

**Effective: 1st January 2024.**



**Balcarrick Golf Club**

**Constitution**

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## **1. Preliminary, Definitions and Interpretations**

- 1.1 Rules herein contained are indicated by consecutive numbers.
- 1.2 Clauses are indicated by consecutive numbers preceded by Rule numbers.
- 1.3 Sub-Clauses are indicated by consecutive numbers preceded by Rule and Clause numbers.
- 1.4 Sub-Sub-Clauses are indicated by consecutive numbers preceded by Rule, Clause and Sub- Clause numbers.
- 1.5 Balcarrick Golf Club (BGC) shall mean the group of amateur golfers operating under a constitution and affiliated to Golf Ireland. Balcarrick Golf Club Ltd (BGCL) was established for the purposes of managing the provision and maintaining the facilities owned by, or available for use by, the members of Balcarrick Golf Club . To hold the property and assets of BGC in trust on behalf of the Full Ordinary Members of BGC.
- 1.6 The name or title "Committee" and the Officers and Members thereof, without qualification, shall mean either the Men's Committee, the Ladies' Committee or the Committee of Management or each of their Officers and Members where the context so admits or require.

## **2. Titles and Ownership**

- 2.1 The name of the Club from a golfing perspective is Balcarrick Golf Club (BGC).
- 2.2 The Official address of the Club is Corballis, Donabate, County Dublin.
- 2.3 The ownership of the Club property shall be vested in BGCL on behalf of the Full Ordinary Members as defined by Sub-Clause 11.3.1. The Full Ordinary Members shall have control of the affairs of the BGC and BGCL.
- 2.4 The assets of the Club are managed, monitored and controlled in accordance with an Asset Management policy as determined by the Management Committee.

## **3. Membership**

- 3.1. The Membership of BGC shall consist of all categories of members, each of whom has been elected to membership of BGC in accordance with the provisions of the immediately preceding, or earlier, Constitution of the Club.
- 3.2 The number of Members electable to each category shall be decided from time to time at an Annual or Special General Meeting of the Club.

- 3.3 Only Full Ordinary Members as prescribed by Sub-Clauses 3.1 and 11.3.1 shall be entitled to attend and vote at all Annual Special and Extraordinary General Meetings. Be entitled for nomination for and election to Office and Management Committee of BGC and BGCL.
- 3.4 All data and personal information under the control of BGC and BGCL shall be held and maintained in accordance with the EU Data Protection Policy (GDPR) Regulation and the Irish Data Protection Acts 1998 to 2018 (as amended).

#### **4. Objects**

4.1 BGCL on behalf of BGC shall: -

- Provide facilities for the playing and promotion of the amateur game of golf and other social activities amongst its members and shall:
- Collect annual subscriptions and other Club levies payable by the members;
- Adhere to the maximum number of members of the different categories of member, which can be elected to the club. Any alteration to the number permitted in each category shall be decided at an Annual General Meeting (AGM), Special General Meeting (SGM) or Extraordinary General Meeting (EGM) of the club
- Adhere to the existing rate of annual subscription, the club entrance fee (if any), and Capital levy (If any), as set from time to time.

4.1.2 Accept and abide by the Rules of Golf 2019, the Rules of Amateur Status as approved by the R&A, the WHS Rules of Handicapping, the Golf Ireland Constitution, the Regulations and the Terms of Competition of Golf Ireland to which the club is affiliated.

In compliance with Golf Ireland Bye-laws BGC undertakes to pay the Membership Fee applicable to Affiliate Club, and to pay the Affiliation Fee by 31 March annually or other date set by Golf Ireland.

For the sake of clarity, BGC shall be bound by the constitution, policies, rules, and regulations which apply to all members of Golf Ireland and shall comply with the ongoing conditions of affiliation as directed by Golf Ireland from time to time.

4.1.3 Provide and maintain for the use of the Members of BGC, a Golf Course and Clubhouse, comprising all the usual amenities, including refreshments, entertainment, and other facilities incidental to the game of golf.

4.1.4 Maintain an accurate register of all members on the Central Database of Handicap system (CDH).

- 4.1.5 Authorise the Management Committee to manage matters of BGC to ensure that the relevant requirements of the Registration of Clubs Act 1904–1999 (as amended) and the Licensing Acts 1833–2008 (as amended) and subsequent or amending legislation are fully complied with.
- 4.1.6 Ensure that BGC and BGCL is committed to safeguarding the wellbeing of its members, staff and guests, and ensure compliance with the guidelines set out in the Child First: National Guidance for the Protection and Welfare of Children 2017 which underpins Golf Ireland’s Safeguarding Policy.
- 4.2 BGCL and BGC strive to ensure that no gender, race, religious, political or other kind of unfair discrimination exists or is allowed to develop in BGC in any form. That all may participate regardless of their gender, race, civil status, family status, age, disability, sexual orientation, membership of the traveller community, political views or any other such irrelevant factor.

In addition:

- BGC and BGCL shall not tolerate harassment or other discriminatory behaviour including bullying, whether physical or verbal of any kind and shall work to ensure that such behaviour is met with appropriate disciplinary action in whatever context it occurs.
- BGC shall have policies and procedures in place to safeguard against such behaviour and which sets out our complaint mechanism for breach of these principles.
- BGC will promote gender equality and will promote the 30:30:40 gender balance principle as advocated by Golf Ireland on our Management Committees and Sub-committees. BGC is committed to the Women in Golf Charter.
- It is the stated policy that BGC adheres to good governance practice and follow Golf Ireland guidance on good governance, insofar as it considered practical from the perspective of BGC. We have a range of policies and practices which our membership is requested to comply with and breaches of these will be taken seriously.

