

# **CONSTITUTION Of KINGUSSIE GOLF CLUB**

## **And HOLIDAY PARK Est.1891**

### **I –TITLE**

1. The Club shall be named “The Kingussie Golf Club”.

### **II – OBJECTS**

2. The objects of the Club shall be the providing of facilities for playing the game of golf and other recreational facilities as the Council of Management may from time to time determine and of suitable clubhouse accommodation for the members.

### **III – OFFICE BEARERS**

3. The Office-Bearers of the Club shall consist of the President, Vice-President, Captain and Vice-Captain.

### **IV – MANAGEMENT**

4. The management of the business and affairs of the Club shall be vested in a Council of Management (hereinafter referred to as the Council). The Council shall consist of the 4 Office-Bearers and 7 Full Club Status Councillors.

*‘Full Club Status’ is defined as members with full voting rights, full access to the club, can stand for election to the ‘Council’ and can participate in all relevant competitions. (Hereinafter referred to as a Full Member)*

5. Office-Bearers and Councillors shall be elected at the Annual General Meeting by vote, if necessary, of the majority of Full Members. If there are more candidates than vacancies the election shall be by ballot.

6. The names of Full Members proposed and seconded for nomination as Office Bearers or as Councillors, and willing to serve as such, shall be posted in the Clubhouse at least 21 clear days prior to the date of the Annual General Meeting and also intimated to Full Members of the Club in the notice convening the meeting.
7. The President, Vice-President, Captain and Vice-Captain shall retire annually at the Annual General Meeting but shall hold office until their successors have been appointed. They shall be eligible for re-election and a member or a retiring member of the Council shall be eligible for election to the office of President, Vice-President, Captain or Vice-Captain.
8. The 3 Councillors who have been longest in office shall retire at the Annual General Meeting in each year but shall be eligible for Re-election.
9. A suitably qualified Auditor, who shall not be a member of the Council, shall be appointed by Full Members at the Annual General Meeting.
10. No person holding an office of profit in the Club shall be entitled to vote at any meeting.
11. All matters of expenditure directly affecting any member of the Council shall be dealt with in their absence.

## **V - POWERS OF THE COUNCIL**

12. The Council shall be responsible for the management of all matters connected with the Club, including the holiday park. The Council has the power to deal with the property and assets of the Club provided it is in the best interests of the Club. The Council shall not have the power to sell the heritable property of the Club, or to let the same for more than a year, or to erect any building or to make any addition to any building or to effect any repairs or renewals at a cost exceeding £50,000, or to purchase heritable property or to make major alterations to the course without the approval of two-thirds of the Full Members of the Club present, at a General Meeting.
13. The Council shall have power to fill any casual vacancy on the Council by co-option of a Full Member. A co-opted member shall retire at the Annual General Meeting following their co-option and shall be eligible for re-election.

14. The Council shall have the power to frame Rules and Bye-laws regulating the hours of play and conditions of play, the allocation of rooms in the clubhouse, the hours of opening and closing the clubhouse and bar. Such Bye-Laws shall become effective and binding on all members of the Club from the time they are posted on the Club notice boards.
15. The Council shall have the power to appoint such sub-committees and convenors thereof with such powers as the Council may deem necessary and shall have the power to co-opt to any committee one or more additional Full Member or Member who, however, shall not thereby become a member of the Council.

*A 'Member' is a member without voting rights, with limited club access that cannot stand for 'Full Council'. Hereinafter referred to as 'Member'*

16. The Council shall have the duty of ensuring that the club has applied for all the relevant Licensing Certificates and these are complied with. The Council shall ensure the relevant bodies are informed as to changes in the Constitution of the Club together with the names and addresses of the Council members and officials.
17. The Council shall have the power to apply for variation of the permitted hours and for special permissions as and when, in the opinion of the Council, the same are deemed desirable, all in terms of the Licensing (Scotland) Acts.
18. The Council has the power to appoint a Secretary and Treasurer or Manager upon such terms and conditions as they think proper, with power to combine the offices of Secretary and Treasurer or both as Manager.

*(Hereinafter referred to as Secretary)*

19. The Council shall have the power to appoint such competent staff as they consider necessary for the efficient operation of the course, clubhouse, bar and holiday park and to determine their remuneration and conditions of service in compliance with such Government regulations.

## **VI – FINANCE**

20. The Secretary shall keep or cause to be kept correct and proper books and records showing the financial affairs and intrusions of the Club.
21. The financial year of the Club shall end on 30<sup>th</sup> September each year when the books of the Club shall be brought to a balance and audited.
22. The Secretary shall lodge all receipts in such bank as the Council may from time to time decide and shall not overdraw any account except to the extent approved by the Council.
23. All cheques drawn on the Club accounts shall be signed by any two of the Secretary, Captain or Vice- Captain.

