

BRAEHEAD GOLF CLUB

CONSTITUTION

AND

RULES

As Amended at the AGM on Monday 5th December 2022

BRAEHEAD GOLF CLUB

CONSTITUTION AND RULES

I NAME, STATUS, and OBJECTIVES

1. The 'Club' shall be private and shall be named "Braehead Golf Club".
- 2 The main purpose of the club is to provide facilities for and encourage participation in golf in Clackmannanshire and the surrounding area.
- 3 The Club shall be a non-profit making organisation. All surplus income or profits are re-invested in the club. No surpluses or assets will be distributed to members or third parties.
- 4 In the event of the dissolution of the club any remaining assets shall be given or transferred to another registered CASC (Community Amateur Sports Club) a registered charity or the sport's governing body.
5. The club will be members of appropriate leagues for the purpose of establishing regular competitive play for the club's representative teams
6. The club will provide the provision of training and playing facilities for its members and visitors.
7. The club will uphold the rules of the sport
8. The club will provide equal opportunities for successful participation by all sections of the community.
9. The club will be affiliated to 'Clackmannanshire sports council', and 'Scottish Golf'
10. The club will encourage junior participation when possible, including engaging with local schools.
11. The club will seek to reduce waste and minimise environmental impact whenever possible. This will form an agenda item at committee meetings and opportunities explored on an ongoing basis, based on financial impact, and cost versus benefit analysis.

II OWNERSHIP

1. The Club shall have the power to purchase and own land, or to take a lease or leases, and to pay such price or prices, or such rent or rents, as may be agreed at a Special General Meeting, or as may be agreed by the Management Committee under special powers conferred on it at a Special General Meeting.
2. No portion of the income and property shall be paid or transferred directly or indirectly by way of dividend, distribution, bonus, honoraria or otherwise howsoever by way of profit to the members.
3. Land purchased, or otherwise owned or leased by the Club, shall be held in the names of Trustees for behalf of the Club. Unless otherwise determined at an Annual General Meeting, the Trustees shall be the Captain, Secretary and Treasurer and their respective successors in office. The Trustees shall have the power of sale or to grant leases, in whole or part, but only at the request of the Club, by resolution passed at a Special General Meeting convened for the purpose.
4. In respect that the Club has received a grant from the Central Regional Council of £36,250, a loan from the Clackmannan District Council of £37,500 and a grant from the Scottish Sports Council of £12,000, the following provisions shall apply:

In the event of the Club being wound up in any circumstances or the land comprising the Golf Club being disposed of at any time within fifty years of the loan and grants having been received, the above loan and grants will be repaid to such extent as may be agreed with the Authorities. No part of the land or buildings will be sold or used for purposes other than those of a Golf Club, without the prior approval of the above mentioned Authorities. If such approval is given then the net proceeds of the sale shall be disposed of as follows:

30% to the Central Regional Council; 30% to the Clackmannan District Council; 10% to the Scottish Sports Council; all of which not to exceed the amounts of the above grants and loan; 30% to the Club to settle any other liabilities and distribute the remainder in accordance with clause 4 of the Constitution and Rules.

III MEMBERSHIP

1. There will be no discrimination on grounds of age, disability, gender, reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political or other opinion.
To comply with The Licensing (Clubs) (Scotland) Regulations 2007 the Club has to have at least 25 members to be properly constituted.
2. The club may have different classes of membership and subscription on a non-discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
3. The club committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to the committee.
4. Membership of the club shall consist of members in the following categories: Ordinary member, Joint, CASC Community (compatibility means tested), Life, Coach (qualified) Honorary, Senior, Intermediate, Junior, Juvenile, Employee, Country, 5-Day, Volunteer/Helper, Dining and Temporary.
5. Junior Members must be less than eighteen years of age on 1 October of the current year. Juvenile Members must be less than sixteen years of age on 1 October of the current year. Junior and Juvenile Members may play in selected Club adult competitions on merit and at the discretion of the Management Committee.
6. Life Membership shall be open to any Member of at least ten years standing on payment of a sum equal to ten times the amount of the Annual Subscription which currently applies. No further Life Members will be admitted until the list is reduced to a level of not more than 10.
7. Honorary Membership may be conferred by the Management Committee on any person in recognition of renown as a golfer or of distinguished service to the Club, or to the game of golf.
8. Members of other Golf Clubs, Associations, Societies and other visitors shall be admitted as Temporary Members only on the day(s) for which a green fee has been paid.
9. Honorary, Intermediate, Junior, Juvenile, Employee, Country, 5-Day, CASC, Dining and Temporary Members shall have no say in the management of the Club, except in such circumstances where a Member may have special qualifications. These categories shall, at the discretion of the Management Committee, be restricted in the hours of play, the use of Club premises and other membership privileges.
10. Notice of Resignation of membership of the Club must be given in writing to the Secretary, on or before, 30 September otherwise the Member shall be liable for the subscription due for the ensuing year. All fees due must be paid before any resignation can be considered.
11. The Club, at a General Meeting, shall have power to impose a levy of any sum of money required to meet the financial obligations of the Club. Such a levy would be paid in equal proportions by all Members other than Honorary, Junior, Juvenile and Dining Members. A detailed plan and breakdown of costs shall be made available to members 14 days prior to the meeting.
12. The Management Committee shall have permission to borrow money from Members, Bank or any other source. This must be confirmed at a General Meeting of the Club.
13. On admission to membership, each Member becomes bound by the Constitution and Rules of the Club and by the Rules and Etiquette of the Game of Golf. Ignorance of the Constitution and Rules of the Club shall not absolve a Member from any liability incurred through a breach of the Constitution and Rules.
14. Membership numbers in respective categories shall be limited maxima as follows and the Management Committee shall have the power to vary these numbers downwards in the best interests of the Club: Playing/Competing members 750; Ladies 100; Life 10; Juniors/Juveniles combined 100; Senior Members 100 (though this is a financial limit only). Numbers in other categories shall be set by the Management Committee.
15. The rights, privileges and obligations of the respective categories of membership are defined in Appendix 1 of the Club Constitution.
16. A Joint membership will be available for couples defined under Scottish law.

IV SUBSCRIPTIONS AND FEES

1. The Club Membership year and Financial year shall run concurrently from 1 October for the year to follow.

2. Members' subscriptions become due on 1 October for the year to follow. If a member's subscription is unpaid by 31 October, he or she shall cease to be a Member of the Club and shall still be liable for the Annual Subscription.

3. Members will initially pay the same subscription that was approved for the previous year. Any change in subscription for the current year shall be fixed at the Annual General Meeting and will be invoiced separately to Members. Green fees, payable by non-members, Joining Fees and other Administration Fees payable by new Members shall be fixed by the Management Committee from time to time.

4. The annual change in subscription should be no more than £20 or 5% of the previous year's subscription, whichever is greater. Any proposed change to these amounts will require to be approved by members at an A.G.M. of the club. No section of the club on a non-discriminatory or fair basis should be asked to pay an undue heavy burden of costs against future increased course running expenses.

V MANAGEMENT

1. The management of the Club shall be vested in a Management Committee consisting of President, Gents Captain, Ladies Captain, Vice-Captain, Secretary, Treasurer, Match Secretary, Greens Convenor, club Professional and Elected Members. If any individual is elected to fill more than one position, additional Elected Members will ensure that the minimum complement on the Management Committee is ten persons. The Management Committee shall be empowered to co-opt additional persons, if required, to represent the best interests of the Club. Co-opted persons will have non-voting rights within the committee. A safeguarding officer will be appointed and will be supported by the management committee.

2. All General Meetings of the Club shall be called by circular or public advertisement, giving at least twenty-one days' notice and stating the business of the meeting. Meetings shall be called at the discretion of the Management Committee, or on a written request stating the proposal or proposals to be put to the meeting, such a request being signed by at least seven Gentleman, Lady, Senior and/or Life Members.

At all General Meetings of the Club, fifty Members shall form a quorum. If, at the appointed hour for a General meeting a quorum is not present, the Meeting will be authorised and permitted to conduct such business as is required for the ongoing running of the Club, such business to include: -

Approving Minutes presented to the Meeting.

Receiving and Approving the Annual Accounts

Receiving Committee Reports.

Appointing Office Bearers and Committee.

Re-appointing the Auditors.

Agreeing subscription rates.

