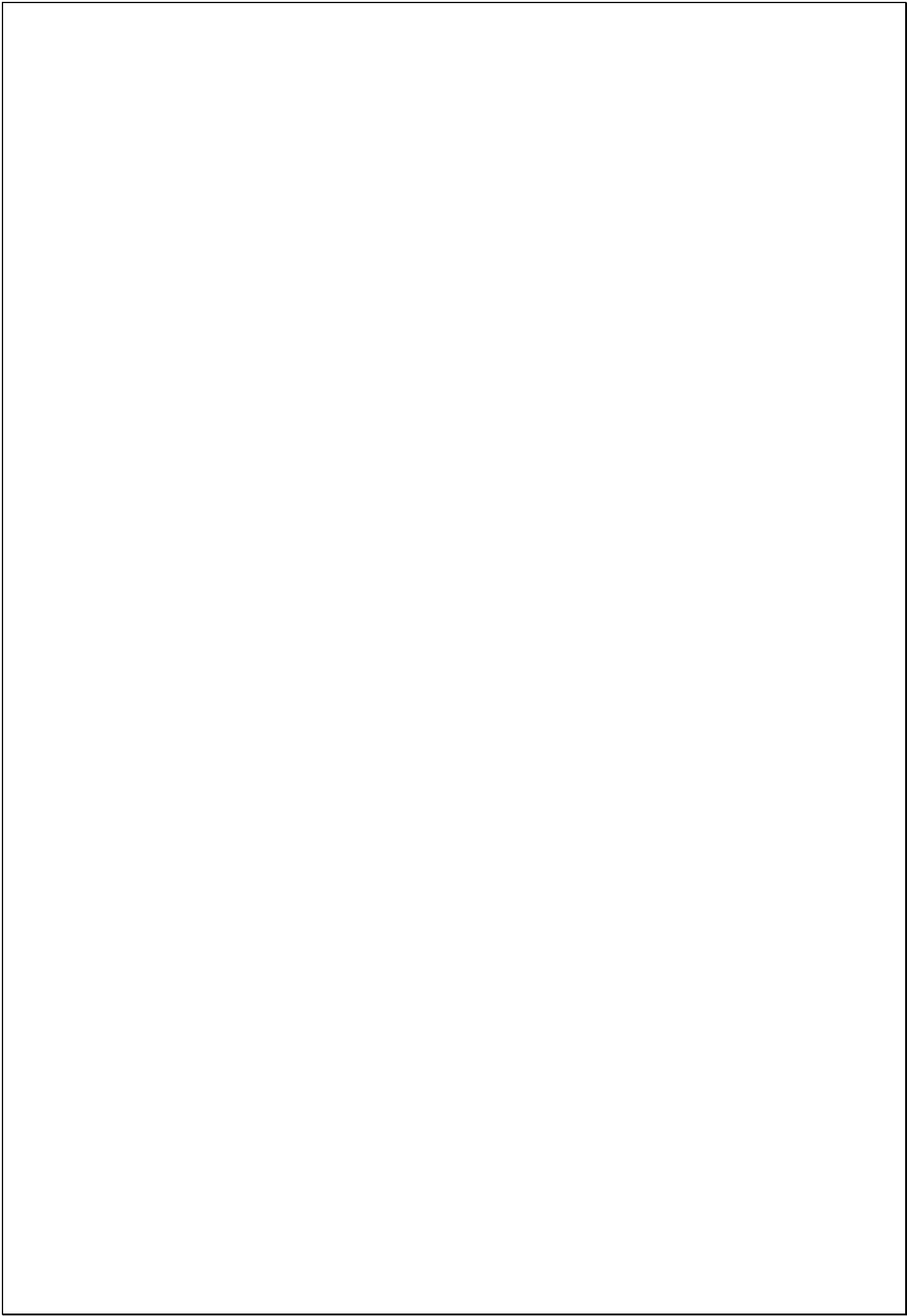




# **Knighton Heath Golf Club**

## **Club Rules**

**As amended at AGM 17 October 2013**



## INTRODUCTION

1. The club shall be called Knighton Heath Golf Club.
2. The Club is a member's club established and registered as a company limited by guarantee. A copy of the Memorandum and Articles of Association of the company may be inspected in the Manager's office and each member shall be deemed to have notice of their contents.
3. Purpose:  
The Club is formed to provide the members a golf course and club house and to supply to members facilities, refreshments and all things incidental to the playing of golf.
4. Members:  
The Club shall consist of:
  - a. Not more than 700 playing members.
  - b. The numerical split of members shall be determined by the management Committee from time to time.
5. Definitions:  
For the purposes of these rules:
  - a. Full members are voting members and shall be eligible to propose or second candidates for membership, nominate or serve as Officers of the Club or as Members of the Captain's Committee or Management Committee;
  - b. 5 Day members, shall not be entitled to play on Saturdays or Sundays except where a green fee has been paid, or on such other days as the Captain's Committee may determine or play in any competition or match on Saturdays or Sundays, except with the authority of the Captain's Committee, when a green fee need not be paid;
  - c. Colt members, shall be 18 or more years of age but less than 23 on 1 July of the year in question;
  - d. Junior members, shall be under 18 years of age on 1 July of the year in question;
  - e. Overseas members, must have another residence overseas in which they live for a minimum continuous period of 3 months each year;
  - f. Country members, primary residence must be more than 50 miles from the club;
  - g. Social members, shall not use the course except on payment of a green fee. The payment of such green fees shall be allowed on not more than 10 occasions in any 12 months.

- h. Members entitled to vote at General Meetings of the club are full (rule 5a), 5 day (rule 5b) and life (rule 42) members only.

## **MANAGEMENT OF THE CLUB**

- 6. The affairs of the Club shall be under the control and management by its Officers and elected officials. The elected officials of the Management Committee shall constitute the Board of Directors of the Club.

- 7. Officers:

The officers of the Club shall be:

- a. The President, who shall be a full member of at least 10 years standing and shall be elected to this non-executive post at an Annual General Meeting (AGM hereafter) for a three year term of office after which he/she shall retire but be eligible for re-election. The nominee shall not be a serving member of the Management Committee, neither shall he be appointed to the Captain's Committee in a voting capacity
- b. The Captain and Vice Captain who shall be full members and should be of at least 5 years standing and shall be elected at an AGM. Each shall hold office until the next AGM when they shall retire. The Vice Captain shall be eligible for election as Captain. The Captain shall not, in the year following his election to that office, be eligible for re-election or for election to the office of Vice Captain. In the unlikely event that the Captain becomes unable to fulfil his role the Vice Captain shall take over on a provisional basis until formally elected at an AGM or general meeting.
