

The Constitution of Carlow Golf Club

(As of 08-12-2018)

CONTENTS

1. Preliminary, Definitions, and Interpretations.
2. Title and Ownership.
3. Membership.
4. Objects:
 - 4.1 Men's Club.
 - 4.2 Ladies' Club.
 - 4.3 Joint Club.
5. Trustees.
6. Men's Club/Ladies' Club/Joint Club Officers and Chairpersons:
 - 6.1 Officers of Men's Club.
 - 6.2 Chair at Meetings of Men's Club.
 - 6.3 Officers of Ladies' Club.
 - 6.4 Chair at Meetings of Ladies' Club.
 - 6.5 Officers of Joint Club & Committee of Management
 - 6.6 Chair at Meeting of Joint Club & Committee of Management
7. Casting Vote.
8. President of (Joint) Club.
9. Committees:
 - 9.1 Men's Club.
 - 9.2 Ladies' Club.
 - 9.3 Joint Club.
 - 9.4 Administration.
10. Finance:
 - 10.1 The Joint Club.
 - 10.2 The Men's Club.
 - 10.3 The Ladies' Club.
11. Election of Members.
12. Categories of Members.
13. Entrance Fee.
14. Annual Club Subscription.
15. Capital Levy.
16. Freezing of Annual Club Subscriptions.

17. Visitors and Temporary Members.
18. Disciplinary Procedures (Misconduct by a Juvenile Member)
19. Disciplinary Procedures (Misconduct by Member)
20. General Meetings:
 - 20.1 The Men's Club.
 - 20.2 The Ladies' Club.
 - 20.3 The Joint Club.
21. Change to Articles of the Constitution and Rules of the Clubs
22. Leave of Absence.
23. Minute Books.
24. Personal Property.
25. Playing Facilities.
26. Registration of Clubs Acts : Intoxicating Liquors Act.
27. Amendments to Registration of Clubs Acts : Intoxicating Liquors Act.
28. Rules of Golf and Local Rules.
29. Bye-Laws.
30. Standing Orders for Joint Club & Men's Club A.G.M.'s / E.G.M's/S.G.M.'s.
31. Standing Orders for Ladies' A.G.M.'s / E.G.M's/S.G.M.'s.

Appendix

Information on "Leave of Absence" and Application Form

CARLOW GOLF CLUB

(or Chumann Gailf Cheatharlacha)

Constitution & Rules

1. Preliminary Definitions & Interpretations:

- 1.1 Articles herein contained are indicated by consecutive numbers.
- 1.2 Clauses are indicated by consecutive numbers preceded by Article number.
- 1.3 Sub clauses are indicated by consecutive numbers preceded by article and clause numbers.
- 1.4 Sub-sub-clauses are indicated by consecutive numbers preceded by article, clause and sub-clause numbers.
- 1.5 The Men's committee shall mean the committee referred to in article 9, sub-clause 9.1.1.
- 1.6 The Ladies' committee shall mean the committee referred to in article 9, sub-clause 9.2.1.
- 1.7 The Committee of Management shall mean the committee referred to in article 9, sub-clause 9.3.1.
- 1.8 The name or title "Club", without qualification, shall mean the Men's Club, the Ladies' Club or the Joint Club where the context so admits or requires.
- 1.9 The name or title "Committee" and the Officers and Members thereof, without qualification, shall mean the Men's Committee, the Ladies' Committee or the Committee of Management or each of their Officers and Members where the context so admits or requires.
- 1.10 References to Rule or Rules shall mean Article, Clause, sub clause or any sub-sub-clause where the context so admits or requires.



2. Title & Ownership:

- 2.1 The name of the Club shall be Carlow Golf Club or Cumann Gailf Cheatharlacha and this name shall be the common name by which the Men's Club, the Ladies' Club and the Joint Club shall be individually and collectively known.
- 2.2 The official address of the Club is Deerpark, Carlow.

- 2.3 The ownership of the Club property and Assets shall be vested in the Trustees for the time being of the Club on behalf of the Full Members as defined by Sub-Clause 12.1.1. The Full Members only shall have control of the affairs of the club.
- 2.4 The income and property of the organisation (the Club) shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the organisation's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit, to the members of the organisation. No Officer shall be appointed to any office of the organisation paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the organisation in respect of such office. However, nothing shall prevent any payment in good faith by the organisation of:
- 2.4.1 reasonable and proper remuneration to any member or officer of the organisation for any services rendered to the organisation (other than as an officer) or for any goods supplied to the organisation;
 - 2.4.2 reasonable and proper remuneration, to any company of which a member or officer of the organisation is a director or share holder, for any services rendered to or for any goods supplied to the organisation;
 - 2.4.3 interest at a rate not exceeding 5% per annum on money lent by Officers or other members of the organisation to the organisation;
 - 2.4.4 reasonable and proper rent for premises demised and let by any member of the organisation (including any Officer) to the organisation;
 - 2.4.5 reasonable and proper out-of-pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the organisation;
 - 2.4.6 fees, or other benefit in money or money's worth to any Company of which an Officer may be a member holding issued capital of such Company, or to any business owned by such Officer;
 - 2.4.7 and, an Officer shall absent himself or herself from any decision or vote in relation to the provision to the organisation of any matter referred to in Clause 2.4 or sub-clauses 2.4.1 to 2.4.6.
- 2.5 If upon the winding up or dissolution of the organisation there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the organisation. Instead such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the organisation. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the organisation under or by virtue of Clause 2.4 hereof. Members of the organisation shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

- 2.6 No addition, alteration or amendment shall be made to or in the provisions of the Main Object(s), Income and Property and the Winding-Up Clauses in this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.
- 2.7 Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

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3. Membership:

- 3.1 The membership of the Men's club shall consist of male playing members.
- 3.2 The membership of the Ladies' club shall consist of female playing members.
- 3.3 The membership of the Joint Club shall consist of all members of each of the Men's and the Ladies' Clubs and Pavilion Members.

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4. ***Objects:***

- 4.1 The Men's Club shall: -
- 4.1.1 Promote the Amateur Game of Golf amongst its members.
- 4.1.2 Accept and abide by the Constitution and Bye-Laws of the Golfing Union of Ireland to which the club is affiliated and Bye-Laws of the Leinster Branch in whose Province the course is located.
- 4.1.3 Accept and apply the unified Handicapping System as currently prescribed by the Council of National Golf Unions and such rules there under as may require to be implemented from time to time by the Golfing Union of Ireland.
- 4.1.4 Accept and recognise the R & A Rules Ltd. as the sole authority of prescribing and implementing the Rules of Golf and The Rules of Amateur Status.
- 4.1.5 Authorise the Joint Club to manage matters of common interest (other than the game of golf and its related activities) which the Men's Club has with the Ladies' Club subject to and as provided in these rules.
- 4.2 The Ladies' Club shall: -
- 4.2.1 Promote the Amateur Game of Golf amongst its members.

- 4.2.2 Accept and abide by the Constitution and Bye-Laws of the Irish Ladies Golf Union and the Bye-Laws of the Mid Leinster District Branch in which the course is located.
- 4.2.3 Accept and apply the unified Handicapping System as currently prescribed by the Irish Ladies Golf Union and such rules there under as may require to be implemented from time to time by such Union.
- 4.2.4 Accept and recognise R & A Rules Ltd. as the sole authority for prescribing and implementing the Rules of Golf and the Rules of Amateur Status.
- 4.2.5 Authorise the Joint Club to manage matters of common interest (other than the game of Golf and its related activities) which the Ladies' Club has with the Men's Club subject to and as provided in these rules.
- 4.3 The Joint Club shall: -
 - 4.3.1 Provide facilities for the playing and promotion of the Amateur game of golf by men, women, students and juveniles and generally promote amateur games and other social activities amongst its members.
 - 4.3.2 Manage matters of common interest of both the Men's and the Ladies' Clubs which shall include: -
 - 4.3.2.1 Provision of and responsibility for the maintenance and upkeep of the course and clubhouse and their environs to the standard required by club members.
 - 4.3.2.2 Provision of Bar and Catering facilities and all these entail.
 - 4.3.2.3 Collect Club Entry Fees, Annual Subscriptions, Capital Levies and any other Club Levies payable by Members.
 - 4.3.4 Determine annually:
 - 4.3.4.1 Club Entrance Fee,
 - 4.3.4.2 Annual Subscription,
 - 4.3.4.3 Capital Levy,
 - 4.3.4.4 Any other Club Levies, to be paid by members of different categories of playing member in each of the Men's and Ladies' Clubs.
 - 4.3.5 Determine the annual subscription to be paid by Pavilion Members in the Joint Club.
 - 4.3.6 Arrange that any alteration in any of the sub clauses 4.3.4 & 4.3.5 shall be decided at an Annual General Meeting (A.G.M.) or Extraordinary or Special General Meeting (E.G.M. or S.G.M.) of the Joint Club

- 4.3.7 Determine the rate of Green Fee payable by visitors to the Club.
- 4.3.8 Generally act in the promotion and advancement of the interests of the Club and the improvement of the facilities available to Members.
- 4.4 The aforementioned functions set out in clause 4.3 shall be carried out on behalf of the Joint Club by the Committee of Management as forming part of the business and affairs of the Joint Club as provided for in sub-clause 9.3.1.

5. *Trustees:*

- 5.1 The Trustees shall be not more than 3 and not less than 2 in number and shall be full members or Honorary members who were previously full members of the Joint Club.
 - 5.1.1 The Trustees shall safeguard and protect the Club property and assets vested in them under Clause 2.3.
- 5.2 The Trustees shall hold office for a period of six years or until they resign, cease to be Full Members or Honorary members or are removed from office by resolution of a General Meeting of The Joint Club. Trustees shall retire, in rotation, one every two years, and will be ineligible for reappointment. Nominations for Trustees, including any Full Member who has not completed a cumulative period of six years in office as Trustee, shall be proposed and seconded by full members of the Club. The list for nominations of candidates for Trustee shall be posted on the Club notice board at least 14 days prior to the A.G.M. of the Club. The list of nominations shall close and be taken down at 5.00 p.m. three days before the A.G.M. A copy of the list of nominations shall be available to each member who attends the A.G.M., said list shall act as a ballot paper. Trustees of Carlow Golf Club who have resigned may be re-elected or re-appointed in any and all circumstances as trustees of Carlow Golf Club with the proviso that their cumulative period as trustees of Carlow Golf Club does not exceed six years.
 - 5.2.1 To be eligible for election as a trustee of the Club, the nominee must be a full member or an honorary member of the Club for at least twenty years and may not be elected as a member of the Joint Committee during his/her term of office.
 - 5.2.2 The Joint Committee shall have the authority to fill any vacancy among the trustees during the year. Such appointees shall hold office until the next A.G.M. Such period of office shall not count when calculating service for clause 5.2.
 - 5.2.3 The office of any trustee shall be vacated by such trustee resigning there from, or on ceasing to be a member of the Club, or on being removed from office by a resolution at an A.G.M. or S.G.M. of the Joint Club.
- 5.3 The Club lands, premises and any such other property and assets of the Club shall be vested in and under the legal control of the Trustees under Clause 2.3, and such Trustees shall deal with the property and assets of the Club as directed by a resolution of the Committee of

Management of which an entry in the minute book of that Committee shall be sufficient evidence.

