

Constitution and Club Rules of Penmaenmawr Golf Club

Part 1: Constitution

1.1 Name

The Club shall be known as Penmaenmawr Golf Club (PGC) herein referred to as The Club.

1.2 Purpose

The purpose of The Club is to:-

- (a) Promote and provide facilities for the participation of the whole community in the game of golf.
- (b) Carry on as a members' golf club and to provide all necessary property, buildings, equipment, fixtures, fittings and services customarily provided for members of a golf club.
- (c) Promote and teach the game of golf and its enjoyment in accordance with the Rules and Etiquette of Golf as laid down by the Royal and Ancient Golf Club of St Andrews.
- (d) Generate income from subscriptions, green fees, entrance fees, donations, bar and catering facilities, visitors and from other sources.
- (e) Do all such other things as are incidental and/or conducive to the attainment of any of the above.

1.3 Governance

The Club undertakes to adhere to all its legal responsibilities as laid out in UK Statutory Laws and follow all guidance recommended by Wales Golf and County Golf Associations. These responsibilities encompass members, visitors and employees.

1.4 Club Rules

The Management Committee, shall have full authority to make, alter and publish Club Rules on matters falling within its responsibility for the purpose of the management of The Club, provided always that such Rules do not seek to materially change or conflict with the Constitution.

1.5 Members bound by the Constitution

Every member of The Club shall be deemed to be familiar with and shall be bound by the Constitution.

1.6 Changes to Constitution

Any alteration or repeal of any part of the Constitution shall require a simple majority of the members present and eligible to vote at an Annual General Meeting (AGM) or an Extraordinary General Meeting (EGM). In the event of a tied vote, the motion shall not be carried.

1.7 Surpluses of Income

All of the income and property of The Club shall be applied solely towards the promotion of The Club and no amount shall be paid or applied directly or indirectly by way of a distribution of surplus or profit to the members of The Club or third parties, except that nothing in this Constitution shall prevent the following payments being made in good faith:-

- (a) Fees or remuneration to any officer or employee of The Club or to any member for services rendered to The Club.
- (b) Interest at a current commercial rate on money lent to The Club.
- (c) Commercial rent for premises let to The Club by any member.

1.8 Surpluses on Dissolution

In the event of The Club being wound up or dissolved and if, after satisfying all debts and liabilities, any property whatsoever remains as a surplus, that surplus shall be allocated to other CASC organisations.

2 TRUSTEES

2.1 Composition of Committee

There shall be a minimum of two and a maximum of four Trustees, each of whom shall be a member of The Club of at least five years' standing and full voting members and who shall be appointed from time to time as necessary by the Management Committee.

2.2 Term of Office

A Trustee shall hold office for a maximum period of ten years without re-appointment but shall have the option to retire at any time. The removal of a Trustee from office shall require a simple majority of the members present and eligible to vote at a General Meeting.

2.3 Purpose

All property of The Club, including land and investments, shall be held by Trustees on trust for the use and benefit of The Club. The Trustees shall deal with the freehold property of The Club in accordance with resolutions passed at General Meetings of The Club. The Trustees shall have the authority to sell, lease, mortgage or pledge any Club property held by them as Trustees for the purpose of raising or borrowing money for the benefit of The Club. They shall act with regard to any property so held by them only in accordance with the instructions of the club members and the Management Committee.

2.4 Indemnity

The Club shall be responsible for all costs and liabilities of the Trustees properly incurred in their capacity as Trustees and shall indemnify them in respect of the costs of any legal or similar action brought against them as Trustees.

3 OFFICERS, COMMITTEES AND MANAGEMENT

For the purposes of Section 3 of this Constitution, a year shall be deemed as the period from one Annual General Meeting to the next.

Within Section 3 it must be noted that The Club is an equal opportunity and non - discriminatory club; as such, any references to positions which could be regarded as gender specific are illustrative and does not imply any discrimination.

