

SKIBBEREEN AND WEST CARBERY GOLF CLUB CONSTITUTION

1. NAME

- 1.1 The name of the Club shall be the Skibbereen and West Carbery Golf Club, hereafter referred to as 'the Club' and this name shall be the common name by which the Men's Club, the Ladies Club and the Parent Club shall be individually and collectively known.
- 1.2 The Club shall affiliate to the Golfing Union of Ireland and the Irish Ladies' Golf Union and

2. OBJECTIVES

- 2.1 The Club shall hold the following as its aims and objectives and shall strive to fulfil these aims and objectives at all times:
 - 2.1.1 To fulfil the general objectives and functions of a Golf Club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives;
 - 2.1.2 To generally promote the game of golf for the benefit of members and the local community;
 - 2.1.3 To promote and abide by the Rules of Golf as they are fixed from time to time by The R&A;
 - 2.1.4 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;
 - 2.1.5 To provide coaching in golf to beginners and for improvement for experienced players;
 - 2.1.6 To arrange competitions and matches for members;
 - 2.1.7 To lease and/or purchase land and/or equipment suitable for the purposes and functions of the Club;
 - 2.1.8 To sell and deal in alcohol, tobacco and other related

products as well as refreshments, foodstuffs and golfing equipment in accordance with the provisions of any licensing laws and by obtaining the necessary statutory consents and licences for such sales.

2.2 THE MEN'S CLUB SHALL

- a) Be affiliated to the Golfing Union of Ireland and undertake, in writing to accept and abide by the Constitution and Bye-Laws of such Union and the Bye-Laws of the Munster Branch.
- b) Accept and apply the Standard Scratch Score and handicapping scheme as prescribed by the Council of National Golf Unions and such rules there under as may require to be implemented from time to time by the Golfing Union of Ireland
- c) Accept and recognise the Royal and Ancient Golf Club of St Andrew's as the sole authority for prescribing and implementing the Rules of Golf and Rules of Amateur Status.
- d) Retain Handicap Records in respect of all present and past Members for not less than the current year and previous two calendar years and retain all score cards until the end of the current handicap year. Handicap Records for all Playing members must be returned to the Union or Provincial Branch should the club cease to be affiliated.
- e) Maintain an accurate register of all members on Golfnet.

2.3 THE LADIES CLUB SHALL:

- a) Be affiliated to the Irish Ladies Golf Union and undertake, in writing to accept and abide by the Constitution and Bye-Laws of such Union and the Bye-Laws of the Munster District
- b) Accept and apply the Standard Scratch Score and

handicapping scheme as prescribed by the Council of National Golf Unions and such rules there under as may require to be implemented from time to time by the Irish Ladies Golf Union

- c) Accept and recognise the Royal and Ancient Golf Club of St Andrew's as the sole authority for prescribing and implementing the Rules of Golf and Rules of Amateur Status.
- d) Maintain an accurate register of all members on Golfnet.
- e) Retain Handicap Records in respect of all present and past Members for not less than the current year and previous two calendar years and retain all score cards until the end of the current handicap year. Handicap Records for all Playing members must be returned to the Union or Provincial Branch should the club cease to be affiliated.

3. PATRON

- 3. The Patron of the Club shall be elected annually at the Annual General Meeting of the Club.

4. TRUSTEES

- 4.1 The Trustees shall not be more than 5 and not less than 3 individual members of the Parent Club.
The present Trustees are Mr John Field, Mr Charlie McCarthy, Mr. Pat Connolly, Mrs. Nuala Lupton and Mr. Michael Collins and they shall remain in Office. Hereafter Trustees shall be appointed by members of a General meeting of the Parent Club.
- 4.2 Each Trustee shall hold Office until resignation or removal from office by resolution of the members at General meeting of the Parent Club.
- 4.3 The club premises and such other property of the Club as the Committee of Management shall determine, shall

be vested in and under the legal control of the Trustees and such Trustees shall deal with the property of the Club as directed by a resolution of the Committee of Management of which an entry in the Minute Book shall be conclusive evidence.