- 5.3.1 The Trustees on request shall be given access to any and all documents or information relating to the operation of Carlow Golf Club or affecting same.
- 5.4 If the Trustees, when directed by a resolution of the Committee of Management to perform a certain act, consider that the performance of such act is one of such importance that they consider that the members of the Joint Club should be consulted, then the Trustees may refuse to perform such act until the members of the Joint Club have been consulted at an Annual General Meeting or Extraordinary or Special General Meeting and a resolution is passed at such meeting authorising or refusing to authorise the Trustees to perform such act as was originally directed by the Committee of Management.
- 5.4.1 If under Clause 5.4 the Trustees fail to perform a certain act as directed by the Committee of Management the Trustees shall refer it to the members of the Joint Club within 28 days of the date of the Committee of Management resolution, failing which the Joint Club Hon Secretary shall call the necessary Annual General Meeting or Extraordinary or Special General Meeting as the case may be.
- 5.5 One Trustee shall normally represent the Trustees as observer to the Committee of Management. If they so wish, all Trustees may attend and speak at all management meetings. The Trustee shall not have a vote.
- 5.6.1 The Trustees shall be indemnified out of the Joint Club property and assets in respect of all transactions directed by a resolution of the Committee of Management and against all liabilities and expenses necessarily incurred as a result of their Trusteeship and in the event of the Joint Club property and assets being deficient, such deficiency shall be made good by the Full Members on whose behalf the property and assets of the Club are held.



6. *MEN'S CLUB/LADIES' CLUB/JOINT CLUB Officers and Chairpersons*

6.1 Officers of The Men's Club:

The Officers of the Men's Club shall be a Captain, a Vice-Captain/Honorary Secretary, an Honorary Competitions Secretary, and a Honorary Handicap Secretary, all of whom shall be full members and shall have been proposed, seconded and elected by those present at the A.G.M. in accordance with the Constitution.

- 6.1.1. The Vice-Captain/Hon. Secretary will have served for a minimum of one complete year on either the Committee of Management and/or the Men's Club Committee prior to his appointment to the position.

6.2 Chair At Meeting of Men's Club:

- 6.2.1 At meetings of the Men's Committee, the chair shall be taken by the Captain or, if absent, by the Vice-Captain/Hon. Secretary. In the absence of both or if both elect not to take the chair, any member of the Committee nominated by it shall be moved to the chair.
- 6.2.2 The Captain shall take the chair at Annual General Meetings or Extraordinary or Special General Meetings of the Men's Club. In the Captain's absence or at the Captain's request, the Vice-Captain/Hon. Secretary shall take the chair. In the absence of both or if both elect not to take the chair, any member of the Men's Committee nominated by the meeting shall be moved to the chair.
- 6.2.3 Appoint a Handicapping Committee, one of whom shall be the Hon. Handicap Secretary, consisting of a minimum of three persons, all of whom shall be male members of the Club. They shall have complete control of Men's handicapping in the Club, subject to the overall jurisdiction of the GUI.
- 6.2.4 Retain Handicap Records in respect of all present and past Members for not less than the current year and previous two calendar years and retain all score cards until the end of current handicap year. Handicap Records for all Playing Members must be returned to the Union or Area Authority (Provincial Branch) should the club cease to be affiliated.

6.3 Officers of The Ladies' Club:

The Officers of the Ladies' Club shall be a Captain, a Vice-Captain, an Honorary Secretary, an Honorary Treasurer, an Honorary Competitions Secretary and an Honorary Handicapping Secretary and shall have been proposed, seconded and elected by those present at the AGM, in accordance with the Constitution. The Vice-Captain will have served a minimum of one complete year on either the Committee of Management and/or the Ladies' Club Committee prior to her appointment to the position and shall be a full member of the club.

6.4 Chair At Meetings of The Ladies' Club:

- 6.4.1 At meetings of the Ladies' Committee, the chair shall be taken by the Captain or, if absent, by the Vice-Captain. In the absence of both or if both elect not to take the chair, any member of the Committee nominated by it shall be moved to the chair.
- 6.4.2 The Captain shall take the chair at Annual General Meetings or Extraordinary or Special General Meetings of the Ladies' Club. In the Captain's absence or at the Captain's request, the Vice-Captain shall take the chair. In the absence of both or if both elect not to take the chair, any member of the Ladies' committee nominated by the meeting shall be moved to the chair.
- 6.4.3 Appoint a Handicapping Committee, one of whom shall be the Hon. Handicap Secretary, consisting of a minimum of three persons, all of whom shall be female members of the Club. They shall have complete control of the Ladies' handicapping in the Club, subject to the overall jurisdiction of the ILGU

- 6.4.4 Retain Handicap Records in respect of all present and past Members for not less than the current year and the previous two calendar years and retain all score cards until the end of the current handicap year. Handicap records for all Playing Members must be returned to the ILGU or Mid Leinster District Branch should the club cease to be affiliated.
- 6.5 Officers of the Joint Club and Committee of Management.
 - 6.5.1 The Officers of the Joint Club shall be the President, the Captains of the Men's and Ladies Clubs, the Vice-Captains of the Men's and Ladies' Clubs, an Hon. Secretary, and an Hon. Treasurer, all of whom shall be full members and shall have been proposed, seconded and elected by those present at the A.G.M. in accordance with the Constitution.
 - 6.5.2. At its first meeting each year, the Committee of Management shall elect its Chairperson (who shall be either the Captain of the Men's club or the Captain of the Ladies' club or if both elect not to take the chair any member of the Committee of Management nominated by it shall be moved to the chair), and its Vice Chairperson.
- 6.6 Chair at meetings of the Joint Club and Committee of Management.
 - 6.6.1 If the Chairperson and Vice Chairperson are absent from a Committee of Management meeting then the members present shall appoint one of their number to the chair.
 - 6.6.2 The President of the Joint Club shall take the chair at Annual General Meetings or Special General Meetings of the Joint Club. In the President's absence, the Chairperson of the Joint Club shall be moved to the chair. In the absence of both the President and the Chairperson of the Joint Club, any committee member may be moved to the chair.

7. ***Casting Vote:***

- 7.1 With the exception of clauses 18.5, 18.9 and 19.5, at all meetings the Chairperson shall, in addition to a personal vote also have a casting vote which he/she may exercise in the event of there being an equality of votes for and against any matter which is to be decided by vote at the meeting.

8. ***President of (Joint) Club:***

- 8.1 The President of the club shall be elected annually and shall be ineligible for re-election. In even years, the President shall be a member of the Ladies' club. In odd years, the President shall be a member of the Men's Club. The President shall be a full member of the club.
- 8.2 The Joint Committee shall have the authority to fill any vacancy of President during the year. Such appointee shall hold office until the next A.G.M. Such period of office shall not count when calculating service for clause 8.1.

- 8.3 The office of President shall be vacated by such President resigning there from, or on ceasing to be a member of the Club, or on being removed from office by a resolution at an A.G.M. or S.G.M. of the Joint Club.



9. *Committees:*

9.1 Men's Club:

- 9.1.1 The business and affairs of the Men's Club shall be managed by a committee (hereinafter referred to as the Men's Committee) consisting of the four officers of the Men's Club together with five other full members of the Men's Club who shall be elected in accordance with the following procedure. Except as otherwise provided for in the rules, the Men's Committee shall:

- 9.1.1.1 Be elected annually by the full and honorary members present at the Annual General meeting of the Men's Club.

- 9.1.1.2 Retire at the next subsequent Annual General meeting of the Men's Club after their election, but they shall be eligible for re-election.

- 9.1.1.3 The officers and members of the Men's Committee shall retire annually and shall be eligible for re election.

- 9.1.1.4 The election of candidates for membership of the Committee of the Men's Club shall be by secret ballot. In the event of a tie, the selection of the Committee shall be decided by lot, in a manner to be determined and carried out by the Chairperson, in the course of the meeting.

- 9.1.2. The Men's Committee shall have power to fill vacancies occurring in their number between one Annual General meeting and the next such meeting. Such vacancies shall be filled by co-option. The person to be co-opted shall be proposed and seconded and elected by a majority of the members present and voting at an ordinary monthly meeting of the Men's Committee.

- 9.1.2.1 The Men's Committee shall have the authority to appoint an acting officer in the event of the demise or retirement of an officer during his term of office. Such acting officer need not be an existing member of the committee. Such acting officer shall have a vote at committee meetings.

- 9.1.3 A list for nominations of candidates for the Men's Committee with names of proposers and seconders who shall be full members of the Men's Club shall be posted on the notice board in the club house at least fourteen days before an Annual General meeting of the Men's Club. Such list shall close and be taken down at 5.00 p.m. three days before the said Annual General meeting. The Vice-Captain/Hon. Secretary of the Men's Club shall have a copy of the said list available for each member who attends the said Annual General meeting and same shall act as members' ballot papers. Should there be insufficient nominations, for the

Men's Committee on the said list, the chairperson shall call for further nominations at the said Annual General meeting.