- c. An elected Director shall not serve as an Officer of the Club, or vice versa.

- 8. Directors:

The directors of the club shall be:

- a. A minimum of six and a maximum of 15 full members who shall be elected at an AGM and serve for three years. At the end of their term of office they shall retire but be eligible for re-election for a further term. At least two Directors shall retire each year.
- b. The number of directors includes a Financial Director whose election and term of office is identical to that specified in Rule 8a above.

- 9. Committees:

The business of the Club shall be conducted by two committees: a Captain's Committee and a Management Committee, four members constituting a quorum in either Committee, subject always to a meeting having been notified to all committee members.

Their primary responsibilities shall be as under:

- a. The Captain's Committee shall be responsible for all golfing matters to include membership interviews, social events of the Club and shall be the guardian of its standards, tone and atmosphere.
- b. The Management Committee shall be responsible for all policy and financial matters of the Club together with the attendant administration.

10. Committee Membership:

The membership of the two committees shall be as follows:

- a. The Captain's Committee shall be established from the following members:-
  - i. The Captain and Vice-Captain.
  - ii. The Ladies' Captain and Vice Captain.
  - iii. The Captain of the Seniors' Section.
  - iv. The Junior Organiser who shall be appointed by the Captain's Committee.
  - v. The Chairman or representative of the Handicaps & Competitions Committee.  
(Note: All the above are voting members).
  - vi. Additional non-voting members of the Club may be co-opted onto the committee at the Captain's discretion.
  - vii. The Club Manager in a non-voting capacity.
  - viii. The Club Professional in a non-voting capacity.
- b. The Management Committee shall comprise:
  - i. The elected Directors, all of whom may vote.
  - ii. The Club Manager in a non-voting capacity.
  - iii. Additional non-voting members of the Club may be co-opted onto the committee at the Chairman's discretion.
- c. The Management Committee shall elect a Chairman at its first session after each AGM to hold office for one year and be eligible for re-election thereafter.
- d. Any casual vacancy arising on the Management Committee may be filled by the committee.  
Any member so appointed shall retire at the next AGM but be eligible as a candidate for election at such AGM.
- e. The Captain and the Chairman of the Management Committee shall be ex-officio members of each other's committee in a non-voting capacity. Each may elect to send a representative to the other's committee in the event of being unable to attend in a personal capacity. The Club President may attend any committee in a non-voting capacity.