3.1 Officers

The Officers of The Club shall be the President, Club Captain, Ladies Captain, Vice-Captain, past Captain, Treasurer and 6 nominated Club members making up the Management Committee. All Officers are entitled to attend any scheduled Committee Meetings.

3.2 President

Management Committee shall nominate a candidate to be President who shall be elected for a period of two years by a simple majority of members present and eligible to vote at the Annual General Meeting. The President shall retire automatically at the end of this period but shall be eligible for re-election.

3.3 Treasurer

The Treasurer shall be responsible for The Club's finances and shall produce an annual statement of accounts to be presented at the AGM. In addition, as a member of the Management Committee, the Treasurer shall produce a financial analysis detailing budgets v actuals v prior year as part of the quarterly Strategic Plan Review.

3.4 Composition of Committees

There shall be 2 committees responsible to the management of The Club reporting monthly to the Management Committee. Any member of the Management Committee can attend any of the committees; however, shall not have a vote. The two committees shall consist of G&H and Social Committee. All committees will report on progress to the Management Committee.

3.5 The Management Committee

The Management Committee shall comprise the Club Captain, the Lady Captain, Vice-Captain, the President, Past Captain, the Treasurer and six other elected members with general business experience, all of whom shall be full voting members of The Club (see 4.5) of at least four years' standing. Each shall have full voting rights.

a) Accountability and Responsibility

- Generation of a 3-year Strategic Plan devised to achieve overall goals for PGC
- Preparation and setting of budgets
- Long-term management of the course
- Setting and implementation of marketing policies
- General Management of The Club
- Daily and long-term finances of The Club
- Employment and management of staff
- Ensuring that all legal aspects of employment law are observed
- Provision of catering
- Maintenance of buildings
- Maintenance of The Club's records and membership lists
- Compliance with health and safety and other legislation
- Setting of the rates for subscriptions and green fees
- Supply and sale of alcohol on The Club's premises (in consultation with the licence holder).

(b) Staff Appointments

The Management Committee shall appoint such staff as it deems appropriate who shall be paid employees of The Club and to whom shall be delegated the day-to-day management of The Club in accordance with policies agreed by the Management Committee.

3.6 (A) G&H Committee

The G&H Committee shall comprise of one member of the Management Committee (Chair), Green keeper, Course Supervisor, Match Secretary and 5 elected members, all of whom shall be full members of The Club of at least two years' standing. Each shall have full voting rights.

a) Accountability and Responsibility

The G&H Committee shall be responsible within the financial restraints of The Club, as applied by the Management Committee, for initiating policy and plans and implementing their execution in the following areas: -

- Membership and their standards of behaviour on the Course, to be reported to Management Committee if deemed appropriate
- Handicaps, if not already actioned by World Handicap process
- Local rules
- It is a communication tool between the Club Members and the Green Keeping Staff

3.6 (B) Social Committee

The Social Committee shall comprise of max. 6 elected members, all of whom shall be full members of The Club of at least two years' standing. Each shall have full voting rights.

The Social Committee shall endeavour to:-

- Provide entertainment and promotion of such on a regular basis
- Provide a variety of entertainment that is relevant to our membership both playing and social
- Listen to all members comments so that they feel engaged enabling them to enjoy the clubhouse for social reasons other than golfing
- The Committee have the ability to spend up to £500 on social activities without authorisation from the Management Committee. Such expenditure must be declared at the following Management Committee meeting post spend

3.7 Election of Committees

- (a) The Club Captain, Club Vice-Captain, will be elected at the General Meeting. The other members of the Management Committee shall also be elected at the Annual General Meeting.
- (b) The Lady Captain and Ladies Vice Captain shall be elected by the Ladies AGM. The President will be elected for a term of two years.
- (c) The President and elected members of the Management Committee shall serve for a term of two years and are eligible for re-election.
- (d) Any member standing for election to Management Committee shall be proposed and seconded in writing by two full playing members over the age of eighteen, such nomination to be lodged with the Committee at least twenty-one days prior to the date of the Annual General Meeting and displayed on The Club noticeboard.
- (e) In the event of a contested election, voting shall take place by secret ballot. If two or more candidates obtain an equal number of votes for the last place or places, a further ballot shall be held for those candidates.