- 9.1.4 The Men's Committee shall meet, at least eight times in a year. Five members shall form a quorum.
- 9.1.5 The Men's Committee shall have power, to appoint sub-committees, to define the scope and terms of the authority of such sub-committees and to delegate to and confer upon them the powers necessary for the discharge of their respective functions. All classes of members of the Men's Club may act on sub-committees. A sub-committee shall retire when the function for which it was appointed is completed but its term shall not extend beyond the term of the committee which appointed it. A sub-committee shall report its activities monthly to the committee which appointed it or as directed by that committee. No sub-committee may be appointed to elect members.
- 9.2 Ladies' Club:
 - 9.2.1 The business and affairs of the Ladies' Club shall be managed by a committee (hereinafter referred to as the Ladies' Committee) consisting of the six officers of the Ladies' club together with six other members of the Ladies' Club who shall be elected in accordance with the following procedure. Except as otherwise provided for in the rules, the Ladies' Committee shall:
 - 9.2.1.1 Be elected annually by the members present at the Annual General meeting of the Ladies' Club.
 - 9.2.1.2 Retire at the next subsequent Annual General meeting of the Ladies' Club after their election, but they shall be eligible for re-election.
 - 9.2.2 The election of candidates for membership of the Committee of the Ladies' Club shall be by secret ballot. In the event of a tie, the selection of the Committee shall be decided by lot, in a manner to be determined and carried out by the Chairperson, in the course of the meeting.
 - 9.2.2.1 The Ladies' Committee shall have power to fill vacancies occurring in their number between one Annual General meeting and the next such meeting. Such vacancies shall be filled by co-option. The person to be co-opted shall be proposed and seconded and elected by a majority of the members present and voting at a monthly meeting of the Ladies' Committee.
 - 9.2.2.2 The Ladies' Committee shall have the authority to appoint an acting officer in the event of the demise or retirement of an officer during her term of office. Such acting officer need not be an existing member of the committee. Such acting officer shall have a vote at committee meetings.
 - 9.2.3 A list for nominations of candidates for the Ladies' Committee with names of proposers and seconders who shall be members of the Ladies' Club shall be posted on the notice board in the club house at least fourteen days before an Annual General meeting of the Ladies' Club. Such list shall close and be taken down at 5.00 p.m. three days before the said Annual General meeting. The Honorary Secretary of the Ladies' Club shall have a

copy of the said list available for each member who attends the said Annual General meeting and same shall act as members' ballot papers. Should there be insufficient nominations, for the Ladies' Committee on the said list, the Chairperson shall call for further nominations at the said Annual General meeting.

9.2.4 The Ladies' committee shall meet at least once in each calendar month. Seven members shall form a quorum.

9.2.5 The Ladies' Committee shall have power to appoint sub-committees, to define the scope and terms of the authority of such sub-committees and to delegate to and confer upon them the powers necessary for the discharge of their respective functions. All classes of members of the Ladies' Club may act on sub-committees. A sub-committee shall retire when the function for which it was appointed is completed, but its term shall not extend beyond the term of the committee which appointed it. A sub-committee shall report its activities monthly to the committee which appointed it or as directed by that committee. No sub-committee may be appointed to elect members.

9.3 Joint Club:

9.3.1 The business and affairs of the Joint Club shall be managed by a Committee of Management consisting of seven officers of the Joint Club and eight other full members of the club.

9.3.2 The fifteen full members of the Committee of Management shall be elected annually:-

9.3.2.1 The Captain and Vice-Captain/Hon. Secretary of the Men's Club, the Captain and Vice-Captain of the Ladies' club who are automatically deemed elected.

9.3.2.2 The President, an Hon. Secretary, and an Hon. Treasurer, to be elected at the Annual General meeting of the Joint Club.

9.3.2.3 Eight full members elected from the floor at the Annual General Meeting of the Joint Club having been proposed and seconded in the correct manner. Members so elected will retire annually.

9.3.2.3.1 A list for nominations of candidates for the Joint Committee with names of proposers and seconders who shall be full members of the Joint Club shall be posted on the notice board in the clubhouse at least fourteen day before an Annual General Meeting of the Joint Club. Such a list shall close and be taken down at 5.00 p.m. three days before the said Annual General Meeting. The Honorary Secretary of the Joint Club shall have a copy of the said list available for each member who attends the said Annual General Meeting and same shall act as members' ballot papers. Should there be insufficient nominations for the committee on the said list, the Chairperson shall call for further nominations at the said Annual General Meeting.

9.3.2.4 Election of candidates for membership of the Committee of Management of the Joint Club shall be by secret ballot. In the event of a tie, the selection of the Committee shall be decided by lot, in a manner to be determined and carried out by the Chairperson, in the course of the meeting.

- 9.3.2.4.1 The Committee of Management shall have the authority to appoint an acting officer in the event of the demise or retirement of an officer during his/her term of office. Such acting officer need not be a member of the Committee of Management. Such acting officer shall have a vote at Committee of Management meetings.
- 9.3.2.5 The Honorary Secretary shall chair the first meeting of the Joint Club until a new Chairperson is elected. At the first meeting, the election of a Chairperson shall be the first item on the agenda. In the absence of the Honorary Secretary, any member may be moved to the chair.
- 9.3.3 The members of the Committee of Management shall take office immediately after an Annual General Meeting of the Joint Club and serve until the next Annual General Meeting of the Joint Club has been declared closed by the chairman.
- 9.3.4 The Committee of Management shall meet at least once each calendar month. Eight members shall form a quorum.
- 9.3.5 The Committee of Management shall have power to appoint such management and staff upon such terms and conditions as the Committee of Management may determine and to terminate such appointments and also have power to appoint substitutes as may be required.
- 9.3.6 The Committee of Management shall have power from time to time to borrow for the purposes of Carlow Golf Club such sum or sums of money as it shall think fit, and the Trustees, on being instructed by the Committee of Management shall secure the repayment of any money so borrowed, raised or owing by mortgage, deposit of title deeds or securities, charge, lien or otherwise upon the whole or any part of the club's property and assets.
- 9.3.7 The Committee of Management shall have power to appoint sub-committees, to define the scope and terms of the authority of such sub-committees and to delegate to and confer upon them the powers necessary for the discharge of their respective functions. All classes of members may act on sub-committees with the exception of the Introductory Category defined in sub clause 12.2.11. A sub-committee shall retire when the function for which it was appointed is completed, but its term shall not extend beyond the term of the committee which appointed it. A sub-committee shall report its activities monthly to the committee which appointed it, or as directed by that committee.
- 9.3.8 The Committee of Management shall be authorized to fix admission charges for dances or other special functions held in the club house. They shall have power to refuse permission for any particular visitor to use the club house or course.
- 9.3.9 The Committee of Management shall have power to engage a professional and determine his/her retainer, duties and conditions of employment and the fees to be paid to him/her by members for his/her service. A list of fees payable shall be posted in the Club House.
- 9.3.10 The Committee of Management shall be empowered to make such bye-laws and regulations for the management of the club as they may consider necessary but which shall not be inconsistent with or in contravention of these rules.
- 9.3.11 Every person using the Club House or course shall be subject to and must comply with all rules, bye-laws and regulations in force.

9.3.12 Notice of new bye-laws shall be posted on the notice board in the Club House.

9.4 Administration:

9.4.1 The Vice-Captain/Hon. Secretary of the Men's Club shall be responsible for the everyday affairs of that club except such duties which are specifically assigned to another officer or member of the Men's Club.

9.4.2 The Honorary Secretary of the Ladies' club shall be responsible for the everyday affairs of that club except such duties which are specifically assigned to another officer or member of the Ladies' Club.

9.4.3 The Honorary Secretary of the Joint Club shall be responsible for the everyday affairs of that club except such duties which are specifically assigned to another officer or member of the Joint Club.

9.4.4 All written complaints concerning matters under the jurisdiction and control of the committee of any of the clubs mentioned in sub-clauses 9.4.1, 9.4.2 and 9.4.3 shall be referred primarily to the Secretary of that club (or, in the case of the Men's club, the Vice-Captain/Hon. Secretary) who, if unable to resolve the matter complained of, shall place the complaint on the agenda for the next meeting of the committee of such club for investigation and decision.

9.4.5 The Honorary Secretary of the Joint Club shall also act as liaison officer between the Committee of Management and each of the Men's and the Ladies' Committees.



10. Finance:

10.1 The financial affairs of the Joint Club shall be operated as follows:

10.1.1 The Committee of Management shall be responsible for the keeping of proper books and records of the Joint Club and the Honorary Treasurer of the Joint Club shall keep full and detailed accounts, books and records, showing the financial affairs, receipts and disbursements of the Joint Club on its behalf and report directly to it.

10.1.2 The Committee of Management shall appoint independent qualified auditors to report to the Members of the Joint Club whether in the opinion of the auditors the annual accounts of the Joint Club give a true and fair view, in accordance with recognised accounting practice in Ireland, of the state of the Club's financial affairs as at the year or period end and of the surplus or deficit for the year or period then ended, that they have obtained all the information and explanations that they consider necessary for the purpose of their audit, and that proper books of account have been kept by the Club, and confirm that the accounts are in agreement with the books of account.

- 10.1.2.1 The Committee of Management shall agree the remuneration of the auditors with the auditors, unless otherwise directed by the Members of the Joint Club in a General Meeting.
- 10.1.2.2 Auditors appointed under sub-clause 10.1.2 shall remain in office until they resign, or are removed from office or replaced by a majority vote of the Members of the Joint Club in a General Meeting.
- 10.1.3 The banking accounts shall be kept in the name of the Joint Club (and shall be clearly identified as such) in such bank or banks as the Committee of Management may from time to time determine. All cheques, debits, transfers and bank payments shall be signed as authorized by resolution of the Committee of Management.
- 10.1.4 The Honorary Treasurer of the Joint Club shall issue an audited statement of the affairs of the Joint Club for the financial year ended 30th September for consideration and approval by the Committee of Management and for presentation and approval by the members at the Annual General Meeting of the Joint Club which shall be held not later than the first Friday of the following December.
- 10.1.5 The Honorary Treasurer of the Joint Club shall issue an unaudited summarised statement of the affairs of the Joint Club for the two months period ended 30th November for consideration and approval by the Committee of Management and for presentation to the members at the Annual General Meeting of the Joint Club referred to in sub-clause 10.1.3.
- 10.1.6 The Committee of Management shall make grants to each of the Men's and Ladies' Clubs from time to time on request being made by the Men's Committee or the Ladies' Committee, in order to defray the expenses incurred by the particular committee including monies for 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 for payment to the Irish Ladies' Golfing Union of the annual per capita subscription in respect of members as required by that union and as collected from the members in accordance with rule (clause) 14.1
- 10.2 **The financial affairs of the Men's Club shall be operated as follows:**
 - 10.2.1 The Vice-Captain/Hon. Secretary of the Men's Club shall keep full and detailed accounts, books and records, showing the financial affairs, receipts and disbursements of the Men's Club.
 - 10.2.2 The Men's 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 Leinster Branch.
 - 10.2.3 The Men's 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.
 - 10.2.4 The Vice-Captain/Hon. Secretary of the Men's Club shall issue a financial statement of the affairs of the Men's Club for the year ended 30th September for consideration by the Men's Committee and for presentation and approval by the members at the next Annual General Meeting of the Men's Club which shall be held not later than the last Friday in November.

