



BENBECULA GOLF CLUB CONSTITUTION AND RULES

1. NAME OF CLUB

The club shall be called **BENBECULA GOLF CLUB**, hereafter referred to as “The Club”.

2. OBJECTIVES OF CLUB

The Club shall hold the following as its aims and objectives and shall strive to fulfil these aims and objectives at all times:

- (a) To fulfil the general objectives and functions of a golf Club and sports Club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives;
- (b) To encourage and promote the sport and game of golf and provide social and recreational facilities for the members, local community and visitors;
- (c) To provide access to golf for players of all standards in a friendly and welcoming atmosphere that does not discriminate on the grounds of gender, age, race, religion or belief, sexual orientation or disability;
- (d) To promote, abide by and apply the Rules of Golf as laid down by the Royal and Ancient Golf Club of St Andrews;
- (e) To administer and apply the Rules of the Standard Scratch Score and Handicapping Scheme as approved by the Council of National Golf Unions from time to time;
- (f) The Club shall be affiliated to the Scottish Golf Union, the Scottish Ladies’ Golfing Association and the North District Scottish Golf Union through membership of the Area and shall abide by the rules and constitution of these governing bodies as they may be altered from time to time;
- (g) To provide coaching in golf to beginners and for improvement for experienced players;
- (h) To arrange competitions and matches for members which shall be organised and run in accordance with the Rules of Golf as defined by the Royal and ancient Golf Club of St. Andrews;
- (i) To lease and/or purchase land and /or equipment suitable for the purposes and functions of the Club;
- (j) To develop and improve the golf course.

3. MEMBERSHIP

The membership of the Club shall consist of:

- (a) Honorary Members
- (b) Ordinary Members
- (c) Senior Members
- (d) Junior Members
- (e) Student Members
- (f) Country Members
- (g) Junior Country Members
- (h) Life Members
- (i) Life Associate Members
- (j) Annual Associate Members
- (k) Corporate Members

Membership is open to all and no application for membership will be refused on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, political or other opinion.

All members shall pay an annual subscription to join the Club and shall be deemed to accept the terms of this Constitution and Bye-laws from time to time adopted by the Club in particular including the requirement to conduct themselves in accordance with any conduct rules, equity policy and disciplinary procedures;

The Club shall include within its Bye-laws the process for any person seeking membership of the Club. This process shall reflect that membership is open to all and no application shall be refused on grounds of gender, age, race, religion or belief, sexual orientation or disability. The Bye-laws shall describe any grounds for refusing membership and any appeal process that will apply to refusal or removal of membership;

Annual subscriptions shall be due on 1st April and shall be fixed at the Annual General Meeting;

The Club shall provide notice of subscriptions due, including methods of payment available to members. A renewal notice will be issued by the Secretary/Treasurer or other designated person but no reminder will be sent.

4. MEETINGS OF THE CLUB

(a) Annual General Meeting

The Annual General Meeting of the Club shall be held during the month of November at a place and on a date to be fixed by the Committee. At the Annual General Meeting the Office-Bearers and the appropriate members of the committee shall be elected. An abstract of the accounts duly examined and/or audited for the previous year shall be submitted and all general business transacted.

(b) Notice of Annual General Meeting

The Secretary shall intimate at least fourteen days in advance by notice on the Club notice board, the last day for lodgement of notices for consideration at the Annual General Meeting. At the same time the Secretary shall intimate the date and place of the said Annual General Meeting which shall not be less than fourteen, nor more than twenty-eight days, following the last day for lodgement of notices in motion.

At the Annual General Meeting 15% of the membership present shall form a quorum.

(c) Special General Meeting

The Committee shall have the power to call Special General Meetings of the Club. The Secretary, upon receipt of a written requisition signed by not less than 15% of the Full Members, and stating the business to be discussed shall call a Special Meeting.

At least 14 days notice of a Special General Meeting shall be given by the Secretary on the Club Notice Board.

At the Special General Meeting 15% of the membership present shall form a quorum.

(d) Chairman

The Captain, whom failing the Vice-Captain, whom failing, the immediate past Captain, whom failing, an Ordinary Member appointed at the meeting will be Chairman at all meetings of the Club and the Chairman shall have the casting as well as the deliberate vote.

