

DOWNES CREDITON GOLF CLUB

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1. NAME

The name of the Club shall be "Downes Crediton Golf Club".

2. ADDRESS

The Club premises shall be situated at "Hookway, Crediton, Devon, EX17 3PT" or such other address as the club shall in General Meeting determine.

3. OBJECTIVES OF THE CLUB

The objectives of the Club, which are of equal importance, are:

- a. To be a Private Members Club, primarily for the benefit of the members for playing golf over the Downes Crediton Golf Course.
- b. To maintain the Golf Course to the highest possible standard.
- c. To provide a Clubhouse and all other facilities necessary for the enjoyment of the members of equal standard to the Golf Course.
- d. To support the principle and practice of equality of opportunity. No member, visitor, guest, participant, volunteer, job applicant or employee will receive less favourable treatment on the grounds of age, gender, parental or marital status, colour, race, ethnic origin, creed, disability, social status or sexual preference or will be disadvantaged by conditions or requirements that cannot be shown to be relevant to performance.

4. CATEGORIES OF MEMBERSHIP

Membership of the Club shall be open to persons of both sexes. Membership shall be granted under the following headings as appropriate to circumstances and application:

a. FULL

Open to those over the age of 18 years with subsidiary categories as follows:

- (i) Members residing between a distance of 20 miles and 40 miles from the club.
- (ii) Members residing over 40 miles from the club.
- (iii) Overseas members.
- (iv) Life members.
- (v) Intermediate Members aged between 18 and 23.

Full membership is to be limited to 700. In determining the membership limit, members residing between 20 and 40 miles radius from the Club shall count as 3/4 member and members residing beyond 40 miles radius from the Club and overseas shall count as 1/2 member.

b. FIVE DAY MEMBERSHIP

Open to those over the age of 18. The member is entitled to use the whole range of Club amenities and enter golf competitions from Monday to Friday inclusive. Golf may only be played on a weekend on payment of the appropriate green fee and such member may not be introduced at a reduced green fee on more than 8 occasions in any one calendar year. 5-Day members may not enter competitions that involve play at weekends including Club KnockOuts, but may enter Club Open Competitions. 5-Day membership shall be limited to a maximum of 50.

5-Day members may apply for full membership at any time and if and when elected shall pay a full Entrance fee.

c. TWO YEAR MEMBERSHIP

Two-year membership is open to those who, by reason of their occupation, have moved to the area for a short period. Numbers shall be limited to a maximum of 20. At the completion of two years, a member wishing to continue as a full member will be required to apply for full membership and when elected shall pay a full Entrance fee.

d. JUNIOR MEMBERS

Junior membership is available to those under the age of 18 on the 1st April in the year they apply to join the Club. On reaching the age of 18 a junior member will become a full member at the commencement of the next Club year without payment of an Entry Fee provided he/she has been a junior member for at least one complete year.

e. **SOCIAL MEMBERS**

Social (non-playing) membership is available at the discretion of the Committee and to past and retiring members of the Club and their spouses and spouses of present members. Social membership shall not exceed 20% of the total membership.

f. **HONORARY MEMBERS**

The Committee may under special circumstances nominate any person to be elected an Honorary Member of any membership category without the payment of the annual subscription. Such nomination to be brought to and approved by the next General Meeting of the Club.

g. **MEMBERS OVER THE AGE OF 80.**

This category of membership is open to those who have been full members of the club for a period of at least 5 years and are aged 80 and over on the 1st April. This category of membership shall enjoy the same rights, privileges, etc as a Full Member of the club.

h. **STAFF MEMBERS.**

Available to members of staff at the discretion of the Committee without the payment of the annual subscription. Upon ceasing to be a member of staff application may be made for an alternative membership category and the appropriate subscription and entry fee shall become payable.

i. **CORPORATE MEMBERSHIP**

Available to Companies or Organisations to provide use of the Clubhouse and Course on such terms as may be agreed by the Committee on an individual basis.

j. **ASSOCIATE/INTRODUCTORY MEMBERSHIP**

Available only to those who have been Full Members of the Club for at least 12 months. The member is entitled to use the Clubhouse at all times but may only play a limited number of rounds during the course of the club year on such terms as the Committee may decide. An Associate Member may participate in Club Competitions at the discretion of the Committee. If an Associate member wishes to play rounds in addition to his entitlement an appropriate green fee must be paid. Associate Membership shall be limited to a maximum of 15.