3.8 Conduct of Committee Meetings

Five members of the Management Committee shall form a quorum. Decisions of the Committee shall be by a simple majority of those present and voting. The Chairperson of the Management Committee shall be the Club Captain (or delegated Management Committee member), and have only one vote and shall not have a casting vote.

3.9 Frequency of Committee Meetings

The Management shall meet at least monthly as agreed by the Management Committee.

3.10 Sub-Committees

- (a) The Management Committee shall have the option to form a sub-committee to undertake specific work or duties within the remit of the Committee.
- (b) The Management Committee reserve the right to co-opt full members on to either their general or sub-committees. These co-opted members shall only serve for the duration of the club project and thereafter shall seek election or be re-confirmed as co-opted members should the need arise.

3.11 Independent Accountant

An Independent Accountant (or firm of Accountants) shall be appointed, as auditor, at the Annual General Meeting.

3.12 Indemnity

The Club shall be responsible for all costs and liabilities incurred by the Officers and Management Committee members in the execution of their roles within The Club and shall indemnify them in respect of the costs of any legal or similar action brought against them.

4 MEETINGS

4.1 Chairperson

The Club President or their nominee shall chair any of the General Meetings outlined below. Twenty full voting members shall form a quorum. Discussion shall be confined to the business stated in the notice of the meeting and no new motions for voting shall be accepted.

4.2 Annual General Meetings (AGM)

- (a) An Annual General Meeting of The Club shall be held on the last Saturday of September in each year. All other General Meetings shall be Extraordinary General Meetings.
- (b) A notice specifying the date of the AGM or EGM shall be displayed in the Clubhouse not less than 21 days before a meeting.
- (c) A copy of any motion for the consideration of the AGM, signed by the proposer and the seconder or, in the case of a Management Committee motion, signed by the Club Captain, shall be delivered to the Club Secretary not less than twenty-eight days before the meeting.
- (d) Any amendments of the motions for consideration at the AGM shall be sent in writing, signed by both the proposer and the seconder, to the office within no less than fourteen days prior to the date of the AGM.
- (e) Not less than 21 days before the AGM, notification to be sent to all members specifying the date, time and place of the meeting together with the proposals to be considered.
- (f) The Club President shall deliver to the Meeting an annual report concerning policies and plans of the Committee, and the Treasurer shall present to the meeting the financial accounts for the most recent financial year. The Club Captain shall deliver a brief report of their year as Captain, high-lighting important events. Additionally, there shall be a report provided by the Independent Accountant. These accounts shall be published three weeks prior to the meeting.
- (g) The members present shall elect the President (every 2 years), and Members of the Management Committee and Treasurer (every 2 years). Club Captain, Club Vice-Captain along with the Independent Accountant (every year).

4.3 Extraordinary General Meetings (EGM)

In the event of any matter arising relating to the affairs of The Club which requires urgent attention an Extraordinary General Meeting shall be called by the Management Committee, or by a notice in writing submitted to the Management Committee signed by at least fifty full voting members. The notice shall include the purpose of the meeting and the business to be discussed. The Management Committee shall hold the meeting within two weeks of the date of receiving such notice.

4.4 General Meetings

Each member shall be given no less than twenty-one days' notice of the date of a General Meeting with details of the business to be discussed.

4.5 Voting at Annual General, Extraordinary and General Meetings

- (a) Criteria to Vote
Only full members shall vote, as below: -
 - A full paying member
 - Social members
 - An age concession member over 18
- (b) Method of Voting
Except for the election of the members of the Management Committee, which shall be decided by ballot (at an AGM), voting shall be initially by a show of hands; in the event of a close vote a ballot will be taken. The Chairman of the meeting shall have a casting vote in the case of a tied vote.

5 MEMBERSHIP AND SUBSCRIPTIONS

5.1 Membership

Membership shall be open to the whole community without discrimination.

