

# **THE EDZELL GOLF CLUB**

## **CONSTITUTION & RULES**

### **CONSTITUTION**

#### **1. Name and Objectives**

- 1.1 The name of the Club shall be THE EDZELL GOLF CLUB which shall be a non-profit making body.
- 1.2 The objectives of the Club shall be:-
- 1.2.1 To encourage and promote the sport and game of golf and to provide social and recreational facilities for the members.
  - 1.2.2 To administer and apply the Rules of Golf as laid down by the Royal and Ancient Golf Club of St. Andrews.
  - 1.2.3 To administer and apply the Rules of the Standard Scratch Score and Handicapping Scheme as approved by the Council of National Golf Unions from time to time.
  - 1.2.4 To administer and apply the Rules of the L.G.U. Scratch Score System as approved by the National Organisation from time to time.
- 1.3 Membership of the Club shall be open to ladies and gentlemen.

#### **2. President and Vice-President**

- 2.1 The members of the Club may elect a President and a Vice-President at an Annual General Meeting who shall not be members of the Committee of Management.

#### **3. Management**

- 3.1 The business and affairs of the Club shall be under the management of a committee elected by the members of the Club and consisting of Captain, Vice-Captain and eight other members, at least one of whom must be a lady.
- 3.2 The Captain and Vice-Captain shall retire annually and shall be eligible for re-election but may not serve for more than two consecutive years in each capacity. The remaining members of Committee will be elected for three years and on completion of the three years' service must retire but become eligible for re-election for a further three years. Such members may not serve on the Committee for more than six consecutive years but will be eligible for re-election after one year. In addition the Captain of the Ladies Section shall be an ex officio member of the Committee during her term in office.
- 3.3 **Nominations.** Nominations for membership of the Committee must be submitted to the Secretary not later than the 1st March prior to the Annual General Meeting, held in the Spring, at which an election to the Committee is to be made. The nomination must be duly seconded and must state that the nominee, if elected, is willing to serve on the Committee. The names of nominees will be circulated with the notice calling the Annual General Meeting. A vacancy occurring in the course of the year shall be filled by the Committee. Anyone so appointed shall retire at the next Annual General Meeting but will then be eligible for election to the Committee.
- 3.4 The members of the Club may elect a Match Secretary who would be ex officio a member of the Committee. The Match Secretary shall retire annually but shall be eligible for re-election.

#### **Secretary/Treasurer.**

- 3.5 The Committee shall have the power to employ a paid Secretary/Treasurer and shall ensure that correct accounts and books are kept by him or her showing the financial affairs and transactions of the Club. The Secretary/Treasurer shall be responsible for the day to day supervision of the Club in such manner as may be instructed and defined by the Committee. The Secretary/Treasurer shall not be a member of the Committee nor have voting powers.

#### **4. Powers of the Committee**

- 4.1 The management and administration of the Club is vested in the Committee. The Committee, four of whom shall form a quorum, shall meet as often as is necessary. The Captain, or in his absence the Vice-Captain, shall act as Chairman at meetings of the Committee but, in the absence of both, the Committee may appoint one of their number to be Chairman. The Chairman at such meetings shall have a casting vote as well as a deliberative vote.
- 4.2 **Sub-Committees.** The Committee may appoint sub-committees considered desirable for the efficient operation and management of the Club. They shall elect from their number a Green Committee, House Committee and Finance Committee, each with a Convener.
- 4.3 **Bye-Laws.** The Committee may make bye-laws and regulations which shall be binding on every member until and unless revoked at a General Meeting.
- 4.4 **Legal Proceedings.** The Committee shall have power on behalf of the Club to institute all legal proceedings and actions they may deem necessary.

#### **5. Trustees**

- 5.1 The whole property of the Club, both heritable and moveable, at present belonging to or which may hereafter belong to the Club, shall be vested in the Committee for the time being and their successors in office, as Trustees in trust and for the benefit of the Club.
- 5.2 The Committee, in their capacity as Trustees, with the consent of the Club obtained at a General Meeting, may borrow money for Club purposes to such extent as may be expressly authorised, and grant bonds or other deeds binding the Club to repay the sums borrowed, and assign the title to the heritable property of the Club in favour of the lenders as security. In granting such documents members of the Committee shall incur no personal liability beyond that arising to them as ordinary members of the Club.