- 4.4 The Trustees shall act as the guarantors on behalf of the club for the purpose of securing any bank loan or overdraft.
- 4.5 If the Trustees, when directed by a resolution of the Committee of Management to perform a certain act consider that the performance of such act is one of such importance that they consider that the members of the Parent Club should be consulted, then the Trustees may refuse to perform such act until members of the Parent Club have been consulted at a General or an Extraordinary General Meeting and a resolution is passed at such a meeting authorising or refusing to authorise Trustees to perform such act as was originally directed by the Committee of Management.
- 4.6 The Trustees shall be entitled to attend meetings of the Committee of Management without voting power in their capacity as Trustees.
- 4.7 The Trustees shall be indemnified out of the Parent Club property and assets in respect of all transactions, directed by resolution of the Committee of Management and against all liabilities and expenses necessarily incurred as a result of their trusteeship, and in the event of the Parent Club property and assets being deficient, the deficiency shall be made up by members of the Parent Club on a pro-rata basis according to the membership category.
- 4.8 The functions of Trustees may be carried out by a minimum of three of such Trustees as appointed by the members at a general meeting of the parent club.

5. WINDING UP OF THE CLUB

5. If upon the winding up or dissolution of the Club there remains, after satisfaction of all its debts and liability, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property should be given or transferred to some other institution or institutions having main objects similar to the main objects of the Club or in default of there being any such institution any other institution or institutions having as their object the support and promotion of the game of golf in Ireland. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Club under or by virtue of this constitution or, if more restrictive by law. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution and if insofar as effect cannot be given to such provision, then the property shall be given or transferred to some charitable object.

6. MEMBERSHIP

- 6.1 The membership of the Club shall consist of the following categories of members:

Category A: Ordinary Members, Honorary Members, Family Members, Life Members, Senior Members.

Category B: Country Members, Country Family Members, Overseas Members, Intermediate Members, Junior Members, Student Members, Juvenile Members, Cadet Members

Category C: Flexi Members. Beginner Members, Pavilion Members and any other category of membership as may be introduced by the Management Committee from time to time.

The rights and benefits of each category of member shall be as set out in the Club's Bye Laws relating to membership.

- 6.2 All members shall pay an annual subscription to join the Club; the membership fee for each category of membership shall be fixed at an Annual General Meeting or Extraordinary/Special meeting of the Club.
- 6.3 All members joining the Club shall be deemed to accept the terms of this Constitution and any 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.
- 6.4 The Club shall include within its Byelaws 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, gender reassignment, age, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity or disability.
- 6.5 Annual subscriptions shall be due on 1st January and must be paid by 31st March. Any member whose subscription remains unpaid on 1st April in any year shall cease to be a member of the club, but the Management Committee at its discretion may re-elect such member without entrance fee, re nomination or re posting, on payment of all subscriptions and other monies due to the club. This rule shall not apply where a member has

entered into an agreement with the club to pay his/her subscription by way of regular instalments.

- 6.6 With effect from 1st January 2015 on reaching the age of 68 and having completed 10 years as a full member, any subscribing member shall be entitled to notify the Management Committee of such facts.
- 6.6.1 The subscription of any member who so notifies the Management Committee in writing shall remain the same as that paid in the year of such notification except where subscriptions are lowered in which case the lower rate shall be payable for as long as the lower subscription rate applies.
- 6.7 The Club shall provide notice of subscriptions due, including methods of payment available to members.

6.8 TERMINATION OF MEMBERSHIP

- 6.8 The Management Committee, with the authority of the men's or ladies' committee concerned shall have the power, to be exercised only in accordance with the provisions of this rule, to deprive a member of membership of the club.

The committee may, by a majority of not less than two thirds of its members then present at a committee meeting, decide that it is in the interest of the club that a member should be called on to resign membership of the club.