5. OFFICE-BEARERS

(a) Honorary Office-Bearers

An Honorary President may be elected at any General Meeting, but shall not, by virtue of such office, have any voice in the management of the Club.

(b) Office-Bearers

A Captain, Vice Captain, Secretary and Treasurer shall be elected at the Annual General Meeting. All Office-Bearers shall be elected for the period of one year and shall be eligible for re-election.

6. MANAGEMENT OF THE CLUB

- (a) The administration of the Club shall be vested in a Committee consisting of the Captain, Vice Captain, Secretary and Treasurer and up to eight other elected Full Members. In addition the retiring Captain shall remain on the Committee “ex-officio” for a period of one year from the date of their retirement.

Members shall retire annually and shall be eligible for re-election. The names of candidates to be proposed for election shall be placed on the notice board, duly signed by the members proposing and seconding, not later than fourteen days preceding the Annual General Meeting. In the event of a Full Member of the committee ceasing to be a member of the Committee for any reason whatsoever prior to their having served the said term the Committee shall have the power to co-opt any Full Member of the Club, outwith their own number, to serve on the Committee for the unexpired period of the said term, and such co-opted member shall be eligible for re-election at the Annual General Meeting.

The position of Captain will be for a maximum consecutive period of three years.

The Committee shall:

1. be responsible for the standing orders/byelaws of the Club;
2. be responsible for ensuring the Club, its office-bearers and employees have in place adequate and relevant insurance cover at all times;
3. set annual subscriptions, membership and entrance fees.

The Committee shall hold a meeting for dispatch of any competent business at least six times a year. The Chairman at all meetings shall be the Captain, whom failing the Vice Captain, whom failing a member of Committee to be appointed at the meeting, and the Chairman shall have a casting as well as a deliberate vote.

Five members of the Committee shall be a quorum for any meeting of the Committee.

The Committee shall have power, on behalf of the Club, to institute all proceedings and actions, which they may deem necessary, and the Secretary, on receiving instructions from the Committee, shall raise or take such actions or proceedings in their own name and in the name of the Club.

(b) Sub-Committees

The Committee may appoint a Match Committee, Entertainments Committee, Junior Committee or any other sub-committee considered desirable for the efficient operation and management of the Club and shall appoint the Convenors of any said sub-committee and determine the quorum of the sub-committee.

The Office-Bearers shall be “ex-officio” members of all sub-committees.

(c) Treasurer

The Treasurer shall, on behalf of the Club, receive all monies payable to the Club and shall settle all payments due by the Club.

The Club’s Bank shall be the Bank of Scotland, unless otherwise decided by the Committee.

The Treasurer and one of two other nominated Committee members shall sign any cheques. The Treasurer shall keep correct accounts and books showing the financial affairs of the Club and a printed statement of the Club's accounts and balance sheet, having been independently examined, or audited at the Committee's discretion, shall be submitted to each member at the Annual General Meeting.

(d) Financial Year

The Financial Year shall end on 30th September in each year.

(e) Minutes

The Committee shall cause proper minutes of the Club's proceedings to be kept as well as any minutes of any sub-committee. Copies of the said minutes shall be circulated to all members of the Committee prior to the next ordinary meeting and displayed on the Club Notice Board.

(f) The elected term of office for Office-Bearers and Committee shall commence on 1st April.

7. ENTRY FEE

The Club at the Annual General Meeting may fix any entry fee.

8. SUSPENSION AND EXPULSION

In the event of any member of the Club being found to be behaving improperly, an Office-Bearer or two members of the Committee have the power to expel him or her from the course with immediate effect. The matter will then be brought to the attention of the Committee. The Committee shall have power, on a vote by ballot, by a majority of the Committee membership, to suspend any member whose conduct appears to them to endanger the character, interests or good order of the Club, or who acts in defiance of its Rules and Bye-Laws, and on a vote by a majority of two thirds of those voting, to expel any such member. Such a decision to suspend or expel any member may only be taken at a meeting of the Committee, of which at least seven days notice has been given, including notice of the proposed business, to all members of the Committee and to the offending member who shall be given the opportunity of appearing before the Committee or withdrawing (i.e. resigning).