## **5. Directors**

- 5.1 The Directors of BGCL shall not dispose of Balcarrick Golf Club Limited or allow the merger of the Company with another Company or dispose of lands and clubhouse, without the prior approval of a quorum of full ordinary members of the Club entitled to vote, at an AGM, SGM or EGM of BGC.
- 5.2 The Directors of BGCL shall not purchase or enter into any loan or lease arrangements incurring items of capital expenditure in excess of €127,000 other than for items which require replacement as a result of normal depreciation, without the prior approval of quorum of Full Ordinary Members of BGC entitled to vote at an AGM, SGM or EGM of BGC.

5.3 The Directors of Balcarrick Golf Club Limited shall be the Chair, Honorary Secretary and Honorary Treasurer.

## **6. Officers of BGC**

The Officers of BGC shall be the Chair, Captain, Lady Captain, Honorary Secretary, and Honorary Treasurer.

## **7. Management**

### **7.1 Allocation of Functions.**

7.1.1 The business and affairs of BGC shall be under the jurisdiction and control of the Management Committee consisting of the Officers of BGC, and five other voting members of the Club elected under Sub-Clause 7.3 and Clause 21.7, all of whom will be elected at the AGM of BGC.

The Chair will focus on:

- Club strategy development
- Business planning and implementation
- Oversight of the administration of BGC and BGCL
- Management of the relationship with associated service providers e.g., pro shop, catering, etc.

The club President, who will not be a member of the Management Committee:

- will hold an ambassadorial type role for an appointment period of two years, with the consent of the appointee.

7.1.2 The Management Committee shall, where possible, consist of [whether appointed or elected] at least 30% women, 30% men and 40% either gender to achieve gender balance.

7.1.3 The aforementioned Management Committee may exercise its powers notwithstanding that there might be a vacancy or vacancies in its membership.

7.1.4 At meetings of any of the above Management Committee 60% of those entitled to attend and vote shall form a quorum

7.1.5 At meetings of the Management Committee, the Chair shall preside over the meetings. However, if absent, an Officer of the Club to be agreed by those in attendance by way of a simple majority vote.

7.1.6 The Chair at a meeting shall, in addition to a deliberative vote, have, and shall exercise, a casting vote.

7.1.7 Ladies and Men's Committees will focus only on golf matters.

7.1.8 The business and affairs of the Men's Section shall be under the jurisdiction and control of the General Committee (hereinafter referred to as "The Men's Committee") consisting of the Officers of the Men's Club, the ex officio and 4

other voting members of the Men's Section elected under Sub-Clause 7.2.3 and Clause 21.7

- 7.1.9 The business and affairs of the Ladies' Section shall be under the jurisdiction and control of a General Committee (hereinafter referred to as "The Ladies committee" consisting of the Officers of the Ladies, the ex officio and 4 other voting members of the Ladies Section elected under Sub-Clause 7.2.3 and Clause 21.7
- 7.1.10 Each of the aforementioned Committees may exercise its powers notwithstanding that there might be a vacancy or vacancies in its membership.
- 7.1.11 Nothing in this rule shall preclude a member of either the Men's or the Ladies' Committees being also a member of the Committee of Management or vice versa.
- 7.1.12 At meetings of any of the above Committees 60% of those entitled to attend and vote shall form a quorum
- 7.1.13 At meetings of the Men's or the Ladies Committees the Chair shall be taken by the Captain or, if absent, by the Vice-Captain of the Section concerned. In the absence of the above Officers at a particular meeting those in attendance having votes, shall elect a Chairperson.
- 7.1.14 The Chairperson at a meeting shall, in addition to a deliberative vote, have, and shall exercise, a casting vote.

## **7.2 Sub-Committees**

The Management Committee may delegate any of their powers to subcommittees, which may consist of members of the Management Committee or such other persons as the Management Committee deem appropriate. Any Subcommittee so formed shall, in the exercise of its powers of delegation, conform to their terms of reference as determined from time to time by the Management Committee.

- 7.2.1 As a minimum the Management Committee shall establish the following Sub-Committees, each having such terms of reference as the Management Committee approve:
  - a) Audit and Risk Health & Safety
  - b) Governance
  - c) Finance
  - d) Nominations (as required)
  - e) Handicap, Fixtures and Competitions
- 7.2.2 The Management Committee may establish such other Sub-Committees or working groups as may be required from time to time each.

Other Sub-Committees that could be established include:

- Business - Commercial/Marketing/Communications
- Course
- House/Social
- Membership/Development
- Junior Golf
- Disciplinary

7.2.3 Each Sub-Committee shall retire annually on the date of the annual General Meeting or when the function for which it was appointed is completed.

7.2.4 The quorum of each Sub-Committee shall be defined at the time of appointment.

7.2.5 The Chair of each Sub-Committee shall, in addition to a deliberative vote, have, and shall exercise a casting vote.

### **7.3 Elections, Officers and Committees.**

7.3.1 The Captains of the Ladies and Men's Committees shall retire after one year's service, and shall be succeeded by the Vice-Captain, provided always that the members at their Annual Meetings may vote the outgoing Captain should serve in that capacity for a longer period. Should the outgoing Captain consent and be re-elected the tenure of Office of the Vice-Captain shall be extended for a similar period.

