



PAINSWICK GOLF CLUB

CONSTITUTION AND RULES

AND

CODE OF CONDUCT

Incorporating amendments as approved at the

Annual General Meeting on 4th March, 2016.

“(Rule 13 (c) (iii) becomes effective from 1st April 2016”

PAINSWICK GOLF CLUB CONSTITUTION & RULES

(Revised 2016)

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Code of Conduct

PAINSWICK GOLF CLUB CONSTITUTION & RULES

2016

1. Name

The Club is an unincorporated association and is named Painswick Golf Club (the Club).

2. Objects

The Club exists to promote and encourage participation in the playing of the amateur sport of golf in the area of Painswick, Gloucestershire. The club will provide facilities for members and refreshments for all.

3. Rules

(a) Rules of Golf

The game will be played under the rules of golf as determined from time to time by the Royal and Ancient Golf Club, St. Andrews, modified by local rules, where deemed appropriate and approved by the Executive Committee of the Club, to which every member will be bound.

(b) Rules of the Club

All members shall be bound, in all respects, by these Rules and by the associated Code of Conduct, Bye-Laws, Dress Code, Golf Etiquette and Course Priority.

(c) Alterations to Rules and Bye-Laws

(i) No rules of the Club shall be repealed or altered and no new rule made without a two-thirds majority of the members present and qualified to vote at a General Meeting. One calendar month's notice of the intention to propose any new rule or alteration must be given to the Secretary, who must notify - as detailed in Rule 19 - every member in the Club register of any proposal, at least fourteen days before the General Meeting. All such alterations to the rules must be made known by the Secretary to the appropriate Authorities within 28 days of their adoption.

(ii) The Executive Committee is empowered to make, repeal and amend whichever Bye-Laws it may from time to time consider necessary for the well-being of the Club. Any new Bye-Laws, repeals and amendments will be effective until confirmed or rejected at the next General Meeting.

(d) Non-Profit making

All surplus income or profits are to be reinvested in the Club to improve facilities. No surplus or assets will be distributed to members or third parties.

- (e) **Sundays and Official National Holidays**
In the interests of other users of Painswick Beacon Common, the playing of golf will cease at 2pm on Sundays and, also from 2pm, on the occasion of each officially approved national holiday, all such dates to be confirmed by the Executive Committee at the beginning of each calendar year or as soon as any announcement is made.

4. Membership

Membership of the Club within the following categories is open to all persons interested in playing golf, on application to the Executive Committee, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. Limitation of membership, according to available facilities, is allowed on a non-discriminatory basis.

The Club has different classes of membership and subscription on a fair basis, reviewed and approved annually by members and at a level that will not pose a significant obstacle to people participating.

The Club Executive Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club into disrepute. Appeal against refusal or removal may be made to the members.

4.1. FULL MEMBER

- (a) Any person aged 18 and over, elected to full membership in accordance with Rule 7.
- (b) Any person aged 65 and over who has been a member of the Club for 5 years at the date of renewal of annual membership and thus entitled to the concessionary rate of annual subscription.

4.2. LIFE MEMBER

Any full member elected in accordance with Rule 5.

4.3. HONORARY MEMBER

Any person elected in accordance with Rule 6.

4.4. FIVE-DAY MEMBER

Any member who has chosen to opt for the reduced entitlement to play golf between Mondays and Friday (inclusive) in a week and is, consequently, entitled to the week-day concessionary rate of annual subscription.

- 4.5. All members in categories 4.1, to 4.4 may attend and vote at all General Meetings of the Club.

4.6. JUNIOR MEMBER

Any person under the age of 18, elected as a Junior Member, in accordance with Rule 7, who may attend and participate in the discussions at all General Meetings but has no voting rights.

4.7. INTERMEDIATE MEMBERSHIP

A membership category introduced to encourage the recruitment of golfers aged under 12 and up to 30 years, at tiered subscription rates as determined by the Executive Committee.

4.8. TEMPORARY MEMBER

- (a) Any person may be admitted as a temporary member in any of the categories that the Executive Committee may approve from time to time for the enjoyment of the golfing facilities for a round, day, week, month or for any longer specific period, on payment of the prescribed fee as determined by the Executive Committee.
- (b) Country Members living over 50 miles from the Club are eligible for temporary membership at the prescribed fee.

