

# CONSTITUTION OF STIRLING GOLF CLUB

## 1. NAME AND OBJECTS

The name of the Club shall be STIRLING GOLF CLUB. It shall be a non-profit making body open to all persons and dedicated to the supply of sporting services. The objects of the Club shall be to provide facilities for playing the game of golf and to provide suitable clubhouse accommodation for its members.

## 2. MEMBERSHIP OF THE CLUB

Membership of the Club shall comprise:-

### (a) ORDINARY MEMBERS

Ordinary Members are **those** who have paid a full subscription as decided at an Annual General Meeting. The number of Ordinary Members will not exceed 600. Ordinary Members will have reached the age of eighteen years before 1<sup>st</sup> November in the **financial** year in which the subscription becomes payable.

### (b) SENIOR MEMBERS

Senior membership is open on application in writing to the Secretary to Ordinary Members who both (a) reach the age of at least 65 years before the 1<sup>st</sup> November of the year in which the subscription becomes payable and (b) have completed a period of at least 20 consecutive years as a full Ordinary Member. Senior Members will pay the appropriate concessionary rate of subscription as decided at an Annual General Meeting and will have the rights and privileges of an Ordinary Member subject to all the obligations of an Ordinary Member.

### (c) YOUNG PERSON MEMBERS

Young Person membership is open on application in writing to the Secretary to persons between the ages of 9 and 22 years of age inclusive before the 1<sup>st</sup> November of the **financial** year in which the appropriate age group subscription becomes payable. A Young Person Member is debarred from taking part in the management of the Club and will be subject to such restrictions on play and use of the clubhouse facilities as may be determined by the Committee.

### (d) STUDENT MEMBERS

Student Membership is open to persons who are both (a) under the age of 25 years and (b) full-time matriculated Students of a University or College of Further Education before the 1<sup>st</sup> November of the **financial** year in which the subscription becomes payable. A Student Member is debarred from taking part in the management of the Club and will be subject to such restrictions on play as shall be determined by the Committee.

(e) LIFE MEMBERS

Life Membership is open on application in writing to the Secretary to Ordinary Members who both (a) reach the age of at least 65 years before the 1<sup>st</sup> November of the year in which the subscription becomes payable and (b) have completed a period of at least 30 consecutive years as a full Ordinary Member. Life Members will pay the appropriate concessionary rate of subscription as decided at an Annual General Meeting.

(f) HONORARY MEMBERS

Persons who have rendered valuable or great service to the Club or for any other reason which may be considered worthy may by a two thirds majority vote of voting members present at a General Meeting of the Club be admitted as an Honorary Member and as such will have the rights and privileges of Ordinary Members and will be subject to all obligations of Ordinary Members but that they will pay no entry fee or subscription.

(g) FIVE DAY MEMBERS

Five Day Membership is open to candidates on the waiting list and to existing members wishing to transfer to this category of Membership and will be subject to such restrictions on play as shall be determined by the Committee. The number of five day members will not exceed seventy five. A five day member is debarred from taking part in the management of the Club. A five day member who chooses to remain on the waiting list for Ordinary Membership must accept Ordinary Membership when it is offered.

(h) COUNTRY MEMBERS

Country Membership is open to persons whose residence for more than nine months in any membership year is outwith a radius of 100 miles from the Clubhouse. A Country Member is debarred from taking part in the management of the Club and will be subject to such restrictions on play as shall be determined by the Committee. Country Members who were previously full Ordinary Members and who wish to resume Ordinary Membership will be placed at the top of the waiting list.

(i) INTERNATIONAL MEMBERS

International Membership is open to persons who are not resident in the United Kingdom. An International Member is debarred from taking part in the management of the Club and will be subject to such restrictions on play as will be determined by the Committee.

(j) CLUBHOUSE MEMBERS

Clubhouse Membership is open to persons who wish to make use of the Clubhouse facilities. Such members may play golf on payment of the normal Green Fee charges or as a guest of a Member as provided for in Paragraph 12 hereof. A Clubhouse Member is debarred from taking part in the management of the Club. Life Members may at any time apply to transfer to Clubhouse Membership on written application to the Secretary and on such application being granted, shall not be liable for any subscription or any other charge of any kind.

(k) CORPORATE MEMBERSHIP

The Committee may admit enterprises as Corporate Members at such fees, on such terms and conditions, and in such numbers as the Committee shall specify. Corporate Members shall have no vote in the management of the Club. Membership will not be renewable automatically, and Corporate Members will be required to re-apply annually.

3. REGULATION OF MEMBERSHIP

The Committee will have power to restrict total numbers of members or any class of membership should they deem such a course of action necessary.