7.3.2 The Chair, Officers and Ordinary Members of Committee, shall retire annually and shall be eligible for re-election provided always that the same Office or Committee ranking shall not be held by such Officer or Committee Member for more than 6 consecutive years after which they shall not be eligible for re-election or co-option for a period of at least one year. It is desirable that the office of Chair, Honorary Secretary and Honorary Treasurer be retained for a period of 3 years, whenever possible.

7.3.3 The election of Officers, Members of the Management Committees and the appointment of Auditors shall be made at the respective AGM.

7.3.4 The incoming Captains shall nominate their incoming Vice-Captains. The nomination shall have the assent of the respective Committee and the nominee must have served a minimum of two years on the respective Committee or as chair of one of the sub-committees.

7.3.5 Nominations (with the consent of the nominee) for election to any Honorary Office or as an Ordinary Member of Committee shall be made: - by the Management Committee of BGC or by any two Full Ordinary Members of BGC.

7.3.6 All nominations shall be given to the Honorary Secretary of BGC and the Ladies and Men's Committees at least 14 days prior to the AGM of BGC.



- 7.3.7 A complete list of Nominees (Officers and Committee) together with the names of their proposers and seconders must be posted on the Club Notice Board for at least seven days prior to the date of the particular AGM.
- 7.3.8 The Committees shall have power to fill vacancies in any of these Offices (including membership of its Committee) during any year. The persons so appointed shall hold office until the next AGM of BGC. Such appointees are eligible to serve till the end of the period allowed to the person they are replacing and shall then be eligible for election in their own right if nominated.
- 7.3.9 At any AGM, if the election of a continuing member of the Committee to a position as an Officer will leave a vacancy on the Committee, then such vacancy shall be filled at that AGM from candidates already nominated for membership of the Committee. In the event that there are not sufficient candidates to fill such vacancies the Chair shall first declare the nominated candidates elected and then invite verbal nominations from the voting members present at the Meeting.
- 7.3.10 The office of any Officer shall be vacated by such Officer resigning there from or on ceasing to be a member of BGC or being removed by a resolution at an AGM, SGM or EGM of BGC.
- 7.3.11 No Member may be elected to more than one position on the Management Committee.

#### **7.4 Committee Meetings**

- 7.4.1 Meetings of the Management Committee, Ladies and Men's Committees shall be held not less than 10 times per annum and SGM's or EGMs on such dates as may be found convenient for the transaction of business on at least 7 days' notice being given by the Chair or Honorary Secretary of BGC.
- 7.4.2 Upon a requisition signed by no less than 5 members of a Committee, stating the nature of the business to be transacted, the Chair or Honorary Secretary of BGC shall call a Special Meeting of the Committee for the consideration thereof; and if the persons(s) designated above neglect or refuse to call such meeting within seven days the same may be convened by notice signed by 5 members of such Committee.

#### **7.5 Employment of Staff**

The Management Committee shall have power to request the Directors of BGCL appoint a paid Secretary/Manager, Secretariat, and other employees upon such terms and conditions as such Management Committee may determine, to terminate such appointments, and also to appoint substitutes from time to time, subject of course to any employment or other legal obligations which may arise.

#### **7.6 Management Regulations**

7.6.1 The Management Committee is empowered to make, and from time to time alter, such Byelaws and regulations for the management of BGC, as it may consider necessary.

7.6.2 The Management Committee is also empowered to make such Local Rules provided same are not at variance with the Rules of Golf and regulations for the use of the course as are required in the interest of all members.

7.6.3 Every member of every category and every visitor or other person using the clubhouse or course shall be subject to, and must comply with all Rules, Byelaws and Regulations in force.

## **8. Administration**

BGC shall be administered as follows:

8.1 The Chair of BGC shall be responsible for the every-day affairs of Club except such duties, which are specifically assigned to another Officer of the Club or the Secretary/Manager or Secretariat.

8.2 All written complaints concerning matters under the jurisdiction and control of the Management Committee of BGC shall be referred primarily to the Honorary Secretary of BGC who, if unable to resolve same, shall place the complaint on the agenda for the next meeting of the Management Committee for consideration, investigation and decision.

8.3 The Club shall appoint a Club Children's Officer and a Designated Liaison Person. These persons shall receive such training and education as necessary to fulfil the role and be vetted.

8.4 The Management Committee shall be responsible for formulating our child welfare and safeguarding policy for children and vulnerable adults. The Policy shall set out the policy of BGC including procedures in relation to stand down orders and vetting procedures and any other matters pertaining to child welfare.

8.5 Any person in BGC appointed to hold a position with access to children and/or vulnerable persons must have complied with the Garda Vetting procedure.

## **9. Finance**

The financial affairs of the Club shall be administered as follows. -

9.1 The Honorary Treasurer of BGCL shall be responsible for the keeping of full and detailed accounts books and records showing the financial affairs receipts and disbursements of BGCL.

9.2 The Banking Account shall be kept in the name of Balcarrick Golf Club Ltd (and shall be with such Bank as the Management Committee may from time to time determine). All cheques or electronic fund transfers shall be signed and/or approved as authorised by resolution of the Management Committee from time to time.

- 9.3 The Honorary Treasurer of BGCL shall issue an audited statements of the affairs of the Club for the financial year ended August 31st for consideration by the Committee and for presentation and approval by the members at the AGM of BGCL, which shall be held not later than November 30th following the financial year end.
- 9.4 The Management Committee shall be responsible for the payment to Golf Ireland for the annual per capita subscription for members as required by the Bye-laws of Golf Ireland.
- 9.5 BGC shall be entitled to charge all entry fees, said entry fees (to be agreed beforehand with the Management Committee), in BGC and Open competitions under its control and management and for which it has arranged for the provision of prizes.