4.9. SOCIAL MEMBER

Any person over the age of 18, admitted by permission of the Executive Committee, on payment of the prescribed fee, who may not play golf but may enjoy the social activities and price discounts arranged by the Club from time to time.

4.10. Members in categories 4.8. and 4.9. may neither attend nor vote at any General Meeting of the Club and they have no claim or charges whatsoever upon the Club's assets.

4.11. MEMBERS ADDRESS

Every member must inform the Secretary of his/her address, together with any other relevant information, including email address where applicable, for recording in the Club register.

All relevant changes must be submitted to the Secretary, in writing, without delay.

5. **Life member**

Subject to there being not more than 10 Life Members at any one time, the Executive Committee may recommend that a full member be elected a Life Member at any General Meeting of the Club. The nominee will be so elected on a two-thirds majority vote of those present and entitled to vote and will then be entitled to all the privileges of full membership.

6. Honorary Member

On the recommendation of the Executive Committee, Honorary Members may be elected at any General Meeting of the Club, over and above the complement of ordinary members otherwise defined in Rule 4. A two-thirds majority vote of members present and entitled to vote will be necessary to confirm such an election which may be for such period as the General Meeting may deem expedient. Honorary Members will be entitled to the privileges of full membership but they will have no claim or charges whatsoever upon the Club's assets.

7. Election of Members

- (a) Any person over 18 may be elected as a member of the Club following an application to the Executive Committee.
- (b) Any person under 18, on application to the Executive Committee, may be elected as a Junior Member of the Club provided that he/she does not operate gaming machines and does not purchase alcoholic drinks.
- (c) All applications must be approved or refused by the Executive Committee.
- (d) The Executive Committee may admit members and guests of visiting teams to the Club for the day on which a match is being played. Subject to the terms of the Club licence they will be permitted to purchase alcoholic drinks.

8. Executive Committee – Duties and Responsibilities

- (a) The Executive Committee will conduct the business of the Club and shall :
 - (i) manage the Club and control its finances in a business-like manner and will take all such administrative powers and steps, as may be necessary, to carry out the Objects of the Club, as defined in Rule 2,
 - (ii) arrange to have the annual accounts validated by a competent person prior to their presentation to the Annual General Meeting,
 - (iii) as necessary and desirable engage, encourage, control and dismiss the Club's employees,
 - (iv) maintain a minute book in which is recorded all the proceedings and resolutions of the Club and the Executive Committee. Copies of the minutes will, within one month, be displayed on the Club's notice board and on the notice boards in the changing rooms. Minutes of each meeting will be confirmed as a correct record at the next following meeting of the Executive Committee,
 - (v) have the responsibility and power to impose sanctions that they deem appropriate, on members, guests and visitors who have failed to comply with the Rules and the Code of Conduct.

- (b) The Executive Committee have the power to instruct the Trustees on monetary and other matters that are in the interest of the Club and may, in particular circumstances, elect successor Trustees to any vacancies, pending the confirmation of such elections at the next General Meeting.
- (c) The Executive Committee will ensure the establishment and continuation of proper and reciprocal relationships with the Club Manager and staff of the Club House, the representatives of the Landlord and other statutory authorities in respect of the golf course, with other golf clubs through matches and other events and with visiting corporate groups, visiting societies and daily green - fee players.
- (d) The Executive Committee will take all steps within their power to ensure, as far as the Club is concerned, a considerate and co-operative co-existence between golfers, residents and the general public on the golf course.

9. The Executive Committee

- (a) The Executive Committee, being members of the Club other than Junior, Intermediate, Temporary and Social members, will comprise the :

Chairman also President,
Secretary,
Treasurer,
Greens Secretary,
Captain,

and will meet as frequently as deemed advisable and, in any event, not less than once a month

Three members will form a quorum and, unless otherwise stated in these rules, voting shall be decided by a simple majority.

- (b) Sub Committees.

The Executive Committee may, from time to time, appoint (and remove) any individual and/or sub-committee for any special purpose and may delegate to them any of its powers. Persons so appointed must be members of the Club but not necessarily members of the Executive Committee.