- 10.2.4.1 The Vice-Captain/Hon. Secretary of the Men's Club shall issue an summarised statement of the affairs of the Men's Club for the period from 1st October to the second last Friday in November for consideration by the Men's Committee and for presentation to the members at the Annual General Meeting of the Men's Club referred to in sub-clause 10.2.4.
- 10.2.5 Following the Annual General Meeting of the Men's Club at which the financial statements referred to in 10.2.4 and 10.2.4.1 are presented, the Vice-Captain/Hon. Secretary shall immediately forward a copy of the approved financial statement, and the summarised statement, to the Honorary Treasurer of the Committee of Management.
- 10.3 The financial affairs of the Ladies' Club shall be operated as follows:**
- 10.3.1 The Honorary Treasurer of the Ladies' Club shall keep full and detailed accounts, books and records showing the financial affairs, receipts and disbursements of the Ladies' Club.
- 10.3.2 The Ladies' Committee shall be responsible for the payment to the Irish Ladies Golf Union of Ireland of the annual per capita subscription on members as required by the constitution of that Union.
- 10.3.3 The Ladies' 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.
- 10.3.4 The Honorary Treasurer of the Ladies' Club shall issue a financial statement of the affairs of the Ladies' Club for the year ended 30th September for consideration by the Ladies' Committee and for presentation and approval by the members at the Annual General Meeting of the Ladies' Club which shall be held not later than the last Wednesday in November following.
- 10.3.4.1 The Honorary Treasurer of the Ladies' Club shall issue an summarised statement of the affairs of the Ladies' Club for the period from 1st October to the second last Wednesday in November for consideration by the Ladies' Committee and for presentation to the members at the Annual General Meeting of the Ladies' Club referred to in sub-clause 10.3.4.
- 10.3.5 Following the Annual General Meeting of the Ladies' Committee at which the financial statement and summarised statement are presented, the Honorary Treasurer shall immediately forward a copy of the approved financial statement, and the summarised statement, to the Honorary Treasurer of the Committee of Management.
- 10.4 All bank accounts of the three clubs shall be maintained in the same bank as determined by the Committee of Management.



11. Election of Members:

- 11.1 Subject to the agreed limitation by the Committee of Management as to the number of members electable to the different categories of member:
 - 11.1.1 The election of all male playing members shall be in the hands of the Men's Committee. Election of Juvenile Boys shall be done by lottery pursuant to Articles 11.1.8, 11.1.9, and 11.1.10.
 - 11.1.2 The election of all female playing members shall be in the hands of the Ladies' Committee. Election of Juvenile Girls shall be done by lottery pursuant to Articles 11.1.8, 11.1.9, and 11.1.10.
 - 11.1.3 The election of all pavilion (Club House) members shall be in the hands of the Committee of Management.
 - 11.1.4 The election of Honorary members shall be in the hands of the Committee of Management who shall forward the names of suitable persons to the Vice-Captain/Hon Secretary of the Men's Club or the Honorary Secretary of the Ladies' Club as may be appropriate, for inclusion in the agenda of an appropriate Annual General Meeting.
 - 11.1.5 The Committee of Management can decide to open membership for an individual who has demonstrated exceptional ability in playing amateur golf, and shall forward the names of such suitable persons to the Vice-Captain/Hon. Secretary of the Men's Club or the Honorary Secretary of the Ladies' Club as may be appropriate. Such membership shall not be in contravention with the rules of amateur status of the R&A Rules Ltd.
 - 11.1.6 The maximum number of members of the Men's Club shall not exceed 800, other than to accommodate upgrading student members under clause 11.5.
 - 11.1.7 The maximum number of members of the Ladies' Club shall not exceed 300, other than to accommodate upgrading student members under clause 11.5.
 - 11.1.8 The maximum number of Juvenile Members shall not exceed 300.
 - 11.1.9 Pursuant to 11.1.8, the maximum number of Juveniles elected to the Club in any calendar year shall be limited to 25 Boys and 25 Girls. In the event of an under subscription in either, the remaining places shall be offered to the other category.
 - 11.1.10 80% of Juveniles elected shall be children of Full/Associate members.

20% of Juveniles elected shall not be children of Full/Associate members.

In the event of an under subscription of either, the remaining places shall be offered to the other category.

The ratio of Boys to Girls elected to the Club shall be 1:1. In the event of an under subscription in either, the remaining places shall be offered to the other category.

- 11.2 The procedure for the election of members shall be as follows:
 - 11.2.1 Each candidate for election (except in the case of the Honorary members) must be proposed by one full member and seconded by another full member. Members of the Committee of Management, the Men's Committee or the Ladies' Committee shall not propose or second a candidate for election.
 - 11.2.2 The proposer and seconder must each know their candidate personally.
 - 11.2.3 If the Committee of Management decide that the name of the candidate for election should go forward for consideration, it shall forward the name and address of the candidate to the Vice-Captain/Hon. Secretary of the Men's Club or the Honorary Secretary of the Ladies' Club as may be appropriate and the Men's Committee or the Ladies' Committee as appropriate shall then make a final decision as provided for in clause 11.1. The name and address of such candidate shall be posted on the club house notice board at least fourteen days before the meeting of the Men's Committee or the Ladies' Committee at which the application will be considered.
 - 11.2.4 Any omission from or inaccuracy in the particulars relating to any candidate shall render election voidable at the discretion of the Men's Committee or the Ladies' Committee.
 - 11.2.5 Immediately on election of the candidate to membership of the Men's or the Ladies' Club such club shall notify the Committee of Management of the name, address and category of the elected candidate. Notice in writing shall be dispatched to all elected candidates by the Honorary Secretary of the Joint Club together with a copy of the club constitution and rules and a request to remit to the Honorary Secretary of the Joint Club or its bankers within one calendar month from the date of such request the amount of the entrance fee, capital levy and first subscription and any other charges payable by the category of member to which the candidate has been elected.
 - 11.2.6 Should the requested payment not be made within one calendar month of the date of such request as aforesaid, the election shall be void.
 - 11.2.7 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.
 - 11.2.8 It shall be the duty of every elected member to acquaint himself/herself with the constitution, rules and bye-laws of the club and each such member shall be bound by same and by all acts and deeds of any person or persons 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.
 - 11.2.9 No person shall be considered a member until his/her entrance fee as per Clauses (rules) 13.1 or 13.3, capital levy, subscription and any other charges payable shall have been paid. By such payment a member:
 - 11.2.9.1 Shall be entitled to the rights and privileges of membership of the category of member to which he/she shall have been elected.

- 11.2.9.2 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 submission.
- 11.3 With the exception of juveniles and students, a person who wishes to change from one category of membership to another must comply with the provisions of this rule.
- 11.4 Juveniles shall upgrade to student member automatically on the first of January in the year following their 19th birthday.
- 11.5 Students shall upgrade to full member automatically, without the need of submitting an application form, on the first of January in the year following their 23rd birthday.
- 11.6 Students continuing in full-time education beyond their 23rd year may apply annually to the Committee of Management to remain in this membership grade. The Committee of Management shall set the requirements of proof of entitlement for continuation as student member.



12. Categories of Member:

- 12.1 The following shall be the categories of member which may be elected to the club:

Voting members:

- 12.1.1 Full members: This category shall comprise men and women who pay the annual subscription and levies applicable for Full Membership.
- 12.1.2 Honorary members: This category shall comprise men and women who have been elected Honorary Members at an Annual General Meeting in accordance with sub-clause 11.1.4.
- 12.1.3 Only voting members shall have an interest in the club property and assets which interest shall cease on such member leaving this category.

Non-voting members:

- 12.1.4 Lady Associates: This category of membership is now closed. Existing lady associates may remain until such time as they resign or are elected to another category.
- 12.1.5 Student members: This category shall comprise members complying with Clauses 11.4 and 11.5.
- 12.1.6 Juveniles members: This category shall comprise children of 19 years of age and under. The minimum age for juvenile membership is 8 years as of the closing date for application. They shall be members of either the Men's or Ladies' club and elected by their respective club.

- 12.1.7 Overseas members: This category shall comprise men and women whose permanent residence is outside Ireland. Such applicants for membership must be members of an affiliated golf club in their country of residence, and proof of membership must be furnished with the application or be a past member of Carlow Golf Club. Proof of overseas address must be provided with application. Membership shall terminate as and when the member comes to reside permanently in Ireland.
- 12.1.8 Pavilion (Club House) members:
This category shall comprise of men and women who wish to enjoy the facilities of the clubhouse and other non-golfing facilities. Candidates for this category must be a minimum of 18 years of age.
- 12.1.9 Mature Student:
The Committee of Management shall have power to facilitate Full/Associate members returning to Full Time education.
Such members may apply annually up to a maximum of four years to the Honorary Secretary of the Committee of Management to avail of this facility which shall be for a period of one year.
During this period such members shall revert to the status of Student Member.
A member granted this facility shall receive a 50% discount of such member's subscription.
The Committee of Management shall determine the entitlement for this facility.
Application requests for this facility must be submitted on the relevant form (available in Club Office or at the end of this document) and received **no later** than the 28th of February for the year in question.
Applications will be considered by the Committee of Management at their March monthly meeting only.
- 12.1.10 Redundant Categories: The categories of Family Member, Country Member, Associate, and Commercial Traveler are now redundant, and election to membership to these categories is prohibited. These categories of membership are closed. Existing members may remain until such time as they resign or are elected to another category.



13. Entrance Fee:

- 13.1 Entrance fees for each category of membership shall be determined annually by the Committee of Management and shall be subject to ratification at the next A.G.M. or S.G.M.
- 13.2 Lady associates upgrading to full membership shall not be required to pay an entrance fee.

- 13.3 Candidates applying for full membership of Carlow Golf Club, having previously been a full member shall be liable for an entrance fee as follows.

1. Candidates with ten or more year's unbroken full membership would not be liable to pay an entrance fee.
2. Candidates with between five and ten years unbroken full membership would be liable to pay an entrance fee of 25% of the current entrance fee.
3. Candidates less than five years full membership would be liable to pay an entrance fee of 50% of the current entrance fee.

Candidates having previously been a full member shall be credited with entrance fee paid to a maximum of entrance fee in points two and three above.

- 13.4 Juvenile or student members who are being upgraded to full membership with less than 3 years in membership shall pay 70% of the entrance fee applying on the date of upgrade, reducing by 10% for each additional year to a minimum of 10% for 9 years or greater. Juveniles upgrading to student category shall be exempt from an entrance fee for that upgrade.