## COMMITTEE PROCEDURES

11. Club Manager:

The Club Manager shall conduct the correspondence of the Club and shall have the custody of all documents belonging to the Club. He/she shall keep full and correct minutes of all proceedings of the Club and provide the administrative support to the various sections of the Club. The duties and responsibilities of the Club Manager are contained in his/her contract/job description.

12. Club Professional:

The Club Professional may be delegated the responsibility for the management of all golfing events of the Club. He shall post entry forms for each event, collate and post scores for the events, advise Club members of handicap changes and maintain records of all Club golfing events.

13. Accounts:

The Club Manager and Financial Director shall keep the accounts of the Club and shall make up the Annual Statements of Accounts and balance sheet to the 30<sup>th</sup> June in each year which, after audit, shall be circulated to the members with the notice calling the AGM.

14. Audit:

The accounts shall be audited annually by the auditors to the Club, who shall be appointed at an AGM or general meeting.

15. Powers:

The Management Committee, in addition to the powers hereinafter specifically conferred upon it, shall have the control of the finances of the Club, power to engage, control and dismiss Club employees, and all such administrative powers as may be necessary for properly carrying out the business of the Club in accordance with these rules.

16. Sub-Committees:

Both committees may from time to time set up sub-committees as they deem necessary. Each sub-committee shall report back to its parent committee through its chairman. A member of the relevant parent committee must chair the sub-committee it has established. Any member of the Club may be co-opted to sit on a sub-committee for such period as the sub-committee thinks fit.

17. Proxy voting:

Should a member of either committee have to leave a meeting before a vote is to be taken then the member may leave a declared proxy vote with the meeting secretary.

18. Licensing:

The purchase of intoxicating liquor for supply by the Club shall be at the absolute discretion of the Management Committee. The clubhouse shall be opened and closed at such hours as the Management Committee shall determine. A notice to this effect shall be displayed in the club-house. The permitted hours for the supply of intoxicating liquor shall be within the normal licensing hours for the district.

## **CLUB PROPERTY**

19. The property of the Club shall be under the control of the Directors of Knighton Heath Golf Club Limited provided always that the Directors shall not purchase any land or interest in any land and shall not enter into any contract concerning or making any conveyance or disposition whatsoever of any land or interest in land vested in them other than a mortgage or charge the creation of an assured short-hold tenancy or a licence or tenancy in connection with the employment of an employee of the Club and terminable upon or before the termination of the employee's employment unless so directed by a resolution passed by a two-thirds majority of voting members voting at a general meeting of the Club. The notice convening such a meeting shall contain the terms of such a resolution. An entry in the Minutes Book of the Club shall be conclusive evidence of the regular passing of such a resolution.

## **ELECTION PROCEDURE**

20. The nomination and election of the President, Captains, Vice Captains and Directors shall take place in the manner described in the following rules.
21. Nominations:  
Nominations may be made in writing by any two full members of the Club of at least two years standing. All nominees must be full members, and those for Captain and Vice- Captain should be of at least five years standing in accordance with Rules 7 & 8. Nominations shall be sent to the Club Manager at least ten days before the AGM accompanied by a letter from the candidate consenting to serve if elected. A list of the candidates shall be affixed to the notice board of the Club as received by the Club Manager and in any event at least seven days before the AGM.
22. Voting:  
At the meeting voting shall be by ballot if there are more candidates than vacancies, and only members eligible to vote may do so. Members are to cast as many votes on their ballot sheets as there are vacancies to be filled. If an insufficient number of candidates is nominated the Captain and the Management Committee together shall nominate candidates to fill the remaining vacancies. If two or more candidates obtain an equal number of votes the Management Committee shall select the winning candidate or candidates by lot. The number of votes cast for each candidate shall be announced to the members attending the AGM as soon as the ballot result is known and a notice to that effect shall be posted on the notice board.
23. Proxy Votes:  
Voting members who are unable to attend a general meeting may appoint an attendee to vote on his/her behalf in accordance with the proxy vote procedure circulated with the notice convening the meeting.

