



Constitution

of

Arklow Golf Club

Approved by:

Dave Canavan

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Date:

14th December 2024



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This Constitution of Arklow Golf Club shall come into force on the 24th November 2019 and shall operate in substitution for and to the exclusion of all previous Constitutions of Arklow Golf Club.

1) NAME AND OWNERSHIP.

The name of the Club shall be '**Arklow Golf Club**' hereinafter called '**the Club**' and this name shall be the common name by which the Club, the Men's Golf Club, the Ladies' Golf Club shall be individually and collectively known.

The official address of the Club is Abbeylands, Arklow, in the County of Wicklow.

The ownership of the Club's property and assets shall be vested in the Trustees of the Club for the time being on behalf of the members.

2) THE OBJECTS OF THE CLUB.

The Objects for which the Club is established are:

1. To provide, operate, manage and control appropriate facilities for the playing of the game of golf and social activities and such ancillary facilities as may be conducive to the better enjoyment and greater comfort of the members of the Club and those lawfully availing of its facilities rights and privileges.
2. To safeguard the wellbeing of its members and to ensure that every individual in the club be valued and treated in an equitable, democratic and fair manner regardless of ability, age, sex, religion, social and ethnic background or political persuasion.

3) TRUSTEES OF THE CLUB.

The Trustees are the custodians of the assets of the Club on behalf of the members and are the guardians of the interests of the members in those assets and the rights in general of the members.

Trustees shall not be more than three members of the Club. The Trustees must be voting members of the Club and shall be appointed at a General Meeting of the Club. They shall have a term of office for seven years and can opt to go forward for re-election.

To avoid conflicts of interests, a member of the Management Committee, if elected a Trustee, must promptly resign his/her position from that Committee. Trustees may attend monthly Management Committee Meetings and any Sub-Committee Meetings as non-voting observers.

The title of all and any real property of the Club shall be vested in the Trustees. A Trustee shall not act as Trustee of the Club until they shall first have entered into a Deed of Trust in a form approved by the Management Committee which shall set forth inter alia the conditions under which the Trustees hold the property in trust for the members.

The Trustees shall execute all such documents and do all such acts as may be required to vest any property of the Club in the Trustees or to dispose of any property belonging to the Club provided that any such transaction has been appropriately authorised in accordance with this Constitution.

The Trustees shall enter into all such agreements, contracts, deeds and covenants and shall complete and execute all such forms and give such undertakings on behalf of the Club as may be required to give legal effect to any transaction which the Club proposes to enter into and which has been appropriately approved and authorised in accordance with this Constitution.

All legal or arbitration proceedings in which the Club becomes involved shall be instituted or defended in the name of the Trustees and all and any such proceedings shall be conducted or defended in consultation with legal advisors appointed by the Club for that purpose.

The Trustees shall be indemnified against liabilities and expenses incurred by them by reason of their position as Trustees and in so far as the assets of the Club may be deficient.

In the event of the illness or absence of one of the Trustees for a period of time which the Management Committee deem to be detrimental to the wellbeing of the club, the Management Committee shall appoint a

Trustee who is not a current officer of the Management Committee, for the balance of the Trustee's tenure of office or to the date of return from the absence or illness of the said Trustee, whichever is the lesser period. However, where any such absence will or may exceed a 12-month period, a replacement Trustee shall be elected by the Members at the next General Meeting of the Club.

In the event of the resignation of a Trustee prior to the end of his/her term of office, the Management Committee shall promptly appoint a substitute Trustee, who is not a current officer of the Management Committee, to act as Trustee until the next General Meeting of the Club at which a replacement Trustee may be elected by the Members.

4) LEGAL STATUS.

The Club is a voluntary sporting organisation.

5) CLUB MANAGEMENT STRUCTURE.

The Club shall comprise of a Men's Golf Club and a Ladies' Golf Club. The Men's Golf Club and Ladies Golf Club shall be affiliated to Golf Ireland.

The management of the club shall consist of a Management Committee, Men's Golf Club Committee and Ladies' Golf Club Committee.

At all times the assets held by the Men's and Ladies Golf Clubs shall be vested in the ownership of the Club and will be ultimately under the control of the Club Treasurer.

In addition, The Management Committee shall be empowered to make such financial or other grants to the Men's and Ladies' Golf Clubs as the Management Committee considers necessary for the running of these Clubs.

The Management Committee is authorised to call an EGM.

5.1. Allocation of functions and business

The business affairs of the club shall be under the jurisdiction and control of the Management Committee.

The Management Committee has full administrative powers as may be necessary for proper carrying out and furthering the objects of the club in accordance with its rules.

The Management Committee shall be the sole body entitled to spend monies or authorise the expenditure of any monies on behalf of the Club limited to 15% of the previous year's turnover as per the audited accounts for any single project. Capital expenditure outside the scope of the Management Committee must be approved at a Club General Meeting

The golf course shall not be altered, changed or modified without the prior formal approval of the Management Committee.

The Management Committee shall not be entitled without the passing of a Special Resolution of the Voting Members at a General Meeting of the Club to:

1. Wind up the affairs of the club.
2. Acquire land or property.
3. Dispose of any part of any lands or property owned by the club.
4. Alter, amend, revoke and/or vary any part of this constitution, save as indicated under 'Amendments to the Club Constitution' (Clause 14.1).

The business and affairs of the Men's Golf Club shall be under the jurisdiction and control of the Men's Club Committee consisting of the Captain, Vice-Captain, Treasurer, Secretary, Handicap Secretary, Competitions Secretary and immediate past Captain.

The business and affairs of the Ladies' Golf Club shall be under the jurisdiction and control of the Ladies' Club Committee consisting of the Lady Captain, Lady Vice Captain, Treasurer, Secretary, Handicap Secretary, Competitions Secretary and immediate past Lady Captain.

6) MANAGEMENT COMMITTEE.

6.1. Structure

The management committee will be comprised of ten voting members and shall hold monthly meetings. The Captain and Vice-Captain of the Men's Club and Captain and Vice-Captain of the Ladies Club shall be ex-officio members. As the Club's Constitution requires that all Management Committee members shall be voting members, any Lady Associate member (including Lady Family Member) elected as Club President, Captain or Vice-Captain of the Ladies' Club or any position on The Management Committee shall for the duration of her term in office, be automatically deemed a full voting member of the Club.

