land and/or equipment suitable for the purposes and functions of the Club
  - 2.1.8 To make, if required, local rules and by-laws, which will be displayed in the clubhouse

### 3. Membership

3.1 The membership of the Club shall consist of the following classes of membership

3.1.1 Ordinary

Includes ladies and gentlemen over the age of 18-years. Ordinary members have a full share of all liabilities of the Club and are entitled to vote at all meetings of the Club

3.1.2 Senior

Includes ladies and gentlemen who are over the age of 70-years as of 1<sup>st</sup> January of that season. Senior members shall have all the rights and privileges of ordinary members and have a full share of all liabilities of the Club and are entitled to vote at all meetings of the Club

3.1.3 Young Adult

Will be available to anyone from the age of 18 to 24 years as of 1<sup>st</sup> January of that season. Young Adult members shall have no voice in the management, no liabilities of the Club and no right to vote

3.1.4 Junior

Will be available to boys and girls over the age of 11-years and under the age of 18-years, as of 1<sup>st</sup> January of that season. Junior members shall have no voice in the management, no liabilities of the Club and no right to vote. Junior members holding a handicap of 18 or under shall be entitled to play in any Club competitions

3.1.5 Child

Will be available to all boys and girls under the age of 11-years as of 1<sup>st</sup> January of that season. Child members will have no voice in the management, no liabilities of the Club and no right to vote. Child members must be accompanied by an adult member, except when playing in junior competitions

3.1.6 Honorary

This may be conferred on a member, former member or members of his\her family, at an A.G.M, on the recommendation of the Committee in recognition of his\her services rendered to the Club or the game of golf in general. A majority or two thirds of those present at the A.G.M is required before Honorary status can be granted. Honorary members

will have the rights and privileges of ordinary members but are not required to pay an annual subscription. At no time can the number of Honorary members exceed five

3.1.7 Country

Will be available to anyone who is resident outside Dumfries and Galloway Region. Country members are allowed to play in all Club competitions but shall have no voice in the management, no liabilities of the Club and no right to vote

3.1.8 Social

Will be available to anyone who does not wish to play golf, but wishes to use the facilities of the clubhouse. They will have no voice in the management, no liabilities of the Club and no right to vote

3.1.9 Temporary

Will be conferred on any person who purchases a daily or weekly ticket for the appropriate period. Temporary members shall enjoy the use of the course and clubhouse but cannot play in Club competitions. Temporary members shall have no voice in management, no liabilities of the Club and no right to vote. Temporary members may not sign on visitors

No person may be signed on by a member more than six times in one year. No member may sign on any more than six visitors in one year. Only members with the right to vote, i.e. Ordinary, Senior and Honorary, may sign on visitors. Persons under the age of 18 years shall pay 50% of the prevailing green fees

3.1.10 Other classes of membership instituted at the discretion of the Committee

The Committee shall have the power to restrict total membership, or any classes of membership, should they deem it necessary. The Committee shall have the power to reduce visitors' green fees for promotional or marketing purposes

- 3.2 All members shall pay an annual subscription to join the Club. The membership fee for each category of membership shall be decided by the Management Committee and members at the A.G.M. Failure to pay the annual subscription in full by 30<sup>th</sup> September will result in membership being revoked. Members who have their membership revoked cannot reapply to be a member unless the decision is appealed in writing and reinstatement is agreed through a ballot of the Management Committee
- 3.3 Not Used
- 3.4 Membership is open to all and no application shall be refused on grounds of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity or disability. The election and admission of all classes of members shall be in the hands of the Management Committee, who shall have the power to reject any nomination, and shall be by ballot. Candidates shall be admitted at a meeting of the Committee by a majority of those present and voting
- 3.5 Only members in categories 3.1.1, 3.1.2 and 3.1.6 shall have right to vote on any motion
- 3.6 Not Used
- 3.7 The annual subscription for membership shall be displayed on the Club notice board and printed in the minutes of the annual A.G.M
- 3.8 Annual subscriptions shall be due before 1<sup>st</sup> March each year and must be paid by 28<sup>th</sup> February. In the event that any member's annual subscription, or monthly payments have not commenced by 28<sup>th</sup> February, then membership shall be automatically terminated. Termination shall be intimated to the member in writing by the Secretary
- No member shall be entitled to enter any competition prior to payment of the annual subscription or instalment of any monies due to the Club. All members on leaving the Club are required to give notice to that effect in writing to the Secretary no later than 6-weeks after the A.G.M. Otherwise they will be liable for their subscription
- 3.9 Subscriptions shall be fixed by the Management Committee. Any proposed change will require to be approved by the members at a general meeting of the Club

