

St Fillans Golf Club - Constitution

1 Name of the Club

- 1.1 **The Club** shall be St Fillans Golf Club, hereafter called 'the Club' and shall be a non-profit-making body dedicated to the supply of sporting services.

2 Objectives

- 2.1 To fulfil the functions of a Golf Club for the benefit of members, visitors and the local community by:
- 2.1.1 abiding by the Rules of Golf as set by the Royal & Ancient Golf Club (R&A) and the United States Golf Association (USGA).
 - 2.1.2 arranging competitions, providing coaching where possible, organising social events, providing catering and refreshment where practicable.
 - 2.1.3 leasing or purchasing land and/or equipment suitable for the objectives of the Club.
- 2.2 To allow the use of the Club by anyone who has conformed to the requirements commensurate with their membership, without prejudice or discrimination in accordance with the law of the land.
- 2.3 To conduct the business of the Club without prejudice in accordance with the law of the land.

3 Membership

- 3.1 A member shall be anyone who has had their application approved by the Council. Temporary membership (3.2.5) does not require approval by the Council.
- 3.2 Membership shall comprise the following sections:
Adult members, Senior members, Junior members, Student members, Temporary (Ticket or Green Fee) members, Honorary members, International members, Social members and all of whom, except Temporary members, will have had their application approved by the Council.
- 3.2.1 **Full members** will pay the full membership fee and shall have no restriction on their access to the facilities of the Club. Adult Members have full voting rights. Provisional members, whose application is pending, shall have no restriction on their access to the facilities of the Club. Provisional members shall have no voting rights.
 - 3.2.2 **Senior members** shall be over 80 years of age and from the beginning of the year following their 80th birthday they will pay the senior's subscription. Senior members have voting rights.
 - 3.2.3 **Junior members** shall be members who are still 17 years of age on 1st April in a membership year. On reaching their 18th birthday they must apply to be an Ordinary or Student member but will not pay the relevant membership fee until 1st January following their eighteenth birthday. Junior members have no voting rights.
 - 3.2.4 **Student members** shall be members who are aged 18 to 24 years inclusive on 1st April, in full-time education. On leaving full-time education or reaching the age of 25, they must apply to be Ordinary members but will not pay the increased membership fee until 1st January following their change of status. Student members have no voting rights.
 - 3.2.5 **Temporary members** shall be visitors who have paid Green Fees. Their membership will last for the validity of their ticket, i.e. one day or one week. Their membership will cease when the Clubhouse closes on the day their ticket expires. Temporary members have no voting rights.
 - 3.2.6 **Honorary members** may be appointed by the Council in recognition of outstanding service to the Club. The appointment shall be for Life. There shall be no more than five Honorary members at any time.
Honorary members shall
 - 3.2.6.1 pay no subscriptions.
 - 3.2.6.2 have no voting rights and cannot serve on the Council or any Club committee.
 - 3.2.6.3 have the courtesy of the course.
 - 3.2.7 **International members** shall be non-United Kingdom residents who would be permitted to play the course. Should such a member become a resident of the United Kingdom, International membership shall cease and they will have the right to convert to an appropriate membership. Full fees would become due, immediately, pro rata from 1st January in the year of their change of category.
International members have no voting rights.

- 3.2.8 **Social members** shall be members who have full access to the facilities of the Clubhouse but have no right to use the course without payment of a Green Fee.
Social members have no voting rights.
- 3.2.9 **Country members** shall be members who reside more than 50 miles from the Golf Club. This is not available to members who have a holiday home, a second home or a caravan within 50 miles of the club.
Country members have no voting rights..
- 3.3 **Admission of Members**
 - 3.3.1 Application for all categories of membership, except Temporary, must be on a prescribed form available from the Club and requires the recommendation of two members of at least two years standing, where possible. It is the responsibility of the proposer and seconder to ensure that the qualifications of the applicant are met. This does not apply to Temporary/Ticket/Green Fee members.
 - 3.3.2 Temporary/Pending membership may be granted by the Club Manager pending confirmation of acceptance or refusal by the Captain.
 - 3.3.3 All applications for membership, excluding Temporary membership, must be presented to the Council for formal acceptance.
- 3.4 **Membership Numbers**
 - 3.4.1 Membership of the Club is limited to 450.
- 3.5 **Expulsion of Members**
 - 3.5.1 The Council shall have the power by a majority of the entire number, (on a vote by ballot) to suspend or expel any member whose conduct appears to them to endanger the property, character, interest or good order of the Club, or who acts in defiance of its rules or by-laws or the instructions of the Council, but only after an opportunity has been given to the member to state his/her case. In the event of the Council deciding to expel such Member, he/she may resign from the Club. Such resignation is to be received by the Club within Fourteen Days of such notice.