#### **6. Membership**

- 6.1 The Club maintains the following classes of membership which are open to ladies and gentlemen:-
- 6.1.1 **Life Members.**  
Life membership may be conferred on any member, who has rendered signal services or benefit to the Club, by the members at a General Meeting. Life Members shall be exempt from payment of subscriptions but shall have the same voting rights as Ordinary Members.
- 6.1.2. **Ordinary Members.**  
Ordinary Members must be over 25 years of age. This is a voting membership class.  
This class will also include:-
- a) Up to two persons per annum proposed by the Captain for the time being and agreed by the Committee. Such persons, however, shall be otherwise subject to the full admission requirements.
  - b) **Senior Members.**
    - i) Those members 65 years of age or over, having 25 years' continuous membership and having joined the Club before 2013.
    - ii) Those members 70 years of age or over, having 30 years' continuous membership and having joined the Club before 2013.
  - c) Youth Members who transfer automatically to ordinary membership on reaching the age of 25.
- 6.1.3 **Associate Members.**
- a) Associate Members must be over 25 years of age. They will have no voice in the management of the Club. They will have the same Club membership rights as Ordinary Members except the automatic membership of children but including the introduction of guests to the Clubhouse and to the Course (adhering to the playing time restrictions as defined in para.6.1.3 b). If they have been Ordinary Members, they have the option of transferring back to ordinary membership at a later date. Re-admission under this Rule shall not be subject to regulations limiting the number of members.

- b) Associate Members shall have equal and unrestricted access to the West Water Course but shall not start play on the main course after 4.30 p.m. on week-days or before 4.30 p.m. on Saturdays and Sundays between 15th March and 15th October inclusive in any calendar year. They shall not be eligible for Club competitions except those held exclusively on week-days.

6.1.4 **Youth Members, 18-25 Years of Age.**

- a) Applicants for this class of membership will be subject to the normal admission requirements. Youth Members shall have no voice in the management of the Club.
- b) No entrance fee need be paid until the member reaches 30 years of age, at which time the entrance fee to be paid will be reduced by 10% for each year the member has held this class of membership and/or junior membership.

6.1.5 **Country Members.**

Country membership shall be confined to persons whose principal residence is situated outwith a radius of 60 miles from the clubhouse. Transference to ordinary membership shall be at the discretion of the Committee unless the member was previously an Ordinary or Youth Member. Re-admission to ordinary or youth membership shall not be subject to regulations limiting the number of members. Country Members shall have no voice in the management of the Club.

6.1.6 **Non-playing Members.**

- a) The Committee may at their discretion designate as a Non-playing Member any Member who has given up active participation in golf on payment of such annual subscription as the Club shall determine. Non-playing Members shall have no voice in the management of the Club.
- b) In addition, the nominated partner of an Honorary, Life, Ordinary, Associate, Country or Non-Playing Member may be admitted as a Non-Playing Member, subject to the terms and conditions in para 6.1.6 (a).

6.1.7 **Junior Members.**

- a) Eligibility for junior membership is restricted to sons and daughters of an Ordinary Member, or juniors who live within a radius of 8 miles from the clubhouse or outwith the geographical limit at the discretion of the Committee. Junior membership ceases at the age of 18 years. Junior Members shall have no voice in the management of the Club.
- b) Juniors shall fall within the following categories:-
  - Under 15 years of age.
  - 15 to 17 years of age.
- c) The transfer from junior to youth membership is at the discretion of the Committee. There is no automatic transfer. A Junior who has been denied transfer to youth membership may not subsequently apply for membership of that class under 6.1.4.a.
- d) Juniors shall have access to the Clubhouse but shall have no further privileges. They shall normally give precedence to members on the course but they may be allocated special times for the use of the course.
- e) Juniors, up to age 18, whose parents are both Ordinary, Associate or Country members of the Club will be eligible for junior membership of the Club without payment of a subscription.