## **10. Election of Members**

Subject to the agreed limitation as to the number of members electable to the different categories of members the Management Committee shall elect all members of BGC.

The procedure for the election of members to BGC shall be as follows: -

- 10.1 Each candidate for election (except in the case of Honorary Members) must be proposed by one voting member of the Club and seconded by one other voting member of the Club.
- 10.2 The Management Committee of BGC may prescribe the minimum number of year's membership required before a member is entitled to propose or second a candidate.
- 10.3 A candidate who wishes to apply for membership of BGC shall submit an Application Form to the Honorary Secretary of BGC, such form to be signed by a proposer and seconder, both of whom shall be members of the Club.
- 10.4 The Honorary Secretary shall present candidate details to the Management Committee for consideration. If approved, the candidate's name and address shall be posted on the Clubhouse Notice Board for least 7 days, bearing in mind that the candidate must give informed consent for this posting, in order to ensure that publication of the candidate's personal information is GDPR compliant. In the absence of any objection to the election of the proposed member being received by the Honorary Secretary within this 7-day period, the person will be deemed elected to membership of BGC subject to fulfilment of the conditions set out in 10.6 below.
- 10.5 Any omission from, or inaccuracy in, the particulars relating to any candidate shall render election void able at the discretion of the Management Committee.
- 10.6 Immediately on election of a candidate to membership of BGC, notice in writing shall be sent to the elected candidate by the Secretary Manager/Secretariat. A

copy of the Club Constitution, Dress Code and Rules as may be set by BGC from time to time, together with a request to remit to the Honorary Secretary of BGC or its Bankers within one calendar month from the date of such request the amount of the Entrance Fee (if any), Capital Levy (if any) and first subscription and any other charges payable by the category of member to which the candidate has been elected.

- 10.7 Should the requested payment not be made within one calendar month of the date of such request as aforesaid, the election shall be void unless the candidate shall satisfy the Committee that the delay in payment was due to some unavoidable reason.
- 10.8 If a candidate is not elected to membership and at a later date wishes to make a further application for membership the same procedure, as set out above, must be followed on any subsequent application.
- 10.9 It shall be the duty of every elected member to acquaint himself/herself with the Constitution, Rules and Byelaws of BGC and each such member shall be bound by same and by all acts and deeds of any person or persons acting for or on behalf of BGC under any power, authority or Rules or Byelaws.
- 10.10 No person shall be considered a member (except Honorary) until his/her Entrance fee (if any), Capital Levy (if any) and subscription shall have been paid or the first instalment of an agreed payment schedule shall have been paid and received by the Club. By such payment a member:
  - Shall be entitled to the rights and privileges of membership of the category of member to which he/she shall have been elected.
  - Acknowledges that he/she submits and is bound by the Constitution, Rules, Bye-laws of BGC, and Dress Code, and every renewal of subscription by him/her shall be deemed to be a similar acknowledgement.

Changes relating to Junior members shall be introduced by the Management Committee under Rule 28.1(Bye-laws).

## 11. Categories of Member

- 11.1 BGC shall, at Annual General Meeting, decide on the categories of member, which will operate within the Club.
- 11.2 Voting and Non-Voting Members may be elected to BGC.
- 11.3 The following shall be **VOTING MEMBERS**
  - 11.3.1 **FULL ORDINARY MEMBERS** shall comprise of 7-Day members who, having paid the Entrance Fee (if any), Annual Subscription (in full or with a schedule of payments paid in full up to the date of a Meeting takes place), Capital Levy (if any) applicable to this category, and Fine(s) if applicable, shall be entitled to attend and vote at each AGM, SGM and EGM of BGC and BGCL. This category

shall include Full Ordinary and Ordinary Members elected as such under the earlier Constitution of the Club.

- 11.3.2 A Full Ordinary Member elected as an Honorary Member of BGC shall retain all the rights and privileges of membership of this category.
- 11.3.3 For purposes of calculation of the number of FULL ORDINARY MEMBERS allowed under the constitution (Presently 600) those with Honorary Member and Senior Member status shall be excluded, without affecting their rights and privileges as FULL ORDINARY MEMBERS.
- 11.4 The following, shall be **NON-VOTING MEMBERS:**
  - 11.4.1 **FIVE-DAY MEMBERS** shall comprise of persons who wish to enjoy the facilities of the Golf Club, with access to the Golf Course limited to five days, Monday to Friday inclusive of Public Holidays with the exception of 17th March (St Patrick's Day). 5-DAY MEMBERS are allowed to attend AGM's, EGM's and SGM's, however they are not allowed to speak or vote at such meetings.
  - 11.4.2 **JUNIOR MEMBERS** (are those members under 18 years of age). The level of fees for such members shall be fixed by the Management Committee from time to time. Junior Members shall not be eligible to play in Club Competitions, but the Management Committee may from time-to-time permit Junior Competitions to be held for which they shall be eligible. At the discretion of the Management Committee, Junior Members who have achieved an Official Golf Handicap of a suitable level may be given permission to play in Club Competitions. In special circumstances, they may be invited by the Captain or the President to play in their respective competitions but may not win the main prize of the day.
  - 11.4.3 **CLUBHOUSE MEMBERS** shall comprise persons over age 18 who wish to enjoy the facilities of the clubhouse. Such members shall not be entitled to use the course without payment of the appropriate green fee. This category is restricted to 100.
  - 11.4.4 **HONORARY MEMBERS** shall comprise persons who the Management Committees wish to acknowledge as having rendered exceptional services to BGC or to the game of golf or whose distinguished position or public service would render their membership of special advantage to BGC.
  - 11.4.5 **OVERSEAS Membership** shall comprise persons who normally reside outside the island of Ireland for more than 9 consecutive months in a normal club year are eligible for election as Overseas Members.
- 11.5 The following shall be the categories of member, which are transferable within the membership structure.
  - 11.5.1 **JUNIOR MEMBERS** on ceasing to be eligible for these categories and wishing to be elected to another category shall be treated with priority at the next election meeting.