## **VII – MEETINGS OF COUNCIL**

24. The Council shall at intervals not exceeding 3 months hold meetings for the dispatch of all competent business.

## **VIII – GENERAL MEETINGS**

25. **ANNUAL MEETINGS.** There shall be an Annual General Meeting of members not later than the 31<sup>st</sup> December in the new financial year when the accounts and the report for the year ending preceding 30<sup>th</sup> September will be submitted for approval.
26. **SPECIAL GENERAL MEETINGS.** Special General Meetings of the Club may be called by the Council at any time or on a requisition in writing stating the purpose for which such Special General Meeting is required, and signed by not less than 8 Full Members in good standing delivered to the Secretary, who shall arrange that a Special General Meeting be convened within a period of 28 days from the date of receipt by the Secretary of such requisition.
27. It shall not be competent to review any decision taken at any General Meeting within a period of six months from the date of that meeting.
28. At least 7 days in advance of the Annual General Meeting an agenda, along with a copy of the accounts shall be made available to Club members via download from the clubs website or via post to member's address on request.

## **IX – QUORUMS**

- 29. 20 Full Members shall constitute a quorum for Annual and Special General Meetings.**
- 30. 4 members shall constitute a quorum for meetings of the Council of Management.**

## **X – VOTING RIGHTS**

- 31. Only Full Members in good standing shall be entitled to vote at General Meetings.**
- 32. At all meetings of the Club or Council the Captain or in the absence of the Captain, the Vice-Captain shall take the chair and in the absence of both of these the meeting shall elect a Chairman.**
- 33. The Chairman shall have a deliberative as well as a casting vote at all meetings of the Club or Council.**

## **XI – MEMBERSHIP**

- 34. The membership of the Club shall consist of Honorary Members, Ordinary Members, Senior Members, Student Members, Temporary Members, Junior Members and House Members.**

## **XII – CLASSIFICATION OF MEMBERSHIP**

**‘Full Club Status’ is defined as members with full voting rights, full access to the club, can stand for election to the ‘Council’ and can participate in all relevant competitions.**

**The following classes of membership have full club status.**

- 35. (i) Honorary Membership – these are elected by the Full Council. Membership is in recognition of those who have given devoted service to the club.**

**(ii) Honorary Membership - Past Club Captains – will be given to Past Club Captains whose period of captaincy ended prior to 2012, on reaching the age of 65 with continuous membership from their captaincy. Past Club Captains will be liable for club levies and annual SGU dues.**

**(iii) Ordinary Adult Membership – Playing Members 21 years of age and over at date of admission or on renewal.**

**(iv) Young Adult Membership – Playing Members 18 years of age and over and under 21 at date of admission and on renewal.**

**(v) Senior Membership – Playing members 65 years of age and over on admission or on renewal.**

**(vi) Student Membership – Playing members 18 years of age and over and in full time further education on admission or on renewal.**

**(vii) Overseas Membership – available to individuals whose principal address is outside the United Kingdom. The following classes do not have full club status.**

**(viii) Temporary Membership – those purchasing a valid Green Fee ticket, those entered into a club organised competition or those registered on the holiday park have the right to access the clubhouse and associated areas.**

**(ix) Junior Membership 16/17– open to players 16 and 17 years of age at the date of admission and on renewal.**

**(x) Junior Membership – open to players under 16 years of age at the date of admission and on renewal.**

**Junior Members may be granted on written request permission to play in adult club competitions. Membership fees will be adjusted by the Council to reflect this status.**

**(xi) House Membership – open to those wishing to access the licensed premises only.**

**Full Members can opt to drop to this category following three continuous years membership and revert back to Full Membership without penalty. Such members will lose full club status while a House Member.**

### **XIII – ELECTION OF MEMBERS**

- 36.** The election of Full Members or Members shall be at the sole discretion of the Council and determined by a simple majority. Each nomination shall be made by completing the official form which shall be signed by the candidate and thereafter lodged with the Club Manager. The full amount payable or credit agreement form shall accompany each nomination form. The council shall not be bound to assign any reason should they decide to refuse admission to membership of the club but, in the event of refusal; this decision shall require ratification by Full Members at a General Meeting.
- 37.** On admission, every new member shall be e-mailed a copy of the Constitution of the Club. A copy of the Constitution will be given if requested. Admission as a Member including allocation of a stance on the holiday park means the member agrees to comply with the Constitution of the Club, Bye-Laws and Rules of the club and holiday park

### **XIV – JOINING FEES, SUBSCRIPTIONS AND HOLIDAY PARK FEES**

- 38.** Joining fees and subscriptions are proposed by the Council and agreed at the Annual General Meeting. All other fees and charges are set by the Council. All Subscriptions and holiday park fees are due on the 1st January in respect of the year ending 31st December. Members resigning their membership or holiday park stance must do so in writing on or before 31st December in any year.