6.1.8 **Temporary Members.**

The Club may admit daily or weekly ticket-holders as Temporary Members on payment of the appropriate fees for the period. During the period of admission they may enjoy the privileges of the Club but play no part in its management. They may not play in any Club competition or introduce visitors or guests.

6.1.9 **Honorary Members.**

On a recommendation from the Committee it shall be competent for the members at an Annual General Meeting to confer upon anyone the distinction of honorary membership in recognition of being a distinguished golfer or for services rendered to the Club or to the game of golf. Honorary Members shall be exempt from the payment of subscriptions and shall have no voice in the management of the Club.

## **7. Admission to Membership**

- 7.1 Candidates shall not be eligible for nomination until they are eighteen years of age. A candidate for election as an Ordinary, Associate or Country Member shall be proposed and seconded by two Ordinary Members to both of whom the candidate must be personally known.
- 7.2 Official nomination forms, obtainable from the Secretary, must be completed in all respects and signed by the candidate, the proposer and seconder, before being returned to the Secretary (along with a letter from the candidate's former Club, if any).

The name and address of the candidate, along with the names of the proposer and seconder shall be placed on the notice board in the Clubhouse for one month. Members may write to the Secretary stating their support or objections to the candidate within one month of the date of the posting of the notice.

- 7.3 If no objections are lodged the candidate may, prior to being placed on the waiting list, or election if no waiting list is in operation, be interviewed by the Committee along with the proposer and seconder. The election shall be by the Committee, six of whom shall, for this purpose only, form a quorum. Ballots shall be held when deemed necessary by the Captain and two black balls shall exclude. The Secretary shall notify a new member on election and supply him or her with a copy of the Constitution and Rules of the Club and request payment of dues. Until dues are paid the new member shall not participate in any of the privileges of the Club. Anyone not doing so within one month of the date of election shall be considered to have declined to become a member.

#### **Waiting List.**

- 7.4 The Committee shall have powers to declare the membership closed from time to time. When the membership is so closed, the names of the candidates for admission shall be entered on a waiting list by the Secretary in the order in which they were notified. When the membership is again declared open, such candidates shall be admitted in the order in which their names appear on the waiting list.

#### **Admission of Edzell Village Residents.**

- 7.5 Candidates for ordinary and associate membership will be offered membership in the ratio of one Edzell resident (a person whose normal permanent and principal residence is within the drainage area of Edzell which is defined as within a radius of half a mile from the intersection of Manse Road with the High Street) to four others in the relevant class of membership, unless they would be eligible for earlier admission by virtue of their place on the general waiting list.

#### **Compliance with Rules.**

- 7.6 Every member on admission shall be bound by and submit to the Constitution, Rules and Bye-laws of the Club.

#### **List of Members.**

- 7.7 A list of members shall be kept in the Clubhouse.

#### **Membership Numbers.**

- 7.8 The number of members in the various classes of membership shall be proposed by the Committee and approved by the membership at a General Meeting.

### **8. Resignation of Membership**

- 8.1 Any member wishing to resign from the Club shall notify the Secretary in writing before 1st March, failing which he or she shall be liable for the subscription for the current year.

### **9. Expulsion of Members**

- 9.1 Any member who may have acted contrary to the Constitution and Rules of the Club or who may have rendered himself or herself obnoxious to the members by his or her conduct either in or out of the Club will be liable to be expelled from the Club.
- 9.2 The Committee shall have the power, after having offered such member full opportunity to explain his or her conduct, to recommend that he or she resign. If the member so recommended does not do so, the Committee may recommend to the membership at the next General Meeting that the member be expelled. It shall be competent for three-fourths of the members present and voting to approve such a motion.
- 9.3.1 It shall be in the power of the Committee to suspend such a member from the Club until a decision is reached at the next General Meeting.
- 9.3.2 It shall also be within the competence of the Committee to temporarily suspend a member, if it is deemed appropriate in the interests of the Club to do so.

### **10. Entrance Fee and Subscriptions.**

#### **Entrance Fee.**

- 10.1 An entry fee for any Ordinary, Associate or Country Member would be due for anyone 30 years of age or over. The entry fee charged shall be agreed at the Autumn General Meeting.