11.5.2 **FIVE-DAY MEMBERS** wishing to be elected to another category shall be treated with priority at the next election meeting after any application under sub-Clause 11.5.1 has been dealt with.

**12. Entrance Fee (if applicable)**

12.1 On election, the following categories of member shall be required to pay an Entrance Fee: Full Ordinary Members and Five-Day Members.

12.2 Junior Members shall not be required to pay an entrance fee.

12.3 When a Junior Member shall not be required to pay an entrance fee and seeks election to another category within the club the appropriate entrance fee shall be payable on election to the new category.

12.4 Should a Five-Day Member apply to become a member of another category the fee payable shall be the difference in entrance fee between the two categories on the date of election to the new category.

12.5 Should a Clubhouse Member wish to apply for election as a playing member under either of Clause 3.1 or 3.2 such member must have an application submitted in compliance with Clause 10.2 and as and when elected the applicant shall receive the benefit of clause 12.4 in so far as the category or member warrants.

12.6 The amount of the entrance fee payable by the different categories of member shall initially be fixed by the Management Committee and ratified or altered at the next AGM or SGM of Balcarrick Golf Club. Thereafter such entrance fee shall remain in operation until altered at an AGM or SGM of BGC.

**13. Annual Club Subscriptions Golf Ireland Fee and Insurance.**

- 13.1 All categories of member, except honorary members, shall be required to pay an Annual Club Subscription. All categories of member, except Clubhouse Members, shall be required to pay the annual Golf Ireland Fee and Insurance premium.
- 13.2 The amounts payable by the different categories shall initially be fixed by the Management Committee and ratified or altered at the next AGM or SGM of BGC.
- 13.3 All subscriptions shall be payable on 15th of January in any year. For the sake of clarity, the golfing/subscription year is considered to run from 1 January to 31 December each year.
- 13.4 Any member whose subscription shall be unpaid or who is failing to meet an agreed schedule of payments on the 1st of March in any year shall cease to be a member of the club. The Management Committee may re-elect such member without entrance fee, re-nomination or re-posting, within one month from the date when the subscription became due, on payment of all subscriptions and other monies due to the Club, and in addition a fine of 10% of the Annual Subscription.
- 13.5 The Secretary/Manager and/or Secretariat shall notify the Honorary Secretary of BGC of the name of such member and the Management Committee shall not be entitled to allow such member to compete in any Club or Open Competition under its control or represent the Club in Team Matches, or Golf Ireland affiliated events.

**14. Capital Levy**

- 14.1 BGC may vote at an AGM, SGM or EGM to introduce a Capital Levy on Full Ordinary Members or such categories of members as may be considered appropriate. This will be to fund any additional acquisition of land or buildings, construction work or improvement to the course, clubhouse or its environs.
- 14.2 The amount of such levy shall be payable at the same time as the Annual subscription and the same penalties shall apply.
- 14.3 BGC may vote at an AGM, SGM or EGM to introduce a compulsory spending charge for Bar/catering within the clubhouse on such categories of member as it considers appropriate.

**15. Senior Members**

- 15.1 The Management Committee may grant Senior Member status to Full Ordinary Members who have been members of the Club for a minimum of twenty years and are at least 65 years of age.
- 15.2 A member granted Senior Member Status shall continue to be a Full Ordinary

Member of the Club and shall therefore retain all rights and privileges of Full Ordinary Membership.

- 15.3 The Annual club subscription payable by members granted Senior Member Status may be set at a rate below that of Full Ordinary Members rates and the rate to be applied will be determined in accordance with Sub-Clause 13.1.

**16. Visitors and Temporary Members**

- 16.1 Any member may introduce visitors.
- 16.2 It shall be a condition precedent that the member effecting the introduction shall enter such visitors name, address and date of visit immediately on entering the clubhouse in a book to be kept for the purpose called a "Visitors Book" and such entry must be attested by the signature of the introducing member.
- 16.3 No visitor shall be supplied with excisable liquor in the Club premises unless on the invitation of and in the company of the introducing member.
- 16.4 The charge for visitors shall be fixed from time to time by the Management Committee, who are also empowered to make regulations for non-playing visitors.
- 16.5 Every playing visitor must procure evidence of payment of the appropriate green fee (Paper or Digital).
- 16.6 On payment of a green fee or providing evidence of payment, the name of the player must be recorded on the electronic booking system or noted in a visitors' book.
- 16.7 In addition the Secretary/Manager or Secretariat or his/her representative, having noted the entry on the electronic system or visitors' book, may permit a person or group not having an introduction from a member, to play on the course and use the clubhouse as a visitor on payment of the current Green Fee.
- 16.8 The payment of the Green Fee shall entitle the visitor to 18 holes of golf only and the use of the clubhouse as a temporary member for the day.
- 16.9 The Management Committee shall have power to suspend the rules permitting the introduction of visitors or temporary members at any time and refuse permission for any particular visitor or temporary member to use the course or clubhouse.
- 16.10 Competitors in Club Open Competitions held on the course and extending for more than one day shall on payment of the entry fee and green fee (if chargeable) for the competition and on such fee(s) being accepted by the Committee in charge of the competition be eligible to use the course and clubhouse. This is without further payment or nomination for election, as temporary members for a period not exceeding one day prior to the date of fixed for such competition, and for every day during the continuance of such competition.