- (i) A standing Sub-Committee will be named as The Captain's Sub-Committee. It will comprise the Captain (Chairman), Vice Captain, Captain of the 'A' Team, Ladies' and Seniors' Captains, the County Representative, the Competitions Secretary, the Junior Organiser, and such other member that the Captain may invite. The sub-committee will assist the Captain to fulfil his responsibilities as set out in Rule 11. Minutes of their deliberations will be prepared for submission by the Captain to the Executive Committee.

- (ii) Whenever necessary, a Disciplinary Sub-Committee will be brought into being, comprising four independent and impartial members to be appointed by the Executive Committee. Having considered, as fully as possible, the circumstances of the case before them the members of the sub-committee will report their findings and recommendations confidentially, in writing, to the Executive Committee who will take appropriate action and communicate their findings to the member under scrutiny.
- (iii) No individual invited to assist the Executive Committee or any sub-committee that may be formed will incur expenditure without the prior approval of the Executive Committee.

10. Election of Members of the Executive Committee

- (a)
 - (i) The Chairman, Secretary, Treasurer and the Greens Secretary will be elected for a period of three years and will then retire in rotation following which they will each be eligible for re-election for a further period of three years.
 - (ii) The Captain will be elected to serve for one year.

- (b) The election of the appropriate members of the Executive Committee shall take place in the following manner:-
 - (i) Candidates for consideration for membership of the Executive Committee duly proposed and seconded, must be submitted to the Secretary in writing, at least twenty eight days prior to the expiration of the serving members term of office. Election for the term specified above will take place at the following Annual General Meeting.
 - (ii) If there is more than one candidate for any one position, each member present and entitled to vote, may vote for one candidate. If two or more candidates obtain an equal number of votes, the Executive Committee must select the successful candidate.

- (c) Vacancies on the Executive Committee
 - (i) Executive Committee members may retire at any time and may be removed from office upon a two thirds majority of the members present and entitled to vote at an Extraordinary General Meeting called for that purpose.
 - (ii) Vacancies during the course of the year must be filled by the Executive Committee. Any member so chosen must retire at the following Annual General Meeting but will remain eligible as a candidate for re-election, for the remainder of the retired member's term of office.

11. Executive Committee - Duties of Members.

- (a) The **Chairman** will be the leader of the Executive Committee, spokesman, representative and host on all the Club matters. He/she will maintain a close contact with the Club's Trustees and will liaise with the Club House Manager.

The **Secretary** will be responsible for all administrative matters and will maintain the Club database, documents, all Club and Executive Committee minutes and the Club diary. He/she will liaise very closely with the Treasurer and the Club House Manager on social events and bookings, costs and income in respect of the use of the golf course by all visitors.

The **Treasurer** shall establish and maintain proper accounting records which shall be presented monthly to the Executive Committee. The Treasurer will present trading accounts and a balance sheet to the Annual General Meeting, following validation. He/she will liaise closely with the Secretary and the Club House Manager to ensure that income due to the Club is realised.

The **Greens Secretary** will hold an oversight, direction and control of all golf course matters, the acquisition and maintenance of machinery and equipment and will prepare, and obtain Executive Committee approval for, a budget. He/she will operate and manage the department within the financial approvals so given. He/she will have a first responsibility for the work and efficiency of the Grounds Staff and will collaborate, as necessary, with the Competitions Secretaries of the Club and its Sections. He/she will liaise with the statutory authorities over their legitimate interests in the golf course.

The **Captain** will be an ambassador for the Club on golfing matters generally, and will be responsible for the preparation of the Club's teams and matches, in liaison with the Vice Captain, the Green's Secretary and Competitions Secretary.

- (b) All members of the Executive Committee will pursue their individual responsibilities but each member will make progress reports at regular intervals to ensure that all aspects of the Club's function are shared within the management group.
- (c) No financial commitment must be entered into by individual members without the prior approval of the Executive Committee or unless necessary and urgent requirements have been authorised by the Treasurer, Secretary and Chairman.

12. Trustees

- (a) The fundamental purpose of the Trustees, who shall be members of the Club, is to hold the Real Property (land and buildings) and such other assets of the Club (but not cash), that are vested in them and which they hold on behalf of the Club, its beneficial owner. All Trustees will be registered at the Land Registry on the Club title and will be indemnified against personal liability for debts out of Club property.