3.10 If any member's conduct is deemed by the Committee to endanger character, interest or good name of the Club, or their acts are in defiance of its Constitution or by-laws, it shall be in the power of the Committee, by majority vote, to expel that member with immediate effect. Any such member shall be given the opportunity of being heard by the Committee before the vote is taken and have the right to appeal on that decision. Each member shall communicate any changes of address (including email address) to the Secretary. All notices shall be considered delivered to the contact details (email / postal) held by the Club

#### 4. Management of the Club

4.1 There shall be a Management Committee, consisting of Captain, Secretary and Treasurer and not less than four, nor more than eleven other committee members, who will be responsible for the overall management of the Club and shall have the power to make by-laws. The Management Committee will be elected by the members at the A.G.M

The Captain, Secretary and Treasurer shall ex officio be Trustees of the Club. The title of all heritable property and any securities held by the Club shall be taken in the name of the Trustees and they shall grant all deeds and documents necessary to carry out any decisions arrived at by the members of the Club or the Management Committee in connection herewith

4.2 The Management Committee shall hold meetings monthly or as may be required for the despatch of all competent business. Five committee members are required to attend to form a quorum. A meeting of the committee shall be called by the Captain at any time, or the Secretary in their absence, and the Secretary shall be bound to call such on a written requisition addressed to him by any five members of the Management Committee

4.2.1 The offices of Secretary and Treasurer may be held by one person. The Secretary and Treasurer shall retire annually at the A.G.M but shall be eligible for re-election to any of these offices or to the committee

4.2.2 The Secretary shall keep records of the proceedings at all meetings and take charge generally of all papers and records belonging to and pertaining to the Club

- 4.2.3 The Treasurer shall receive and disburse all monies due to and by the Club and shall keep correct accounts and books showing the financial affairs of the Club. He/she shall prepare an audited financial report to be presented at the A.G.M. A summary of the Club's financial affairs shall be printed on the circular calling for A.G.M
- 4.2.4 The retiring Captain will continue to serve on the committee for one year after completion of his/her term in office, when he/she shall retire and be eligible for election onto the committee
- 4.2.5 The other members of the committee shall be elected for a term of 3-years ending with the date of the A.G.M. One third of their number (or number nearest but not greater than one third, longest serving to retire first, or by agreement between themselves) shall retire annually by rotation, but shall be eligible for re-election
- 4.2.6 The committee shall have all powers necessary for the efficient running of the Club, including the powers to appoint sub-committees with full powers. The committee shall have no powers to make permanent changes in the design or lay-out of the golf course without the approval of an A.G.M or special meeting of the Club
- 4.2.7 The Captain, or in his/her absence, the Secretary shall be the chairperson of all meetings of the Club and the committee. If both of these people are absent a chairperson will be chosen by the meeting. In all cases of equality, the chairperson shall have the casting vote
- 4.2.8 The committee shall have the powers to borrow a sum not exceeding £50,000. The committee shall have powers to utilise as security any property and lands belonging to the Club
- 4.2.9 The offices of Captain, Secretary, Treasurer and Match Secretary are not required to pay an annual subscription. Each shall be ex officio members of the Club
- 4.3 All voting committee members must be members of the Club

## 5. Composition and Responsibilities of Management Committee

- 5.1 The Management Committee shall consist of the following office bearers and a committee consisting of not less than four members but no more than eleven members
  - 5.1.1 Captain
  - 5.1.2 Secretary
  - 5.1.3 Treasurer
- 5.2 The Management Committee should include a minimum of 25% of either gender
- 5.3 Captain will be elected at the Club A.G.M to serve for 2-years and will not be eligible for re-election in relation to their respective post for at least one year
- 5.4 The Management Committee, chaired by the Captain, shall
  - 5.4.1 Establish Club policies and oversee the administration of those policies
  - 5.4.2 Oversee the fiscal management of the Club including setting annual subscriptions, membership categories, entrance fees, and level of audit requirement
  - 5.4.3 Be responsible for the creation and enforcement of by-laws of the Club
  - 5.4.4 Be responsible for ensuring the Club, its office bearers and employees have in place adequate and relevant insurance cover at all times
  - 5.4.5 Approve membership applications and welcome new members
- 5.5 Election to any position on the Management Committee cannot be limited by or discriminated on the ground of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity or disability (other than where the Club has been constituted as a single gender Club and can only elect office bearers of that specified gender)