16.11 Competitors in Open Competitions limited to one day shall likewise be eligible for Temporary Membership status on the day of the competition only.

16.12 The Management Committee may (and without assigning any reason if they so think right) cancel the admission of any Day Visitor or Temporary Member whose admission may be irregular or whose presence or conduct they deem objectionable, or who is considered to be deliberately breaking any of the Rules, bylaws, Policies or Regulations of the Club.

16.13 The fee paid by any such Visitor or Temporary member may, at the discretion of the Management Committee, be either forfeited or refunded.

## **17. Fines**

17.1 The Management Committee is empowered to impose fines for BGC for breaches of the Rules, Byelaws and Regulations of BGC in force for the time being. Breaches of the etiquette of golf and may also at any time (either instead of, or in addition to, fines) temporarily withdraw the use of the clubhouse and course from any member whose conduct or breaches of the Rules, Byelaws and Regulations may, in the opinion of the Management Committee, justify this course.

17.2 Any member refusing or failing to pay a fine so imposed within 4 weeks after notification thereof shall not be permitted to use the clubhouse or course until such fine has been paid.

17.3 Each of BGC's Committees/Sub-Committees shall report any member of the club to the Management Committee for investigation and penalty under this rule if they, in their absolute discretion, consider the breach warrants it.

## **18. Removal of Member from the Club and Suspension of Members.**

18.1 If any allegation of misconduct by a member were submitted to an Officer, in writing, any Officer shall make such enquiries as are considered necessary to obtain all relevant details. Such information shall be placed before the Management Committee, which shall, in meeting, enquire into such conduct.

18.2 If in the opinion of the Management Committee the conduct in question may warrant the suspension (by the temporary withdrawal of the privileges of membership) or expulsion of such member he or she shall be so informed in writing. The member shall have the right to appear and speak at and/or to make a written submission, which shall be read at any subsequent meeting at which the conduct in question shall be considered and all related information shall be placed before the Management Committee.

18.3 If after making such further enquiries as it considers necessary into the conduct of the member and hearing such explanation, if any, as they may offer, the Management Committee decides that their conduct has not been explained or accounted for to its satisfaction, but was not such as to warrant expulsion of the member, the Management Committee may instead, by a majority, suspend the

member for a period not exceeding three months and it shall notify the member of its decision. If the Management Committee is not satisfied that the charges of misconduct have been proven, no further action shall be taken.

- 18.4 If no explanation of their conduct shall be given by the member, or if such explanation shall be considered unsatisfactory by the Management Committee it may, provided that not less than a two third majority of the members of the Committee vote for such course of action:
  - 18.4.1 Recommend to the Committee of BGC that such member be expelled from BGC.
  - 18.4.2 Should the Committee of BGC decide to act on such recommendation it may only do so provided not less than a two thirds majority of such Committee vote in favour of expulsion. This is also subject to the proviso that, on taking such vote, not less than 7 members vote for expulsion. In the event that these conditions are not met, the recommendation shall be deemed to have been rejected. The Management Committee shall then proceed in accordance with Clause 18.3
- 18.5 When the Management Committee has resolved that a member be suspended or expelled, such member shall, within seven days of the day of the decision, be given notice to their last known address. Such person shall have the right of appeal against the decision, within fourteen days of the date of notification. The appeal shall be made, in writing, to the Honorary Secretary of the Management Committee.
- 18.6 Notice of an appeal under Clause 18.5 having been given, the decision shall not take effect for a period of twenty-one days from the date of the notification by the Club to the Member and the Management Committee notified of such appeal.
- 18.7 The member shall have the right to have the appeal heard at an Extraordinary General Meeting of BGC requisitioned under Sub-Clause 19.2.1.2 provided that the necessary signatures for such requisition are procured either by the member in question or by any other Full Ordinary Member. This meeting shall, by a majority, decide whether the expulsion shall be confirmed or repealed, or whether the period of suspension shall be confirmed, reduced or repealed. Should the signatures provided for in, Sub Clause 19.2.1.2 not be obtained within twenty-one days from the date of the notification by the Club to the Member, the Committee shall have power to deem the appeal to have lapsed and to enforce the decision forthwith, or to allow an additional period should it decide, by a simple majority, that the circumstances warrant it.
- 18.8 A decision by the Management Committee under this Clause shall stand unless and until an appeal is received by an Officer of the Management Committee against it. Provided an appeal has been received, and an EGM has been duly requisitioned, the expulsion or suspension shall not then take effect pending the holding of the EGM.
- 18.9 During the period of suspension, the member shall not be entitled:

- 18.9.1 To enter upon the Club property, whether in the company of another member or otherwise:
- Save only to collect his or her property or,
  - For the purpose of attending any EGM which may be held during the period of suspension
- 18.9.2 to a refund or rebate of the whole or any part of his or her annual subscription or other sum paid or payable by him or her to the club in respect of the year during which the suspension occurs.
- 18.10 Any person who has been expelled from membership shall not be entitled:
- 18.10.1 To enter upon the Club property whether in the company of another member or otherwise
- Save only to collect his or her property or,
  - To a refund or rebate of the whole or any part of his or her annual subscription or other sum paid or payable by him or her to the Club in respect of the year during which the expulsion occurs.
- 18.11 Any Member expelled by BGC under this Clause shall automatically cease to be a Member of BGC.
- 18.12 All voting under this Clause shall be a secret ballot, with scrutineers to be appointed by way of vote at any meeting at which a vote under this Rule is to be taken.

## **19. General Meetings**

- 19.1. The Annual General meeting of BGC shall, save in exceptional circumstances, be held not later than November 30 for receiving the Management Committee's Annual Report and the Financial Statements for the year ended the previous August, for electing Office Bearers, Members of the Management Committee and Auditors, revising rules and transacting such business of the Club as may be on the Agenda. The AGM of the Men's and Ladies Sections can, save in exceptional circumstances be held no later than November 30 for receiving the respective Committees Annual Report and Financial Report, as applicable, for the financial year ended the previous August, for electing Officers and Members of Committee, revising its rules and transacting such other business of the respective Sections as may be on the Agenda.
- 19.1.1 Twenty-one days' notice at least of such AGM shall be given to the Full Ordinary Members as prescribed by Sub-Clause 11.3.1 who are the only persons entitled to attend and vote at a General Meeting of BGC.
- 19.1.2 Such notice shall be accompanied by a copy of the Report and duly audited Financial Statement.

- 19.1.3 Notices of Motions and nominations of Officers and members of the Committee of BGC Mens and Ladies Committees must be made to the Honorary Secretary of the respective committees of the Club, in writing, at least fourteen days before the date of such meeting.
- 19.1.4 Such notices and nominations shall be promptly posted on the Club Notice Board.
- 19.1.5 Notices of Motion and nominations not made as required cannot be considered at the AGM.

## **19.2 Special and Extraordinary General Meetings**

In addition to the Annual General Meeting;

- 19.2.1 The Management Committee may, at its discretion, convene a SGM of the voting Members of the Club to consider and decide on any matter which the Committee considers is of such urgency that it cannot be held over, until the Annual General Meeting.
- 19.2.2 A group of not less than 25% of Voting Members of the Club may submit a requisition to the Honorary Secretary of such Club requesting that an EGM of the voting Members of the Club be convened. The requisition shall state the business to be brought forward and this matter will be the only business to be considered at such Meeting.
- 19.2.3 On receipt of such requisition it shall be the duty of the Management Committee to have an EGM convened without delay and failing notice of such meeting being issued by direction of the Committee within fourteen days after receipt of such notice by the Honorary Secretary. 75% of members who have signed the requisition may issue notice of an EGM, which notice will be sufficient if published in three consecutive issues of a daily newspaper circulating in the locality of the Club at least ten days before the fixed for such Meeting.

## **19.3 Chair at General Meetings**

- 19.3.1 The Chair of the Management Committee or Captains of the respective Men's and Ladies Committees shall preside at General Meetings, or if the Chair is absent, a person to be elected by those present at General Meetings.
- 19.3.2 If any of the foregoing set out in 19.3.1 are absent or decline to preside, any other Chair may be appointed by the meeting.
- 19.3.3 Each Chair in addition to a deliberative vote shall have and shall exercise a casting vote.
- 19.4 The Secretary/Manager, Club Auditor, Club Solicitor or other professional advisors may attend all or part of General Meetings at the discretion of the Management Committee.

**20. Notices of General Meetings and Quorum**

- 20.1 Twenty-one days' notice of every General Meeting convened by order of the Committee (except Meetings called under Sub-19.1.1 when ten days' notice is required) shall be given to the members entitled to attend and vote at such meetings by a circular specifying the time and place of such meetings and the business to be transacted.
- 20.2 All notices calling meetings may be sent by electronic means, or if requested by post and addressed to members at such addresses as are to be recorded in the Club books (on paper or electronic form).
- 20.3 No business shall commence or continue unless there is a quorum of 100 members or 10% of members, whichever is lesser, entitled to vote in attendance at an AGM, SGM or EGM.
- 20.4 If the AGM is unavoidably delayed and does not take place within the timeframe allocated in the constitution, then the existing committees should continue to run the Club until the AGM has taken place and the new committee is elected.
- 20.5 Meetings may take place virtually by electronic means in exceptional circumstances as may be deemed exceptional by the Management Committee.

**21. Mode of Voting at General Meetings.**

- 21.1 No proxies shall be allowed
- 21.2 Voting shall be either by a show of hands or by ballot
- 21.3 Ballot shall mean a vote on voting paper.
- 21.4 A majority of one shall be sufficient to decide any questions under discussion unless a greater majority is required by some other Clause of this Constitution.
- 21.5 In the event of a tie the Chair shall have and shall exercise a casting vote as provided in Sub Clause 19.3.3.
- 21.6 If any member at a General Meeting proposes that the mode of voting on any particular matter should be by ballot and this is seconded by another member, then the question of whether voting should be by a show of hands or by ballot shall be decided by a show of hands.
- 21.7 An election of candidates for membership of the Committees shall be by ballot and all members voting must vote for the full number of candidates for whom there are vacancies otherwise such voting paper is invalid.

**22. Minutes of Meetings**

- 22.1 BGC shall keep:
  - 22.1.1 Minutes of the AGM, SGM and/or EGM shall be held in digital format and retained within the computer system of BGC and BGCL.

22.1.2 Minutes of all Management Committee Meetings held in compliance with Clause 7.4 held in digital format and retained within the computer system of BGC and BGCL.

22.1.3 The respective Minutes in the absence of the minutes been provided to the members prior to the meeting shall be read out at the General or other Committee Meeting and, when approved as being a correct record, shall be noted in the Minutes of that General meeting with the Proposer and Secunder noted.

