

**Burntisland Golf House Club**  
**Constitution and Rules**  
**As Revised at November 2022 AGM**

**1. Title**

The Club shall be called "The Burntisland Golf House Club". The Club shall be a Non-Profit Making Body whose purposes are to promote the amateur sport of golf in Burntisland and community participation in the same, through the use of its golf course and clubhouse facilities at Dodhead, Burntisland.

**2. Membership**

- (a) Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- (b) The Club Committee may refuse membership only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal may be made to the members; if necessary, an Extraordinary General Meeting shall be called for the purpose of hearing the appeal.
- (c) The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating. The available classes of membership, the limits on membership in each category and the percentage of the full fee payable by each category (excepting the case of Temporary Members which is reserved to the Management Committee) are shown in the Appendix to this document.
- (d) The Club must have a minimum of 25 Ordinary members to be properly constituted.
- (e) No person shall be allowed honorary or temporary membership of the Club or to be relieved of the payment of the regular Entry Fee or Subscription except to allow temporary participation in the amateur sport of golf and except in accordance with any specific provision set out in the Club rules.
- (f) The Management Committee, in looking to maximise new member opportunities may, from time to time, offer temporary memberships. Such memberships shall not continue beyond 31<sup>st</sup> March of the year following the granting of such temporary membership.
- (g) If membership numbers give cause for concern for the viability of the Club, the Management Committee, in looking to maximise new member opportunities, may from time to time offer special membership subscription rates, to be ratified by members at a General Meeting. To comply with paragraph 2(c) above and Paragraph 10(d) below, such offers must not discriminate against existing members.

**3. Property and Funds**

- (a) The property and funds of the Club cannot be used for the direct or indirect private benefit of Members. All surplus income or profits shall be reinvested in the club. No surpluses or assets will be distributed to members or third parties other than as set out in Clause 21, Club Assets.
- (b) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post-match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- (c) The Club may also in connection with the sports purposes of the Club:
  - (i) Sell and supply food, drink and related sports clothing and equipment.
  - (ii) Employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
  - (iii) Pay for reasonable hospitality for visiting teams and guests;
  - (iv) The members of the Management Committee shall also be trustees of the Club

and shall hold any property of the Club in their name and 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.

- (d) The Committee will have due regard to the law on disability discrimination and child protection.

#### **4. Office Bearers**

The Office Bearers of the Club shall consist of the Captain, Vice-Captain and the Finance Convener. The Captain and Vice-Captain shall be elected from amongst the Ordinary Members at a General Meeting of the Club and shall hold office for a minimum of one year and a maximum of two years. Nominations for Captain or Vice-Captain, signed by two Ordinary Members who shall be Proposer and Seconder at such meeting, shall be sent to 'The Captain and Committee' of the Golf Club at least three days before the date of the election. Office Bearers shall not be elected in absentia.

In the event of the Captain and/or Vice-Captain resigning from or departing from office the Committee shall have the power to appoint Ordinary Members to acting capacities until a General Meeting.

In the case of the Captain being a gentleman an Honorary Ladies Captain shall be appointed at the Annual General Meeting. In the case of the Captain being a lady, an Honorary Gentlemen's Captain shall be appointed at the Annual General Meeting, and a member of the Ladies Section Committee shall be appointed Captain of the Ladies Section with responsibility for managing ladies matches and competitions and handicaps.

The Honorary Captain will become an ex-officio member of the Management Committee.

No member of the Management Committee shall have any personal interest in the sale of alcohol on the Club premises or in the profits arising from such sale.

#### **5. Governing Body**

The business and the affairs of the Club shall be governed by the Management Committee, which will consist of Captain, Vice-Captain and no fewer than eight and no more than twelve other Ordinary Members who shall be elected at an Annual General Meeting and shall remain in office for two years. The Management Committee shall meet at least ten times per year, typically monthly and six shall form a quorum at such meetings. The Captain, or failing whom, the Vice-Captain, shall take the Chair at all meetings of the Management Committee. Should both the Captain and Vice-Captain be absent, the members shall elect from amongst themselves a Chairperson. The Chairperson shall have, in cases of equality, a casting vote as well as a deliberative vote. Members of the Management Committee may not be elected in absentia unless the written consent of the Member concerned is submitted at the time of the election. The Management Committee shall appoint, from among its members, Sub-Committees as follows:

- a) **Finance Committee:** to deal with effective financial controls within the Club.
- b) **Greens Committee:** to deal with maintenance and control of the course.
- c) **House Committee:** to deal with the management and upkeep of the Clubhouse, including the sale of excisable liquor.
- d) **Match and Handicap Committee:** to arrange and manage matches and competitions and to determine handicaps.
- e) Such other Committees as the Management Committee deem proper.
- f) The Management Committee shall appoint Conveners of these Sub-Committees and the Convener of each Sub-Committee shall submit to each ordinary meeting of the Management Committee a report of its activities for approval. The Management Committee shall indicate the powers which it delegates to Sub-Committees and to staff.
- g) The Management Committee shall have the power to co-opt in the event of a vacancy on the Committee occurring throughout the year.
- h) The Management Committee shall have the power to borrow money. The borrowing shall not exceed £200,000.
- i) The Management Committee shall make available to members a summary of meetings after minutes have been approved.

## **6. General Meetings**

An Annual General Meeting of Ordinary Members of the Club shall be held in January or February. Notice of the meeting will be advised to members at least ten days before the date of the meeting. Copies of the accounts for the previous year shall be made available to members by 30<sup>th</sup> June at the latest.

The Captain, failing whom the Vice-Captain, shall take the Chair at all General Meetings and shall have, in cases of equality, a casting as well as a deliberative vote.

Voting at General Meetings, except in the case of election of Office Bearers, shall be by show of hands. Ordinary Members only shall have the right to vote at General Meetings. