

BIRSTALL GOLF CLUB RULES

Following the Special General Meeting – 21st December 2017

1. Name

- a) The name of the Club shall be 'Birstall Golf Club'. The Club shall be a non-profit making organisation established for the principal purpose of providing facilities for participating in golf and other sporting activities, and is precluded from distributing any surplus income over expenditure to members, except in the cessation of its activities (see Rule 26).

2. Trustees

- a) The property of the Club other than cash which will be under the control of the Finance Chairman shall be vested in Trustees, being no more than five in number, who shall be elected at an Annual General Meeting from amongst the members of the Club. A Trustee shall be removed only by means of a resolution passed at a Special General Meeting convened for that purpose. The Trustees and the Council shall co-ordinate their respective responsibilities to ensure the interests of all Members are fully protected.
- b) The Trustees shall deal with the property vested in them by way of sale, mortgage, charge, lease or otherwise, and in the case of company share-holdings, vote as directed by the Club. Such direction shall be given by resolution of the members of the Club passed by a majority of the members present at a duly convened meeting of the Club and when so passed shall in favour of a purchaser, mortgagee, charge, lessee or grantee be binding upon all members of the Club. A certificate purporting to be signed by the General Manager for the time being, of the Club shall in favour of those persons be conclusive evidence that a direction complying in all respects with the above provisions of this rule was duly given by the Trustees.
- c) The Trustees and members of the Council shall not be liable (otherwise than as members) for any loss suffered by the club as a result of the discharge of their respective duties on its behalf, except such loss as arises from their respective wilful default, and they shall be entitled to an indemnity from penalties or loss incurred by them in a discharge of their respective duties.

3. Membership

A member of the Birstall Golf Club shall be identified as one in the following five categories:

- a) **Unrestricted** Full Playing Member
- b) **Restricted** Playing member - covers 5 and 6 day members, juniors under the age of 18 years, male and female students, (i.e. persons who are in full time education) Country, Temporary Membership and Ministers of Religion
- c) House Members (Past Players)
- d) Social Members (not previously in playing membership)
- e) Pay and Play Members

Membership categories may be added or deleted at Council discretion.

4. Management Board

- a) The entire management of the Club shall be vested in a Management Board, consisting of a Chairman, a Finance Director and three other Board members who will be responsible for Golf, the Golf Course and Business Development.
- b) The overall day to day management of the Club shall be vested in a General Manager. The General Manager will report to the Management Board at monthly meetings.

- c) All members of the Management Board shall be elected for a period of two years at an Annual General Meeting and shall retire after that period, but will be eligible for re-election. In order to maintain the balance on the Management Board, on alternate years there will be two then three elected members.
- d) Any four members of the Management Board form a quorum for Management Board business.
- e) Nominees for the posts of Chairman of the Management Board and other members of the Management Board shall be from unrestricted members, restricted members in the 5 and 6 Day category, and shall be signed by two playing members and be submitted to the General Manager at least 7 clear days prior to the Annual General Meeting. The General Manager shall publish details of the nominations in the Clubhouse as soon as they are received.
- f) A vacancy on the Management Board which has less than 12 months to run shall be filled by the Management Board as soon as is practicable from amongst the unrestricted members, restricted members in the 5 and 6 day category.
A vacancy on the Management Board, which has more than 12 months to run shall be temporarily filled by the Management Board until the next General Meeting when the position shall be filled in accordance with Rule 4c. In this latter case the person so appointed shall be so until the date on which the person in whose place he/she has been appointed would have retired. No Member shall hold more than one post.
- g) The Management Board may authorise the Golf Club to borrow money or sign any indemnity as required in order to fulfil its responsibility to manage the Club.
- h) Decisions of the Management Board shall be on a majority basis. The Chairman of the Management Board shall have the casting vote.
- i) The Management Board may appoint Staff at such remuneration and upon such terms in line with current legislation. Meetings of the Management Board shall be called by notice from the General Manager to each of the members seven clear days before the date of such meetings. If a meeting is required without the relevant notice, members of Management Board will agree to reduce the period of notice. Except in exceptional circumstances, no more than three calendar months shall elapse between meetings of the Management Board.

5. Officers of The Club

- a) The Club shall have one President and one Vice-President of either gender. The President and Vice-President shall be elected for a period of two years.
- b) The Club shall have two Club Captains, one of whom shall be a woman, one a man. The Club shall have two Vice Captains, one a woman and one a man. These Captains and Vice Captains shall be elected annually at an Annual General Meeting.
- c) The procedure to propose future candidates for office is:
President – by agreement from the Men’s and Women’s Past Presidents Panel
Vice President – by agreement from the Men’s and Women’s Past Presidents Panel
Male Captain – by agreement from the Men’s Past Captains Panel
Lady Captain – by agreement from the Women’s Past Captains Panel.

6. Council

- a) The Council shall consist of the President, the two Club Captains, the two Club Vice Captains and the Management Board.
- b) The Vice Captains shall be ex-officio at meetings, but may attend as a pre-cursor to their year as Captain.

- c) The Council shall meet on a quarterly basis to review the previous three months activity and to preview future activities.

7. General Meetings

- a) The Annual General Meeting of the Club shall be held not later than the last day of March each year.
- b) The Council may call a Special General Meeting at any time and shall be bound to do so within twenty-one days from the receipt of a requisition signed by twenty playing members of the Club over the age of 18 years.
- c) Notice of a General Meeting shall be sent to all members over the age of 18 at least fourteen days before such a meeting, and twenty members must be present to constitute a General Meeting. Notification shall be via email and/or text and/or Facebook, also by placing such notice on the appropriate notice boards in the club at least fourteen days before the meeting. For those members that do not have email, text or Facebook they can request in writing to the General Manager that they require notification by post.
- d) Any proposals to be submitted to an Annual General Meeting shall be handed to the General Manager, in writing, and signed by a proposer and seconder at least 14 days prior to the meeting. Amendments to proposals, also signed by a proposer and seconder, shall be handed to the General Manager not less than 7 days before the meeting. Such proposals and amendments shall be posted on the Club's notice boards immediately on their receipt.
- e) All members aged 18 and over are entitled to vote at any General Meeting. House & Social members shall be entitled to attend all General Meetings and shall have voting rights on non-golfing matters only.
- f) Voting by proxy is allowed, these must be requested and collected in person, and the completed form must be lodged with the General Manager before the commencement of the meeting. In the event of an amendment being passed and becoming a substantive motion, then such votes shall be included in the subsequent count.

8. Election of Members

- a. A candidate for Membership shall be proposed and seconded by two members of the Golf Club, over the age of 18 years, both of at least two years standing. They must have personal knowledge of the candidate, and be responsible for his or her eligibility. The proposer shall deliver the application signed by the candidate to the General Manager, who will post it forthwith in the Clubhouse. Seven days shall elapse after such posting before the membership is confirmed.
- b. A candidate, who is unable to obtain a proposer and seconder, may deliver a signed application form to the General Manager. The candidate will undergo a preliminary interview by a Member of Council, past President, Captain, Chairman or General Manager. Subject to the candidate proving satisfactory, the General Manager, as in (a) above, shall post the application along with any comments drawn in preparation for a formal interview which shall include the Officer's willingness to be responsible for his or her eligibility.
- c. An Interviewing Committee, comprising of any two Officers and/or Members of the Management Board, or past officers, or the General Manager shall be established to interview prospective members.
- d. If the interview committee are not in total agreement regarding the suitability of the candidate, Council may decline the application by a majority vote. Membership will only be declined on that basis and the protected characteristics of the Equality Act 2010 will be

adhered to.

- e. A previous member of the Club wishing to re-join, providing there is no existing debt nor evidence of improper behaviour, shall not be required to be proposed/seconded, nor shall they be required to attend an interview.
- f) A copy of the Club rules shall be given to each member on their being elected.
- g) The maximum number of members in the respective categories (as outlined in Rule 3) shall be decided by the Council.

9. Subscriptions

- a. The full annual fee will set the level of subscriptions for all other playing categories which will be by various fixed percentages lower than the subscription level of the full annual fee.
- b. The percentage amounts in a) shall continue until changed at a General Meeting.
- c. The Council may increase the rate of the full annual fee by up to 7½% without reference to the members. Higher increases shall require the approval of a General Meeting.
- d. Entrance fees and subscriptions for all categories shall be decided by Council.
- e. All playing members will contribute to the development fund at a maximum cost of £60.00 per annum, to run for a maximum period of 15 years up to 2023.

10. Regulations relating to Dress

- a. The Council may from time to time make Regulations as to the appropriate dress in the Clubhouse and on the Course. Members and visitors shall comply with such Regulations and any infringement shall require leaving the Clubhouse or the Course until the Dress Regulations are met.
- b. The Regulations in force as to Dress and any changes in such Regulations (whether temporary or otherwise) shall be duly exhibited on Notice Boards in the Clubhouse.

11. Payment of Fees & Subscriptions

- a. All subscriptions and associated fees shall be payable to the General Manager, in advance of your annual renewal date. If you choose to pay by instalments you will be referred to a third party lender and will be governed by their terms and conditions. If you enter into such an agreement and the club has to make any payments or otherwise incurs any liability in respect of these, and/or any finance plan is cancelled, terminated or ended for any reason, you will remain fully liable for all fees to the club and will reimburse the club for any losses the club incurs in compensating the third party lender.
- b. Any member whose subscription and associated fees remain unpaid one month after their renewal date or defaults on their instalments will not be permitted to play the course at any time until the full amount has been paid or a method of payment has been agreed upon and implemented. At the discretion of the Council a Member may be removed from the 'List of Members' during any current year.
- c. Newly elected members shall not be allowed the privileges of the Club until they have paid their entrance fee, (if applicable) together with their subscription, or have agreed and implemented an alternative method of payment.
- d. The Club's financial year end for all purposes (except tenure of office) is 31st December.

12. Under 18

- a. Junior members under 18 years of age may join the Club at the discretion of and play at such times determined by the Council.
- b. On reaching the age of 18 years, they may move to the Full Playing category, without further election.

13. Country Members and Ministers of any Religion

Any person being a Full Playing Member of another Golf Club and whose permanent address is outside Leicestershire or reside outside a 25-mile radius, taken from the Clubhouse and who is not engaged in any business venture within that radius, may be elected by the Council as a Country member.

Country Members, as full playing members of another affiliated Golf Club may, if in possession of a current CONGU handicap, may only play in BGC Non-Trophy competitions and play in Invitation Events as invitees of full playing BGC members.

Ministers of any Religion residing in Leicestershire may be elected by the Council on the same terms as Country Members.

14. Temporary Member of the Club

Any person temporarily residing in Leicestershire may be elected by the Council as a Temporary Member on payment in advance of such entrance fee and/or subscription as the Council decides. The Council shall review such membership annually.

15. House Members

- a. Subject to paragraph (b) of this Rule, a limited number of House members may be elected in the manner provided for in Rules 12, 13 & 14.
- b. House Members shall be entitled to all non-playing privileges of membership including voting at any General Meeting, or as decided by the Council. They may however, if a playing member of another affiliated Golf Club, and in possession of a current CONGU handicap, play in Invitation Events, as invitees of BGC members.
- c. Members who have not previously been in one of the playing categories but wish to transfer over, may do so at the discretion of the Council subject to the full entrance fee (if appropriate) and annual subscription being paid.
- d. Members wishing to return to Playing Membership may do so at the discretion of the Council.

16. Resignations

Any member intending to resign shall give notice in writing to the General Manager at least one month prior to their membership renewal date; otherwise the subscription for the following year shall be paid.

17. Suspension and Expulsion of Members

The rules covering suspension or expulsion of members will be those published from time to time by the National Golf Clubs Advisory Association and a copy of which can be provided upon request from the General Manager.

18. Visitors Playing Golf

- a. Visitors may play the course on payment of the appropriate green fees.

- b. Members may introduce visitors to play golf but this shall be limited to a maximum of 3 visitors at any one time.
- c. No visitor may be introduced more than **8 times** in any one year.
- d. Visitors on payment of the green fees shall become guests of the Club for that day only, but shall not be entitled to play in any Club Competitions or Club Matches.

19. Introduction of Visitors (Non-Playing) and Sales to Non-Members

A member may personally introduce friends as his or her guests. These conditions shall not apply to a Member introducing their partner or spouse, the admission of whom shall be subject to such regulations that are made by the Council from time to time.

Members must accompany guests introduced by them during the period of their stay at the Club.

Subject to any restrictions which from time to time may be imposed by the Council, the following persons shall be entitled to admission to the Club premises and to purchase intoxicating liquor for consumption on the premises.

- a. Golfers on payment of the appropriate green fee.
- b. Those attending functions organised by Club Members, and guests who are participating in Club activities - Golf Tournaments etc., and those persons organising the same and engaged as referees, judges etc.
- c. Any persons properly attending private functions organised by or on behalf of, any club member, or members. Providing that such private functions are first authorised by the Council.
- d. Those taking table meals at the Club premises.

20. Schoolboys & School Girls

Visiting children and grandchildren of Playing Members between the ages of 14 and 18, when at home for the holidays, may be allowed (with the approval and discretion of the Council) to play on the course with a Member except on Competition days, on payment of a fee decided by the Council.

21. Bye-Laws

The Council may at any time make, amend or rescind such Bye-Laws as it may consider necessary for the wellbeing of the Club and its Members. All such Bye-Laws shall be proposed to members at the next following Annual General Meeting as Bye-Laws or amended Bye-Laws of the Club.

22. Complaints

All complaints shall be made in writing to the General Manager who, if unable to deal with them personally, shall submit them to the Management committee and/or Council whose decision shall be final.

23. Competitions & Local Rules

Competitions shall be held at such times and under the Playing & Competition Rules or as the Council shall determine.

The Council may from time to time introduce 'Local Rules' which shall apply to the playing of golf on the course. The 'Local Rules' shall be displayed at all times on suitable boards in all locker rooms.

24. Alteration to Rules

No Rule shall be repealed or altered, or new Rule made except at an AGM or Special General Meeting called for that purpose, and written notice of any proposed repeal or alteration of any Rule, and any proposed new Rule shall be given in the manner set out in Rule 6(d). Exception to the aforementioned will only occur to comply with the law of the land.

25. Power to Wind up the Club

A Special General Meeting may at any time determine, by a majority consisting of not less than three-quarters of the Playing members present at the meeting, and entitled to vote, that the Club shall be wound up. In that event the affairs of the Club shall be liquidated by such persons and in such manner and upon such terms as may be determined by an ordinary majority at the same or any subsequent Special General Meeting.

26. Rules of Golf

The Rules of Golf, as they may from time to time be fixed by the Royal & Ancient Golf Club of St Andrews, shall be observed by the Birstall Golf Club, supplemented by any special local rules that may from time to time be made by the Council.