## **GENERAL MEETINGS**

24. The AGM of the Club shall be held once in every year as soon as possible after the end of the financial year at such place as the Management Committee shall determine. Not more than fifteen months may elapse between one AGM and the next. At least twenty-one days written notice of the AGM or general meeting must be given.
25. The date of the AGM shall be advertised eight weeks before hand by exhibiting the date on the main notice boards of the Club. Any member wishing a resolution to be placed on the AGM agenda shall give notice of the proposed resolution in writing, duly seconded, to the Club Manager not less than six weeks before the date of the meeting (the closure date). Such proposed resolutions shall be exhibited on the main notice boards of the Club immediately after the closing date. Any member wishing to propose amendments to the proposed resolution shall do so by lodging the proposed amendment in writing, duly seconded, with the Club Manager within two weeks of the closure date.
26. The Management Committee may call a General Meeting at any time and shall be bound to do so on receiving a requisition signed by not less than 10% of the voting members of the Club. Not less than 14 days notice of the intention to hold any General Meeting shall be given to members entitled to vote. In the case of the meeting being called as a result of a requisition the notice calling the meeting must be given within 28 days of receipt of the requisition. The notice shall specify the business to be transacted thereat and no business other than that for which notice has been given shall be brought forward at the meeting. The quorum for a General Meeting shall be forty. Notice of the AGM or General Meeting shall be deemed to be properly served if sent by ordinary post and/or electronic mail to every member at his/her address registered in the Club register.
27. At all General Meetings of the Club the President, or in his absence, the Chairman of the Management Committee shall preside. All members of the Club shall be entitled to attend General Meetings, but only full members shall be entitled to vote. Except for rule changes all motions shall be decided by a simple majority. In the event of a tie, the Chairman of the meeting shall have a casting vote.

## **ELECTION OF MEMBERS**

28. The policy and terms governing the admission of new members shall be determined by the Management Committee. The conduct of such admission procedures should be agreed between the two committees.
29. Candidates for Club membership shall be considered for election by the Captain's Committee. The election of a candidate for membership shall be by a majority vote. Should there be a tie the Captain is entitled to a casting vote. A candidate whose application for membership is refused shall not be entitled to demand the reasons for the refusal.



30. If not elected the candidate shall not again be proposed for membership within twelve months of the date of rejection by the committee. An election shall be held as often and on such days as the Captain's Committee shall determine.
31. Every candidate for membership of the Club shall be proposed and seconded in writing by two bona fide full members of at least two year's standing who must be personally acquainted with, and be responsible for, the eligibility of such candidate. In the absence of a proposer and seconder the Captain's Committee may accept an introduction from an official of the applicant's previous golf club if relevant or two substantiated references.
32. Candidates for Junior membership are to be vetted by the Junior Organiser before submission as candidates for membership of the Club. On attaining the age of 18 years and subject to approval by the Captain's Committee they may become Colt members. On attaining the age of 23 years and subject to approval by the Captain's Committee they may become graduated members and on attaining the age of 30 they may become full members. The entrance fees and subscriptions for Junior, Colt and Graduated members on transfer of membership category shall be decided by the Management Committee.
33. Each application for membership shall be posted in the club-house at least 14 days before the election takes place.
34. If an elected candidate, or an approved member becoming a Colt, Graduated or full member under Rule 31, neglects or refuses to pay the entrance fee and first subscription, and make any loan or levy which is required to be made, within one month of receipt of the Club Manager's notice, the election or approval shall be absolutely void unless the candidate can show sufficient cause for the delay to the satisfaction of the Management Committee.

## **RESIGNATION, EXPULSION AND SUSPENSION OF MEMBERS**

35. Resignation:  
A member may at any time, by giving notice in writing to the Club Manager, resign his/her membership of the Club, but shall continue to be liable for any annual subscription due and unpaid at the date of his/her resignation unless waived by the Management Committee. Any such member having discharged all his/her liabilities to the Club and wishing to rejoin may do so, depending upon available vacancies, and having been proposed and seconded and successfully elected in accordance with the rules. The Management Committee may at their discretion excuse the payment of an additional entrance fee.

36. Misconduct:

Any complaint about a member of the Club should be made in writing to the Club Manager, detailing the circumstances that gave rise to such notice. On receipt of the notice the Club Manager shall inform the Captain's Committee which shall consider what further steps should be taken with reference to the complaint. If a majority of the Captain's Committee recommend that further action should be taken, the Club Manager shall inform the Management Committee and give notice by post to the member against whom the complaint has been made. Such notice should detail the nature of the complaint and invite the member to explain or justify his/her conduct in writing to the Club Manager within 14 days of the date of the said notice.