14. Annual Club Subscription:

- 14.1 All categories of member except Honorary member shall be required to pay an annual club subscription the amount of which will be determined from time to time by the Committee of Management and be subject to ratification at the next A.G.M. or S.G.M. In addition to subscriptions the various categories of members shall pay such capitation fees or other annual contributions as may from time to time be levied by any recognized and properly constituted golfing authority.
- 14.2 All subscriptions including levies fall due on 1st February and must be paid in full no later than 28th February.
- 14.3 Any member whose subscription shall be unpaid on 1st March in any year shall immediately have their playing rights suspended and if their subscription is still unpaid by 1st April that person shall cease to be a member, and must apply in writing to the Committee of Management if they wish to be considered for readmission. Applications for re-admission will not be considered by the Committee of Management prior to their July monthly meeting.

- 14.4 The initial annual subscription appropriate to any category of membership shall be that which is current at the date upon which the applicant is notified in accordance with sub-clause 11.2.5 that he/she has been elected to membership.



15. *Capital Levy:*

- 15.1 The Joint Club may vote to introduce a capital levy on full members and other categories to fund any additional acquisition of land or buildings, construction work or improvement to or extension of the course, clubhouse, playing facilities or its environs or other fixed assets.
- 15.2 The amount of such levy shall be payable at the same time as the annual subscription.
- 15.3 The capital levies to be paid by the various categories of membership shall be those adopted by previous Annual or Extraordinary or Special General Meetings of Carlow Golf Club in accordance with the constitution and rules then existing and they shall remain in force until their terms have expired.



16. *Freezing of Annual Subscription:*

- 16.1 The Committee of Management shall freeze the rate of subscription payable by any member who reaches the age of 65 years provided the member has 25 years unbroken full/associate membership of Carlow Golf Club.
- 16.2 Thereafter, the club subscription payable by such member shall remain the same as that paid in the subscription year in which such member advised the Committee of Management in writing of qualification under 16.1.
- 16.3 Members whose subscriptions are frozen shall thereafter be liable for payment of any capital levy.



17. *Visitors and Temporary Members:*

- 17.1 Any member may introduce a pavilion visitor to the Club House, subject to rule 17.10.
- 17.2 It shall be a condition precedent that a member effecting the introduction shall enter each visitor's name, address and date of visit immediately on entering the clubhouse in a book to be kept for the purpose called a "visitors book" and such entry must be attested by the signature of the introducing member.

- 17.3 No visitor shall be supplied with excisable liquor on the club premises unless on the invitation of and in the company of the introducing member.
- 17.4 The green fee charge for visitors shall be fixed from time to time by the Committee of Management which is also empowered to make regulations for non-playing visitors.
- 17.5 Every playing visitor must procure a green fee voucher.
- 17.6 On the issue of each green fee voucher, the name of the visitor, the number and amount of the green fee and the name of the introducing member must be immediately entered in the "green fee book".
- 17.7 In addition, the Honorary Secretary of the Joint Club or his/her representative, having made and attested the necessary entry in the visitors book may permit a person or group not having an introduction from a member, to play on the course and use the clubhouse as a visitor on payment of the current green fee.
- 17.8 The payment of the green fee shall entitle the visitor to temporary membership of the club for the day.
- 17.9 A member who fails to enter a visitor's name in the visitors book shall be personally responsible for the payment of the appropriate green fee where applicable.
- 17.10 The Committee of Management shall have power to suspend the rules permitting the introduction of visitors or temporary members at any time and refuse permission for any particular visitor or temporary member to use the course or clubhouse.
- 17.11 The Committee of Management may (and without assigning any cause if they so think right) cancel the admission of any day visitor or temporary member whose admission may be irregular or whose presence or conduct they deem objectionable or who deliberately breaks any of the rules, by-laws or regulations of the club.
- 17.12 The fee paid by any such visitor or temporary member may, at the discretion of the Committee of Management, be either forfeited or refunded.



18. *Disciplinary Procedures (Misconduct by a Juvenile Member)*

- 18.1 Any allegation of misconduct by a Juvenile member must be submitted in writing to the Honorary Secretary of the Joint Club. The Honorary Secretary must consult with the Chairperson of the Committee of Management and Juvenile Chairperson to determine whether the allegation is serious enough to initiate the disciplinary procedures outlined in Article 18 of the Club Constitution, and if it is so deemed, a disciplinary committee, composed of the Vice Chairperson of the Joint Committee, the Juvenile Chairperson, the Boys Juvenile Convenor and Girls Juvenile Convenor, shall make such enquiries as are practical to obtain all relevant details.

(In the event that the complaint is made by any of the above, that person shall step aside

and an officer of the Joint club shall be co-opted in his/her place).

The Honorary Secretary of the Joint Club shall be responsible for reporting and for ensuring that correct procedure is followed, but shall not be a member of the disciplinary committee.

However, if the complaint involves the possibility of a criminal offence the Juvenile Chairperson should follow the Codes reporting procedure. The statutory authorities will then be informed.

- 18.2 The Juvenile Member and their parent/guardian will be notified by the Honorary Secretary of the complaint in writing. The Juvenile Member shall have the right to have representation, and to speak at and/or to make a written submission, at any subsequent meeting of the disciplinary committee meeting at which the Juvenile member is required to attend in relation to the conduct in question. All related information shall be placed before this committee.
- 18.3 The disciplinary committee, appeals committee and the Committee of Management reserve the right to legal representation at their own discretion at any meeting concerning the matter.
- 18.4 Having investigated the matter, the disciplinary committee shall recommend to the Committee of Management in writing, outlining the reasons for the recommendation, the action to be taken.
- 18.5 The Committee of Management shall then decide whether or not to act on the recommendation of the disciplinary committee. Having considered the recommendation of the disciplinary committee, the Committee of Management shall take whatever action it deems necessary, including: (a) by a simple majority vote, suspend the member or, (b) by a two-thirds majority, expel the member or (c) take whatever other action it deems appropriate. The Chairperson shall not have a casting vote. The Juvenile Member and their parent/guardian shall be informed of the Committee of Management's decision in writing. A copy of said decision shall be forwarded to the Chairperson of the Juvenile Committee.
- 18.6 Should the Committee of Management decide that a Juvenile Member be suspended or expelled, such Juvenile Member and their parent/guardian shall, within seven days of the date of the decision be informed in writing by the Honorary Secretary of the Committee of Management, by registered post or by delivery of such notice to his or her last known address.
- 18.7 The Juvenile Member and/or their parent/guardian 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 Committee of Management, outlining the grounds for appeal. The appeal shall be forwarded to the Appeals Disciplinary Committee consisting of the Club President, Club Chairperson, Club Vice Chairperson, Juvenile Chairperson, and one Trustee to decide if the grounds for appeal are to be accepted. (In the event that the complaint is made by any of the above, that person shall step aside and an officer of the Joint club shall be co-opted in his/her place).
The Honorary Secretary of the Joint Club shall be responsible for reporting and for ensuring that correct procedure is followed, but shall not be a member of the appeals committee.

- 18.8 If the appeal is accepted, the Juvenile Member and/or their parent/guardian shall have the right to appear before the appeals committee to put their case.
Having listened to the appeal, the Appeals Committee shall recommend to the Committee of Management in writing, outlining the reasons for their recommendation, the action to be taken.
- 18.9 The Committee of Management shall then decide whether or not to act on the recommendation of the appeals committee. Having considered the recommendation of the appeals committee, the Committee of Management shall take whatever action it deems necessary, including: (a) by a simple majority vote, suspend the member or, (b) by a two-thirds majority, expel the member or (c) take whatever other action it deems appropriate. The Chairperson shall not have a casting vote. The Juvenile Member and their parent/guardian shall be informed of the Committee of Management's decision in writing. A copy of said decision shall be forwarded to the Chairperson of the Juvenile Committee.
- 18.10 During the period of suspension or expulsion, the Juvenile member shall not be entitled to:-
A) Enter upon the club property save only to collect any of his or her property.
B) 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(s) during which the suspension / expulsion occurs.
- 18.11 All voting under this rule shall be by secret ballot.



19. *Disciplinary Procedures (Misconduct by Member)*

- 19.1 Any allegation of misconduct by a member must be submitted in writing to the Honorary Secretary of the Joint Club. The Honorary Secretary shall consult with the Chairperson of the Committee of Management to determine whether the allegation is serious enough to initiate the disciplinary procedures outlined in Article 19, and if it is so deemed, a disciplinary committee, composed of the President, Captain and Lady Captain, and two trustees, shall make such enquiries as are practical to obtain all relevant details. (In the event that the complaint is made by or against any of the above, that person shall step aside and an officer of the Joint club shall be co-opted in his/her place). The Honorary Secretary shall be responsible for reporting and for ensuring that correct procedure is followed, but shall not be a member of the disciplinary committee.
- 19.2 The member shall have the right to have representation, and to speak at and/or to make a written submission, at any subsequent meeting of the disciplinary committee or Committee of Management meeting at which the member is required to attend in relation to the conduct in question. All related information shall be placed before the committee.

- 19.3 The disciplinary committee and the Committee of Management reserve the right to legal representation at their own discretion at any meeting concerning the matter.
- 19.4 Having investigated the matter, the disciplinary committee shall recommend to the Committee of Management in writing, outlining the reasons for the recommendation, the action to be taken.
- 19.5 The Committee of Management shall then decide whether or not to act on the recommendation of the disciplinary committee. Having considered the recommendation of the disciplinary committee, the Committee of Management shall take whatever action it deems necessary, including: (a) by a simple majority vote, suspend the member or, (b) by a two-thirds majority, expel the member or (c) take whatever other action it deems appropriate. For the purposes of this clause, the Chairperson shall not have a casting vote. The member shall be informed of the Committee of Management's decision, in writing.
- 19.6 If the decision is to suspend the member, and, if the member is a playing member, the Committee of Management shall inform the Men's or the Ladies' Committee which elected the member of its decision with which such committee shall abide.
- 19.7 When the Committee of Management has resolved that a member be suspended or expelled, such member shall, within seven days of the date of the decision be informed in writing by the Honorary Secretary of the Committee of Management, by registered post or by delivery of such notice to his or her last known address.

The member 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 committee of management, outlining the grounds for appeal. If the grounds for appeal are accepted, the member shall have the right to appear in person before the Committee of Management to put his/her case. The appeal shall be heard before a full meeting of the Committee of Management, at which the appeal shall be the only item on the agenda.
- 19.8 The member shall have the right to have the appeal heard at an Extraordinary General Meeting requisitioned under sub-clause 20.3.5 provided that the necessary signatures for such requisition are procured either by the member in question or by any other full ordinary member. This meeting shall, by a majority, decide whether the action shall be confirmed or repealed or in the case of suspension, whether the period of suspension shall be confirmed, reduced or repealed. Should the signatures provided for in sub-clause 20.3.5 not be obtained within twenty one days from the date of the notification, the Committee of Management shall have power to deem the appeal to have lapsed and to enforce the decision forthwith, or to allow an additional appeal period should it decide, by a simple majority, that the circumstances warrant it.
- 19.9 During the period of suspension, the member shall not be entitled to enter upon the club property:
 - 19.9.1 for the purpose of attending any general meeting which may be held during the period of suspension;
 - 19.9.2 whether in the company of another member or otherwise save only to collect any of his or her property.

