



Constitution

Cowdenbeath Golf Club Constitution & Rules

1. Name

The name of the club shall be **Cowdenbeath Golf Club** and shall be a Non Profit making body dedicated to the supply of sporting services.

The Club must have at least 25 members to be properly constituted.

2. Objectives

The objectives of the club shall be:-

- i) To promote interest and participation in the playing of golf and in the general improvement of golfing standards.
- ii) To introduce, organise and promote a programme of competitions and inter club matches for the enjoyment of the members.
- iii) To promote social relationships among members.
- iv) To promote and develop a close liaison with Fife Council / Fife Golf Trust, as owners and managers of the course, to ensure the satisfactory integration of club activities and use of the facilities in conjunction with the Council and Trust's management functions.

3. Membership

Membership will be available as follows:-

General

- i) Membership of the club will be open to all residents of the administrative area of Fife Council except as hereinafter provided. The Club may accept applications for membership from individuals not normally resident within the administrative area of Fife Council, subject to the total numbers of such members not exceeding 20% membership of the Club, of which 10% can be elected to committee. It shall be a condition of membership of the Club that all members, with the exception of temporary, honorary or non-playing members, must be the holders of appropriate season tickets issued by Fife Council / Fife Golf Trust, for use of facilities and play over the course.

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Membership Classes

- ii) Membership of the Club shall consist of Ordinary, County or Non Resident, Associate/Social, Senior, Temporary, Honorary, Life and Non Playing Members.

- a) Ordinary Members

Ordinary members shall normally be restricted to persons of eighteen years and over at the commencement of the Club year, which shall be the 1st of April and must reside within the administrative area of Fife Council.

- b) County or Non Resident Members

County or Non Resident Members shall normally be restricted to persons of eighteen years and over at the commencement of the Club year which shall be 1st of April and not resident within the administrative area of Fife Council.

- c) Associate/Social Members

Associate Members shall be classified as follows:

- i) Juvenile Members

Members of either sex under the age of sixteen years at the commencement of the Club year which shall be the 1st of April.

- ii) Junior Members

Members of either sex between the ages of sixteen and eighteen years at the commencement of the Club year which shall be 1st of April.

Social members

Social members are members who do not take part in club competitions, but who wish to be a member of the club. They shall normally be restricted to persons of eighteen years and over at the commencement of the Club year, which shall be the 1st of April and must reside within the administrative area of Fife Council.

- d) Temporary Members

Members of Golf Clubs or other persons who may be invited by the Committee to any Club match or Competition to be held at the Club.

- e) Honorary Members

It shall be competent for two thirds of the ordinary members and voting at the Annual General Meetings, on the recommendation of the Club Committee, to confer upon any person Honorary Membership of the Club, in recognition of his / her

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being a distinguished golfer, or for his / her services rendered to the Club or to the game of golf. Honorary Members shall enjoy all privileges and advantages of Club Membership.

f) Non – Playing Members

Any ordinary member of standing who, through age or infirmity, is unable to continue playing golf, but does not wish to sever his / her connection with the Club, may on application to the Club Committee be admitted to a Non–Playing Membership.

Associated/Social Members shall enjoy all the privileges of the Club subject to the rules and bye-laws but shall have no voice or vote in the management of its affairs. Junior members sixteen years and over may enter Club competitions on payment of the current rate of subscription fixed for this purpose.

4. The Office Bearers

The office bearers of the Club shall consist of **President, Vice President, Captain, Vice Captain, Secretary and Treasurer**. All office bearers shall be elected from amongst the ordinary members at an Annual General Meeting of the Club to act for three years but shall be eligible for re-election. The Club shall have the power to elect an Honorary President and up to two Honorary Vice Presidents at their Annual General Meeting who shall, on election become Honorary Members of the Club.

5. Club Committee

The business and affairs of the Club shall be under the management of the committee who shall consist of **the President, Vice President, Captain, Vice Captain, Secretary, Treasurer and nine ordinary members**, who shall be elected at the Annual General Meeting and who shall remain in office for three years. The latter shall retire in rotation, 1/3 of them retiring each year by seniority.

The members of the Club Committee shall be eligible for re-election at the termination of their term in office. Five members of Committee shall form a quorum.