37. The accused member may request attendance at a meeting of the Captain's Committee and shall inform the Club Manager of such a wish within the aforesaid period. On the expiration of such period the Captain's Committee shall meet to consider any reply received from the member, or to hear him/her as the case may be. If a majority of the Captain's Committee are then of the opinion that the member has been guilty of failure to observe the Rules of the Club, or of conduct injurious to the harmony, character or interests of the Club, and that he/she has failed to explain or justify it to its satisfaction, the Captain's Committee may:

- a. Issue a reprimand and/or warning as to future conduct;
- b. Suspend the member's rights of membership for such period as the Captain's Committee think fit;
- c. Call upon the member to resign forthwith and, if he/she does not resign, to expel the member.

38. Appeal Procedure:

The Club Manager shall inform the Management Committee of the decision made by the Captain's Committee and give such notice by post to the accused member informing him/her of the right to appeal against the decision within 14 days of the date of the notice. Should the member lodge an appeal against the decision it shall be taken by the Management Committee at a meeting to which the member involved may request attendance. In considering the appeal the Management Committee may uphold, modify or reject the decision made by the Captain's Committee. The Club Manager shall give the appellant notice by post of the decision made by the Management Committee. There is no further right of appeal within the Club procedures.

39. Any member expelled according to the Rules or otherwise ceasing to be a member of the Club shall forfeit all such rights to or claim upon the Club or its property or funds as he/she may have had by reason of membership, but shall be repaid any loan made by him/her to the Club.

## **ENTRANCE FEES, SUBSCRIPTIONS AND OTHER PAYMENTS**

40. The entrance fee, annual subscription, trolley shed and locker rental, loans and other payments required in advance shall be sums as are from time to time prescribed by the Management Committee.
41. Every member of the Club who has attained or on attaining the age of 23 years shall lend to the Club such sum as the Management Committee shall from time to time deem necessary. The Management Committee may, if the majority of them determine that there are special reasons for doing so, modify the obligations imposed by this rule in the case of any particular member. Upon ceasing to be a member of the Club, he/she shall be entitled to have any sum owed by the Club to him/her repaid within six months of the receipt by the Club Manager of notice in writing requesting such payment.
42. Annual subscriptions, locker and trolley shed rentals and any imposed levy shall be payable in advance by the day on which the financial year shall commence. Invoices will be issued one month before the end of the financial year. Any member who has not paid the amount due by the first day of the new financial year may be banned from competing for any Club trophy or voting at any meeting. Any member who has not paid the amount due by the 14<sup>th</sup> day thereafter, shall, if the Management Committee so determines, cease to be a member, and his/her name shall be erased from the books of the Club, but may be re-instated by the Management Committee upon the occurrence of a vacancy and on payment of the arrears.
43. Upon recommendation from the Captain's and Management Committees at an AGM, members may elect as a Life Member any full member who has rendered distinguished service to the Club. A Life Member is entitled to all the privileges of a full member without paying the annual subscription or any special payment for such membership.
44. Upon recommendation from the Captain's and Management Committees at an AGM, members may elect as an Honorary Member any person who has rendered distinguished service to the game of golf. Honorary members shall not be entitled to vote at meetings or propose candidates from membership or serve as officers of the club or on the committees. Honorary members shall not pay a subscription.
45. The Captain's Committee may elect temporary members on such terms as the Management Committee may determine. A register of such temporary members shall be kept by the Club Manager, but no person shall be admitted under this rule until at least two days have elapsed since such person's application for temporary membership has been received by the Club. Temporary members shall not be qualified to enter for competitions open only to members. A temporary member shall be subject to the Rules of the Club.