- 19.10 A person who has been expelled from membership shall not be entitled:
- 19.10.1 to enter upon the club property, whether in the company of another member or otherwise save only to collect his or her property.
- 19.10.2 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(s) during which the suspension/expulsion occurs.
- 19.11 All voting under this rule shall be by secret ballot.



20. General Meetings:

- 20.1 Men's Club:
- 20.1.1 The Annual General meeting of the Men's Club shall take place not later than the last Friday in November each year for the purpose of electing officers, members of the committee, considering motions and transacting other business of the club incidental to such meetings.
- 20.1.2 Fourteen days notice of every general meeting of the Men's Club shall be given by the Vice-Captain/Hon. Secretary by circular addressed to each member at his last known address or by e-mail to the last e-mail address submitted to the club office by the member. Such notice shall specify the time, place of meeting and the business to be transacted, and inform the members that notice of motion must be received by the Vice-Captain/Hon. Secretary in writing, signed by the proposer and seconder at least seven days before the date of the meeting. Such notices of motion shall be posted upon the club notice board not later than the day after receipt.
- 20.1.3 Procedure for alteration of rules is governed by rule 21.
- 20.1.4 Procedure for election of officers and committee is governed by Rules 6 and 9.
- 20.1.5 The Vice-Captain/Hon. Secretary of the Men's Club shall, at any time, summon a Special General Meeting of the Men's Club by the direction of the committee of that club or on a requisition signed by at least 100 members of the Men's Club entitled to vote, specifying the object of the Special General Meeting. Such requisition shall be handed personally to either the Vice-Captain/Hon. Secretary or Captain. Such a Special General Meeting shall be held within four weeks of the receipt of the requisition by the Vice-Captain/Hon. Secretary or Captain.
- 20.1.6 Fifty members shall form a quorum at Annual, Extraordinary or Special General meetings of the Men's Club.
- 20.1.7 Only Full and Honorary male members may attend Annual, Extraordinary or Special General Meetings of the Men's Club.

20.2 Ladies' Club:

- 20.2.1 The Annual General meeting of the Ladies' Club shall take place not later than the last Wednesday in November each year for the purpose of electing officers, members of the committee, considering motions and transacting other business of the club incidental to such meetings.
- 20.2.2 Fourteen days notice of every general meeting of the Ladies' Club shall be given by the Honorary Secretary by circular addressed to each member at her last known address or by e-mail to the last e-mail address submitted to the club office by the member. Such notice shall specify the time, place of meeting and the business to be transacted, and inform the members that notice of motion must be received by the Honorary Secretary in writing, signed by the proposer and seconder at least seven days before the date of the meeting. Such notices of motion shall be posted upon the club notice board not later than the day after receipt.
- 20.2.3 Procedure for alteration of rules is governed by rule 21.
- 20.2.4 Procedure for election of officers and committee is governed by rules 6, and 9.
- 20.2.5 The Honorary Secretary of the Ladies' Club shall at any time, summon a Special General Meeting of the Ladies' Club by the direction of the committee of that club or on a requisition signed by at least fifty members of the Ladies' Club entitled to vote, specifying the object of the Special General Meeting. Such requisition shall be handed personally to either the Honorary Secretary or Captain. Such a Special General meeting shall be held within four weeks of the receipt of the requisition by the Honorary Secretary or Captain.
- 20.2.6 Forty members shall form a quorum at Annual, Extraordinary or Special General Meetings of the Ladies' Club.
- 20.2.7 Only Full, Associate and Honorary female members may attend Annual, Extraordinary or Special General Meetings of the Ladies' Club.

20.3 Joint Club:

- 20.3.1 The Annual General Meeting of the Joint Club shall take place on or before the first Friday in December each year for the purpose of considering motions and transacting other business of the club incidental to such meetings and also of electing officers and members of the Committee of Management.
- 20.3.2 Fourteen days notice of every Annual General, Extraordinary or Special General Meeting of the Joint Club shall be given by the Honorary Secretary by circular addressed to each member at his/her last known address, or by e-mail to the last e-mail address submitted to the club office by the member. Such notice shall specify the time, place of meeting and the business to be transacted, and inform the members that notice of motion must be received by the Honorary Secretary in writing, signed by the proposer and seconder at least seven days before the date of the meeting. Such notices of motion shall be posted upon the club notice board not later than the day after receipt.

- 20.3.3 Procedure for alteration of rules is governed by rule 21.
- 20.3.4 Procedure for election of officers and committee is governed by rules 6, 8 and 9.
- 20.3.5 The Honorary Secretary of the Joint Club shall, at any time, summon an Extraordinary or Special General Meeting of the Joint Club by the direction of the Committee of Management, or on a requisition signed by at least one hundred members entitled to vote, specifying the object of the Extraordinary or Special General Meeting. Such requisition shall be handed personally to either the Honorary Secretary or Chairperson of the Committee of Management. Such an Extraordinary or Special General Meeting shall be held within four weeks of the receipt of the requisition by the Honorary Secretary or Chairperson.
- 20.3.6 One hundred members shall form a quorum at Annual General, or Extraordinary or Special General Meetings of the Joint Club.
- 20.3.7 Only Full and Honorary members may attend Annual General, Extraordinary or Special General Meetings of the Joint club.
- 20.4 Mode of voting at Annual General, Extraordinary or Special General Meetings:-
- 20.4.1 No proxies shall be allowed.
- 20.4.2 Voting shall be either by a show of hands or by ballot, as determined by the members attending the meeting.
- 20.4.3 Ballot shall mean a vote on voting paper.
- 20.4.4 A majority of one shall be sufficient to decide any question under discussion, except where the discussion is related to sale of club property. In such cases a two-thirds majority shall be required.
- 20.4.5 In the event of a tie, the Chairperson shall have a casting vote as provided in rule 7.



21. *Change to Articles of the Constitution and Rules of the Clubs*

- 21.1 No rule of the Men's Club, the Ladies' Club or the Joint Club shall be repealed or altered, and no new rules shall be made except at a General Meeting of such club and by consent of the majority of the members present and entitled to vote at such meeting. Written notice of any proposed new rules or any proposed changes to existing rules must be sent to the Vice-Captain/Hon. Secretary (Men's Club) or Honorary Secretary (Ladies' & Joint Club) with the names of the proposer and the seconder attached thereto, at least four weeks prior to the meeting at which the proposal is to be considered.

- 21.2 The Club shall comply at all times with the provisions of the registrations of clubs (Ireland) act 1904/1988 and all acts introduced to amend same. Similarly, the Club shall comply with the intoxicating liquor act 2000, and all acts introduced to amend this act. The Committee of Management is empowered to alter or add to this constitution, where required, for the purpose of complying with these acts, in accordance with clause 27.1.
- 21.3 The Vice-Captain/Hon. Secretary (Men's Club) or Honorary Secretary (Ladies' & Joint Club) shall place the proposal for any change on the club notice board and put the item on the agenda for the next Annual General Meeting or Extraordinary or Special General Meeting of the club concerned.
- 21.4 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 adoption.
- 21.5 Any change in the rules of the Men's Club shall not be in conflict with the constitution of the Golfing Union of Ireland.
- 21.6 Any change in the rules of the Ladies' Club shall not be in conflict with the constitution of the Irish Ladies Golfing Union.



22. *Leave of Absence:*

- 22.1 The Committee of Management shall have power to grant leave of absence from year to year as they see fit, up to a maximum of three consecutive years to an Ordinary Member or Associate Member who shall have applied to the Secretary in writing for such concession, specifying the cause and expected duration of such absence.

All applications for leave of absence must be received by the Secretary of the Committee of Management no later than the 28th of February for each year in question.


The application must be made on the Club's - LEAVE of ABSENCE- Application Form.

A member granted leave of absence shall pay a fee for retaining such membership. The fee shall be fixed at 30 % of such member's annual subscription pertaining at the time for the period of leave of absence. During their period of absence a Member shall revert to the status of Pavilion member.


- 22.2 A Member may request the withdrawal of any Leave of Absence, during any year on payment of the annual pro rata remaining part of the subscription and Levies, in addition to the 30% already paid.




23. *Minute Book:*

- 23.1 The Men's Club, the Ladies' Club and the Joint Club shall each keep:
- 23.1.1 A minute book in which shall be recorded the minutes of Annual General Meetings and Extraordinary and Special General Meetings and also
- 23.1.2 A minute book in which shall be recorded the minutes of all committee meetings held in compliance with sub-clauses 9.1.4, 9.1.5, 9.2.4, 9.2.5, 9.3.4 and 9.3.5.
- 23.1.3 The Men's Committee and the Ladies' Committee shall each submit their club minute books to the Committee of Management when required.
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24. *Personal Property:*

- 24.1 All personal belongings of members, visitors, employees and others on or in the premises of the club (either in the Club House pavilion, or outside) shall be at the sole risk of the owner. The club or any committee shall not be responsible for any loss or damage thereto.
- 24.2 This rule shall not prejudice any claim by the club or any committee or the owner against any insurance company for the loss or damage sustained.
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25. *Playing Facilities:*

- 25.1.1 The Committee of Management shall prescribe the days and times when the Men's Club and Ladies' Club have the use of the course for competitions or when the course is reserved for GUI, Leinster Branch, ILGU, Mid Leinster District Branch events or society outings or similar events and generally regulate the course for the benefit of members. Outside these times, all full members shall have equal rights on the first tee.
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26. *Registration of clubs acts 1904/1988: intoxicating liquor act 2000:*

- 26.1 No person other than a member (as defined in clause 3.3 hereof) shall order or pay for refreshments in the club house. Cash must be paid for every expense incurred in the club house before the person ordering leaves the premises.
- 26.2 No visitor shall be supplied with excisable liquor on the club premises unless on the invitation and in the company of a member, and that member shall, upon the admission of such visitor to the club premises or immediately upon his being supplied with such liquor, enter his or

her own name and the name and address of the visitor in a book which shall be kept for the purpose and which shall show the date of such visit.

26.3 The Committee of Management may prohibit the admission of any visitor to the club premises and no member shall bring any person whose admission is prohibited into the club premises.

26.4 No excisable liquor may be sold or supplied for consumption outside the premises of the club, except to members of the club, between the hours of eight o'clock in the morning and ten o'clock at night.