Any person having been suspended, or expelled from the Club, under this ruling, shall not be entitled to have any part of his or her membership fees refunded.

9. COMPLAINTS

Any complaint must be made to the Secretary in writing when the Secretary shall then submit them to the Committee who shall have the power to deal with them as they see fit.

9. CLUB ASSETS

- (a) The property, effects and money of the Club shall belong equally to all members during membership, but the right and interest of every member shall be personal and limited to that member, and shall expire when membership ceases and shall not be assignable, arrestable or pass to the member's heirs or executors.
- (b) The lease of the heritable property belonging to the Club shall be vested in the Captain and two named Committee Members, or their successors in office, as Trustees, for and on behalf of, the Club.
- (c) The initial nomination and appointment of the original Trustees shall be made by the Committee and by way of a majority vote at a Special General Meeting to be convened in terms of Clause 4(b). Where by reason of death or resignation of a Trustee or Trustees it is necessary that a new Trustee or Trustees be appointed, the Committee shall nominate the person or persons to be appointed new Trustee or Trustees. For the purpose of giving effect to such nominations, the Secretary of the Club is hereby nominated as the person to appoint new Trustees within the meaning of The Trustees Act 1925, and he/she shall be deemed duly to appoint the person or persons so nominated by the Committee.

- (d) The Trustees shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties and they shall be entitled to be sued or sue as Trustees of the Club. They shall be indemnified by the Club where acting in good faith in their capacity as Trustees of the Club.

10. CHILD AND ADULT PROTECTION POLICY

The Club is fully committed to safeguarding the welfare of all children in its care. It recognises the responsibility to promote safe practice and to protect children from harm, abuse and exploitation. Staff and volunteers will work together to embrace difference and diversity and respect the rights of children and young people.

- (a) The club shall adopt, in full, the Scottish Golf Union's Child and Adult Protection, Procedures and Practices. At least one suitably qualified Child Protection Officer (CPO) will be appointed by the Club Committee whose responsibility it will be to ensure that all recommended Child and Adult Protection Policy and Procedures are implemented. The CPO will report to the Club Committee on a regular basis.
- (b) A Deputy Child Protection Officer may be appointed whose duties will defined by the CPO.
- (c) All coaches and volunteers will be required to attend the Scottish Golf Union Child and Adult Protection Awareness Workshop when requested to do so by the Club Committee. The Child and Adult Protection Certificates should be renewed within 3 years.
- (d) All coaches will be expected to complete an Enhanced Disclosure check as recommended by the Protection of Vulnerable Groups (Scotland) Act 2007 and any subsequent relevant legislation.

11. EQUALITY

The Club operates an Equal Opportunities Policy where no one is denied the right to equal access on the grounds of age, race, creed, colour, gender, disability, occupation, religion, sexual orientation or political persuasion or marital status or having or not having dependents. There is equality of opportunity in terms of the playing rights and the rights of members to attend general meetings, vote and hold office.

12. ALTERATION OF CONSTITUTION AND RULES

- (a) No alteration in the foregoing Rules and Constitution shall be made except at the Annual General Meeting or at a Special General Meeting called for this purpose and the notice calling such a meeting shall state the proposed alteration to be made. No such alteration shall take effect unless it is affirmed by a majority of two-thirds of those voting. Notice of any proposed alteration must be given in writing to the Secretary at least fourteen days previous to the date of any Special General Meeting;
- (b) The Constitution and Bye-Laws in force from time to time shall be binding on the Club Office Bearers and members.

13. INDEMNITY

The Club shall indemnify out of its assets any and all liabilities, actions, proceedings, claims, costs, demands, damages and expenses (including legal fees) incurred by or threatened against any Office Bearer, Member of the Board of Management or Captain's Committee or employee of the Club as a result of discharging the duties of their office, except for any liability incurred through misconduct of fraud on their part.