## **23. Playing Facilities**

23.1 The Management Committee shall prescribe the days and times when members of BGC shall have the use of the course for competitions, or when the course is reserved for team matches or Golf Ireland National and Regional Events.

23.2 The Management Committee shall also decide on the facilities to be afforded to Societies.

23.3 The Management Committee shall also be empowered to direct the days and times when four balls or singles shall have priority commencing playing on the 1st and 10th tees and generally regulate the use of the course for the benefit of members

## **24. Personal Property**

Any personal belongings of members, visitors and others, brought to, kept at, or left on the premises, in the clubhouse, or outside in the car park or on the Course, shall be at the sole risk of the owners. The Club nor any Committee shall be responsible for any loss or damage thereto however arising; but this rule shall not prejudice any claim by the Club or the owners of the property, against Insurance Companies in case of fire, or when otherwise covered by insurance.

## **25. Registration of Club Acts 1904-1999 (as amended) & Intoxicating Liquor Acts 2000 (as amended)**

25.1 No person other than a member (as defined in Clause 11 hereof) shall order or pay for refreshment in the Clubhouse. Payment must be paid for every expense incurred in the clubhouse before the person ordering leaves the premises.

25.2 No visitor shall be supplied with excisable liquor on the club premises unless on the invitation and in the company of a member. The member shall, upon the admission of such a visitor to the club premises or immediately upon his/her being supplied with such liquor, enter his or her own name and the name and address of the visitor in a book which shall be kept for the purpose and which shall show the date of such visit.

25.3 The Management Committee may prohibit the admission of any visitor to the Club premises and no member shall bring any person whose admission is prohibited into the Club premises.

- 25.4 No excisable liquor may be sold or supplied for consumption outside the premises of the Club, except to members of the Club, between the hours of eight o'clock in the morning and ten o'clock at night.
- 25.5 No excisable liquor shall be sold or supplied in the Club premises to any person under the age of eighteen years.
- 25.6 No Officer or Member of the Management Committee, and no manager or servant employed by the Club, shall have any personal interest in the sale to the Club of supplies of excisable liquor, or the profits arising from such sale.
- 25.7 Excisable liquor shall be supplied for consumption on the Club premises or for takeaway consumption outside the club premises at those times permitted under the Intoxicating Liquor Act 2000 (as amended) and in accordance with the provisions of the Registration of Clubs Acts 1904-1999 (as amended). The Management Committee, at its discretion, shall have the powers to determine bar opening times for the above purposes.
- 25.8 For the purposes of the Registration of Clubs Acts, 1904-1999 (as amended), the rules of a club, which at the commencement of Section 7 of the Intoxicating Liquor Act 2000 is registered under those Acts, shall during the transitional period, be deemed to be in conformity with this section. Transitional period means the period beginning at such commencement and ending when the certificate of registration of the club which is in force two months after that date expires or when the rules of the club are brought into conformity with this section whichever first occurs.

## **26. Change of Constitution and Rules**

- 26.1 No rule of BGC shall be repealed or altered, or new rule made except at a General Meeting of the Club and by consent of at least two thirds of the members present and entitled to vote at such meeting. Written notice of the proposed changes must be sent to the Honorary Secretary of the Club with the names of the proposer and seconder attached, at least three weeks previous to the meeting at which same is to be considered.
- 26.2 The Honorary Secretary shall place the proposal on the Club Notice Board and put the item on the agenda for the next General meeting of the Club.
- 26.3 In the event that a motion is passed at an AGM, EGM, or SGM representing an amendment to the Constitution, the Honorary Secretary will arrange to have the Constitution updated as soon as is practicable following the meeting at which the amendment is passed.

## **27. Rules of Golf and Local Rules**

- 27.1 The Rules of the Game of Golf for BGC shall be the Rules of Golf as approved by the Royal and Ancient Golf Club of St. Andrews.
- 27.2 In addition the Management Committee, in compliance with Sub-Clause 7 6.2 shall from time to time prescribe such local Rules as it considers necessary. Thus,

having regard to the nature of the course or otherwise provided such Local Rules are not contrary to or at variance with the Rules of Golf, Rules of Handicapping, or directives issued by Golf Ireland to which the Club is affiliated.

**28. Policies and Bye-laws**

28.1 The Management Committee shall have power from time to time in compliance with Sub-Clause 7.6 to make such Bye-laws, as it considers necessary and to alter and repeal same.

28.2 BGC operates a number of policies which have been approved by the Management Committee and which are updated and amended from time to time.

28.3 All members shall comply with such policies which are available on request from the Honorary Secretary.

28.4 Breaches of such policies shall be taken seriously by the Club and may result in disciplinary action including but not limited to cessation of membership or other sanction in accordance with the Clubs disciplinary policy.

**29. Leave of Absence**

The Management Committee shall have the power to grant Leave of Absence to members for exceptional reasons for one Subscription year. During the period such Members shall be relieved of the responsibility for paying an Annual Subscription and shall not be entitled to exercise any privileges of membership or association. Any accumulated levies in force must be paid in full when membership is resumed. Application for Leave of Absence under this rule, giving reason thereof must be made to the Honorary Secretary prior to subscription year. The Management Committee may extend a Leave of Absence for an extra year provided they deem the circumstances warrant it. A member on Leave of Absence must get the next vacancy available within their category when he/she re-applies to resume membership when his/her Leave of Absence expires. Leave of Absence is from January 1 to December 31st.

A member who has been granted leave of absence may avail of all the facilities of the clubhouse facilities but is excluded from using the golf course or playing golf.

**30. Effective Date of Constitution**

This Constitution shall become effective immediately.