The Committee shall have the power to co-opt persons onto the Committee in the event of Committee members who may resign or otherwise demit office during the year up to a maximum of three.

Committee Meetings shall be held at least one per month. The President, whom failing, the Vice President shall take the chair at the meetings of the Club Committee. A chairman shall have, in cases of equality, a casting vote as well as a deliberate vote. The Committee shall deal with accounts and transact all necessary business. The Committee may appoint such Sub-Committees for any necessary purposes they may consider appropriate and for such

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special purposes, may appoint Ordinary Members of the Club, other than Members of the Club Committee to membership of the said Sub-Committees.

The Committee shall have the power to make regulations and bye-laws and orders for the control of the Club matters and these shall be held to be sufficient when intimated to the members by being posted within the Clubhouse and shall be binding on every member until set aside by a General Meeting.

The Committee shall have the power to purchase, lease, exchange, hire and subscribe for, or otherwise acquire, hold or deal with any heritable or moveable property of whatsoever nature.

The Committee shall have the overall power to borrow and administrate money for the Club, and the powers to grant security thereof.

The Club property shall be vested in trustees of the Club who shall be the office bearers. The said trustees will hold the Club property on behalf of the Club and shall not deal with, dispose of, burden, or any way intromit with the Club property except at the direction of the Committee.

The Club trustees shall have the power, subject to the directions of the Committee, to grant security over heritable property of the Club, and execute all necessary standard securities, assignations, negotiable instruments, leases and other documents, and shall have the power, subject always to the directions of the Committee, to invest Club funds on behalf of the Club and to execute all documents financial or legal, in that connection.

The Committee shall have the power to admit as temporary members (with or without payment) to all the privileges of ordinary membership for one or more days.

6. Application for Membership

An applicant for membership shall make application on a form prescribed by the Committee (herein after referred to) which shall be signed by the applicant, his proposer and his seconder, who shall be members of the Club.

The said Committee shall elect members from among the applicants in such a manner as they themselves may decide upon which shall be published on the Club notice board.

Junior Members who, as of the commencement of the Club year, have completed two full sessions of Junior Membership shall have priority over all other applicants.

The forms of application for membership so completed as afore said, must be lodged with the Secretary of the Club at least 21 days before the date fixed by the Committee for election of Members by the Committee. A list of applicants shall be displayed in a conspicuous place in the Club premises for at least 14 days before the date of election. The Secretary shall give intimation of admission to each person admitted as a member of the Club but such person shall not be entitled to the privileges of the Club until they have paid

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their subscription and any entrance fee, levy or loan, payment of which may be a condition of membership.

The Secretary shall also intimate refusal of admission to each person, and to each person refused admission, and such person accompanied by a requisition in the terms of clause "8b" hereof, may appeal to the Secretary's intimation and a Special General Meeting shall be called under the terms of clause "8b" hereof to consider that appeal. No application for Membership shall be reasonably refused.

Resignations

Members wishing to resign from the Club must give written notice to the Secretary of their intentions to do so, and must pay all arrears due at the day of notice.

Suspension and Expulsion

- a) The Club Committee shall have the power, on a vote by ballot, by a majority of its entire number, to suspend from exercising their privileges as a member of the Club, any member whose conduct appears to them to endanger the character, interest or good order of the Club, or who acts in defiance of its Rules and Bye-Laws.
- b) Any Committee Member shall have the power to ban on the spot any persons contravening the above rules until the next meeting.

Cessation of membership

Any Member upon ceasing to be a Member of the Club shall forfeit all rights or claims upon the Club property or funds.

7. Annual Subscriptions

The Annual Subscriptions for the various categories of members shall be determined at an Annual or Special General Meeting.

Subscriptions shall be payable to the Treasurer on or before each year March 31st.

Members failing to make payment of the Annual Subscription and who take part in a competition will be liable to disqualification in that competition. A member will be liable for his/her subscription annually unless written notice of resignation has been given to the Secretary prior to March 31st.

The Club year shall run from April until the last day of March. Members shall be liable for their current year's subscription although resigning during the year.

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If any Member's subscription remains unpaid by March 31st in any year he/she will cease to be a member of the Club without prejudice to the power of the Committee to take proceedings for the recovery of any sum due.