Voting members will fill the remaining five positions

1. Chairperson.
2. Secretary.
3. Treasurer.
4. Management Committee Lady Member
5. Management Committee Male Member

The quorum for meetings of the Management Committee shall be five. The use of 'Skype' or similar video conferencing platform is an acceptable form of attendance at Management Committee meetings. The Chairperson may exercise a casting vote in the event of a tie where a show of hands is the method of voting. However, in a ballot situation if a tie exists, there must be a re-ballot until a majority is reached.

6.2. Election of Management Committee.

The Men's Captain and Vice-Captain and Ladies' Captain and Vice-Captain shall be deemed to be elected by virtue of their office. The Club President, Chairperson, Treasurer, Secretary, along with one Lady Elected Committee Member and one Men's Elected Committee Member – will elected at the Club AGM.

The position of Club President will alternate on an annual basis between members of the Ladies Club and Men's Club.

Nomination sheets for Management Committee members must be posted on the Club Notice Board not less than fourteen days before the AGM. Nominations for Management Committee members must be proposed and seconded by two voting members. Voting is by ballot of the members present at the Club AGM. In the event of a tie a second vote shall take place between the tied candidates. If insufficient nominations are received the Management Committee elected may at its first meeting co-opt members to fill the vacancies.

In the event of Management Committee position(s) becoming vacant, the remaining members of the Management Committee shall have the option to fill any vacancy on the Management Committee by co-opting a qualifying member of the club to serve as a member of the Management Committee until the next Annual General Meeting of the club.

The terms of office of management committee positions (other than the Captains and Vice Captains) is outlined below; -

Club President – 1 year.

Chairperson – 3 years.

Secretary – 3 years.

Treasurer – 2 years.

Management Committee Lady & Male Members – 2 years -

A member can serve a maximum of six years on the management committee but must step down for three years once the six year maximum has been reached. The six years does not have to be a continuous period, it is six years in total, however after a three year stepdown, the member is eligible to serve on the management committee again up to a further maximum of six years.

6.3. Responsibilities of the Management Committee.

The Management Committee shall have the following responsibilities:

- To manage and protect the assets of the Club
- To ensure the Club is managed as a business in accordance with the Constitution and relevant legislation.
- To control and manage the Club finances which will involve inter alia;
 - a. The generation and application of cash resources.
 - b. The control of income and expenditure in accordance with the annual budget.
 - c. The collection of annual member subscriptions and levies (if any), annual GOLF IRELAND national and provincial branch 'per capita' subscriptions and levies, annual Golf Ireland national and provincial branch 'per capita' subscriptions and levies.
 - d. The control of bar and catering activities.
 - e. The management of all Club employee matters in line with current employment legislation.
- To report to the members at the AGM via the Annual Report and Accounts on all activities for which the Management Committee has responsibility. It will also outline the annual budget for the forthcoming year.
- Within one month following an AGM the Management Committee will authorise the composition of various sub-committees including but not limited to Finance, Grounds, House and Marketing, define the scope of their authority and confer on them the powers necessary for the discharge of their functions.
- To increase the membership of the Club via modern marketing methods and to develop a plan for increasing the fundraising ability of the Club.
- To submit to members for their approval at a general meeting any proposed major changes to the Club's Golf Course or Property.

6.4. Indemnity

The Management Committee of the Club shall be entitled to be indemnified by the Voting Members of the Club for all acts done or approved by them in good faith on behalf of the Club in execution of the powers and functions conferred on them and shall not by virtue of their holding any such office incur any personal liability.

7) MEN'S GOLF CLUB

7.1. Golf Ireland Membership

The Golf Ireland is the National Administrative Authority for Men's amateur golf in Ireland.

No affiliated Golf Club shall be permitted to make any amendments to its constitution which would be in conflict with the constitution of Golf Ireland.

All proposed alterations or amendments in the constitution of an affiliated Golf Club which affects RULE 10 (GUI Constitution) must be submitted to Golf Ireland for prior approval.

The facilities of the Course and the Clubhouse shall be made available to Golf Ireland and Provincial Branches at reasonable intervals as may be agreed between the parties.

7.2. Men's Golf Club Committee.

The Men's Golf Club Committee shall consist of eight persons viz:-

1. Men's Captain.
2. Men's Vice-Captain.
3. Men's Treasurer.

4. Men's Secretary.
5. Men's Handicap Secretary
6. Men's Competitions Secretary
7. Immediate Past Captain.

7.3. Election of Men's Golf Club Committee.

The Men's Captain, Vice-Captain, Treasurer, Secretary, Handicap Secretary and Competitions Secretary shall be elected annually at the Men's Golf Club AGM. The Immediate Past Captain is deemed an ex-officio member. Men seeking election to any position on the Men's Golf Club Committee shall be proposed and seconded by at least one member. Nomination sheets for the Men's Golf Club Committee must be posted on the Club Notice Board not less than fourteen days before the Men's Golf Club AGM. Voting is by ballot of the members present at the Men's Golf Club AGM. In the event of a tie a second ballot shall take place between the tied candidates. Such elected members may sit on Committee for a maximum of three consecutive years, but must retire annually and seek re-election. The chairperson of the Men's Golf Club Committee shall be the men's Captain and in his absence the Men's Golf Club Committee may elect a chairperson for that meeting. Members retiring shall not sit on a sub-committee for a period of one year. The restriction on seeking re-election after maximum service does not apply to incoming officers.