4. MEMBERS ADDRESS

Any member changing his or her residential address shall be responsible for informing the Secretary of such change in writing as soon as possible. In the event of any notice being sent by the Club to a Member, this will be sent to his or her last known address as previously intimated to the Secretary.

5. MEMBERSHIP APPLICATIONS

- (a) The acceptance of all classes of members shall rest with the Committee.
- (b) Every applicant for admission as a member (other than Honorary Members, International Members and Country Members, from whom a reference may be requested) will be proposed by a Member entitled to vote at General Meetings of the Club and seconded by another Member also entitled to vote at General Meetings of the Club. Every application must be on a Form obtainable from the Secretary. The Form must be completed to show the full name and permanent address of the applicant, be signed by the proposer and seconder and thereafter lodged with the Secretary. The Secretary will ensure that all such applications are exhibited on the Club Notice Board for at least fourteen days. The Committee will consider any applications for admission and such as there are approved will be signed by the Secretary.
- (c) Any Ordinary, Senior, Life or Honorary Member may intimate to the Secretary objections to the admission of an applicant and such objections will be laid before the Committee who will take them into account in determining the suitability of the

applicant. All such communications will be regarded by the Committee as strictly confidential and as in a question with the applicant will be absolutely privileged, a condition which will be brought to the notice of the applicant before his or her Form of Application is considered by the Committee. The Committee will not divulge the name of the objector or the grounds for objection and will not disclose the reason for rejecting any applicant.

- (d) On the admission of a Member the Secretary will notify him or her thereof furnishing him or her at the same time with a copy of the Constitution and requesting him or her to pay the entry fee and the appropriate proportion of the subscription for the year then current. On payment of the subscription and entry fee the name of the new Member will be added to the Roll of Members by the Committee. A new applicant will not be entitled to the privileges of the Course or Clubhouse until the subscription and entry fee, where appropriate, for the current year have been paid.

## 6. TEMPORARY MEMBERS

Persons holding a Round or Day Green Fee Ticket from the Club will be considered a Temporary Member entitling them after payment to the use of the Course and Clubhouse on that day only. The Committee will have the power to admit as Temporary Members, Members of other recognised Golf Clubs for the purpose of holding competitions, matches or tournaments when such Members will be considered as Members for the day only or for the duration of the competition, match or tournament.

## 7. ENTRY FEES

The persons elected to certain categories of membership of the Club will pay an entry fee of an amount to be resolved from time to time at the Annual General Meeting of the Club.

Young Person Members will pay an entry fee based on the following sliding scale :

No of years as YPM	% discount of Ordinary Entry Fee
1	0%
2	20%
3	40%
4	60%
5	80%
5+	100%

## 8. SUBSCRIPTIONS

The annual subscriptions payable by each category of membership will be decided at the Annual General Meeting and all subscriptions will be payable before 1<sup>st</sup> March following the Annual General Meeting in each year or at the date of admission.

Any Member who fails to pay his or her subscription before 1<sup>st</sup> March but who does so before 1<sup>st</sup> April of that year will be liable to a late payment fee of 10% of the current subscription. Any Member who has failed to pay his or her subscription and late payment fee by 1<sup>st</sup> April

will cease to be a Member and his or her name shall be removed from the Roll of Membership.

Notwithstanding the above, Members (having advised the Secretary before 15<sup>th</sup> February of their intention to do so) will be allowed to pay their annual subscriptions by monthly instalments in full by 30 June as follows:-

Subscription over 3 months: Feb – April, plus £20 surcharge

Subscription over 4 months: Feb – May, plus £30 surcharge

Subscription over 5 months: Feb – June, plus £40 surcharge

Any Member wishing to resign from membership must do so by written intimation to the Secretary before 1<sup>st</sup> November failing which he or she will be liable for the current subscription.