Newly elected members on payment of the annual subscription shall be given a copy of the Constitution and Club rules as are in force at that time.

Payment of subscriptions shall entitle a member to use the Club facilities at such times as they are available for use by members of his/her class and shall entitle him/her to all privileges and advantages of Club members subject to the other terms and conditions thereof.

The members may at the Annual General Meeting or at a Special General Meeting called for the purpose by a two thirds majority of those present, fix an entrance fee to be paid by applicants for membership or impose a levy upon all members or any such section thereof, or insist upon payment of all members or any section thereof a loan to the Club to be used for the purposes of the Club and payments of the said levy or loan shall thereupon become a condition of membership of the Club. Any member who does not make payment within the time appointed by the said meeting shall cease to be a member of the Club.

8. General Meeting of the Club

a) Annual General Meeting

The Annual General meeting of the Club shall be held not later than the 28th February. Notice of the date, place and time of business for this meeting which shall include the audited accounts for the previous year, shall be given to all members not later than 14 days in advance by publication on the Club Notice Board.

A minimum of 20 of the membership will be required to form a quorum for the Annual General Meeting, or for any special general meeting as set out in b) below. Notice of Motion must be in the hands of the Secretary 14 days before the date for consideration at the ensuing Annual General Meeting.

b) Special General Meeting

A Special General Meeting may be called by the Club Committee at any time to discuss urgent business, and also such meeting may be called on receipt of a requisition signed by not less than 20 Ordinary Members. At least 14 days notice of any Special General Meeting should be given to Members by publication on the Notice Board. The President shall preside at all meetings, and in his absence, the Vice President, failing whom the Chairman shall be appointed by the meeting. The Chairman for the time being shall, in all cases of equality, have a casting vote as well as a deliberative vote.

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c) Voting

Voting at General Meetings shall be by show of hands.

Only Ordinary and honorary members have the right to vote at General Meetings.

d) Financial Year

The Financial Year of the Club shall commence on the first day of January each Year.

9. Secretary

The Secretary under the instructions of the Club Committee, shall prepare full and correct Minutes of all proceedings at meetings of the Club Committee, and shall deal with all correspondence. He/she shall have the custody of all Minute Books, Titles, Leases and all other documents connected with the club. All meetings of the Club Committee shall be called by the Secretary.

10. Treasurer

The Treasurer, under the instruction of the Club Committee shall receive and disburse all monies due to and by the Club.

He /she shall keep full and correct accounts and books showing the financial affairs of the Club. He / she shall prepare a statement of these at the end of each financial year. The accounts shall be audited by a qualified accountant who shall be appointed by Committee. The Club Committee may at any time require the Treasurer to give them an account of the state of the funds of the Club. All monies collected by the Treasurer shall be paid forthwith into a Bank Account in the name of the Club, which shall be operated by the Treasurer and the Captain/Vice Captain or any other member of the Committee authorised by the Committee for that purpose.

11. Conduct

If the conduct or behaviour of any Member in any place whatsoever shall, in the opinion of the Committee, be injurious to the reputation or the interest of the Club, it shall be in the power of the Committee to suspend such Member's membership for such a period as they consider appropriate, and recommend such a member to resign and if the member shall refuse or delay to resign within one week from the date of recommendation having been conveyed, in writing to him/her.

The Committee shall expel such a member, and that member shall not thereafter be allowed to enter the Club premises or to enjoy the privileges of membership.

Such a suspension or recommendation shall not be made until the member whose conduct is under consideration has been afforded an opportunity to give an explanation of such conduct to the Committee.

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Any member so suspended or expelled shall have the right to appeal in the manner specified for an applicant refused admission in the terms of Clause "6".

Any member disciplined will not be entitled to a refund of any part of his/her subscription.

Members shall play only in Competitions of their respective section and in matches arranged, at such times and upon such conditions as the Tournament Committee may determine. The dates and conditions of Competitions and Matches shall be posted in the clubhouse for at least 10 days prior to the Competition or Match to which they refer.

Associate/Social/Temporary and Non-playing Members are not normally eligible to take part in Club Competitions.

Any member not in possession of a current Membership card or receipt of payment of Annual Subscriptions shall not be eligible to take part in any Club Competition.