7.4. Duties and Powers of Men's Golf Club Committee.

1. To appoint a Men's Handicapping sub-committee, consisting of a minimum of three members, all of whom shall be male members of the club, which shall have complete control of men's handicapping matters in the club.
2. To accept and comply with the Rules of Golf as approved by the R & A.
3. To accept and comply with the Rules of Amateur status as approved by the R & A.
4. To accept and comply with the Unified Handicapping System (UHS) prescribed by CONGU and such rules there under as may require to be implemented from time to time by Golf Ireland.
5. To be bound by the Constitution of the GUI, conform to the Bye-Laws of Golf Ireland, and conform to and the Bye-Laws of its Provincial Branch.
6. To retain Handicap Records 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 the 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.
7. To appoint a Competitions sub-committee, consisting of a minimum of three members, all of whom shall be male members of the club, which shall have complete control to organise and manage the Men's Golf Club competitions and the purchase of prizes in line with the Men's Golf Club policy.
8. To agree dates for Mixed Competitions with the Ladies' Golf Club Committee.
9. To prepare a Competitions Diary annually in consultation with the Ladies' Golf Club Committee.
10. To select and manage teams for all Golf Ireland competitions.
11. To manage and organise golf for all male Junior / Juvenile members in accordance with Golf Ireland recommendations.
12. To create sub-committees as and when required. The chairperson of such sub-committees should, if possible, be a member of the Men's Golf Club Committee.
13. To maintain an accurate register of all members on Golf Ireland

7.5. The Financial Affairs of the Men's Golf Club

The financial affairs of the Men's Club shall be managed as follows:

- The Treasurer of the Men's Golf Club shall keep full and detailed accounts, books and records showing the financial affairs, receipts and disbursements of the Men's Golf Club.
- The Men's Golf Club Committee shall be entitled to retain the entry fees for the Men's Golf Club competitions under its control and management for which it has arranged for the provision of prizes. In cases of Mixed Competitions where both Ladies and Men participate, the proportion and allocation of funds from each club for prizes shall be agreed in advance between both the Ladies' and Men's Golf Clubs.
- The Treasurer of the Men's Golf Club shall issue a financial statement of the affairs of the Men's Golf Club for the year-end 30th September for consideration by the Men's Golf Club Committee and the Management Committee, and for presentation and approval by the members at the Annual General Meeting of the Men's Golf Club and such financial statement shall be incorporated into the audited accounts of the Club for the AGM of the Club.
- The bank account for the Men's Golf Club shall be kept in the name of Arklow Men's Golf Club (and shall be clearly identified as such) and in such bank as the Men's Golf Club Committee may from time to time determine. All cheques shall be signed as authorised by resolution of the Men's Golf Club Committee.

7.6. Suspension of Competition and Playing Rights.

Any Member may be suspended from competition and playing rights of the Men's Club for a specified period of time where the Men's Committee has reason to believe that the member may have infringed any of the following to the extent that immediately upon such suspension being imposed that Member shall be prevented from participating in any or all activities which are organised by the Men's Club or from availing of any or all of its facilities rights and privileges or any combination of them and/or may have his handicap suspended for such a period and subject to such conditions as the Men's Committee shall decide.

- a. deliberately or recklessly infringed the Rules of Golf, Handicapping or Local Rules and Bye-Laws of the Club or of any other Golf Club in whose Competition he may have participated, or
- b. Persistently failed to abide by Local Rules governing the use of the course connected with or arising out of the running of a golf competition or event, or the playing of golf.
- c. Abused or been grossly disrespectful towards any Management Committee member, Officer or committee member of the Men's Club or Ladies' Club for the time being or the office which he/she holds.
- d. Abused or been grossly disrespectful towards any club staff member, visitor or subcontractor.

No Member of the Men's Club shall have his competition and playing rights suspended for any continuous period unless and until he shall have first received notice in writing from the Men's Club of the intention of the Men's Committee to suspend them.

Any such notice shall set out the reason or reasons for his suspension and he shall be afforded an opportunity to present his case to the meeting of the Men's Committee called for that purpose having received at least 7 days notice in writing and at a date and time mutually acceptable to both parties. Any member called to such a meeting may elect to be accompanied by one voting member of their choice.

8) LADIES' GOLF CLUB.

8.1. Golf Ireland Membership

Golf Ireland is the National Administration Authority for Ladies' Golf in Ireland.

To be eligible for membership of Golf Ireland, member clubs must have and comply with the constitution and rules appropriate to golf clubs.

The facilities of the course and clubhouse must be made available to the Golf Ireland and District Executives where the club is located at reasonable intervals as may be agreed.

8.2. Ladies Golf Club Committee.

The Ladies' Golf committee shall consist of eight persons viz:-

1. Lady Captain

2. Lady Vice-Captain
3. Ladies' Secretary
4. Ladies' Treasurer
5. Ladies' Handicap Secretary
6. Ladies' Competitions Secretary
7. Immediate Past Lady Captain.

8.3. Election of Ladies' Golf Club Committee

The Lady Captain, Lady Vice-Captain, Ladies' Secretary, Ladies' Treasurer, Ladies' Handicap Secretary and Ladies' Competitions Secretary shall be elected annually at the Ladies' AGM. The Immediate Past Lady Captain is deemed an ex-officio member.

Ladies seeking election to any position on the Ladies' Golf Club Committee shall be proposed and seconded by at least one member. Nomination sheets for the Ladies Golf Club Committee must be posted on the Club Notice Board not less than fourteen days before the Ladies Golf Club AGM. Voting is by ballot of the members present at the Ladies' Golf Club AGM. In the event of a tie a second ballot shall take place between the tied candidates. Such elected members may sit on committee for a maximum of three consecutive years but must retire annually and seek re-election. The chairperson of the Ladies' Golf Club Committee shall be the Lady Captain and in her absence the Ladies' Golf Club Committee may elect a chairperson for that meeting. Members retiring shall not sit on a sub-committee for a period of one year. The restriction on seeking re-election after maximum service does not apply to incoming officers.