26.5 No excisable liquor shall be sold or supplied in the club premises to any person under the age of eighteen years.

26.6 No officers or members of the Committee of Management and no manager employed in the club shall have any personal interest in the sale to the club of supplies of excisable liquor or the profits arising from such sale.

26.7 Subject to the exception contained in clause 26.8 no excisable liquor shall be supplied for consumption on the club premises to any person (other than a member of the club lodging in the club premises) or be consumed on the club premises by any person (other than a member of the club lodging in the club premises)

26.7.1 at any time on Christmas day or Good Friday

26.7.2 on any other day, as specified hereunder, outside the times so specified in respect of it::

26.7.2.1. St. Patrick's Day between 12.30 p.m. and 12.30 a.m. On the following day

26.7.2.2. The 23rd December if it falls on a Sunday between 10.30 am and 11.30 pm

26.7.2.3. Christmas eve and the eve of good Friday between 10.30 am and 11.30pm

26.7.2.4. The eve of any public holiday (other than Christmas eve):

If the eve falls on a weekday between 10.30 a.m. and 12.30 a.m. on the following day or If it falls on a Sunday between 12.30 pm and 12.30 am on the following day

26.7.2.5 on any other Sunday, except a St. Patrick's day which falls on a Sunday between 12.30 p.m. and 11.00 p.m.

26.7.2.6 any other Monday, Tuesday, Wednesday or Thursday between 10.30 a.m. and 11.30 p.m. and

26.7.2.7. any other Friday or Saturday between 10.30 a.m. and 12.30a.m. on the following day

The hours specified at 26.7.2.1 to 26.7.2.7 above in respect of any day specified therein are in addition to the period between midnight and 12.30 a.m. on that day where that period is included in the hours so specified in respect of the eve of that day.

26.8 Nothing contained in the Registration of Clubs Act 1904-1988 or contained by virtue only of the operation of Clause 26.7 shall operate to prohibit the supplying for consumption of excisable liquor to any person or the consumption of excisable liquor on the club premises by any person.

26.8.1. On Christmas day between 12.00 midday and 10.00 p.m. or

26.8.2 On any other day, for one hour after the expiration of any period in respect of that day during which it is lawful for the club, by virtue of the hours specified in clause 26.7 to supply any excisable liquor for consumption on the club premises if in each case the excisable liquor is

26.8.3 Ordered by or on behalf of that person at the same time as a substantial meals is so ordered and

26.8.4 Consumed by that person during the meal or after the meal has ended.

26.9 A licensee shall not, on the licensed premises –

26.9.1 supply, or permit any person to supply, intoxicating liquor –

26.9.1.1 to a drunken person, or

26.9.1.2 to any person for consumption by a drunken person

26.9.2 permit a drunken person to consume intoxicating liquor;

26.9.3 permit drunkenness to take place in the bar; or

26.9.4 admit any drunken person to the bar

26.10 A licensee who contravenes 26.9 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.10.1 for a first offence, €1,500 or

26.10.2 for a second or any subsequent offence, €2,000

26.11 A person who is drunk on leaving licensed premises is presumed, until the contrary is proved, to have been drunk while on the premises.

26.12 In a prosecution for an offence under 26.9.3 it is a defense to prove that the licensee took reasonable steps to prevent the drunkenness concerned taking place

26.13 A person (not being a licensee) shall not –

26.13.1 purchase intoxicating liquor for supply to, or consumption by, a drunken person on licensed premises, or

26.13.2 supply intoxicating liquor to a drunken person on any such premises

26.14 A person who contravenes 26.13 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.14.1 for a first offence, €1,500 or

26.14.2 for a second or any subsequent offence, €2,000

26.15 A drunken person shall leave licensed premises on being requested to do so by the licensee or a member of the Garda Síochána

26.16 A drunken person shall not seek entry to the bar of licensed premises

26.17 A person who contravenes 26.15 or 26.16 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.17.1 for a first offence, €300

26.17.2 for a second or any subsequent offence, €500

26.18 A member of the Garda Siochana may arrest without warrant any person committing an offence under this section or whom the member, with reasonable cause, suspects of being guilty of such an offence.

26.19 A licensee shall not permit disorderly conduct to take place on the licensed premises.

26.19.1 A licensee who contravenes 26.19 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.19.1.1 for a first offence €1,500 or

26.19.1.2 for a second or any subsequent offence, €2,000

26.20 A person shall not engage in disorderly conduct on licensed premises

26.20.1 A person who engages in such disorderly conduct –

26.20.1.1 shall leave the licensed premises concerned on being requested to do so by the licensee or a member of the Garda Siochana, and

26.20.1.2 shall not re enter the bar of the licensed premises with a period of 24 hours after so acting.

26.20.2 A person who contravenes 26.20 or 26.20.1 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.20.2.1 for a first offence, €300 or

26.20.2.2 for a second or any subsequent offence, €500

26.20.3 A member of the Garda Siochana may arrest without warrant any person committing an offence under this section or whom the member, with reasonable cause, suspects of being guilty of such an offence.

26.20.4 It shall not be unlawful for a licensee to refuse admission to the licensed premises to any person convicted of a offence under this section where, having regard to the obligations of the licensee under the Acts and this Act admission could reasonably be regarded as involving a substantial risk that the person would engage in disorderly conduct.

26.21 This section applies to an offence under *sections*, 4, 7 and 17 and section 34A (as inserted by *section 15*) of the Act of 1988 and to an offence under regulations made by the Minister under *section 22*.

26.21.1 Subject to 26.20 *where* a licensee is convicted by the District Court of an offence to which this section applies, the Court shall in addition to any penalty imposed, make an order (in this section referred to as a “temporary closure order”) for the closure of the premises concerned or any part thereof for a period –

26.21.1.1 not exceeding 7 days for a first such offence, or

26.21.1.2 of not less than 7 and not more than 30 days for a second or any subsequent such offence

26.21.2 Where a licensee –

26.21.2.1 is convicted of more than one offence to which this section applies, and

26.21.2.2 all the offences were committed on the same occasion,

only one temporary closure order may be made in respect of the offences.

26.21.3 In determining the duration of a temporary closure order, the Court may seek from a member of the Garda Síochána involved in the investigation of the offence a report on the circumstances in which it was committed and any other information which the Court may consider to be of assistance to it in dealing with the case.

26.21.4 the period of closure specified in a temporary closure order shall commence –

26.21.4.1 if no appeal is made against the conviction or period of closure concerned on the 30th day after the order is made, or

26.21.4.2 if such an appeal is made and the conviction or period of closure is affirmed, on the 30th day after the conviction or such period is affirmed.

And shall end –

26.21.4.2.1 if no appeal is made against the conviction or period of closure, on the expiration of the period specified in the order,

26.21.4.2.2 if such an appeal is made and the conviction or period of closure is affirmed, on the expiration of the period so specified, or

26.21.4.2.3 if on appeal the period of closure is varied, on the expiration of the period so varied

26.21.5 A temporary closure order which is in force in respect of any premises or part thereof shall have effect for the purposes of the Acts and this Act as if the premises or that part were not licensed for the sale of intoxicating liquor during the period of closure mentioned in *subsection (5)*.

26.21.6 If on appeal a conviction for an offence to which this section applies is reversed, the temporary closure order concerned shall thereupon cease to have effect

26.21.7 While licensed premises or any part thereof are closed in compliance with a temporary closure order, the licensee shall affix to the exterior of the premises, in a conspicuous place, a notice specifying the period of closure and stating that the closure is in compliance with the order.

26.21.8 A licensee who contravenes 26.21.7 is guilty of an offence and liable on summary conviction to a fine not exceeding –

26.21.8.1 for a first offence, €300 or
26.21.8.2 for a second or subsequent offence, €500

26.21.9 No employee who is working in the premises to which a temporary closure order applies shall be disadvantaged in his or her employment by reason of the order during the period of closure under it.

26.21.10 For the purposes of 26.21.9 “employee” means any person who works under a contract of employment with an employer, and includes a part time employee within the meaning of the Protection of Employees (Part time Work) Act 2001

26.21.11 Nothing in the Acts shall prohibit the Court from ordering that a conviction for an offence to which this section applies be recorded on the licence held by the person so convicted, and accordingly, where the Court so orders, the offence concerned shall be deemed for the purposes of Part III (endorsement of licences) of the Act of 1927 to be an offence to which that Part of that Act applies.

26.21.12 If –

26.21.12.1 the conviction for an offence to which this section applies is affirmed by the Circuit Court on appeal, or

26.21.12.2 the appeal relates to the period of closure specified in the temporary closure order the Court may vary the period of closure specified in the relevant temporary closure order.

26.22 Section 7 (drinking up time) of the Act of 1962 is amended by the insertion of the following subsections:

26.22.1 a licensee shall not provide or permit entertainment to be provided during the period of thirty minutes referred to in subsections 26.22 and 26.22.3

26.22.2 Any licensee who contravenes subsection 26.22.1 is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.22.2.1 for a first offence, €1,500 or

26.22.2.2 for a second or any subsequent offence, €2,000”.

26.22.3 The reference in 26.22 to section 7 of the Intoxicating Liquor Act 1962 is to that section as amended by section 27 of the Intoxicating Liquor Act 1988 and section 8 of the Intoxicating Liquor Act 2000.

26.23 Any member of the Garda Síochána, whether in uniform or not, may enter without a warrant any licensed premises at any time and there make such inspection, examination, observation and enquiry as he or she may think proper for the prevention or detection of offences under the Acts or this Act.

26.23.1 Any person who –

26.23.1.1 prevents or attempts to prevent a member of the Garda Síochána from exercising the power conferred by 26.23 or

26.23.1.2 obstructs or attempts to obstruct any such member in the exercise of that power is guilty of an offence and liable on summary conviction to a fine not exceeding –

26.23.1.2.1 for a first offence, €1,500 or

26.23.1.2.2 for a second or any subsequent offence, €2,000

26.24 In this section –

“Act of 2000” means the Equal Status Act 2000

“Authority” means the Equality Authority

“Court” means the District court

“discrimination” means discrimination within the meaning of the Act of 2000, but does not include discrimination in relation to –

26.24.1 the provision of accommodation or any services or amenities related to accommodation or

26.24.2 ceasing to provide accommodation or any such services or amenities;

“prohibited conduct” means discrimination against, or sexual harassment or harassment of, or permitting the sexual harassment or harassment of a person in contravention of Part II (Discrimination and Related Activities) of the Act of 2000 on, or at the point of entry to, licensed premises.

26.25 A person who claims that prohibited conduct has been directed against him or her on, at the point of entry to, licensed premises may apply to the District Court for redress.