For the purpose of clarification, the Meeting will not be permitted to: -

Make any alteration or amendment to the Constitution.

Authorise any levies.

Transact any other business

3. The Annual General Meeting shall be held before 31st December, when members of the Management Committee, as detailed in paragraph V.1, shall be elected for the coming year.

4 Any matter pertaining to Braehead Golf Club may be voted upon at the Annual General Meeting of the Club provided that all proposals are lodged with the Secretary 21 days prior to the meeting. All such proposals shall then be made available to Members in advance of the meeting. Any proposed changes to the Constitution would require 75% of those voting for the motion to be passed. Votes taken on other matters would require a simple majority. The decision of any such vote shall be binding upon the Management Committee.

5. The Management Committee shall have all powers necessary for the full and efficient conduct of the affairs of the Club and their decisions shall be binding on all members until set aside at a General Meeting. The Management Committee

may delegate any of their powers to any person or sub-committee working under the general supervision of the Management Committee.

6 The Management Committee may grant the privileges of the Club to any party on such conditions as the Committee may decide.

7. The Management Committee shall meet every month, and at such other times as the Committee may decide.

8. The President will preside over all General Meetings of the Club and meetings of the Management Committee. In the absence of the President, the Club Captain shall preside; in the absence of both these officials, the meeting shall elect a chair-person. At all meetings of the Management Committee, five members shall form a quorum. The President shall be an ex-officio member of all sub-Committees.

9. The President shall have no deliberative vote, but shall have a casting vote at all meetings.

10. Any official of the Club may be paid if so determined by the Management Committee, and one person may act as Secretary and Treasurer.

11. Any official or Committee Member who absents himself/herself from at least three consecutive Committee meetings without good and sufficient cause will be disqualified from the Management Committee. The Committee may then co-opt a Member until the following AGM.

12. The Secretary shall ensure proper records of the proceedings at meetings of the Club and Management Committee are kept and shall be responsible for the custody of Minute Books and Documents relating to the Club.

The Treasurer shall be responsible for lodging in an account at a bank, all receipts on behalf of the Club and for making all disbursements therefrom. He/she shall keep proper accounts relating to the financial affairs of the Club and present the bank's monthly statement to the Management Committee at its regular meetings. A duly prepared annual statement of accounts by an independent accountant shall be submitted by the Treasurer to the Annual General Meeting.

The Match Secretary shall convene meetings of the Handicap Committee and keep suitable records of handicaps and Club competitions. The handicap committee will be made up with representatives from each section of membership.

13. A copy of the Rules, a list showing the names of Members arranged alphabetically and the handicaps shall be exhibited in the Clubhouse, and available on-line through club systems and 'Scottish Golf'.

14. No member of the Management Committee and no Official of, or manager or servant employed by the Club, shall have any personal interest in the sale of excisable liquor therein, or in the profits arising from such a sale.

15. No Member of the Management Committee shall be employed behind the bar.

16. Other than when an occasional licence has effect, no person is to be supplied with alcohol on the club premises unless that person is-

- i) a member of the club;
- ii) a person who is on the premises at the invitation of a member of the club and is accompanied by that member; or
- iii) a member of another properly constituted club that meets the requirements of the description prescribed, referred to in section 125 (1) of the Licensing (Scotland) Act 2005.

Where a person referred to in sub-paragraph 16 (ii) is supplied with alcohol on club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose-

- i) the date in question;
- ii) the name and address of the person; and
- iii) the name and address of the member accompanying the person.
- iv) No person is to be allowed honorary or temporary membership of the Club or to be relieved of the regular entrance fee or subscription-
 - (i) except to allow temporary participation in the activity which is the prime purpose of the Club; and
 - (ii) except in accordance with specific provision set out in the Club Constitution. (As defined in (111) Membership – paragraphs 7 and 8).

17. No alcohol shall be sold or supplied for consumption outside the boundaries determined by our licence. (except to a Member on the premises and for his own consumption or to a person holding an Excise Licence for the sale of such liquor)

VI ALTERATION OF RULES

1. No alteration shall be made in the foregoing Constitution and Rules except at an Annual General Meeting or at a Special General Meeting.
2. Proposed changes to the Constitution and Rules must be lodged in writing with the Secretary 21 days prior to an Annual General Meeting or Special General Meeting, and thereafter published in the Clubhouse 14 days prior to the Meeting.