5.2 Membership Categories

Playing Membership of The Club shall comprise full members and such other categories which may be determined from time to time by the Management Committee. Non-playing Membership shall comprise Social Members.

5.3 Temporary Membership

All visitors, members' guests and competitors in Opens, club matches, national or regional competitions, including any officials, shall be classified as temporary members for the duration of their stay and as such shall abide by all Club Rules.

5.4 Election to Membership

- (a) Each candidate for election as a playing member of The Club shall complete an application for membership in the form required by The Club. A candidate shall only be refused membership for a good and sufficient cause.
- (b) On election, a member shall pay the subscription and any other amounts due and shall be provided with a copy of The Club Constitution including Club Rules. No member shall enjoy any of the benefits or privileges of membership until payment has been made.

5.5 Suspension of Membership

Any member wishing to suspend their membership shall give written notice outlining the period for which they propose to suspend their membership. Suspension shall be for a minimum of six months and the Management Committee shall be entitled to grant or refuse the suspension. There shall be no obligation on The Club to refund any subscription but may on medical grounds allow monies to be credited to the member's subscription in the following year.

5.6 Resignation of Membership

Notice of resignation by a member shall be given in writing to the Club Secretary. Following resignation, the ex-member shall continue to be liable for any annual subscriptions and other amounts due and unpaid at the date of resignation.

5.7 Members Loans

The Club shall repay any existing member's loan within one year of the date of the member's resignation, unless extended by agreement.

5.8 Disciplinary Action

- (a) The Management Committee shall be responsible for the standards, tone and atmosphere of the membership of The Club. As such, it has the authority to restrict a member's activities.
- (b) The Management Committee shall also have the authority, but only for good and sufficient cause regarding complaints of a serious nature, to suspend or expel any member whom it considers of having been guilty of conduct or character likely to bring The Club or sport of golf into disrepute.
- (c) A member who is suspended or expelled can appeal to a committee consisting of three senior members of The Club of at least five year's standing to be appointed by the Management Committee. The members appointed to that appeals committee shall not have been involved in the original finding and shall not be members of the Management Committee.

5.9 Setting of Subscriptions and Other Amounts

The annual subscription for full members shall be altered only at an Annual General Meeting or in exceptional circumstances at an Extraordinary General Meeting. The Management Committee shall determine the subscriptions for all other classes of membership.

5.10 Payment of Subscriptions and Other Amounts

The Club's subscription year shall run from 1st March to 28th February. All subscriptions and any other amounts due shall be payable in advance by 1st March. New members joining on a date after 31st October shall pay a pro-rated amount of the annual subscription from the commencement of the date that they join.

5.11 Entrance Fees

The Management Committee reserves the right to determine an entrance fee for each class of membership, which shall be payable by all new members on joining The Club.

5.12 Arrears of Subscriptions and Other Amounts

Any member whose subscription or any other amount due is in arrears shall not be eligible to enter any competition or vote at any meeting. Any member who has not paid their subscription or any other outstanding amounts by 1st April, in the new subscription year, shall cease to be a member of The Club shall only be reinstated at the discretion of the Management Committee upon full payment of all arrears.

6 FORCE MAJEURE

6.1 The Management Committee reserves the right to invoke Force Majeure when an extraordinary event or circumstances beyond their control prevents them from fulfilling their obligations within this Constitution. Such unforeseeable events include, but are not limited to:-

- (a) Flood, drought or other natural disaster.
- (b) Collapse of buildings, fire, explosion or accident.
- (c) Epidemic or pandemic.
- (d) Any law or action taken by a government or public authority impacting The Club.

6.2 As soon as reasonably practicable, after the start of the Force Majeure event, but no later than seven days from its start, the Management Committee shall notify the Club of the rationale for the Force Majeure. This shall include the day and date at which it started, its likely duration and the effect of the Force Majeure Event on its ability to perform any of its obligations contained within this Constitution.