8.4. Duties and Powers of the Ladies' Golf Club Committee.

1. To appoint a Handicapping sub-committee, consisting of a minimum of three members which shall have complete control of ladies' handicapping matters in the club.
2. To accept and comply with the Rules of Golf as approved by the R & A.
3. To accept and comply with the Rules of Amateur status as approved by the R & A.
4. To accept and comply with the UHS prescribed by CONGU and such rules there under as may require to be implemented from time to time by the Golf Ireland.
5. Accept and comply with the Memorandum of Association, Articles of Association, Bye-Laws and Regulations of the Golf Ireland.
6. Retain Handicap Records 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 the current handicap year. Handicap Records for all Playing Members must be returned to the Union or Area Authority (District) should the club cease to be affiliated.
7. To appoint a Competitions sub-committee, consisting of a minimum of three members, all of whom shall be female members of the club, which shall have complete control to organise and manage Ladies' Golf Club competitions and the purchase of prizes in line with Ladies' Golf Club policy.
8. To agree dates for Mixed Competitions with Men's Golf Club Committee.
9. To prepare a Competitions Diary annually in consultation with the Men's Golf Club Committee.
10. To select and manage teams for all Golf Ireland competitions.
11. To manage and organise golf for all female Junior/Juvenile members in accordance with Golf Ireland recommendations.
12. To create sub-committees as and when required. The chairperson of such sub-committees should, if possible, be a member of the Ladies' Golf Club Committee.
13. To maintain an accurate register of all members on Golf Ireland.

8.5. The Financial Affairs of the Ladies' Club

The financial affairs of the Ladies' Golf Club shall be managed as follows:

The Treasurer of the Ladies' Golf Club shall keep full and detailed accounts, books and records showing the financial affairs, receipts and disbursements of the Ladies' Golf Club.

The Ladies' Golf Club Committee shall be entitled to retain the entry fees for club competitions under its control and management for which it has arranged for the provision of prizes. In cases of Mixed Competitions, where both Ladies and Men participate the proportion and allocation of funds from each club for prizes shall be agreed in advance between both the Ladies' and Men's Golf Clubs.

The Treasurer of the Ladies' Golf Club shall issue a financial statement of the affairs of the Ladies' Golf Club for the year-end 30th September for consideration by the Ladies' Golf Club Committee and the Management Committee, and for presentation and approval by the members at the Annual General Meeting of the Ladies' Golf Club and such financial statement shall be incorporated into the audited accounts of the Club for the AGM of the Club.

The bank account for the Ladies' Golf Club shall be kept in the name of Arklow Ladies' Golf Club (and shall be clearly identified as such) and in such bank as the Ladies' Golf Club Committee may from time to time determine. All cheques shall be signed as authorised by resolution of the Ladies' Golf Club Committee.

8.6 Suspension of Competition and Playing Rights.

Any Member may be suspended from competition and playing rights of the Ladies Club for a specified period of time where the Ladies Committee has reason to believe that the member may have infringed any of the following to the extent that immediately upon such suspension being imposed that member shall be prevented from participating in any or all activities which are organised by the Ladies Club or from availing of any or all of its facilities rights and privileges or any combination of them and/or may have her handicap suspended for such a period and subject to such conditions as the Ladies Committee shall decide.

- a) deliberately or recklessly infringed the Rules of Golf, Handicapping or Local Rules and Bye-Laws of the Club or of any other Golf Club in whose competition she may have participated, or
- b) Persistently failed to abide by Local Rules governing the use of the course connected with, or arising out of the running of a golf competition or event, or the playing of golf.
- c) Abused or been grossly disrespectful towards any Management Committee member, Officer or committee member of the Ladies Club, Men's Club for the time being or the office which he/she holds.
- d) Abused or been grossly disrespectful towards any club staff member, visitor or sub contractor.

No Member of the Ladies Club shall have her competition and playing rights suspended for any continuous period unless and until she shall have first received notice in writing from the Ladies Club of the intention of the Ladies Committee to suspend them.

Any such notice shall set out the reason or reasons for her suspension and she shall be afforded an opportunity to present her case to the meeting of the Ladies Committee called for that purpose having received at least 7 days notice in writing and at a date and time mutually acceptable to both parties. Any member called to such a meeting may elect to be accompanied by one voting member of their choice.

9) GENERAL MEETINGS

Because the formation of the Management Committee is dependent on the ratification of the Men's and Ladies' Clubs' Captains, the Men's and Ladies' Golf Clubs AGMs must be held prior to the Club AGM.

All AGMs must be held before the 15th day of December in each year for the purpose of electing officer holders, members of committees, the consideration of motions and transacting business incidental to the three clubs. Fourteen days notice of such AGMs shall be given to each member of the appropriate club.

In the case of the Club AGM a notice specifying the matters for consideration at the meeting and the names of those persons who are proposed for election to the Management Committee or to the office of Trustee shall be posted on the Club notice boards fourteen days prior to the date of the meeting.

All Voting Members attending such AGMs shall be required to register in a book specially provided for that purpose before being granted admission to any such meeting.

All General meetings shall be conducted in accordance with Standing Orders as set out in Clause 10. The adoption of Standing Orders shall be the first item of business at the start of each and every meeting.

All General Meetings, other than the Annual General Meetings shall be called Extraordinary General Meetings (EGMs).

An EGM may be held if requisitioned by the Management Committee or fifty Voting Members of the Club. Any EGM so requisitioned shall be held within forty five days of any such requisition.

No business shall be transacted at any General Meeting unless a quorum is present at the time when the meeting proceeds to business. Forty Ordinary Members present in person shall constitute a quorum. If within half an hour from the time appointed for the commencement of the General Meeting a quorum is not present the meeting shall, if convened upon the requisition of Ordinary Members, be dissolved. In any other case it shall stand adjourned to the same day in the next week at the same time and place. If at such adjourned meeting a quorum is not present within half an hour from the time appointed for the commencement of the meeting the number of persons present shall constitute a quorum for the purposes of considering and otherwise dealing with the business which was set out in the notice convening the meeting. No other business may be transacted at any meeting which proceeds in this fashion without a quorum.

No member shall be allowed to vote at any general meeting unless he/she are a fully paid up voting member for the preceding year.

On an equality of votes, the Chairperson may exercise a casting vote in the event of a tie where a show of hands is the method of voting. However, in a ballot situation if a tie exists, there must be a re-ballot until a majority is reached.

9.1. Men's Golf Club AGM.

The Men's Golf Club AGM must be held prior to the Club AGM and before the last day of November in any year on a date to be fixed by the Men's Golf Club Committee. Fourteen days notice shall be given to each male member of the Club.

Minutes of the AGM shall be retained in typed form and approved by outgoing Captain and the Secretary.