5. TERMS OF MEMBERSHIP

a. **ENTRY FEE**

The Committee shall set the amount of the entry fee. No entry fee is payable for the following categories of membership:

- (i) Five Day Members.
- (ii) Two Year Members
- (iii) Junior Members
- (iv) Social Members
- (v) Staff Members

Payment of the entry fee shall be in full on election or on such terms as set by the Committee. No entry fee shall be payable by a previous member rejoining the club after a period of non-membership.

b. **ANNUAL SUBSCRIPTIONS**

The Committee shall review the annual subscription payable for each category of membership. The annual subscription shall be due and payable on the 1st April each year, except those new members elected during the course of the year shall pay such proportion of the annual subscription, as the Committee shall determine.

The annual subscription shall be payable in full on the 1st April or payable by instalments over such period as the Committee may fix provided full payment occurs prior to the 31st March in the year following.

The Committee shall collect such instalments in any way suitable for the clubs finances. In this respect the club may enter into an arrangement with its bankers to issue direct debits for the collection of subscriptions and any other levies or dues.

An administration fee as set by the Committee may be payable if a members elects to pay the subscription by instalment or a subscription payment is received after the due date.

Any member whose annual subscription has not been paid in full or whose arrangement to pay by instalment is in arrears shall cease to be a member of the Club, although the Committee shall have the power of reinstatement.

The Committee may terminate the membership of any person who fails to pay his/her subscription within the time allowed.

A member may resign at any time by writing to the Managing Secretary informing him/her of his/her decision. The member shall not be eligible for a refund of the entrance fee and shall forfeit all right or claim upon the Club's property or funds save as regards to any loan by him/herself to the Club then outstanding. The Committee shall use its discretion to refund part of the subscription paid for the year of resignation.

6. ELECTION OF MEMBERS

- a. Applicants for membership shall be proposed by one full member and seconded by another, both of who must know the candidate well and who will ensure that the candidate meets the high standards of the Club. Both the proposer and the seconder shall have been members of the Club for a minimum period of one year at the date they sign the application form. The applicant shall complete and sign a membership application form stating the category of membership sought and giving such information as required by the Committee.
- b. Applicants new to the area shall submit a written request for membership, supported by a letter of introduction from any previous club of which they were a member, together with a completed application form giving such information as required by the Committee.
- c. The completed membership application form shall be posted in the clubhouse for a period of 14 days prior to admission as a member. Pending the expiry of the notice period the Committee may sanction any use of the Club's facilities by the applicant that they consider to be in the Club's best interest subject to the application form having being posted for a minimum period of 7 days.
- d. The Managing Secretary will maintain a record of the names of applicants and any members to whom the candidate is well known personally may record their support. Any member may object to the candidature by stating the reasons for his or her objections in a confidential letter to the Managing Secretary.
- e. Upon expiry of the notice period, and subject to the confirmation of the Committee any applicant proposed and seconded by two full members of the Club shall be elected to the Club on the basis that during the first twelve months of membership the proposer and seconder shall be responsible for the applicants behaviour and integration into the club.
- f. Any applicant not proposed and seconded by two full members of the club shall if the Committee deems it appropriate be interviewed by a Membership Sub-Committee as appointed by the Committee and a recommendation shall be brought to the Committee.
- g. Acceptance of membership shall imply acceptance of the Club Rules.

7. CONDUCT OF MEMBERS/GRIEVANCE AND DISCIPLINARY PROCEDURES

If the Committee receives a complaint or grievance concerning the conduct or behaviour of a player/member then the circumstances will be investigated by nominated members of the committee. The Committee will follow and implement the "Policies and Procedures" as recommended for golf clubs by the English Golf Union Limited and as varied by them from time. Nothing in the procedures implemented shall be contrary to the Laws of Natural Justice.

After appropriate enquiry one or more of the following penalties may be imposed:

- (1) A reprimand
- (2) Suspension from the Club Premises and/or course for a period of not less than one month.
- (3) Suspension or termination of membership. No person whose membership has been terminated may re-apply for membership for a period of three years from the date of termination of membership.

(4) A penalty pursuant to clause 24 of the Council of National Golf Unions Unified Handicapping System.

8. ADMISSION OF GUESTS OF MEMBERS AND VISITORS

The names of all guest's and visitors to the club should be recorded in the visitor's book or green fee books kept for that purpose.

a. GUESTS OF MEMBERS

A member may introduce a maximum of three guests per day to play the course on payment of the current reduced green fee provided he/she plays with his/her guests. The member is responsible for the guests' etiquette on and off the Golf Course. A member may not introduce a guest neither can any guest be introduced at the current reduced green fee more than eight times in any one calendar year unless the guest is on the waiting list.

Guests of members visiting the Club for purely social purposes may also use the facilities of the Clubhouse when the number of guests introduced by any one member in any one day shall not exceed four or such other number as authorised by the Committee.

b. VISITOR

A visitor may on payment of the current Green Fee enjoy the use of the Clubhouse the Course and all the facilities for the day for which payment is made. Any such visitors must be a member either of a recognised Golf Club / Golfing Society or any body affiliated to any of the National Golfing Unions within the United Kingdom. If not such a member the visitor must produce a Handicap Certificate or in the absence of such Certificate must establish to the satisfaction of the Professional that he holds a valid handicap.

The following persons may also use the facilities of the Clubhouse and Course including the purchase of food and intoxicating liquors for consumption on the Club premises only:

- i) Members of visiting Golfing Societies and visiting Clubs and Teams playing bona fide matches against the Club or participating in Invitation or Open Competitions, their officials and supporters provided that such admission to the Clubhouse is limited to the day on which the event, which is the object of the visit, takes place.
- ii) Persons attending any function at the Club which has been approved previously by the Committee and that have been authorised by a Temporary Event Notice.

9. FUNCTIONS

Persons, other than members and their guests, may be admitted to the Club premises for attending functions provided that:

- (i.) The function is approved by the Committee.
- (ii.) The Club on the whole derives financial benefit from the event.
- (iii.) Such functions do not exceed 12 per calendar year
- (iv.) A Temporary Event Notice is obtained in accordance with the Licensing Act 2003.

Intoxicating liquor may be sold by or on behalf of the Club for consumption on the premises by persons admitted in accordance with this Rule.

10. THE OFFICERS OF THE CLUB

The Officers of the club shall consist of the President, the Captain, the Vice-Captain and the Treasurer.

a. THE PRESIDENT

The President shall be elected at the Annual General Meeting for a period of three years and shall be eligible for re-election. A candidate for the office of President may not necessarily be a member of the Club in which case he/she will attain Honorary Membership on election.

b. THE CAPTAIN

At the end of his year in office the Vice-Captain shall succeed to the Captaincy and his election as Captain shall be confirmed at the Annual General Meeting. He shall serve as Captain for one year.

c. THE VICE CAPTAIN

The Vice Captain shall be nominated at a meeting convened in September comprising the Current Captain together with the five most recent past Captains who are able to attend and are full

members of the Club at the date of the meeting. The Captain and each past Captain shall have a vote. Five including the present Captain shall form a quorum. The current Vice Captain attends the meeting but has no vote. The meeting shall agree a short list of three nominees for the position of Vice Captain for the following year. The nominees for Vice Captain shall at the time of their nomination have been elected to the Committee at an Annual General Meeting during their membership. After the meeting the Captain shall offer the first nominee the position of Vice Captain if they should decline the second and if necessary the third. The name of the member accepting the nomination shall be announced at the next meeting of the Committee then immediately published in the Clubhouse and the election of the Vice Captain shall be confirmed at the next Annual General Meeting.

d. **THE TREASURER**

The Treasurer shall be elected at the Annual General Meeting for a period of one year and shall be eligible for re-election.