4 **Management of the Club**

- 4.1 The Club shall be managed by a Council comprising 12 ordinary members elected at the AGM.
 - 4.1.1 All Council Members shall be elected at an AGM for a period of three years. At the end of that period they may stand for re-election for another three-year term. There shall be no limit to the time a member may serve on the Council.
 - 4.1.2. Office Bearers must be elected annually at the AGM but will remain as Council members for the unexpired period of their term, if they are not re-elected to office or relinquish their office.
- 4.2 Six of the members elected to the Council, shall be the following Office Bearers;
 - 4.2.1 The Gentlemen's Captain who shall normally serve for two consecutive years
 - 4.2.2 The Ladies' Captain who shall normally serve for two consecutive years.
 - 4.2.2.1 The Club Captain shall be either the Gentlemen's Captain or the Ladies' Captain.
 - 4.2.2.2 The period of service as Club Captain shall be excluded from the three year period.
 - 4.2.3 The Gentlemen's Vice-Captain, shall serve no more than two consecutive years and shall be the Convenor of the Match and Handicap Committee..
 - 4.2.4 The Ladies' Vice-Captain, shall serve no more than two consecutive years and shall be a member of the Match and Handicap committee.
 - 4.2.5 The Honorary Secretary.
 - 4.2.6 The Honorary Treasurer.
- 4.3 Either of the honorary positions can receive an Honorarium at the discretion of the membership, in which case the position, ipso facto, ceases to be Honorary and the office bearer cannot vote at any meeting on any topic in which they have a vested interest.
- 4.4 The Council has the power to employ a Club Manager or an Outside Agency in the management of the Club. Neither the Club Manager nor the Outside Agency can vote at any meeting of the Council.
- 4.5 It is permitted for one person to hold more than one office simultaneously.
- 4.6 The Council shall have the power to fill vacancies in their numbers occurring in the course of their year. Any member so co-opted shall, if approved by the Club at the next AGM, complete the unexpired term of service arising from the

- vacancy to which he or she was co-opted.
- 4.7 In order to encourage interest where it is shown, the Council shall have the power to co-opt up to three additional members to the Council. Such co-opted members will serve until the following AGM. If no vacancies occur or the co-opted member is not elected, they must stand down from the council for twelve months

5 The Council and Committees

- 5.1 The Council shall appoint committees to deal with the regular business of the Club and for the purpose of addressing specific items.
- 5.2 The remit of these committees will be set by the Council and reviewed annually at the first Council meeting after the AGM.

6 Responsibilities of the Officers

- 6.1 The Remit of each Officer will be decided by the Council.
- 6.2 Council Members are precluded from:
- 6.2.1 Leasing or renting land or buildings to the Club.
- 6.2.2 Having a kinship, a business relationship or a strong association with or acting with or for any person in:
- 6.2.2.1 leasing or renting land or buildings to the Club.
- 6.2.2.2 receiving emoluments based on the turnover of any aspect of Club activities.
- 6.2.2.3 having any personal interest in the supply of excisable liquor to the Club or the profits deriving from such sale.

7 Communications

- 7.1 The Council shall inform the members of any activities or changes which will affect their use of the Club facilities such as course conditions, course or Clubhouse closure for whatever reason by the appropriate direct communication.

8 Fees and Subscriptions

- 8.1 Joining Fees and Subscriptions to be paid for all categories of membership, other than Temporary members, shall be fixed at the AGM.
- 8.2 The Green Fees payable by Temporary members will be fixed by the Council.
- 8.3 The Club Year begins on 1st January. Notification of subscriptions due will be sent to all categories of the membership, either by letter, email or Newsletter, stating the date by which subscriptions are due or any other electronic communication which both the Club and the member use, immediately after fees are fixed at the AGM. Payment will be due within 21 days of the AGM and paid only to 'St. Fillans Golf Club'.
- 8.4 Members who have not paid by the end of March will be deemed to have resigned and at the discretion of the Council would be liable to pay any Administration Fee or Joining Fee, should they seek to pay their subscription after that date.

9 Auditors

- 9.1 At each AGM, two members, one of whom may be a member of the Council but not an Officer, shall be elected to act as Auditors of the Club Accounts for the following year.
- 9.2 In the event of an Auditor demitting office during the year, the Council shall appoint a substitute.
- 9.3 The Auditors shall, on completion of their audit of the accounts, report their findings to the Council and a copy of their report shall be attached to the Statement of Accounts.

10 Meetings of the Council and the Club

- 10.1 The Council should meet a minimum of five times during the playing season, 1st April to 31st October and three times out of season. Additional meetings can be called as required.
- 10.2 The Council shall call an AGM no later than the last Saturday in January and an EGM when needed, which will be open to all members.
Voting will be as described in Membership Section 3.
- 10.2.1 The notice calling the AGM shall state the business of the meeting and shall be accompanied by a copy of the Certified Statement of Accounts together with any proposals duly proposed and seconded. A copy of the Minutes of the previous AGM will be displayed in the Clubhouse
- 10.2.2 Nominations to the Council shall be submitted to the Hon. Secretary in writing twenty one days before the AGM at which the appointments are to be made. Nominations must be signed by two members and willingness to serve confirmed in writing by the nominee. A nominations list will be circulated with the notice calling the AGM.