The Tournament Committee shall be the Handicapping Committee of the Club and in this matter there shall be no appeal. Handicaps shall be awarded according to the Scottish Golf Union or Ladies Golf Union.

The Captain shall decide in all disputed points of play according to the Laws of the Royal and Ancient Golf Club of St. Andrews. For the purpose of assisting in arranging and supervising competitions, the Committee will appoint a Match Secretary from among the membership of the Club.

12. The Supply of Alcohol

The License to serve alcohol, awarded by the Scottish licensing authority, will be dependent on a minimum membership of 25.

The Committee shall exercise the complete and absolute control over the supply and price of food and drink within the clubhouse premises.

No member of the Committee and no manager or servant employed by the club at any time shall have a personal interest in the sale of excisable liquor therein or in the profits arising from such sale.

No excisable liquor shall be sold or supplied in the club premises unless on the invitation and in the company of a member and that member, shall upon an admission of such a visitor, enter his own name and that of the visitor within a book which shall be kept for this purpose and which shall show the date of each visit.

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

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The clubhouse bar will be open for the sale of excisable liquor as determined and in accordance with the relevant statutory provisions to a member of another club, which also meets the requirements of section 125 (1) of the Licensing (Scotland) Act 2005

13. Guests

A member may personally introduce guests but no person shall be introduced more than three times in three months and no member may introduce more than two guests at a time.

A guest shall not be supplied with alcohol in the club premises unless on the invitation and in the company of a member and that member on the admission of such a guest to the club premises or immediately upon his being supplied with alcohol enter his own name and the name and address of the guest in a book which shall show the date of each visit.

The following shall not be admitted as guests;

- a) Former members who have forfeited membership by reason of non payment of their subscriptions.
- b) Members who have been expelled.
- c) Persons who have been refused membership.

14. Actions

The club shall have full power and authority to sue and be sued in the name of the Captain, Vice Captain, Secretary and Treasurer thereof the time being, and no member shall in any action or suit raised against him by the club, be entitled to object or to impugn such instance.

15. Bye Laws and Local Rules

The club committee are empowered to make Bye Laws such as they may consider necessary for the wellbeing of the Club and shall be in effect until the next General Meeting, when the same shall be confirmed or otherwise, are determined by a majority of members present and voting at such a General Meeting. Power to make local rules for club members shall be vested in the club committee.

16. Fife Council / Fife Golf Trust

The Club and members thereof will at all times comply with the instructions of the Golf Services Manager or his staff, and no property or vehicle or any roadway, bunkers, tees or greens shall be used or altered without specific approval of the Golf Services Manager or his authorised staff.

17. Complaints and Suggestions.

All complaints and suggestions in relation to matters affecting the interest and welfare of the members shall be addressed in writing to the secretary to be laid before the committee.

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18. Interpretation

The interpretation of this constitution shall be at the discretion of the committee whose decision on such matter shall be final.

19. Constitution Amendment

The Constitution of the club shall not be amended except by resolution carried by a majority of two thirds of those present and voting at an Annual General Meeting of the club or by a simple majority of those present and voting at a Special Meeting of the club called for that purpose. The terms of any proposed amendment to the constitution shall be issued in full along with the notice calling for any such Annual General or Special General Meeting. Any such proposed amendment to the constitution shall be submitted in writing and signed by twenty ordinary members to the secretary not later than fourteen days before the date of the proposed meeting.

20. Annex A

- a) No office bearer shall rent or lease land to the club.
- b) No office bearer shall be a relative, business partner or person acting under the direction of a person leasing or renting land to the club.
- c) No office bearer shall be a relative, business partner or person acting under the direction of anyone associated with the club who receives emoluments based on the turnover of any aspect of club activity.

21. Club Assets

No profits or surpluses will at any time be distributed to members and if upon the winding up or dissolution of the club, there remains, after satisfaction of all its debits and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or organisations having objectives similar to the objectives of the club. Such organisation or organisations to be determined by the members of the club by resolution passed at a General Meeting at or before the time of the dissolution and insofar as effect cannot be given to such provision, then it can be given to some charitable organisation.

All profits or surpluses generated by the club activities shall be devoted to maintenance or improvement of club facilities.