## **VISITORS AND GUESTS**

### **46. Visitors:**

Any bona fide members of other recognised golf clubs (other than anyone who shall not have been elected under Rule 28 or expelled under Rule 35) and eligible persons who shall have applied for but not yet been considered for membership at the Club may, at the discretion of the Captain's Committee, be admitted as visitors for the purpose of using the clubhouse and course if introduced by a member or by permission of the Club Manager on payment of the appropriate green fee at the rate fixed by the Management Committee. Valid handicap certificates may be requested and the name of each visitor must be entered in the green fee book together with a note of the amount paid. A visitor during the period covered by the amount of the green fee shall be entitled to use the clubhouse and course subject to the Rules of the Club, but shall not have the right to enter competitions open only to members. Visitors introduced by, and playing with, a member may pay such reduced green fees as the Management Committee may determine. Such visitors may not play more than 12 times in any twelve months. Intoxicating liquor may be sold by the Club for consumption on the premises to visitors complying with the provisions of this rule. Visitors intent on having only a lesson from the Club Professional will be permitted to do so and may be required to pay any relevant green fee.

### **47. Guests:**

Any member may introduce eligible guests to the clubhouse free at any time, provided the names of such guests are entered in the Visitors Book and are accompanied by the member. No guest other than immediate relatives of the member may be introduced more than twelve times in any year.

## **ALTERATION AND INTERPRETATION OF THE RULES**

48. No rule of the Club shall be repealed or altered and no new rule shall be made save by a two-thirds majority of the voting members present at a general meeting. The notice calling the meeting must set out the precise wording of the proposed new or altered rule and the relevant rationale.
49. In the event of any difference arising as to the meaning or interpretation of these Rules as compared with the provisions of the Memorandum and Articles of Association of the company, then the latter shall prevail.

## **GENERAL**

50. Any complaints shall be made in writing to the Club Manager who, if unable to deal with them, shall submit them to the Captains' or Management Committee, as appropriate, whose decision shall be final (notwithstanding the provisions of Rule 37). In no instance shall an employee of the Club be reprimanded directly by a member. A member complaining shall have the right of having the matter adjudicated by the appropriate committee.

51. No paper, notice or placard written or printed shall be put up in the clubhouse or grounds without the authority of the Club Manager.
52. The Club accepts no liability for the loss of or damage to any articles left on the Club's premises by members, guests or visitors. Members are only covered for third party liability by a blanket insurance through their subscriptions , and visitors too upon payment of their green fee.
53. The Management Committee may make such bye-laws as they consider necessary for the well being of the Club. The drafting of those that directly concern golfing matters may be proposed by the Captain's Committee for agreement by the Management Committee.
54. Ladies' Section:  
The Ladies' Section is a section of the Club and shall be bound by the Club Rules. The Ladies' Section is responsible for:
- a. Arranging matches, competitions and other activities for the lady members.
  - b. Co-operating in support of any activities for the benefit of the Club when requested by the Captain's or Management Committee.
  - c. Electing a Ladies' Captain and Ladies' Vice Captain (Rule 7 b applies) and other officers of the section at a meeting of the Ladies' Section held within one month, either before or after, the AGM of the Club.
55. Seniors' Section:  
The Seniors' Section is a section of the Club and shall be bound by the Club Rules. Members eligible for the section shall be members aged 60 years or more, or such age as the Captain's Committee may determine.
- The Seniors' Section shall:
- a. Arrange matches, competitions and other activities for the senior members.
  - b. Be considered as an integral part of the Club for all social activities, men's matches, competitions and other golfing events.
  - c. Elect a Seniors' Captain and Vice Captain (Rule 7b applies) and other officers as necessary at a meeting of the Seniors' Section held within one month, either before or after, of the AGM of the Club.

56. Junior's Section:

The Junior Section is a section of the Club and shall be bound by the Club Rules. It shall be organised by an adult member of the Club appointed by the Captain's Committee (under Rule 10). Specific rules regarding Junior membership, their rights and conduct shall be drawn up by the Junior Organiser and approved by both the Captain's and Management committees. Members who are under the age of 18 years on the 1<sup>st</sup> July of a year are classed by the Club as Junior's for the whole of the year in question. The arrangement of matches, fixtures, other events and section meetings is the responsibility of the Junior Organiser who shall also arrange for the appointment of a Junior Captain. All involved with the Junior Section must comply with the policy requirements of the Club in terms of equity, safety and child protection.



## Knighton Heath Golf Club Ltd

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Francis Avenue, Bournemouth, Dorset, BH11 8NX

Tel: 01202 572633 \* Fax 01202 590774 \* Professional - Tel 01202 578275

E-mail: [manager@knightonheathgolfclub.co.uk](mailto:manager@knightonheathgolfclub.co.uk)

Web-site: [www.knightonheathgolfclub.co.uk](http://www.knightonheathgolfclub.co.uk)