- 10.2.3 Any proposal to be made for submission to the AGM, which may be put to a vote, must be submitted to the Hon. Secretary in writing not less than twenty-one days before the meeting; it will be circulated with the notice calling the meeting and have the name of the proposer and seconder.
- 10.2.4 An Extraordinary General Meeting (a) may be called by the Council or (b) shall be called at the written request of not less than fifteen members who have voting rights and who must each sign the request. The notice calling the EGM must state the business to be discussed. Any decision taken at an EGM must have the support of at least two thirds of the membership present who are qualified to vote. No other business may thereafter be transacted.
- 10.2.5 Required notice of a meeting can be sent by any approved method.
- 10.3 **Voting procedures:**
- 10.3.1 Voting at all meetings shall be by a show of hands unless otherwise agreed by the meeting or otherwise stated by the Constitution, as in 10.3.2. A simple majority vote shall carry the business at the meeting.
- 10.3.2 Where there are more nominations than vacancies on the Council, selection will be done by ballot at the AGM and tellers will be appointed.
- 10.3.3 At all meetings, the Club Captain shall have a deliberative vote and in the case of equality, a casting vote with the exception of matters relating to the Constitution (see section 11.2.2).
- 10.4 **Quorum**
- | | | | |
|--------|--------------------------------------|---|--|
| 10.4.1 | For Council meetings | - | 6 |
| 10.4.2 | For committee meetings | - | 3 |
| 10.4.3 | For the Annual General Meeting | - | 15% of combined Adult and Senior membership rounded down |
| 10.4.4 | For an Extraordinary General Meeting | - | 15% of combined Adult and Senior membership rounded down |
- 10.4.5 In the event of a quorum not being present at an AGM or an EGM, the Club Captain or meeting Chairman shall adjourn the meeting to another day, not less than seven days hence, as may be agreed by those present, when the attendance at such adjourned meeting shall constitute a quorum
- 10.4.6 In the event of a Quorum not being present at a Council meeting or a committee meeting, the Captain can authorise a decision on any business when the absence of a decision would be detrimental to the business of the Club.
- 10.5 **Notice of Meetings:**
- 10.5.1 Not less than seven clear days' notice shall be given of any Council meeting or committee meeting though, at the request of, or with the approval of the Club Captain, such meetings may be called at shorter notice.
- 10.5.2 Notice calling for proposals to be considered at the AGM, to be sent out not less than 21 days before the Annual General Meeting.
- 10.5.3 At least fourteen days' clear notice must be given to members for an Annual General Meeting or Extraordinary General Meeting.
- 10.5.4 Notice for an adjourned AGM or EGM shall be not less than seven days.

11 Constitution

- 11.1 A copy of the Constitution and Rules of the Club and all Regulations and Orders made by the Council shall be posted in the Clubhouse and thereby be held to be duly intimated to and binding on, all members. A copy of the Constitution is available on request from the Club.
- 11.2 No alteration shall be made to this Constitution without the approval of the members at an Annual General Meeting or at an Extraordinary General Meeting called for this purpose.
- 11.2.1 A simple majority shall carry the business of the meeting.
- 11.2.2 In the event of a tie, there shall be no casting vote and the motion will be deemed lost.

12 Winding Up

- 12.1 In the event of the Club being wound up at any time, any surplus funds of the Club shall be donated to a designated, registered Scottish golfing charity or charities, the decision to be made by those persons who are Ordinary members of the Club on the day the winding up is deemed to take effect and who have been members for the previous five years.
- 12.2 In the event of there being a deficit on the Winding Up, the liability of the members to contribute to meet the deficit shall be determined by the law in force at the time

13 Rules of Golf and Handicapping

- 13.1 The Rules of Golf on the Course shall be those approved jointly by the R&A and the USGA
- 13.2 Handicapping shall comply with the regulations of the World Handicap System,
- 13.3 Local by-laws, to suit local conditions, can be made by the Council but these must not conflict with the rules of the R&A and the USGA. Copies of all By-Laws shall be displayed in the Clubhouse.

14 Consumption of Alcohol

- 14.1 Except when an occasional licence is in force, alcohol can be supplied only to members, to a person on the premises at the invitation of a member and accompanied by that member, to Provisional members and to Temporary members.
- 14.2 Other than when an occasional licence is in force, where a guest is supplied with alcohol an entry must be made in a book to record the date and the names of the accompanying member and guest. This record should be available for inspection.

January 2020
G D Dykes (Hon Secretary)