14. BYE-LAWS

The Committee shall have the power and authority on behalf of the Club to alter or add to the foregoing Bye-Laws at any properly constituted meeting of the Committee provided that details of the proposed alterations or additions have been exhibited in the Club notice board for a period of at least 21 days prior to

that meeting to allow for objections to be made and if such alterations or additions are passed at such a meeting they will remain until rescinded binding on members of the Club.

15. DISSOLUTION OR WINDING UP OF THE CLUB

- (a) The Club is non-profit making and all profits and surpluses will be used to maintain and or improve the Club facilities or to carry out the objectives of the Club;
- (b) No profit or surplus shall be distributed (other than to another non-profit making body on a winding up or dissolution of the Club);
- (c) If, upon the winding up or dissolution of the Club there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred either to any association to which the Club is affiliated or, to some other organisation or organisations having objects (that is aims and activities) similar to the objects of the Club, such organisation or organisations to be determined by the members of the Club by Resolution passed at a General Meeting at or before the time of the dissolution, and in so far as effect cannot be given to such provision then to some charitable object.

This Constitution has been approved in accordance with 11(a) above, was adopted at the Annual General Meeting on 21st November 2013 and accepted as the Constitution for Benbecula Golf Club.

Signed Niall McPherson
Captain

Signed Len Wilson
Vice Captain

**BENBECULA GOLF CLUB
CONSTITUTION AND RULES**

BYE-LAWS

Visitors - Including Guests

Visitors, Local non-members and guests must enter their names in the Visitors' book and the applicable green or day fee should be paid into the honesty box prior to play on the Course. Guests must play with the member introducing them.

The Club facilities and full use of the Golf Course will be available to the local community, visitors and all Military personnel, either Permanent Staff or Visiting.

Play is not permitted on Thursday evenings between 1800 hrs and 2000 hrs as this is deemed the COURSE MAINTENANCE period. Play is also restricted at defined times during Competition Days, where tee-off times are reserved, or at special times as the Committee may from time to time direct.

Membership

(a) Honorary Members

It shall be competent for two-thirds of the ordinary members in attendance at a General Meeting of the club, to confer upon any person the distinction of Honorary Member of the Club, in recognition of that person's renown as a golfer, or for services rendered in the promotion of the game of golf, or for any other reason considered sufficient by the General Meeting.

Notice of any proposal to confer such Honorary Membership must be stated in the notice calling the General Meeting.

An Honorary Member shall not be liable for any fee or subscription, and shall not be eligible for membership of any committee nor have any voting rights within the Club.

(b) Ordinary Members

Ordinary Membership shall be those members who are 18 years and over on the 1st April and who have paid full adult membership subscriptions.

(c) Senior Members

Senior Membership shall be those members aged 65 years and over on the 1st April.

(d) Junior Members

Junior Membership shall be those members who are less than 18 years of age on the 1st April of the playing year. A Junior Member shall be eligible to compete in the Club's Junior Competitions. This is a non-voting membership.

Junior Members shall have their membership category upgraded to Ordinary Member, on attaining the age of 18, at the commencement of the following golfing year, unless they are in full time further education when they would be eligible for Student Membership.

(e) Student Members

Student Membership shall be those members in full time further education. A Student Member may not vote at any meeting.

(f) Country Members

Upon payment of a fee, any person not normally resident in the Uists may become a Country Member. That person will then have the same playing privileges as an Ordinary Member, but shall not be eligible for membership of any committee nor a vote at any meeting. In order to compete in Club Competitions that person must provide an up to date handicap certificate from their home club. That person shall not be allotted a handicap by the Club or carry any voting rights.

- (h) Life Members
Life Membership shall be those members who have paid a sum specified by the Committee, in consideration for such membership. This category of membership shall only be available to those persons not normally resident in the Uists.
- (i) (j) Associate Members
Associate Members shall be non-playing members of any age.
- (k) Corporate Membership
The Committee may admit enterprises as Corporate Members at such fees, on such terms and conditions, and in such numbers as the Committee shall specify. Corporate Members shall have no vote in the management of the Club. Membership will not be renewable automatically, and Corporate Members will be required to re-apply annually.

Admission of Members

All decisions about the acceptance of members, with the exception of Honorary Members, shall rest with the Committee. All applications for new membership shall be made on the appropriate application form obtained from the Secretary or from the Club's website and addressed to the Secretary.