The business of the Men's Golf Club AGM shall be;

- (a) Adoption of Standing Orders
- (b) Minutes of previous Men's Golf Club AGM
- (c) Reports from Captain, Treasurer, Secretary and Handicap Secretary.
- (d) Notice of Motions
- (e) Any other business
- (f) Election of Officers and members of Committee

9.2. Ladies Golf Club AGM

The Ladies' Golf Club AGM must be held prior to the Club AGM and before the last day of November in any year on a date to be fixed by the Ladies' Golf Club Committee. Fourteen days notice shall be given to each lady member of the Club.

Minutes of the AGM shall be retained in typed form and approved by outgoing Lady Captain and Lady Secretary.

The business of the Ladies' Golf Club AGM shall be

- (a) Adoption of Standing Orders
- (b) Minutes of previous Ladies' Golf Club AGM
- (c) Reports from Lady Captain, Secretary, Treasurer and Handicap Secretary.
- (d) Notice of Motions
- (e) Any other business
- (f) Election of Officers and members of Committee

9.3. The Club AGM

The Club AGM shall be held subsequent to the AGMs of the Men's and Ladies' Golf Clubs and before the last day of November in any year on a date to be fixed by the Management Committee.

Fourteen days' notice shall be given to each voting member of the Club.

Minutes of the AGM shall be retained in typed form and approved by outgoing Chairperson and Club Secretary in office.

The business of the Club AGM shall be;

- (a) Adoption of Standing Orders
- (b) Minutes of previous Club AGM
- (c) Reports from Secretary and Treasurer

- (d) Presentation of the Auditor's Report on the Accounts & Balance Sheet and Annual Budget
- (e) Notice of Motions.
- (f) Any other business
- (g) Election of Chairperson, Secretary, Treasurer and one members of the Management Committee.

A copy of the Minutes of the last Club AGM shall be available in the Clubhouse not later than two weeks following the AGM.

10) STANDING ORDERS FOR CLUB AGM

The Chairperson of the Management Committee shall preside over all General Meetings.

Only matters appearing on the A.G.M. agenda may be considered and voted upon by the meeting. Any matters not appearing on the agenda may only be discussed by permission of the Chairperson.

Any motion to suspend Standing Orders must be supported by the votes of not less than two thirds of the members present and voting.

Voting at the meeting shall be by show of hands or by ballot in accordance with Club Rules.

Tellers may be appointed. They shall count the votes and their decision shall be final. Three scrutineers shall be appointed who shall take charge of the ballot for elections and they shall report results to the Chairperson.

Subject to the discretion of the Chairperson the proposer of a resolution shall be allowed 5 minutes and each subsequent speaker 3 minutes. The mover of the resolution shall be allowed 3 minutes to reply to the discussion.

The ruling of the Chairperson on all points of order shall be final, but if his/her ruling is challenged it may only be done by a motion being moved and seconded calling on him/her to vacate the chair. Such a motion may only be passed by the votes of not less than two-thirds of the members present and voting. Should such a motion be adopted then the Chairperson shall vacate the chair. The meeting shall elect another member to act as Chairperson.

Any member who refuses to obey the Chairperson's ruling, or who persists in obstructing the business of the meeting may be ordered by the Chairperson to leave the meeting.

Each member shall have one vote and all voting shall be done in person. Voting by proxy shall not be allowed.

The Chairperson may exercise a casting vote in the event of a tie where a show of hands is the method of voting. However, in a ballot situation if a tie exists, there must be a re-ballot until a majority is reached.

11. CLUB MEMBERSHIP.

The members of the Club shall be those who at the date of adoption of this Constitution were listed as Members of the Club and such other persons as from time to time be admitted to membership of the Club in accordance with this Constitution. Every member of the Club shall be subject to the provisions of this Constitution as amended from time to time.

Voting membership of the Club comprises the following groups: -

Full Members.

Men and ladies who have paid full member subscription levies and insurances.

Family Members. (Closed)

Comprising of a male Voting Member and a female Lady Member (and their children up to the date of their 16th birthday) shall be deemed to be closed to all except to those who on 28th January 2006 held that class of membership.

Life Members.

Comprises Men and ladies who have paid life membership. They are not obliged to pay annual subscriptions but are required to pay Golf Ireland levies and insurances and any Capital Levies.

Honorary Life Members.

Persons elected Honorary Life Members only at a Club Annual General Meeting. No person shall be proposed as an Honorary Member unless he/she is recommended for election by the Management Committee on the grounds of his/her special services to the Club, or the game of golf. Members who are created Honorary Life Members shall retain all formal rights and privileges and shall not be obliged to pay an annual subscription. However, payment of Golf Ireland levies, insurances and capital levies (when levied) are not exempt.

Non-Voting membership of the Club comprises the following groups: -

Lady Associates. (Closed).

Female Members of the Club who opted for this category of membership having paid the Entrance Fee, Annual Subscription and Capital Levy (if any) prior to 28th January 2006.

Five-day Members.

Men and ladies who have paid appropriate subscriptions and levies who are excluded from Saturdays and Sundays.

Junior Members.

Young male and female people aged between 16 -21 may avail of the facilities and play in such competitions and participate in such events as are set out in the programme for Junior Golf that may from time to time be approved by the Junior Golf sub-committee.

Juvenile Members.

Children and male and female teens aged from 8 -15.

Student Members.

Men and ladies from 18 years of age to the date of their 25th birthday and in full time education and having paid the Entrance Fee (if any) Annual Subscription and capital levies (if any).

Introductory Members.

Those who avail of special terms of 'Introductory' membership.

Pavilion Membership – Clubhouse only.

The Pavilion Membership fee is set annually by the Management Committee and is displayed on the Club Notice Board. This entitles Pavilion Members to full use of the Clubhouse facilities and its environs.

The fee also covers free or discounted Green Fees at the discretion of the Management Committee from time to time and to be utilised only during non-competition days in the calendar year of purchase and in line with Timesheet availability of the day.

11.1 Application for Membership.

Applications for membership shall be made on the appropriate application form and must be accompanied by either full payment of the agreed subscription and Golf Ireland levies and insurances, or by one of the alternate approved payment methods approved by the Management Committee. All applicants shall be proposed by members of the Club in the manner prescribed on the Application Form as approved by the Management Committee from time to time.

11.2 Election of New Members.

The Management Committee shall approve any new applicants for membership of the Club. A list of applicants with their Application Forms shall be posted on the Club Notice Board fourteen (14) days before a Management Committee meeting at which Election of New members is on the Agenda.

When an applicant has been declared elected, the Secretary of the Management Committee shall: -

1. Notify the applicant in writing.
2. Furnish the applicant with a copy of the Club Constitution.
3. Request the applicant to pay his/her subscription for the current year together with such entrance fee, levy and insurance premium where applicable.

The newly elected member shall not be entitled to the benefits and privileges of the Club until he/she has paid such sums.

11.3 Rights, Privileges and Restrictions of Membership.

Only Voting Membership of the Club shall be entitled to: -

1. Receive notice of, attend and vote at General Meetings of the Club.
2. Be a member of the Management Committee or be a Trustee.

11.4 Membership Restrictions.

1. The rights and benefits of membership shall be personal to each particular member and shall not be assignable to any third party.
2. Membership of the Club shall not confer on any individual any proprietary rights in respects to assets of the Club other than in a winding-up of the Club. Any rights to share in surplus assets of the Club upon such winding-up shall be confined to the Voting Membership of the Club on the date that the winding-up commences.
3. All members shall be bound by this Constitution and the Rules, Regulations and Bye-Laws of the Men's and Ladies' Golf Clubs from time to time in place.
4. Membership forms shall provide for a new member's signature binding him/her to this Constitution and The Rules, Regulations and Bye-Laws of the Club.

11.5 Complaints, Discipline & Termination/Suspension of Members

11.5.1 Complaints and Disciplinary issues shall be divided into three categories:

- 11.5.1.1 A complaint regarding the application of the rules of golf which does not include an element of cheating or dishonesty.
- 11.5.1.2 An issue of whether there has been cheating or dishonesty relating to the playing of golf (including but not limited to failure to comply in any material respect with the universal handicapping system for the time in being enforced, or the failure to report to the club in a timely and proper manner, any matter which would impact on a golf handicap)
- 11.5.1.3 Misconduct, which includes but is not limited to:
 - 11.5.1.3.1 Bringing the club into disrepute;
 - 11.5.1.3.2 Causing a disturbance or committing an act of violence against any other member or employee of the club, or any person whilst on club property or while representing the club elsewhere, either in a playing or representative capacity;
 - 11.5.1.3.3 Seriously abusing or being grossly disrespectful towards any officer for the time being of the club, or the office which he/she holds
- 11.5.1.4 Any complaint under 11.5.1.1, above, by or against a member, shall be in writing and addressed to the Men's Captain or the Ladies' Captain as the case may require. The Men's Captain or the Ladies' Captain shall in the first instance attempt to resolve the matter informally. If the matter cannot be resolved informally to the satisfaction of the complainant and the member being complained against, it shall be referred to the Men's Committee or the Ladies' Committee as the case may be, for a decision.
- 11.5.1.5 Any complaint under 11.5.1.2 above, by or against a member, shall be in writing and addressed to the Men's Captain or the Ladies' Captain as the case may require. The matter shall be referred to a sub-committee of the Men's Club or the Ladies' Club as the case may be, appointed by the relevant Captain. The said sub-committee shall investigate the matter and shall submit a written report to the committee of the Men's Club or the Ladies' Club as the case may require, whose decision on the matter shall be final, unless any member who has received a penalty exercises his right to appeal to the Appeals' Committee. Any such appeal shall be in writing and shall be lodged within fourteen days of the notification of the decision. The Appeals' Committee shall be appointed by the Management Committee and shall comprise of 3 members, none of whom shall be a member of the sub-committee which investigated the matter. On receipt of an appeal, the Appeals' Committee shall acknowledge receipt and advise the appellant of a date, time and place at which the appeal hearing will take place and that he/she is entitled to make a written submission and/or to attend the hearing. The Appeals' Committee shall deal with the appeal without undue delay and shall have the power to confirm, reduce or increase the penalty imposed by the Committee. Pending a decision by the Appeals' Committee, the decision of the Men's Club or Ladies' Club shall stand. The decision of the Appeal's Committee shall be final.
- 11.5.1.6 Any complaint under 11.5.1.3 above, by or against a member, shall be in writing and shall be submitted to the Management Club Chairman. The Chairman shall thereupon appoint a

sub-committee to determine whether there has been misconduct and to recommend the appropriate remedy if misconduct is established. The sub-committee shall conduct, without undue delay, a hearing at which the member against whom the allegation of misconduct has been made shall be entitled to be heard and to be represented. The sub-committee may set out procedures for the holding of such hearing, including the submission of statements in writing of any evidence intended to be adduced at the hearing. The investigation process shall be completed within the two months of the appointment of the sub-committee and the sub-committee's findings as to whether misconduct has occurred shall be relayed to the Management Committee, which shall decide on the appropriate penalty.

The penalty that may be imposed by the Management Committee on a finding of misconduct shall be proportionate to the misconduct so found. The sanction that may be imposed by the Management Committee may consist of the following.

- 11.5.1.6.1 Reprimand;
- 11.5.1.6.2 Fine, not exceeding 50% of the annual subscription of the member in question;
- 11.5.1.6.3 Temporary suspension from membership;
- 11.5.1.6.4 Expulsion from the club.

- 11.5.1.7 The decision of the Management Committee shall be final, unless any member who has received a penalty exercises his right to appeal to the Appeals' Committee. Any such appeal shall be in writing and shall be lodged within fourteen days of the notification of the decision of the Management Committee. The Appeals' Committee shall be appointed by the Management Committee and shall comprise 3 members, none of whom shall be a member of a sub-committee which investigated the complaint. On receipt of an appeal, the Appeals' Committee shall acknowledge receipt and advise the appellant of a date, time and place at which the appeal hearing will take place and that he is entitled to make a written submission and/or to attend and be represented at the hearing. The Appeals' Committee shall deal with the appeal without undue delay and shall have the power to confirm, reduce or increase the penalty imposed by the Management Committee. Pending a decision by the Appeals' Committee, the decision of the Management Committee shall stand. The decision of the Appeals' Committee shall be final.