APPENDIX 1

The rights, privileges and obligations of the respective categories of membership, as of 7th December 2020 are defined below.

	Age Criteria	Voting Rights	Access to Course	Medal Play	Managed Handicap	Liabe for Affiliation *	Eligible for Concession Card	Liabe for Levy	Limit
Ordinary Members		√	√	√	√	√	√	√	650
Joint		√	√	√	√	√	√	√	Com
CASC		√	√	√	√	√	√	X	Com
Life		√	√	√	√	√	√	√	10
Honorary		X	√	√	√	X	√	X	Com
Volunteer/Helper		√	√	√	√	√	√	√	Com
Seniors	60+	√	√	√	√	√	√	√	110
Over 80's	80+	X	√	√	√	√	√	√	Com
Juniors	-18	X	R	√	√	X	√	X	Com
Juveniles	-16	X	R	√	√	X	√	X	100
Intermediate	22-25	X	√	√	√	√	√	√	Com
Intermediate	18-21	X	√	√	√	√	√	X	Com
Employee		X	√	√	√	√	√	√	Com
5-Day		X	R	√	√	√	√	√	Com
Country		X	R	√	√	√	√	√	50
Dining		X	X	X	X	√	X	X	Com

*Affiliation to CCGU & SGU or LGU

R = Restricted

Com = The limits in these categories are agreed by the Management Committee

CASC = compatibility means tested

COURSE ETIQUETTE

Members, guests and visitors are asked, please, to observe these Rules in conjunction with Section 1 of the Rules of Golf.

1. All players must report to the Starter before commencing play, no player may start at any hole other than the first without prior permission.
2. The maximum number of players allowed in one match is four.
3. Each player must be equipped with a bag of clubs; sharing clubs is not permitted except under the Rules of Golf.
4. Players and caddies must be properly dressed. A shirt or suitable top with sleeves must be worn at all times. No jeans, track suits are permitted on the golf course. Proper golf shoes must be worn on the golf course. All golfers must dress neatly and wear practical footwear.
5. Trolleys and golf bags must not be taken onto tees or greens, or into bunkers.
6. Divots must be replaced. Pitch marks on greens must be repaired. Bunkers must be raked or smoothed out. Boundary fences or walls of private gardens must not be crossed to retrieve golf balls.
7. Slow play is an increasingly serious problem. Players are asked to have consideration for other golfers on the course. Any match which has lost a clear hole on the course for any reason must invite the following match to play through. If a search is required to find a ball, any following match should be waved through without delay.
8. The Course Ranger and any member of the Management Committee or Greens Staff have the authority to bar or expel any person from the course in the event of any breach of these regulations.
9. Buggies are permitted subject to course conditions, and need to stay on paths wherever possible

HOUSE RULES

1. **Members and visitors are asked to observe reasonable standards of dress in the Clubhouse. i.e No football shirts, hats, scarves, etc., are permitted in the Clubhouse lounge areas.**
2. **No foul or abusive language will be allowed in the Clubhouse. Any breaches will be discussed at committee level and if applicable will be linked to the 'Disciplinary policy'**
3. **Spiked golf shoes shall not be worn in the Clubhouse, other than in the locker rooms.**
4. **No golf equipment shall be left in passageways, entrance hallway, lounge, games room or toilets.**
5. **Persons under the age of eighteen years of age may not:**
 - a) **play the gaming machines**
 - b) **participate in raffles, race nights or any other activities involving games of chance.**
6. **The presence of a person under the age of fourteen years of age in the lounges, when the bar is open, is prohibited under the Licensing (Scotland) Act. They are permitted within the dining area if accompanied by a member over the age of eighteen.**
7. **No person may interfere with any switches, thermostats or controls within the Club premises. In case of difficulty a member of the Bar Staff or Committee Member should be consulted. Similarly Club property – including gaming machines, television, pool table, etc. – must not be abused or tampered with in any way.**
8. **Members are responsible for their guests conforming to all House Rules.**
9. **Any member of the Management Committee or Bar Staff has the authority to bar or expel any person from Club premises in the event of any breach of these regulations.**