The committee shall fix a date for the committee meeting at which the matter of the member's resignation shall be considered. The member shall be given two weeks' notice of the date and place of the meeting.

Such notice shall be in writing and shall inform the member of the committee's decision and of the reason(s) why the member is being called on to resign. Such notice shall also include a copy of this rule.

Notice shall be deemed to have been duly given if sent by pre paid post to the member's last known postal address or to the member's last address appearing in the records of the club.

The member may give notice to the Honorary Secretary of the Parent club of intention to attend the meeting.

If the member attends the meeting he or she shall be given the opportunity to address the meeting and state their case. Having stated their case the member shall then withdraw from the meeting and the committee shall proceed to deal with the matter.

The management committee shall have power to remove the members name from the list of members of the club provided that a majority of two thirds of its members then present support the removal.

Where in accordance with the provisions of this rule, the committee removes the name of the member from the list of members of the club such person shall thereupon cease to be a member of the club and shall be notified accordingly in writing.

Any category of member may be deprived of membership in accordance with the provisions of this rule.

7. MANAGEMENT OF THE CLUB

- a. There shall be a Management Committee responsible for the overall management of the Club
 - i. The golfing affairs of the Men's Club shall be under the jurisdiction and control of the Men's Committee
 - ii. The golfing affairs of the Ladies' Club shall be under the jurisdiction and control of the Ladies Committee.
- b. All committee members must be members of the Club.
- c. The Management Committee shall have the authority to appoint sub committees and to appoint members to act

- on such sub committees. The Management Committee shall also have the power to define the authority of each such sub committee and to delegate and confer on such subcommittee the necessary powers for the discharge of the function(s) for which such sub committee was appointed.
- d. The Annual General Meeting of the club may nominate members to each sub committee in accordance with the membership set out in the following articles.
 - e. The Management Committee shall have power to make such Bye Laws as it considers necessary and to alter and repeal same.
 - f. Each of the aforementioned Committees may exercise its power notwithstanding that there might be a vacancy or vacancies in its membership.
 - g. Nothing in this rule shall preclude a member of either the Men's or the Ladies' Committee being also a member of the Committee of Management or vice versa.
 - h. At meeting of any of the foregoing Committees Fifty percent plus one of those entitled to attend and vote shall form a quorum.
 - i. i In consultation with both Men's and Ladies' committees the Committee of Management is also empowered to make Local Rules and regulation for the use of the course as are required in the interest of members.

8. CLUB OFFICERS:

- 8. The officers of the Parent Club shall be a Chairperson, Honorary Secretary, Honorary Treasurer and Honorary PRO.
The officers of the Men's Club shall be a President, a Captain, a Vice Captain, an Honorary Secretary, an Honorary Treasurer, an Honorary Competition Secretary and an Honorary Handicap Secretary.

The officers of the Ladies Club shall be a President, a Captain, a Vice Captain, an Honorary Secretary, an Honorary Treasurer, an Honorary Competition Secretary and an Honorary Handicap Secretary.

COMPOSITION AND RESPONSIBILITIES OF MANAGEMENT COMMITTEE

- 9.3 The Management Committee shall consist of the following:
- 9.3.1 Chairman
 - 9.3.2 Honorary Secretary
 - 9.3.3 Honorary Treasurer
 - 9.3.4 Captain of Men's Club
 - 9.3.5 Captain of Ladies Club
 - 9.3.6 Vice Captain of Men's Club
 - 9.3.7 Vice Captain of Ladies Club
 - 9.3.8 Two Ordinary Members

Chairman, Honorary Secretary and Honorary Treasurer will be elected at the Club AGM to serve for three years and will not be eligible for re-election for at least one year. In the initial Management Committee structure either the Honorary Secretary or Honorary Treasurer shall resign at the end of the second year and may seek re election for a further three year period. The selection of the member who shall retire first shall be made by the Management Committee.