11.6 Resignation of Members

Any member intending to resign his/her membership of the Club must signify his/her wish in writing to the Secretary of the Club otherwise he/she shall be liable for his/her subscription for the ensuing year.

11.7 Leave of Absence

The Management Committee is empowered to grant leave of absence to members in certain circumstances. Leave of absence shall be granted from year to year up to a maximum of five years. During that time the member shall pay half the Annual Subscription and full levies that relate to his/her category of membership or such other amount as the Management Committee may in its absolute discretion so decide.

11.8 Complaints.

In the event that a Member wishes to make a complaint about a fellow member it must be in writing and should be addressed to the Secretary of the appropriate club and/or to the Secretary of the Management Committee.

11.9 Annual Subscriptions

The annual subscriptions for all members shall be such as may be determined by the outgoing Management Committee in September for the following Financial Year.

The Financial Year for the Club runs from October 1 to September 30, to facilitate the provision of Audited Accounts for the Annual General Meeting. The Club's golfing year will run in tandem with the Club's financial year, consequently all Annual Subscriptions fall due from January 1 and must be paid by February 28.

Any member, whose subscription is over one month in arrears i.e. February 28 and having not entered into an agreed arrangement, shall automatically cease to be a member of the Club.

The entrance fee for newly elected members shall be such sums (if any) as may be decided by the Management Committee from time to time.

11.10 Levy

Subject to Clause 6.3 the Club may vote to introduce a Levy on members to fund any expenditure of a capital nature (e.g. purchase of land or buildings, construction work or improvements to the course, clubhouse or its environs) and /or cash flow deficits. The amount of such levy shall be payable at the same time as the Annual Subscription or as determined by Resolution at an Annual or Extraordinary General Meeting.

11.11 Insurances.

Insurance cover, to the satisfaction of the Management Committee, is compulsory for all members.

11.12 Personal Property.

Any personal belongings of members, visitors and others, brought to, kept at, or left on the premises of the Club (either in the clubhouse or outside in the car park or on the course) shall be at the sole risk of the owners, and neither the Club nor any Committee shall be responsible for any loss or damage thereto however arising; but this clause shall not prejudice any claims by the Club or the owners against insurance companies in case of fire, or when otherwise covered by insurance.

11.13 Green Fees.

Green Fee rates shall be as decided by the Management Committee from time to time.

12. AFFILIATION TO GOLFING UNIONS.

The Men's Golf Club shall be affiliated to the Golfing Union of Ireland and the Ladies' Golf Club shall be affiliated to the Irish Ladies' Golfing Union.

13. THE REGISTRATION OF CLUBS ACTS 1904 – 2008 AND INTOXICATING LIQUOR ACTS.

13.1 The Golf Course and the Clubhouse shall be opened for the use of Members on Sundays as on week-days; but the opening of the Bar for the sale and supply of excisable liquors shall be subject to the provisions of the Registration of Clubs Acts 1904 to 2008 and the Licensing Acts 1922 to 2004 as amended or extended.

13.2 A Member, Honorary Member or Temporary Member is permitted to order or pay for refreshments in the Clubhouse.

13.3 No Manager or servant employed in the Club or a member of any committee and shall have any personal interest in the sale of excisable liquors therein or in the profits arising from such sale.

13.4 The Management Committee may alter or add to such Rule or Rules dealing with the supply or consumption of excisable liquor for the purpose of complying with the Licensing Laws for the time being in force, or for the purpose of satisfying the requirements of the members in accordance with such laws.

13.5 In addition to the foregoing Rules and clauses thereof the Clauses and Regulations embodied in the Registration of Clubs Acts 1904-2008 and the Acts extending and amending the same shall be deemed Rules of the Club.

14. CONSTITUTION.

This Constitution shall operate and apply from the date of its adoption by the Voting Members of the Club in General Meeting and shall not have retrospective effect. This Constitution together with the Bylaws, the Rules and Regulations of the Men's Golf Club and the Ladies' Golf Club comprise the entire conditions governing the Members and Membership of the Club and all the Members and persons who in the future are admitted to membership of the Club shall hold membership of the Club subject to those conditions.

14.1 Amendments to the Constitution

Any proposal to alter this Constitution must be delivered in writing to the Management Committee. Any such proposal may be made by the Management Committee or by the Men's Golf Club Committee or the Ladies' Golf Club Committee or by any member of the Club. A proposal to amend this Constitution shall be considered at the Annual General Meeting which is held following the receipt of any such proposal provided:

1. the text of the proposed amendment is set out in writing and is signed in the case of a Voting Member, by the proposer and two other Voting Members of the Club and in the case of the Men's Golf Club Committee or the Ladies' Golf Club Committee by the Treasurer and Secretary.
2. it is received at the Clubhouse not less than fourteen days before the date fixed by the Management Committee for the holding of next Annual General Meeting of the Club
3. A proposal from the Management Committee to amend the Constitution may be placed before the Voting Members of the Club in General Meeting provided the appropriate notice convening such a meeting shall have been given
4. The Notice convening any General Meeting at which a proposed amendment to the Constitution is to be considered shall set out the wording of the proposed amendment or amendments and a copy of such proposal shall be posted on the notice board in the Clubhouse fourteen days prior to the date of the meeting.

NOTICES.

Any notice which is required to be given under this Constitution shall, unless otherwise expressly provided herein, be given in writing, via e-mail, posted on the club notice board, text message and may be delivered personally or sent by ordinary prepaid post to the last known address of the Member which appears on the Club records, to whom it is to be given. Any such notice shall be deemed to have been served immediately if delivered by e-mail, text message or personally at the time of delivery or if sent by post is deemed to have been served 48 hours after same was posted.

15. APPENDICES

APPENDIX 1.

Role of the Club President

The Club President is primarily an honorary position within the club and will act as the club's representative at all internal and external functions.

The Club President is generally the spokesperson for the club and should work to maintain key relationships within and outside of the club.

Club President will:

- Be members of the Management Committee and contribute to policy creation.
- Provide liaison and communication between the various sections of the club.
- Act as members of any sub-committees if required, and if such a request is deemed suitable.
- Contribute to the general standard of the club and provide an understanding of the ethos and codes of conduct required.
- Be well informed of all organisation activities and able to provide oversight.
- Be persons who can develop good relationships internally and externally.
- Be forward thinking and committed to meeting the overall goals of the Club.
- Have a good working knowledge of the Club Constitution, rules and duties of office bearers
- Be able to work collaboratively with other Management Committee Members.
- Be good listeners and attuned to the interests of members and other interest groups.
- Be good role models and possess a positive image in other forums (e.g. delegate meetings).

APPENDIX 2.

Role of the Club Chairperson.

The Chairman is responsible for the ultimate achievement of the strategic ambitions of the club as well as the overall management of its operational activities.

The Club Chairperson will chair and lead Management Committee and General meetings and be responsible for key decision making and leadership within the club, in consultation with other Management Committee members.

The Club Chairperson should:

- Be enthusiastic with a good knowledge of the club and its financial position
- Possess a sound knowledge and understanding of golf and the administration of golf club activities.
- Possess strong leadership and management skills.
- Represent the club at external meetings in conjunction with other officers as required.
- Be confident in public speaking.
- Be able to control meetings, follow meeting agendas, and ensure everyone has the opportunity to present their views
- Be well informed about agendas for meetings and the items to be covered
- Ensure that all business at meetings is completed and that all decisions are understood and recorded.
- Be an excellent communicator and be approachable.

Specific duties include but are not limited to:

- Provide direction for the club by effective leadership and management.
- Chair and control meetings of the Management Committee in a neutral and uncommitted capacity and enable Management Committee members to have a meaningful discussion with a neutral person in the chair.
- Determine the content and agenda for Club Management Committee meetings in association with Club Secretary.
- Monitor and evaluate the progress of agreed actions – both short term and strategic.
- Ensure that forward planning is integral to and ongoing in the club.
- Constitute and resource any special ‘working groups’ and ensure that their activities are reported to the Management Committee.
- Manage Club Officers to ensure the delivery of their responsibilities and oversee the work of the officers and other Club Management Committee personnel.
- Ensure that the Club structure and responsibilities are transparent and available to the membership.
- Act as principal officer within the club and make decisions whenever the need arises in consultation with other Management Committee members.
- Represent the club at external meetings when required.
- Present the club’s annual report in association with the Club Secretary.
- Present the club’s annual accounts in association with the Club Treasurer.
- Ensure that club statutory documents and other returns are administered and filed on time

APPENDIX 3.**Role of the Club Secretary.**

The Club Secretary is responsible for the documentation and communication of the activities of the Management Committee. The secretary is the primary administration officer of the Management Committee and provides the links between the Management Committee, members and outside agencies. He/She should be a good communicator, maintain confidentiality on relevant matters and have the ability to delegate tasks and supervise others.

In addition, the Club Secretary is tasked with the preparation of agendas and to prepare and distribute minutes, receive and disseminate correspondence to and from the club etc.

The Club Secretary should:

- Be organised.
- Have reasonable computer skills e.g. Word, Excel etc
- Be a good communicator
- Be able to keep confidential matters confidential.

Specific duties include but are not limited to:

- Maintain records of the Management Committee and ensure effective management of Club's records.
- Manage and record Minutes of the Management Committee meetings ensuring minutes are distributed to members shortly after each meeting and no later than 7 days.
- Development of the agenda in consultation with other Management Committee members and distribution prior to the meeting.
- Is sufficiently familiar with all current Club documents to note applicability during meetings.
- Is responsible for ensuring that accurate and sufficient documentation exists to meet legal requirements.
- Enable and authorise people to help with the Management Committee's business. This includes signing a copy of the final approved Minutes and ensuring that the signed copy is maintained.
- Ensure that the records of the Club are maintained as required by law and made available when required by authorised persons (e.g. The Courts, Garda Síochána). These records may include founding documents, lists of Management Committee members, Management Committee meeting minutes, financial reports, and other official records.
- The Secretary ensures that official records are maintained of members of the Club and Management Committee. He/she ensures that these records are available when required for reports, elections, referenda, other votes, etc.
- Provide an up-to-date copy of the Constitution and bylaws at all meetings.
- Ensure that proper notification is given of Management Committee and Club meetings as specified in the bylaws.
- Manage the general correspondence of the Management Committee except for such correspondence assigned to others.
- Help and lead the Management Committee in providing systematic communication from the Management Committee to Club members and other relevant stakeholders.
- Provide a summary of Management Committee Minutes for distribution to all Club members via website and notice boards.

APPENDIX 4.

Role of the Club Treasurer.

The Treasurer is responsible for the financial supervision of the club to allow the Management Committee to provide good governance of the club. The Treasurer is the chief financial management officer whose tasks include the preparation of annual budgets, planning for the organisations financial future and monitoring the organisations revenue and expenditure. It is desirable that the treasurer is well organized and possesses a level of financial expertise.

The Club Treasurer's responsibility is to regularly report on the Club's financial status to both the Management Committee and the Club members in accordance with the Club's Constitution.

The Club Treasurer should:

- Possess good organisational skills.
- Have strong financial expertise.
- Be able to maintain accurate records
- Be a dedicated Club Person
- Be Honest & Trustworthy.
- Possess computer skills to a fairly competent level.
- Demonstrate excellent communication skills.

Specific duties include but are not limited to:

- Provide advice to the Management Committee in their management of the Club finances.
- Administer all financial affairs of the Club.
- Lead the annual budget process and ensure an appropriate annual budget is provided to the Management Committee for approval.
- Ensure development and Management Committee review of financial policies and procedures.
- Support any required auditing processes.
- Receipt of all incoming monies.
- Bank all monies received.
- Pay all accounts.

- Maintain accurate records of all income and expenditure.
- Ensure that all receipts and payments concur with bank deposits and withdrawals.
- Monthly financial reports – be present at monthly Management Committee meetings
- Arrange and dispatch invoices for periodical payment.
- To help prepare and submit any statutory documents that are required (e.g. VAT returns, PAYE and tax returns).
- Issue annual membership fee invoices.
- Keep accurate record of all membership payments
- Be a signatory on club bank account.