## 6. Special Meetings

- 6.1 A special meeting may be called by the Management Committee or by at least 7 members of the Club. Any such request must be submitted to the Secretary by written motion, setting out the rationale and basis for the special meeting being called
- 6.2 No business shall be transacted at a special meeting other than that of which notice has been given in the motion calling that meeting
- 6.3 At least 7 calendar days' notice of a special meeting must be given to the voting Club membership. Notice to members shall be deemed to have been served by properly addressing, prepaying and posting a letter or email containing the notice and shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of the post
- 6.4 The quorum for all special meetings shall be 20 voting members present

## 7. The Annual General Meeting

- 7.1 The Annual General Meeting shall be held once per calendar year, within 4-months of the end of the financial year, typically on the second Sunday in December, and may be attended only by members, and shall have as its main business. Notice of the A.G.M shall be sent to all members not less than 7-days before the date of the meeting. Only members in categories 3.1.1, 3.1.2 and 3.1.6 shall be entitled to vote on the day
  - 7.1.1 Approval of the minutes of the last Annual General Meeting
  - 7.1.2 The presentation of the Captain's Report for the past year
  - 7.1.3 The presentation of the financial report for the year
  - 7.1.4 The election of any office bearers and/or ordinary Committee members
  - 7.1.5 Approval of the audited accounts for the last financial year and appoint any auditors
  - 7.1.6 Fixing of annual subscriptions, surcharges and visitors' fees

- 7.1.7 Deal with any other relevant business
- 7.2 An agenda giving notice of the annual general meeting must be circulated along with a copy of the audited accounts
- 7.3 The quorum for any Annual General Meeting shall be 20 club members
- 7.4 Voting on any matters shall be by simple majority of Club members present and voting
  - 7.4.1 Office bearers of the Club must come from the following categories of membership; 3.1.1, 3.1.2 and 3.1.6
  - 7.4.2 Each nomination shall require one proposer and one seconder, who shall be a voting member of the Club
  - 7.4.3 Elections shall be conducted on a simple majority of Club members present and voting
  - 7.4.4 In the event of there being no nomination for a post within the stipulated time then nominations may be accepted at the Annual General Meeting
  - 7.4.5 In the event that no person is voted in to a post or in the event of resignation or retiral from a position, the Captain or Secretary will undertake the duties until such time as a post is filled. Elections to fill such a vacant post should take place at a special meeting and shall be subject to the same rules as at the Annual General Meeting
  - 7.4.6 Not Used
  - 7.4.7 Proposals from members. If any member in categories 3.1.1, 3.1.2 and 3.1.6 wishes to propose a motion for the A.G.M, they shall submit the full proposal in writing or by email to the Secretary not less than 28-days before the date of the meeting. This proposal needs to be seconded by another member from the categories listed above
  - 7.4.8 Where a motion has been properly proposed and seconded and an amendment or amendments have been moved and seconded, the decision must be made by the majority vote of those present

## 8. Sale and Supply of Alcohol

Alcohol for consumption off the Club's premises shall only be sold to a member for their own personal consumption

No alcohol shall be sold to anyone under the age of 18-years

No member of the Committee shall have any personal interest in the supply, sale or profit of excisable liquors. No manager or servant of the Club shall have any personal interest in the supply, sale or profit of excisable liquors, with the exception of any performance related bonus schemes

## 9. Dissolution or Winding Up of the Club

9.1 The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general or special meeting of the Club. The Committee will then be responsible for the orderly winding up of all the Club's affairs

9.2 Upon dissolution of the Club, any remaining assets shall be given or transferred to one or more of the following; another registered C.A.S.C, a registered charity or the sports' governing body

## 10. The Constitution

10.1 The Constitution shall only be altered by consent of two thirds of voting members present at an Annual General Meeting

10.2 The Constitution and by-laws in force from time to time shall be binding on the Club office bearers and members

## 11. Complaints

All complaints must be made in writing to the Secretary and signed by the person(s) complaining and none shall be attended to unless this rule is complied with. The Secretary shall submit all such complaints to the Management Committee, who shall take the matter into their consideration, and they shall have the power to give such deliverance or order thereon as they consider necessary

This Constitution has been approved in accordance with 10.1 above, and accepted as the Constitution for the Castle Douglas Golf Club

**Captain**

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Secretary**

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