To assist the formation of the inaugural Management Committee the outgoing Committee of Management shall nominate a member for election to the position of Chairman of the Management Committee subject to the approval of a majority of members at the Annual General Meeting in accordance with Article 11.5

- 9.4 All ordinary members of the Committee will be elected at

the Club AGM to serve for one year. Such members of the Committee shall be eligible to stand for re-election for a second term of one year after which time he or she shall not be eligible for re-election for at least a year.

- 9.5 Election to any position on the Management Committee cannot be limited by or discriminated on the ground of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity or disability.
- 9.6 No paid employee of the club may serve in any Officership or on any Committee or Subcommittee of the Club.
- 9.7 The Management Committee shall
- 9.7.1 be responsible for the standing orders/byelaws of the Club
- 9.7.2 be responsible for ensuring the Club, its office-bearers and employees have in place adequate and relevant insurance cover at all times.
- 9.8 The Management Committee will not have power to purchase, sell, or lease property without specific authority of members at a General Meeting
- 9.9 The Management Committee shall have the power to appoint such employees as deemed necessary for the effective running of the club and to determine the terms and conditions of employment for each such employee and to terminate such employment in accordance with the clubs policies and procedures.

10. COMPOSITION OF MEN'S AND LADIES COMMITTEES

10. The Men's Committee shall comprise the following: the officers of the Men's Club together with a Junior Convenor and two other members to be elected at the Annual General Meeting of the Men's Club.

The Ladies Committee shall comprise the following: the officers of the Ladies Club together with a Junior Convenor and two other members to be elected at the Annual General Meeting of the Ladies Club.

11. GENERAL MEETINGS:

- 11.1 The Annual General Meeting of the Men's and Ladies Club shall be held save in exceptional circumstances not later than 31st December for the purpose of receiving the Annual Reports and Financial Statements for each such Club for the year ended the previous 31st October and for the purpose of electing such officers and committee members as set out in these articles and transacting such other business of the club as set out in the agenda.
- 11.1.2 The Annual General Meeting of the Parent Club shall be held save in exceptional circumstances not later than 31st December for the purpose of receiving the Annual Reports and Financial Statements of the management Committee for the year ended the previous 31st October and for the purpose of electing such officers and committee members as set out in these articles and transacting such other business of the club as set out in the agenda.
- 11.2. At least seven days notice of any such Annual General Meeting shall be given to the members of the relevant Club who are entitled to vote at such meeting in accordance with the rights and benefits as set out in the Clubs Bye Laws relating to membership.
- 11.2.1 Such notice shall be published on the Club Website and in one issue of a newspaper circulating in the area stating the time and place of such meeting. In addition such notice shall be posted in the Clubhouse, stating the business of the meeting and in the case of such Annual General Meeting the clubhouse notice shall be

accompanied by the Financial Statement.

- 11.3. Notices of Motion must be submitted in writing to the Honorary Secretary at least four days before the date of such meeting and such Notices of Motion shall be promptly posted on the Clubhouse notice board
- 11.3.1 Any Notice of Motion which has not been submitted in accordance with the above may not be considered at the Annual General Meeting save where the presiding Chairperson of the meeting decides that such motion or recommendation may be discussed under the heading of any other business.
- 11.4 Immediately following the Annual General Meeting of the Men's and Ladies Clubs the respective Honorary Secretaries shall notify the Honorary Secretary of the parent Club of the names of the Captain and Vice Captain who shall represent that club on the Management Committee for the ensuing year.
- 11.5 An annual general meeting or an extraordinary general meeting shall be empowered to impose a levy on members and such levy shall be payable at the same time as the annual subscription
- 11.6 Save where otherwise provided in these articles any decision shall be reached by a simple majority of the voting members present.