- (b) Four Trustees shall be elected at an Annual General Meeting and each Trustee will retire in rotation at each Annual General Meeting but may stand for re election.
- (c) On the occurrence of a vacancy for whatever reason, the remaining Trustees may continue to act but a successor may be appointed who will hold office until confirmed in post at the next General Meeting.
- (d) The Trustees must deal with the property of the Club as directed by resolution of the Executive Committee and an entry in the minute book of the Executive Committee shall be conclusive evidence of such a resolution.
- (e) The Trustees will maintain proper and adequate records and will meet annually to record activity and such record shall be presented to the Annual General Meeting for acceptance, together with a balance sheet detailing all the Club assets and liabilities.

13. Subscriptions

- (a) Any joining fee from new members and the annual subscription for each category of membership as determined by the Executive Committee must be approved at the preceding Annual General Meeting.
- (b) Annual subscriptions, apart from those for which special arrangements have been approved by the Executive Committee, are payable on the first of April. Any member whose subscription is two weeks in arrears is deemed to have allowed his/her membership to have lapsed and to have ceased to be a member of the Club.
- (c) With the approval of the Executive Committee:
 - (i) any member absent studying for any part of any year will not be liable for a subscription in respect of that part of the year,
 - (ii) any member withdrawing from playing golf on health grounds will have his/her subscription waived for that period.
 - (iii) any member writing to the Honorary Secretary, detailing that, due to demonstrable low or modest income, they are unable to afford a subscription and playing cost above £520 per annum will be offered alternative terms.
- (d) During their period in office the Captain, Secretary and Treasurer will be remunerated to a maximum of £400 p.a. (reviewable annually) in recognition of the administrative and practical duties they undertake for the benefits of the Club.

14. Visiting Captains and Secretaries

No charges for green fees shall be made in respect of Club Captains and Club Secretaries in their year of office at other golf clubs.

15. Discipline

- (a) The Executive Committee will ensure that the Rules are enforced.
- (b) Minor infringements will be dealt with by the Chairman and/or the Secretary. In more serious cases, the Executive Committee will decide what punishment is appropriate, such cases may justify the issue of a final warning, a temporary suspension or expulsion.
- (c) In order to reach a decision in serious cases the Executive Committee may empower a Disciplinary Sub-Committee to give initial consideration to any default and to make recommendations. (Rule 9.b.ii).
- (d) The Executive Committee may refuse applications for membership and may temporarily suspend or expel any member for:
 - (i) a breach of any rule or local rule for the time being in force,
 - (ii) misconduct as a member of the Club,
 - (iii) conduct, either in or out of the Club, inconsistent with any of the Objects of the Club and which it is judged by the Executive Committee may bring the Club into disrepute.
- (e) In a case where expulsion is a potential outcome a simple majority of the members present at an Executive Committee, specially convened for the purpose, is necessary to expel a member for any of the offences detailed above. The member must be given fourteen clear days notice of the meeting and, before a vote is taken on any proposed expulsion, the member appearing before the Executive Committee, must be allowed a full opportunity to offer an explanation.
- (f) A person being refused membership and a member being expelled must have the right of appeal at a General Meeting.
- (g) The English Golf Union (EGU) has delegated to the Club the power to suspend the handicap of a playing member for breaches of the Rules and Regulations of the Union and for conduct which prejudices the interests of the Union in the game. All such cases and appeals against decisions made will be dealt with by the Executive Committee in strict accordance with the Union's Instructions for the procedure and conduct of disciplinary hearing as determined by the EGU from time to time.

16. On Ceasing to be a Member

- (a) Any member may at any time resign his/her membership by giving notice in writing to the Secretary but remains liable for any subscriptions due and unpaid at the date of resignation.
- (b) Any member expelled in accordance with the rules, or otherwise ceasing to be a member of the Club will forfeit any rights to, or any claim upon the Club that he/she might have had by reason of membership.

17. Annual General Meeting

- (a) The Annual General Meeting of the Club will be held on the first Friday of March, commencing at 8pm in the Club House, unless otherwise notified as detailed in Rule 19.
- (b) The Agenda and Notice for an Annual General Meeting will specify:-
ORDINARY BUSINESS, which will include necessary but routine and standard items such as minutes, reports, elections, accounts etc. and ,

SPECIAL BUSINESS, which will comprise non-routine topics including changes to Rules/Bye-Laws, the election of Life and Honorary Members and any special matters of other significant business.

The Notice for Special Business should give a reason for calling the meeting and, if and when appropriate, include a resolution.

18. Extraordinary General Meeting

The Executive Committee

- (a) may call an Extraordinary Meeting for matters of urgent importance, and
- (b) must do so,
 - (i) upon receipt of a requisition signed by at least twenty Full Members of the Club,
 - (ii) upon the request a person who has been refused membership and of a person who has been expelled by the Executive Committee and who desires to appeal to a General Meeting against the expulsion.
- (c) The notice should give reasons for calling the meeting and should include a resolution.

19. Notice of General Meetings

Notice of a General Meeting will be given fourteen clear days before the meeting.

Such notice, together with the Agenda and other relevant communications, will be posted on the Club notice boards, on the Club website and by email to members at their addresses as recorded in the Club register.

20. Voting

Voting at General Meetings, save as otherwise stated in these rules, shall be decided by a simple majority of those present and entitled to vote.

21. Club Property

Members must not take away, or permit to be taken away, from the Club or premises, under any pretence whatsoever, nor deface nor destroy any newspaper, pamphlet, book or other article, the property of the Club.

22. Miscellaneous Notices

No paper, picture, notice or placard, written or printed, shall be put up in the Club House or in the changing rooms without the sanction of a member of the Executive Committee or of the Sections' Committees.

23. Hours : Club House

The Club House will be open on such days, at such times and for such purposes as laid down in the agreement between the Club and the Club House Manager, when the Manager or a representative of the Manager will be in attendance.

24. Payment of Expenses

The host of any visitor and guest admitted to the Club under Rule 7(d) will be required to ensure that, in addition to his/her personal expenses, those of the visitor/guest in the Club House and on the golf course are paid before they leave.

25. Dissolution of The Club

The following procedure is required to dissolve the Club:-

- (1) The Executive Committee must call an Extraordinary General Meeting if it proposes, or, if members, acting in accordance with Rule 18(b)(i) propose that the Club be dissolved.
- (2) The Extraordinary General Meeting must be held as soon as practicable and not less than one-quarter of the current total of Full and Life members must be present.
- (3) The resolution must be confirmed by a two-thirds majority of those present and qualified to vote.
- (4) Upon this confirmation of dissolution of the Club, the Executive Committee will ensure that any remaining assets shall be given or transferred to another registered Community Amateur Sports Club (CASC), a registered charity or the golf governing body for use by them in related community sports.
- (5) Upon completion of this gift or transfer the Club will be dissolved.

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CODE OF CONDUCT

A. Conduct of members amongst themselves

All members shall show courtesy and consideration to all other members whilst using the facilities of the Club. Any dispute between members shall be settled by the Executive Committee. Any breach of Club Rules or any misconduct will be regarded as a disciplinary matter. Minor disciplinary matters will normally be dealt with informally by oral reprimand. Persistent minor breaches or any serious matters will be considered by the Committee who will then decide if a Disciplinary Committee is required.

B. Conduct of members as regards employees of the Club and of the Club House

No member or guest shall rebuke, direct, insult or abuse any employee of the Club or those employed in the Club House. Any breach of this rule shall be dealt with under the provisions of Rule 15.

C. Guests in the Club House

Members have the privilege of introducing guests to the Club House. In addition to the order in **B**, above, the following guidance applies to those guests.

1. Any non-member wishing to play golf must pay the appropriate fee.
2. The conduct of guests is the responsibility of the member who has introduced them.
3. Visiting players in competitions and their accompanying officials are regarded as guests.
4. Subject to the terms of the Club licence and to any restrictions which may, from time to time, be imposed by the Executive Committee, the following persons shall be entitled to admission to the Club House and to purchase intoxicating liquor:

Golfers, on payment of the appropriate Green Fee.

Guests.

Those attending any function organised by the Club.

5. Members are reminded that their guests must conform with the provisions of the Dress Code.
6. Children are allowed into the Club House provided they are under constant supervision. They must not be allowed to cause any disturbance to other members, nor to any other users of the Club House.

MOBILE TELEPHONES

*Audible tones of mobile telephones must be disengaged when on the Golf Course AND within the Club House – as a matter of good etiquette. However, golfers are encouraged to carry their (**switched-off**) mobile phones on the golf course in case of emergencies.*

Any person who refuses to comply with these requirements may be asked to leave the course/Club House.

The Executive Committee
March 2016