26.26 On such an application the Court may, if satisfied that the applicant is entitled to redress, made such order as it considers appropriate in the circumstances, including one or more of the following orders:

26.26.1 an order for compensation for the effects of the prohibited conduct to be paid to the applicant by the licensee

26.26.2 an order that the licensee of the licensed premises concerned take a course of action specified in the order

26.26.3 an order for temporary closure of the premises in accordance with *section 9* which section shall have effect with the necessary modifications, in relation to the order.

26.27 the maximum amount which may be ordered under subsection 26.26.1 by way of compensation is the maximum amount that can be awarded by the District Court in civil cases in contract

26.28 An order under this section may, if the Court thinks fit, include a statement of the reasons for its decision and shall, if any of the parties so requests, include such a statement

26.29 Where it appears to the Authority that prohibited conduct –

26.29.1 is being generally directed against persons, or

26.29.2 has been directed against a person who has not applied to the District Court for redress and who could not reasonably be expected to do so

The Authority may apply to the Court for redress in respect of the prohibited conduct concerned

26.29.3 the Court shall deal with any such application in the same manner and to the same extent as if –

26.29.3.1 it had been made under 26.25

26.29.3.2 the Authority were the applicant and the person alleged to have engaged in the prohibited conduct were the respondent

26.29.4 Any order for compensation made by the Court on the application shall not be made in favour of the Authority

26.30 A person who considers that prohibited conduct has been directed against him or her on, or at the point of entry to, licensed premises may request the Authority for assistance in applying to the Court for redress

26.30.1 where –

26.30.1.1 the Authority is satisfied that the case to which the request relates raises an important matter of principle or

26.30.1.2 it appears to it that it is not reasonable to expect the person making the request adequately to present the case before the Court without assistance

the Authority may, and at any stage, provide such assistance to the person in such form as it thinks fit.

26.30.2 Any function of the Authority under this section may be exercised by an officer of the Authority to whom the function is delegated and any such delegation may specify criteria or other guidelines by reference to which the Authority considers that the delegated function should be exercised.

26.31 An appeal to the High Court shall lie from an order of the Circuit Court on an appeal against the District court's decision on an application for redress, but only on a point of law.

26.32 Anything done in the course of a person's employment shall, in any proceedings under this section, be treated for the purposes of this section as done also by the person's employer, whether or not it was done with the employer's knowledge or approval.

26.32.1 Anything done by a person as agent for another person, with the authority (whether express or implied and whether precedent or subsequent) or that other person shall, in any such proceedings, be treated for the purposes of this section as done also by that other person.

26.32.2 In any such proceedings against an employer in respect of an act alleged to have been done by an employee of the employer it shall be a defence for the employer to prove that the employer took steps as were reasonably practicable to prevent the employee –

26.32.2.1 from doing the act, or

26.32.2.2 from doing in the course of the employment acts of that description

26.33 Where an order has been made under 26.26 any person may make an objection, related to the prohibited conduct concerned, to the renewal of the licence of the licensed premises, and section 4 of the Courts (No. 2) Act 1986 is to be construed accordingly.

26.34 The Act of 2000 shall cease to apply in relation to prohibited conduct occurring on, or at the point of entry to, licensed premises on or after the commencement of this section

26.34.1 Claims relating to prohibited conduct so occurring before such commencement shall be dealt with as if this Act had not been passed.

26.35 Without prejudice to section 20 regulations made by the Minister may make provision in relation to the following matters:

26.35.1 prohibiting or restricting a licensee from doing or permitting, for the purposes or promoting the licensee's business or any event or activity taking place on the licensed premises, anything that is intended or likely to encourage persons on those premises to consume intoxicating liquor to an excessive extent, and

26.35.2 particulars, to be affixed to any container in which intoxicating liquor is sold for consumption off licensed premises which are adequate to enable the licensee and licensed premises concerned to be identified.

26.36 The regulations may provide that any licensee who contravenes any of their provisions is guilty of an offence and liable on summary conviction to a fine not exceeding –

26.36.1 for a first offence, €1,500 or

26.36.2 for a second or subsequent offence, €2,000

26.37 Every regulation under this section shall be laid before each House of the Oireachtas as soon as any be after it is made and, if a resolution annulling it is passed by either House within the next subsequent 21 days on which that House has sat after the regulation is laid before it, it shall be annulled accordingly, but without prejudice to the validity of anything previously done under it.

26.38 The Act of 1988 is amended by inserting the following section after section 34:

26.38.1 The holder of a licence of any licensed premises shall not allow a person who is aged at least 18 years but under the age of 21 years to be in the bar of those premises between 9.00 p.m. and 10.30 a.m. on the following day (12.30 p.m. if the following day is a Sunday) if the person does not produce an age document to the holder.

26.38.2 For the purpose of subsection 26.38.1 of this section 'age document' means a document containing a photograph of the person in respect of whom it was issued and information that enables the age of the person to be determined and being one of the following documents relating to a person referred to in that subsection:

26.38.2.1 an age card referred to in section 40 of this Act,

26.38.2.2 a passport

26.38.2.3 an identity card issued by a member state of the European Communities

26.38.2.4 a driver licence, or

26.38.2.5 a document issued by a body, and in a form, prescribed by regulations made by the Minister

26.38.3 A person referred to in 26.38.1 of this section shall not be in the bar of licensed premises between the times referred to in that subsection while not having with him or her an age document.

26.38.4 A person who contravenes 26.38.1 of this section is guilty of an offence under this section and liable on summary conviction to a fine not exceeding –

26.38.4.1 for a first offence, €1,500 or

26.38.4.2 for a second or any subsequent offence, €2,000

26.38.5 A person who contravenes 26.38.3 of this section is guilty of an offence and liable on summary conviction to a fine not exceeding €300.



27. Amendments to Registration of Clubs Acts: Intoxicating Liquor Acts

27.1 The Committee of Management shall implement any changes in Law to the Registration of Clubs Acts and /or the Intoxicating Acts as set out in Article 26,

with immediate effect or as soon as practicable, pending any change to the Articles of the Constitution and Rules of the Clubs under Article 21.

28. *Rules of Golf and Local Rules:*

- 28.1 The rules of the game of golf for the Men's and the Ladies' Club shall be the rules of golf as approved by R & A Rules Limited.
- 28.2 In addition the Committee of Management, in consultation with the Men's and the Ladies' committees, in compliance with sub-clause 9.3.10 shall from time to time prescribe such local Bye-Laws as it considers necessary having regard to the nature of the course or otherwise provided such local Bye-Laws are not contrary to or at variance with the rules of golf or directives issued by the respective Union to which the Men's Club or the Ladies' Club is affiliated.

29. *Bye-Laws:*

- 29.1 The Committee of Management shall have power from time to time in compliance with sub-clause 9.3.10 to make such Bye-Laws as it considers necessary and to alter and repeal same.
- 29.2 Each of the Men's and Ladies' Committees shall have power from time to time to make such Bye-Laws as it considers necessary for matters under their respective jurisdiction.

30. *Standing Orders for Joint Club & Men's Club A.G.M/E.G.M/S.G.M.*

- 30.1. A quorum for a any General Meeting of each club shall be: -
The Joint Club:- 100 members.
The Men's club:- 50 members.
- 30.2. The proposer or seconder of any motion or amendment shall be allowed not more than 10 minutes and 3 minutes respectively in which to speak on the motion or amendment, and each succeeding speaker not more than 3 minutes.

- 30.3. At any time during the discussion of a resolution, it shall be open to any member to move verbally "that the question be now put", the acceptance of such motion shall be at discretion of the chairperson. If such a motion is accepted, the mover thereof only shall be entitled to speak thereon, and if, on a show of hands it appears that a majority of members are in favour of terminating the discussion, the original resolution shall then be voted on. No such motion shall be moved unless an opportunity has been given for the expression of both a pro and contra view of the resolution.
- 30.4. No member shall be allowed to speak more than once on the same proposition, except the proposer of the motion, who shall have the right of reply. When taking the microphone members must identify themselves to the chair.
- 30.5. Every motion shall be put to a vote. No recount shall be taken unless the vote, as announced by the chairperson, is challenged by not less than 10 members.
- 30.6. Any amendment to a motion which is accepted by the chairperson, shall be voted on before another amendment shall be taken. If the amendment is rejected, the original motion stands before the house. If the amendment is accepted, then the amended motion is now before the house.
- 30.7. Only matters ruled in order by the chairperson shall be accepted under any other business.
- 30.8. A motion to suspend standing orders must be submitted to the chairperson in writing by the proposer and seconder before the commencement of the meeting. It shall specify the standing order or orders to be suspended and the period of such suspension. It shall state the reasons of importance and urgency justifying such suspension. The chairperson shall put such motion to a vote at the meeting. The motion shall not be adopted except with the consent of two thirds of the members and voting at the meeting.



31. Standing Orders for Ladies' Club A.G.M./E.G.M/S.G.M.

- 31.1. A quorum for any General Meeting of the Ladies' club shall be 50 members.
- 31.2. The proposer or seconder of any motion or amendment shall be allowed not more than 10 minutes and 3 minutes respectively in which to speak on the motion or amendment, and each succeeding speaker not more than 3 minutes.
- 31.3. At any time during the discussion of a resolution, it shall be open to any member to move verbally "that the question be now put", the acceptance of such motion shall be at discretion of the chairperson. If such a motion is accepted, the mover thereof only shall be entitled to speak thereon, and if, on a show of hands it appears that a majority of members are in favour of terminating the discussion, the original resolution shall then be voted on. No such motion shall be moved unless an opportunity has been given for the expression of both a pro and contra view of the resolution.

- 31.4. All members shall be allowed to speak more than once on the same proposition including the Proposer of the motion who shall always have the right of reply. When taking the microphone members must identify themselves to the chair.
- 31.5. Format of voting to be decided at the start of the meeting by the members present by a show of hands. The voting format is to be either secret ballot or show of hands.
- 31.6. Any amendment to a motion which is accepted by the chairperson shall be voted on before another amendment shall be taken. If the amendment is rejected, the original motion stands before the house. If the amendment is accepted, then the amended motion is now before the house.
- 31.7. Only matters ruled in order by the chairperson shall be accepted under any other business.
- 31.8. A motion to suspend standing orders must be submitted to the chairperson in writing by the proposer and seconder before the commencement of the meeting. It shall specify the standing order or orders to be suspended and the period of such suspension. It shall state the reasons of importance and urgency justifying such suspension. The chairperson shall put such motion to a vote at the meeting. The motion shall not be adopted except with the consent of two thirds of the members and voting at the meeting.



END