12. EXTRAORDINARY ANNUAL GENERAL MEETINGS

- 12.1 Extraordinary General Meeting of any of the Clubs may be called at any time by direction of the committee of the club concerned or on requisition to the honorary secretary of the club concerned, signed by at least fifteen members entitled to vote at such meeting, stating the business to be brought forward.
- 12.2 On receipt of such requisition it shall be the duty of the committee of such club to have a general meeting called

without delay and failing notice calling such meeting being issued by direction of the committee concerned within fourteen days after receipt of the requisition by the honorary secretary ,the fifteen members who have signed the requisition may issue notice of a general meeting which notice shall be sufficient if published in one issue of a newspaper circulating in the area at least seven days before the date fixed for such meeting.

13. FINANCE

- 13.1 The financial year shall run from 1st November to 31st October.
- 13.2 The Honorary Treasurers of the Men's Club shall issue a certified statement of the affairs of the Men's club for the financial year ended 31st October for consideration by the Men's committee and for presentation to and approval by the members at the annual general meeting of the Men's club.
- 13.3 The Honorary Treasurers of the Ladies Club shall issue a certified statement of the affairs of the Ladies club for the financial year ended 31st October for consideration by the Ladies committee and for presentation to and approval by the members at the annual general meeting of the Ladies club.
- 13.4 The Honorary Treasurer of the Parent Club shall be responsible for securing the preparation of Annual Accounts of the Club and laying these before the Annual General Meeting of the parent Club

14. REGISTRATION OF CLUBS ACTS 1904 TO 2000 LICENSING ACTS 1833 TO 2000.

- 14.1 No person other than a member (as defined in the Club Bye Laws relating to members) shall order or pay for refreshments in the clubhouse.

- 14.2 No visitor shall be supplied with excisable liquor on the club premises unless on the invitation and in the company of a member, and that member, shall upon the admission of such visitor to the club premises or immediately upon his being supplied with such liquor, enter his or her 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 each visitor.
- 14.3 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.
- 14.4 No excisable liquors shall be sold or supplied for consumption outside the premise of the club, except to members of the club, between the hours of 8.00 am and 10.00 p.m.
- 14.5 No excisable liquor shall be sold or supplied in the club premises to any person under the age of eighteen years.
- 14.6 No member of any committee or officer and no employee of the club shall have any personal interest in the sale to the club of supplies of excisable liquor, or in the profits arising from such sale.
- 14.7 Subject to the exceptions contained in 14.8 hereof no excisable liquor shall be supplied for consumption on the club premises to any person (other than a club member lodging in the club premises) or to be consumed on the club premises by any person (other than such a member),(a) at any time on Christmas Day or Good Friday or (b) on any other day outside the hours specified in respect of that day in Section 2 (1) (b) as substituted by section 3 of the Intoxicating Liquor Act 2000) of the Intoxicating Liquor Act 1927.
- 14.8 Nothing contained in the Registration of Clubs Acts 1904 -1999 , or contained by virtue only of the operation of

clause 14.7 hereof in the rules of a club registered under those acts shall operate to prohibit the supplying for consumption on the club premises of excisable liquor to any person or the consumption of excisable liquor on those premises by any person (a) on Christmas Day, between 12.00 midday and 10.00 p.m. or (b) on any other day, for one hour after the expiration of any period in respect of that day during which it is lawful for the club , by virtue of clause 14.7 (b) to supply any excisable liquor for consumption on the club premises. If in each case the excisable liquor is (i) ordered by or on behalf of that person at the same time as a substantial meal is so ordered, and (ii) consumed by that person during the meal or after the meal has ended.

15. THE CONSTITUTION

- 15.1 The Constitution shall only be altered by consent of two thirds of members present and entitled to vote at a General Meeting.
- 15.2 The Constitution and Standing orders/Bylaws in force from time to time shall be binding on the Club office-bearers and members.
- 15.3 This Constitution shall come in to effect at the first Annual General meeting to be held following its adoption by the members of Skibbereen and West Carbery Golf Club in accordance with 15.1 above.

**ADOPTED BY THE MEMBERS OF SKIBBEREEN AND
WEST CARBERY GOLF CLUB AT EXTRAORDINARY
GENERAL MEETING HELD ON 22ND SEPTEMBER 2015**