11. THE COMMITTEE OF THE CLUB

- a. The affairs of the club shall be managed by an elective committee, which shall comprise the officers of the club, the Ladies Captain as elected by the Ladies Section at their own Annual General Meeting, the Seniors Captain as elected by the Seniors Section at their own Annual General Meeting and six members elected at the Annual General Meeting.
- b. Committee members elected by Annual General Meeting shall serve for a term of three years and on retirement shall be eligible for re-election for a further three-year period at the end of which they must retire for at least one year.
- c. The Committee may not co-opt additional members.
- d. The quorum for all meetings of the Committee shall be six voting members.
- e. Committee members are expected to attend meetings of the Committee or offer such explanations or apologies as are necessary. Failure to attend four consecutive properly convened meetings without satisfactory explanation to the Committee will require the Committee member to resign.
- f. If a casual vacancy occurs on the committee by virtue of death, resignation, suspension or expulsion of a member, then the committee shall have the power, if thought fit, to appoint a person from among the club membership to fill that vacancy until the next Annual General Meeting. Where possible the Committee shall extend the invitation to those members who were not successful in the ballot at the previous Annual General Meeting and in order of the highest number of votes cast. Any such member so invited shall only serve on the Committee until the next Annual General Meeting.

12. ORGANISATION AND POWERS OF THE COMMITTEE

a. ORGANISATION OF THE COMMITTEE

- (i) The Chairman - At its first meeting after the Annual General Meeting the Committee shall elect a Chairman from amongst its members. He/she shall be known as the Chairman of the Club and may serve for a period not exceeding six consecutive years. He/she shall preside at all Committee meetings and shall in addition to his own vote exercise a casting vote in the event of equality of voting. The Chairman of the Club shall be empowered to deal with any day to day problems and difficulties arising in the management of the Club except those matters relating to the playing of golf which shall be under the jurisdiction of the Captain.
- (ii) Sub-Committees - The three statutory Sub-Committees are Bar & House, Competitions and Greens. The Committee shall also have the power to constitute additional sub-committees as they consider are in the best interests of the club.
- (iii) Formation of Sub-Committees - At its first meeting after the Annual General

Meeting, and immediately following the election of the Chairman each member of the Committee will be invited to state their preference on which Sub-Committee he/she would like to serve. The Chairman and Captain will then retire and, where possible taking the declared preference of each member into consideration, agree the composition of each Sub-Committee.

- (iv) Each Sub-Committee shall elect a Chairman.
- (v) Sub-Committee meetings shall be held at times and frequencies relevant to circumstances and shall present minutes of their meetings to the Committee.
- (vi) Each Sub-Committee, with the exception of the Bar & House, shall have the power to co-opt additional members as it sees fit.

b. **POWERS OF THE COMMITTEE**

- (i) The management of the Club shall be the responsibility of the Committee which shall subject to the provisions of these Rules have full power to manage the Club in accordance with the Objectives.
- (ii) The Committee shall be empowered to borrow such financial sums as may be required from time to time provided that the powers of the Committee to borrow monies or to commit the Club to a financial liability shall be limited to a quarter of the net value of the assets of the Club (as certified by a Chartered or Certified Accountant appointed by the Club as being the open market value thereof) unless a General Meeting of the Club otherwise grants other authority.
- (iii) The Club shall at all times indemnify the members of the Committee from and against all actions costs and demands in respect of any matter (other than their own dishonesty) arising out of their management of the Club and consequent upon any action instruction or resolution of the Club. The Club shall at all times indemnify any persons who have jointly and severally given their guarantee for any loan incurred on behalf of and with the authority of the Club.
- (iv) The Committee shall advise the Managing Secretary of the action it requires the staff to undertake on its behalf.

13. TRUSTEES

There shall be not less than two nor more than four trustees, who shall be appointed by a duly minuted resolution of the Committee.

Such duly appointed trustees shall hold office at the pleasure of the Committee, or until such time as they resign by notice in writing to the Committee.

All property of the Club shall be vested in the trustees as from time to time appointed, and the trustees shall act in all respects as regards such property, land or investments in strict accordance with the directions of the Committee.

They shall have power to sell, lease, mortgage or pledge any club property for the purpose of raising or borrowing money for the benefit of the Club in accordance with the Committee's directions.

The Club shall at all times indemnify the Trustees from and against all actions costs claims and demands in respect of any matter (other than their own dishonesty) arising out of their Trusteeship and consequent upon any action instruction or resolution of the Committee.

14. GENERAL MEETINGS

a. **GENERAL MEETINGS**

- (i) There shall be an Annual General Meeting of the club held in January each year, or as soon as possible thereafter. The purpose of the meeting shall be for the election of officers and members of the committee, the presentation of the accounts, reports from the officers and the approving of the annual subscriptions and budgets for the forthcoming year. Fifteen months must not

elapse without an Annual General Meeting.

- (ii) At least one calendar month before the date fixed for the Annual General Meeting or Extraordinary General Meeting notice shall be sent to the last known address (either postal or electronic mail) of all Full members of the club stating the date, place and time of the meeting and the nature of the business. No other business shall be discussed.
- (iii) The notice of the Annual General Meeting shall also be posted in the Clubhouse together with a notice inviting nominations for the positions of President (if becoming vacant), Treasurer and Committee members. Any two Full members may nominate candidates for these positions having previously received their consent. With the exception of the President nominees for other positions nominees must have been Full members of the Club for at least two years. Nominations will close at 12.00 p.m. seven days prior to the timing of the Annual General Meeting. Should there be more candidates than there are vacancies the elections shall be by secret ballot. In the event of a tie, between one or more nominees, affecting the outcome of the election a further secret ballot between the nominees who are tied will be held.
- (iv) The President shall take the Chair at every General Meeting or in his absence the Chairman of the Club. If neither is present the Meeting shall elect its own Chairman.
- (v) The quorum for a General Meeting shall be 20 Full members. If within half an hour after the appointed time a quorum is not present the General Meeting shall be adjourned to the same day and hour in the week following and the business transacted whatever the number of Full members present.

b. **SPECIAL GENERAL MEETING**

- (i) A Special General Meeting may be called by the Committee at any time and must be called by the Chairman upon receiving a requisition to do so signed by not less than 30 Full members or by one fifth of the total number of members.
- (ii) The Meeting shall be called within 28 days of the request being received.
- (iii) Fourteen clear days notice of the Meeting shall be sent to the last known address of all Full members of the Club stating the date, place and time of the meeting and the nature of the business specified in the request. No other business shall be discussed.
- (iv) The quorum for a Special General Meeting shall be 30 Full members. If within half an hour after the appointed time a quorum is not present the Special General Meeting shall be dissolved.

c. **VOTING**

At a General Meeting, the voting shall be confined to Full members of the Club, each of whom shall have one vote. In the case of a tie, the motion shall be lost (there cannot be a Chairman's casting vote). A simple majority shall be sufficient for ordinary motions put to the meeting, but alterations in rules or amendments to the constitution must receive a majority of two-thirds of the members present. Members entitled to vote but not attending such a General Meeting shall be bound by the decision of that meeting.

15. MANAGING SECRETARY

The Committee shall appoint a Managing Secretary at such salary and on such terms and conditions, as the Committee shall from time to time decide.

The Managing Secretary shall be responsible for carrying out the instructions of the Committee and its Sub-committees and for the smooth day to day running of the Course and Clubhouse. The Managing Secretary shall convey all instructions and information to other members of staff as laid down in his/her written job description.

The Club shall at all times indemnify the Managing Secretary from and against all actions costs claims and demands in respect of any matter (other than his own dishonesty) arising out of his management of the Club provided his actions are on the instruction or resolution of the Committee and within the limits of his job description.

In these Rules the expression "The Managing Secretary" shall be taken to refer to any administrative staff from time to time appointed to fill such positions that may be created or varied by the Committee in the best interests of the Club.