The Secretary is responsible for ensuring that new members are aware of Club Rules and general golf etiquette.

Membership of the Club shall be open to all members of the community and completed application forms will be approved at the monthly meeting of the Committee, by a simple majority vote.

The Club may refuse membership or expel membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote.

Definitions

The term 'Full Members' shall be the voting membership and mean Ordinary Members, Senior Members and Life Members.

Subscriptions

All subscriptions shall be payable by 1st April of each year or at the date of membership application save and except that it will be permissible for individual members to pay their subscriptions by instalments provided that application to do so is made to the Treasurer for agreement and, having such agreement, arrangements are concluded prior to 1st April of each year for those instalments to be paid.

No member whose subscriptions or agreed instalment thereof remains unpaid for a period exceeding one calendar month after payment falls due shall be entitled to take part in any Club competition or to enjoy any of the privileges of membership unless and until his or her subscriptions have been paid in full whether or not any arrangement to pay by instalments had originally been agreed and such a member shall at the discretion of the committee notwithstanding the above be at risk of having their Club membership withdrawn.

The Committee shall have the discretion to offer membership to new Applicants, who have not in the previous five years been a member of the Club, and who apply for membership after 1st August, at a reduced subscription to be agreed by the Committee.

The fee for Country Membership and Junior Country Membership will be 50% of the fee for Ordinary and Junior Membership respectively.

Resignation

No member shall on resignation be entitled to have any part of his annual subscription returned.

Competitions

The control of all competitions shall be in the hands of the Committee and the decision of the Committee shall be final. Only the Committee at a Committee meeting may discontinue or alter the conditions of any Club Trophy or approve the acceptance of a new Club Trophy.

The Committee shall determine the rules of the Club competitions.

Practice Areas

The Course proper shall not be used as a practice area. Designated practice areas will be indicated each season.

Contact Details of Members

Each member shall keep the Secretary advised of their address, contact telephone number and email address and any change thereto.

Liability

The club does not accept any liability for injury, loss or damage, sustained by and to, howsoever and whomsoever caused, within the confines of Benbecula Golf Course.

Conduct and Dress of Members

The Committee may make such regulations relating to the conduct and dress of members and their guests, both in the Clubhouse and on the course, as they shall consider necessary to safeguard and maintain the status of the Club.

Local Rules

Local Rules are printed on the scorecards, and any amendments or alterations will be duly posted from time to time on the Club notice boards.

Property of the Club

No member under any pretence whatsoever shall take away or permit to be taken away or destroy any property of the Club.

Any member breaking or otherwise damaging the property of the Club shall, at the discretion of the Committee, be called upon to make good such damage.

Posting of Notices

No paper, notice or placard, written or printed, shall be exhibited in the Club without the sanction of a Committee member.

Members' Expenses

Members are required to settle all expenses at the time they are incurred.

Children on the Course

Children under the age of 12 years are only allowed on the Course if adequately supervised by an adult.

Dogs

Except during competitions dogs shall be permitted on the course provided that their owners strictly supervise them but they must not be allowed to foul on the course. Dog owners not adhering to the above Rule may be requested by any member of the Club to leave the course

Members Bound by the Rules

A member shall be bound by the Rules of the Club and to such additional or amended rules as may be made from time to time by the Committee. Persistent breach of the rules may be referred to the Committee, who will take appropriate action.

Boundary Fence

The area over the boundary fence constituting Benbecula Airport shall be deemed to be Out of Bounds to all Club members. Any member caught "ball hunting" in this area is in breach of Club rules and liable to be suspended.

Power of Bye-Laws

The Committee shall have power to alter or add to the foregoing Bye-Laws as circumstances require, and any such alterations or additions, after having been exhibited in the Clubhouse for 14 days, shall become, and remain, until rescinded, binding upon Members, and additions shall be retained in a file available for inspection.

Bye-Laws-A.G.M./Special Meetings

The Club at any Annual or Special General Meeting, after due notice has been given, may, by a majority, alter or add to the foregoing Bye-Laws.