## 9. OFFICE BEARERS AND MANAGEMENT

- (a) An Honorary President and Honorary Vice-President(s) may be elected at any Annual General Meeting, but they shall not by virtue of such offices have any voice in the management of the Club. As long as they hold such offices the Honorary President and Honorary Vice-President(s) will be exempt from payment of an annual subscription of the Club but shall retain all rights and privileges of Ordinary Members.
- (b) The Captain, Vice-Captain and Finance Convener will be elected at the Annual General Meeting.
- (c) The affairs of the Club will be managed by the Committee which will comprise the Captain, Vice-Captain, Past Captain and Finance Convener and up to eight elected members. The Committee may co-opt Members to fill vacancies.
- (d) The Committee will manage the Club for the benefit of all Members without discrimination and will meet monthly to conduct the business of the Club. The Minutes of such meetings will be made available to all members via the noticeboard seven days after approved by the Committee. All differences among the Committee Members will be determined by the vote of the majority and such determination will be the finding of the Committee.
- (e) The Committee may appoint a Secretary, Course Manager and any other employees which the Committee considers appropriate to further the conduct of the business of the Club.
- (f) Members of the Committee will serve for three years but may be elected for further period of three years. Such re-elected Members shall not be eligible for subsequent re-election to Committee for a period of one year after demitting office. All election of Committee Members will take place at the Annual General Meeting. The quorum for a Committee meeting shall be seven members in attendance.
- (g) In addition to the powers and conditions conferred upon it specifically by this Constitution or by implication, the Committee will have the power to make rules and

regulations both as regards the course and the clubhouse or for any other purpose in connection with the running of the Club. The Committee will also have the power to determine the conditions and hours of playing for the various classes of members. Copies of all such rules and regulations made by the Committee will be made available for inspection by Members in the Clubhouse and will be binding on all Members of the Club. The Committee will not make any rules and regulations which over-rule or are inconsistent with the Constitution of the Club. The decision of the Committee with regard to the meaning of any rule or regulation shall be final and binding.

- (h) The Committee will have the power to begin or defend any proceedings taken by or against the Club.
- (i) In order to defray the cost of maintaining premises owned and/or occupied by the Club or the cost of alterations thereto or the furnishing thereof or for liquidating the obligations of the Club, the Committee will have power if and when they see fit to borrow such sum or sums of money that may in their opinion be necessary upon such terms and conditions as they think proper up to a maximum sum of £50,000.00 and furthermore will have the power to enter into any Standard Security or Bond or Obligation or other document of debt. All necessary documents will be signed on behalf of the Club by the Captain, Vice Captain, Secretary and Finance Convener of the Club or otherwise as the Committee may from time to time direct.
- (j) The Committee may in any matter delegate its duties either to sub-committees or any other person or persons.
- (k) No member of the Committee and no Employee of the Club will have any personal interest, direct or indirect, in any contract arrangement or transaction entered into by or on behalf of the Club, nor in the sale of alcoholic liquor therein nor in the profits arising from such sale.

## 10. MEETINGS

- (a) The Annual General Meeting of the Club will be held during the month of January at a place and on a date to be fixed by the Committee.
- (b) The Committee will have power to call Special General Meetings of the Club and a special meeting will be called within fourteen days of a written requisition signed by not less than twenty Ordinary Members and stating the business to be discussed.
- (c) At least seven days before any General Meeting of the Club the Secretary will give notice to each Member entitled to attend of the date and place of the meeting and intimation of any notices or motions to be submitted to the meeting. A copy of such notice shall be affixed to the General Notice Board in the Clubhouse.
- (d) Only Members who are entitled to take part in the management of the Club and Young Person Members of at least 18 years of age will be entitled to attend and vote at General Meetings of the Club.
- (e) At all meetings of the Club the chairman will be the Captain, whom failing the Vice Captain whom failing another Member of the Committee who the Committee by

majority shall determine. The Chairman will have a casting as well as deliberative vote. The quorum for all General Meetings of the Club will be sixty.

- (f) No alteration of the Constitution shall be competent except at a General Meeting and to become effective any motion seeking to alter the Constitution must be passed by a majority of two thirds of the Members present and voting. For the Annual General Meeting, notice of a motion of any Ordinary, Life, Senior, Honorary Member, Five day Member who is entitled to take part in the management of the Club or Young Person Member of at least 18 years of age of any proposed alteration to the Constitution or of any other competent matter will be sent in writing to the Secretary to reach him or her no later than the first day of December preceding the Meeting.
- (g) The financial year of the Club will run from First November to Thirty first October following. There will be prepared annually an income and expenditure account for this period and the balance sheet as at Thirty First October .
- (h) A member is entitled to appoint another member as his/her proxy to exercise all or any of his/her rights to attend and speak and vote at meetings of the club. Proxy voting forms will be available from the office or can be downloaded from the website. All proxy forms must be returned to the Office no later than seven days prior to the meeting.