16. ALTERATIONS TO THE GOLF COURSE AND CLUBHOUSE

All major alterations or extensions proposed by the Committee to the Golf Course or Clubhouse must be posted in the Clubhouse in a prominent position with full explanatory drawings and a written statement of the proposed changes for a period of at least 28 days prior to the implementation of the changes.

All Full members must be informed, by a letter sent to their last known address, of the date of the posting of such drawings and written statements and their nature at least fourteen days prior to the display in Clubhouse of the relevant documents.

17. INTOXICATING LIQUOR

The purchase and supply to members of intoxicating liquor in the Club premises shall be under the control of the Bar and House Sub Committee. Intoxicating liquor shall be supplied on the Club premises to members and on their order to guests in accordance with the permitted hours laid down in the Licensing Act 2003 and fixed by the Committee under the byelaws of the Club. The hours so fixed shall be posted up in the bar at all times.

Intoxicating liquors are not to be sold or supplied to persons under 18 years of age and are not permitted to be consumed by them on the premises.

18. TEMPORARY RULES & BYELAWS

The Committee may from time to time make byelaws and temporary rules, not inconsistent with these rules, for the conduct of members and the governing of the affairs of the Club. A copy of the byelaws must be made available for inspection on request to any member and posted on the appropriate Club notice board.

A temporary rule shall have effect until the next General Meeting of the Club.

19. ALTERATION OF CLUB RULES

The Rules of the Club may at any time be amended, repealed or replaced by resolution at a General Meeting of the club, provided that any resolution concerning these rules must receive a majority of at least two-thirds of the members present and entitled to vote.

Amendments to a proposed alteration to the Rules of the Club will not be accepted at a General Meeting but shall be accepted for consideration at the General Meeting provided they are notified to the Managing Secretary and posted in the Clubhouse not less than 7 days before the General Meeting at which they are to be discussed.

Any alteration to the rules will be notified to the Police and Licensing Authority within 28 days.

20. VERIFICATION OF ACCOUNTS

The Treasurer shall make up the Annual Accounts to 31st October in each year or to such other date as the Committee may from time to time determine. An Accountant duly appointed for the purpose at an Annual General Meeting shall verify these accounts as correct. The appointment shall be held until the conclusion of the next Annual General Meeting and the Accountant shall be eligible for re-election. The Committee shall agree the remuneration of the Accountant.

21. COMPLAINTS

All complaints shall be made preferably in writing to the Managing Secretary who should he be unable to deal with them himself shall submit them to the Committee whose decision shall be final. In no instance shall an employee be reprimanded directly by a member or a guest.

22. THE RULES OF GOLF

The Rules of the game of golf shall be those adopted from time to time by the Royal and Ancient Golf Club.

23. LIABILITY

No liability will be accepted by the Committee or the Club for any personal property possessions or valuables left on or in the Club premises precincts or Course.

No liability will be accepted by the Committee or the Club for any accident to members or visitors occurring anywhere on or within the Club premises precincts or Course at any time. It is the members' and visitors' responsibility to effect their own insurance for loss of personal property, personal injuries and third party liabilities.

24. DISSOLUTION OF THE CLUB

If at a General Meeting (of which not less than four weeks' written notice has been given to each member) and at which not less than one-half of the members eligible to vote are present a Resolution for the Dissolution of the Club is passed by a majority of two-thirds of the members present and voting, the Committee must immediately, or at such future date as is specified in the Resolution, proceed to realise the property of the Club. The net assets will be used to establish another golf club of the same name (which must be registered as a Community Amateur Sports Club) elsewhere or be applied to either a) the purposes of the sports governing body for use in the community related sport or b) the purposes of another Community Amateur Sports Club within the scheme or c) the purposes of a Charity.

25. DISTRIBUTION OF ANY SURPLUS

The Club is a non-profit making organisation. All profit and surpluses will be re-invested back into the Club. No profit or surplus will be distributed other than upon dissolution of the Club and in accordance with Rule 24.