These Rules are made by the Management Committee under Section 1.3 of the Constitution for the purpose of the management of The Club and may be changed by them in order to reflect need without validation at either an AGM or EGM.

Under Section 1.4 of the Constitution every member is deemed to be familiar with and is bound by these Rules. Members must also ensure that their guests observe these Club Rules.

1.1 Personal Responsibility

Neither The Club nor its committees will be responsible for the loss or damage to property belonging to members or visitors while on the Club's premises, nor will they in any way be held responsible for personal injury suffered by players on the course, or damage or injury caused by players on or off the course. All players are therefore strongly advised to arrange their own insurance against such risks.

1.2 Health and Safety

- (a) The safety of members and others is paramount. Members should always exercise care, courtesy and patience on the golf course and be aware of any potential danger to which they and others are exposed. Any accident occurring on the course, which warrants medical attention at the time, should be notified to the Club Secretary as soon as possible after the event.
- (b) Members should observe all notices regarding Health and Safety matters.
- (c) Players should not under any circumstance go out or remain on the golf course when they hear one prolonged note of the klaxon. Players must discontinue play immediately and return to the clubhouse.
- (d) Players should not seek to retrieve balls hit out of bounds into private property and any suspected damage caused must be reported to the office after play.
- (e) Cars are parked in the Club car park at owners' risk and The Club accepts no liability for damage. All suspected golf ball damage caused by players must be reported to the office after play.
- (f) Greenkeeping staff are mindful to allow golfers uninterrupted and undisturbed play, but players should always alert them when they are about to hit a shot which might endanger them as greenkeeping staff have priority on the course.
- (g) Care should be taken to observe the entitlement of walkers who have priority to use the public foot path which traverses the course.

1.3 Members' Guests

Members are responsible for the behaviour of invited guests and are also responsible for ensuring that guests are registered as visitors and that the appropriate fees are paid if required.

1.4 The Course

- (a) Members must observe the Rules of Golf and the Etiquette and Behaviour on the Course.
- (b) The etiquette of golf must always be observed, particularly with reference to allowing following players to pass through when players are holding up play behind them.
- (c) All players must book their golf via The Club electronic booking system and abide by those start times.
- (d) Greenkeeping staff shall have priority on the course while undertaking course maintenance.
- (e) Should the Head Greenkeeper deem it necessary to ban the use of trolleys and buggies on the course, players may not use them.
- (f) Trolleys must not be taken onto the tees, between a greenside bunker and the green, or onto the fringes of the green.
- (g) The practice putting green by the Clubhouse may only be used for practice putting, a practice area for pitching is located alongside the 9th fairway.
- (h) Dogs are not allowed either on the course itself or in the Clubhouse, with the exception of Assistance or Guide Dogs. They are, however, allowed on the patio area.

1.5 Competitions and Knock-out Matches

- a) All rules for competitions are displayed on either the club noticeboard or in the Ladies changing room.
- b) It is the responsibility of all competitors to be aware of, and fully abide by, these rules and all current local rules.
- c) Any disputes are to be referred to the Match Secretary.

1.6 The Clubhouse

Defined as the Clubhouse, and Patio Area.

- (a) The Clubhouse will be open on the advised dates and times. Any other closures of the Clubhouse and its opening hours will be published and advertised.
- (b) No Junior members, under the age of eighteen shall purchase or consume alcohol on the premises.
- (c) Golf clubs, trolleys, bags and/or similar equipment shall not be brought into any part of the Clubhouse, other than the locker room, at any time.
- (d) Spiked golf shoes may not be worn other than on the patio and changing rooms.
- (e) No members, members' guests or visitors shall bring food or drink into the Clubhouse for consumption.
- (f) Under no circumstances shall any member reprimand a member of The Club staff. Complaints should only be made to the Management Committee or Bar Manager.
- (g) No notice of any kind may be displayed in the Clubhouse by a member without the express permission of the Club House Manager.

1.7 Dress Code

All current dress code regulations are available on The Club noticeboard.