**38a.** The Council shall have the power to offer incentives with respect to joining fees and subscriptions in the period between Annual General Meetings, where such incentives are deemed beneficial to the Club's financial status.

**39.** Any member whose subscription or holiday park fee is unpaid at the 1 st March in any given year shall cease to be a member of the Club or hold a holiday park stance. The Council may reinstate a member on payment of the current joining fee, subscription or holiday park stance fee on exceptional grounds being shown for failure to make due payment (s).

### **XV – INTRODUCTION OF VISITORS TO CLUBHOUSE**

40. A member shall have the privilege at any time of introducing friends to the Clubhouse as visitors. Such members shall upon admission of such visitors to the Club's premises enter their own name and the visitor's name and address in the Visitor's Book kept for that purpose and show the date of each visit.
41. A visitor shall not be supplied with alcoholic liquor in the Club premises unless on the invitation and in the company of any member other than a Junior Member.
42. No alcoholic liquor shall be sold or supplied for consumption outside the Club except to a Full, House or Temporary Member on the premises and for their own consumption.
43. No alcoholic liquor shall be sold or supplied to any person under the age of 18.

#### **XVI – GUESTS**

44. A Full Member only shall have the privilege of introducing not more than 10 guests to the course in any one year and on entering their own name and the guest's name in the Visitors Book and on payment, in respect of each guest, of a reduced fee per round which shall be fixed by the Council from time to time. A Full Member may not introduce the same guest to the course on more than three occasions in the year.

#### **XVII – PERMITTED HOURS**

45. The hours during which alcoholic liquor may be supplied in the Clubhouse shall conform to those permitted under the Licensing (Scotland) Acts.

#### **XVIII – GENERAL**

46. No member of the Council and no employee of the club shall have any personal interest in the sale of alcoholic liquor therein or in the profits arising from such sale.
47. No notice, picture, print, engraving or document of any kind shall be posted in or removed from the Clubhouse except by the authority of



**the Council and all notices relating to the Club shall be signed by the Secretary.**

- 48. All requisitions or complaints must be intimated to the Secretary in writing.**
- 49. No dogs shall be allowed within the Clubhouse other than 'helper' dogs. No dogs allowed on the course off lead.**
- 50. Stance's on the holiday park may only be rented to Full Members of the Club.**

#### **XIX – TRUSTEES**

- 51. The property and assets, heritable and moveable belonging, to the Club shall be vested in the President, Captain and Secretary of the Club for the time being and their successors in office as Trustees for behalf of the Club and as herein provided the said Trustees shall deal with the said property according to directions and under the authority of the Council. Subject to said directions any two of the Trustees shall have power to grant all deeds and do all acts necessary in connection with the said heritable and moveable property. An excerpt from any Minute of Council signed by the Chairman and certified by the Secretary as correct, shall be sufficient evidence to all parties concerned of the directions and authority aforesaid.**

#### **XX – RULES OF THE GAME**

- 52. The Rules of the Game shall be those of the Royal and Ancient Golf Club of St. Andrews, as amended from time to time, and such local rules as may be determined by the Council.**

#### **XXI – CONDUCT OF MEMBERS**

53. If the conduct of any member be such as shall, in the opinion of the Council, be detrimental to the interests of the Club, the Council shall have power, after giving the member whose conduct is in question, an opportunity of making an explanation, to expel such Member from the Club. A member so expelled shall have a right to appeal to a General Meeting of the Club provided they intimates his/her appeal in writing to the Secretary within fourteen days of his/her receiving such written intimation of expulsion. On receiving notice of appeal the Secretary shall forthwith convene a Special General Meeting of the Full Members. Pending the consideration of such appeal the membership of the appellant shall be treated as suspended and the suspended member shall not be entitled to any privileges of the Club.

## **XXII – DISSOLUTION**

54. The Club may be dissolved on a resolution to that effect obtaining the approval of two-thirds of the Full Members present, at an Annual or Special General Meeting, of which due notice has been given in accordance with this Constitution. The assets remaining after payment of the debts and liabilities of the Club and the costs of the winding up shall be applied in such a manner as may receive the approval of two-thirds of the Full Members present and voting at a Special General Meeting who voted in terms of this Constitution at the date of the Meeting at which Dissolution was approved.

## **XXIII – ALTERATION OF CONSTITUTION**

54. The Constitution of the Club shall not be altered or added to except with the approval of two-thirds of the Full Members present, and voting at a General Meeting, due notice of any proposed alteration or addition having been given. Such alteration or addition shall be competent only if not inconsistent with the Licensing (Scotland) Acts.

Signed .....  
Club Captain

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President