## 11. CONDUCT OF MEMBERS

- (a) Members of the Club will be bound by the terms of the Constitution and all rules and regulations of the Club.
- (b) In the event of any Member violating any part of the Constitution or the rules and regulations of the Club, or conducting himself or herself in such manner as is, in the opinion of the Committee objectionable or likely to injure or discredit the character of the Club, the Committee will have the power, after calling upon the member for an explanation, to suspend such member from any or all rights and privileges of the Club for a stated period of time.
- (c) Any member so suspended will be advised by the Committee in writing of the suspension and that the member has the right of appeal to the Committee. Any such appeal will only be valid if made in writing within seven days of the date of intimation of the suspension. Within seven days of receipt of any appeal, the Secretary will call a meeting of the Committee and written notice of this meeting will be given to the appellant who shall be entitled to appear before the Committee at the said meeting and make such representations as the appellant deems relevant. The Committee will then consider the relevant facts, without the presence of the appellant, and arrive at their decision.
- (d) While under suspension the person concerned will continue to be a member of the Club, will be subject to the discipline of the Club and will be responsible for the payment of his or her subscription. At the end of the stated period of suspension, provided that his or her behaviour has been satisfactory to the Committee the member will resume all rights and privileges of the Club without further application.

- (e) In the event of a violation of any part of the Constitution or the rules and regulations of the Club deemed to be of a serious nature or of very serious misconduct, the Committee, after calling upon the member for an explanation and after giving the Member the opportunity to present his or her case will have the power to expel the member from the Club.
- (f) Any member so expelled will be advised by the Committee in writing of its decision to expel him or her and that he or she has the opportunity to resign from the Club voluntarily or to accept expulsion or to appeal against the Committee's decision. Any such appeal will require to be in writing to the Secretary stating the grounds of appeal within fourteen days of receipt of written intimation of the Committee's decision. Any such appeal will be dealt with by a Sub-Committee of three persons appointed by the Captain whom failing the Vice Captain (whether or not such persons are members of the Committee) providing always that they have not previously been involved in the disciplinary procedure. The Committee will be appraised of the decision of the Sub-Committee and will thereafter decide whether to uphold or dismiss the appeal or to modify any penalty previously imposed.
- (g) For the avoidance of doubt, during the period of expulsion up to any subsequent appeal being held the Member concerned will not be entitled to any rights or privileges of the Club.

## 12. GUESTS

- (a) A Member may personally introduce guests to the facilities of the Clubhouse and upon the admission of such guests to the Clubhouse the member will enter his or her own name and the name and address of the guest in a book which shall be kept for this purpose and which shall show the date of each visit.
- (b) The member introducing a guest will be responsible for his or her guest strictly observing the Constitution and the Club rules and regulations and will not leave the Club premises before his or her guest.
- (c) No person whose membership of the Club has been suspended or terminated or which has lapsed or whose application for membership has at any time been rejected will be introduced as a guest. The Committee may refuse admission to any guest.

## 13. EXCLUSION OF LIABILITY

Neither the Club nor any official thereof will be liable to any member or guest for any loss or damage to any property occurring from whatever cause on or about the Club premises or the course nor for any injury sustained by any member or guest while on or entering or leaving the Club premises or the course.

## 14. PROPERTY AND PROFITS

The Clubhouse, the course and other heritable property of the Club will be vested in the Captain, Vice-Captain, and Finance Convener of the Club and their successors in office as Trustees for the Club. The lease of the course will be held by such Office Bearers and/or Ordinary Members of the Club as Trustees for the Club as the Commissioners of Crown Lands may either have approved or will approve.

## 15. SALE OF ALCOHOLIC LIQUOR

- (a) The sale or supply of alcoholic liquor will at all times be carried out in compliance with all relevant legislation.
- (b) Guests will not be supplied with alcoholic liquor on the Club premises unless on the invitation and in the company of a member and providing such guests have been satisfactorily introduced to the Club in accordance with the Constitution.

## 16. DISSOLUTION

- (a) The Club may not be dissolved except on a vote by ballot paper at a General Meeting of which notice shall have been given in accordance with the required General Meeting procedure provided that a resolution of such winding up is passed by majority of not less than two thirds of the members present.
- (b) If in the passing of any such resolution it is ascertained that there is an excess of liabilities over assets each **member** who is entitled to take part in the management of the Club and Life Member of the Club at the time of passing of such resolution will be liable for his or her share of such excess liabilities and shall make payment thereof to the Committee within one month of receiving a notice demanding payment. Failing payment within the said period the Committee will be entitled to take all necessary steps against such defaulting member to recover the amount due by him or her.
- (c) If in the passing of such resolution it is ascertained that there remains after satisfaction of all of its debts and liabilities any property whatsoever it will either be paid or distributed among the **members** who are entitled to take part in the management of the Club and Life Members of the Club or be given or transferred to the Office Bearers of the Scottish Golf Union to be held in trust for the then current members of the Club and their survivors until such time as the Club has been reconstituted at which time such remaining property will be transferred back by such Office Bearers to the Club.