- 10.1.2 The entrance fee shall be potentially spread over a maximum of 5 years for any new member on the date of admission to the Club.
- 10.1.3 Former members who wish to re-join the Club are exempt from payment of an entry fee, at the discretion of the committee, if there is a gap of at least 5 years since their resignation.
- 10.1.4 The spouse of an existing Ordinary, Associate or Country member would be exempt from the payment of any entry fee.

#### **Annual Subscriptions.**

- 10.2.1 The annual subscription shall become due and payable by 1st March each year. Any member whose subscription is not paid by the due date shall up to 1st April have membership rights suspended until the subscription is paid, together with a late payment fee at a level to be determined by the Committee. If by 1st April the subscription remains unpaid, then the name of the member shall be removed from the list of members. A member whose name has been removed from the list of members shall not thereby be freed from liability for arrears and may at the discretion of the Committee, be reinstated within six months from the 1<sup>st</sup> March.
- 10.2.2 When a member is elected after 31st August, the Committee shall have the power to make a reduction in the annual subscription for that year if, in their opinion, the circumstances warrant it.

### **11. General Meetings**

- 11.1 There shall be two General Meetings of the Club in each year. The Annual General Meeting shall be held in the Spring and the other in the Autumn. At least fourteen days' notice of these meetings shall be given to each member.
- 11.2.1 The business of the Annual General Meeting shall include:-
- a) The election of Office-Bearers for the coming year.
  - b) The adoption of the Annual Accounts submitted for the previous financial year (the calendar year) and certified by an independent examiner.
  - c) The appointment of the independent examiner for the coming year.
- 11.2.2 The business of the Autumn General Meeting shall include the determination of the amounts of subscriptions, fees and other charges for the following year.

#### **Alteration of the Constitution and Rules**

- 11.3 No alteration or addition to the Constitution and the Rules of the Club shall be made except at these two meetings and not unless notice of the motion is given at one meeting and adopted by a majority of two thirds of the members present and voting at the next. In case of urgency, the Committee may bring such a motion for adoption at the next meeting giving a month's notice to all members by circular.

#### **Special General Meetings.**

- 11.4 Special General Meetings may be called by circular giving fourteen days' notice by the Committee, either on their own determination or on a requisition signed by twenty or more members. Such notice shall specify the business to be brought before the meeting. No other business except that which has been notified shall be transacted at that meeting.

#### **Meeting Procedures.**

- 11.5 At any General or Special General Meeting
- a) Only Ordinary and Life Members may attend and have a vote. Twenty members shall form a quorum.
  - b) No proxies shall be allowed.
  - c) The Captain, or in his absence, the Vice-Captain, or, in the absence of both, a member appointed by the meeting, shall act as Chairman.
  - d) Voting on all matters shall be by a simple majority except on any matter requiring a greater majority in terms of this Constitution. Only motions properly proposed and seconded and which have been notified to the members at the previous meeting or by circular one month prior, may be voted upon at a General Meeting. This rule does not apply to Clause 11.2.1 or Clause 11.2.2.
  - e) The Chairman will have a casting vote except in the election of office bearers when, in the event of a tie, the result will be decided by the toss of a coin.

## **12. Ladies Section**

- 12.1 Lady members of the Club shall be entitled to form a Ladies Section with power to appoint their own officials and make their own rules and bye-laws in connection with golf handicaps, golf matches, golf competitions and golf tournaments for ladies only.

## **13. Guests of Members**

### **Clubhouse**

- 13.1 Members may introduce guests to the Club. Guests must be accompanied by the member and no more than seven guests may be introduced at any one time. Members shall sign the Guests' Book when the guest uses the Clubhouse facilities.

### **Golf Course**

- 13.2 Members shall sign the Guests' Book when a guest ticket is purchased from the professional for the use of the Course. During the year Ordinary and Associate Members may introduce twelve playing guests and Youth and Country Members six playing guests. The same person shall not be introduced more often than twice in one month or six times in the year, whether by the same or another member. A member may not introduce as a guest a player who is a member of a visiting party.

## **14. Complaints**

- 14.1 All complaints shall be made in writing to the Secretary in order that they may be submitted to the Committee. The date, nature and circumstances of the complaint must be stated.

## **15. Misconduct of Staff**

- 15.1 Any misconduct on the part of a member of staff shall be notified by letter to the Secretary, who shall refer it to the Committee. The date, nature and circumstances of the alleged misconduct must be stated.

## **COURSE RULES**

### **16. Golf Course**

- 16.1 The rules of play shall be those of The Royal and Ancient Golf Club of St. Andrews, modified by such local bye-laws as the Committee may determine.
- 16.2 All competitions shall take place on such days as may be fixed by the Committee, who shall have the power of determining the number of holes and the particular course.
- 16.3 In the event of an open tournament, county competition, club match, or similar competition taking place on the Club course, the Committee shall have the power to admit, as Temporary Members, those taking part, free of subscription. The period of membership shall not be greater than one week and the names of those taking part shall be submitted beforehand to the Secretary.

### **Handicaps**

- 16.4 The handicaps of members of the Club shall be fixed by the Handicap Committee in accordance with the Rules of Golf and the Standard Scratch Score and Handicapping Scheme (Men) or the L.G.U. Scratch Score System (Ladies).

## **CLUBHOUSE RULES**

### **17. Clubhouse**

#### **Sale of Liquor**

- 17.1 The supply of excisable liquor shall be under the control of the Committee. No excisable liquor shall be sold or supplied in the Club for consumption outside the Clubhouse except to a member on the premises and for his or her own consumption, or to a person holding an excise licence for the sale of such liquor. No excisable liquor shall be sold or supplied to any person under eighteen years of age.

- 17.2 Subject to any modification required by law, or by the order of a competent authority, the hours of sale or supply of intoxicating liquor for consumption either on or off the premises are: daily 11.00 a.m. - 11.00 p.m.
- 17.3 No member of the Club shall be elected to the Committee and no manager or member of staff of the Club appointed, who has any personal interest in the sale of excisable liquor in the Club or in the profits arising from such sale. No officer of the Club shall be related to or shall be under the direction of any person receiving emoluments based on any element of Club turnover or be subject to commercial influence.
- 17.4 A visitor or guest shall not be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a member.

**Clubhouse.**

- 17.5 The Clubhouse shall be open to members daily between such hours as the Committee shall from time to time determine and set out in the Bye-laws.

**Club Property.**

- 17.6 No member shall take or permit to be taken from the Club premises any article belonging to the Club on any pretext. Any member or guest causing damage to Club property will be responsible for meeting the costs of repair or replacement.

**Notices.**

- 17.7 No notices or documents of any kind shall be placed in or on the Club premises except by the authority of the Committee.

**Payment of Bills.**

- 17.8 All members shall defray whatever expenses they incur before leaving the Clubhouse.

**18. GENERAL**

**Property.**

- 18.1 The property, assets and effects of the Club shall belong to the Ordinary Members during membership equally, but the right and interest of every such member shall be personal and limited to the member and shall expire with cessation of membership and shall not be assignable or arrestable or pass to heirs or executors. All profits or surpluses generated by the Club shall be devoted to maintenance or improvement of related Club facilities.

**Disclaimer.**

- 18.2 The Club does not accept any responsibility for any loss or damage to property or injury to persons which may occur on the Club property.

**Dissolution.**

- 18.3 The Club shall only be dissolved at a Special General Meeting called in terms of paragraph 11.4 of this Constitution at which there must be present at least two-thirds of the Ordinary Members of the Club and the resolution shall not be adopted unless carried by a majority of at least three-quarters of those present. In the event of the Club being so dissolved, then if there remains after the satisfaction of all debts and liabilities any assets whatsoever, the same shall be given or transferred to some other non-profit making organisation or organisations having objectives similar to the objectives of the Club or, if this shall prove impossible, then to a charitable organisation, all as shall be determined by the Ordinary Members at the Special General Meeting at which the motion of dissolution is passed. Under no circumstances shall there be a distribution of surpluses/profits to members.

- 18.4 Dogs shall not be brought into the Clubhouse or on to the Course.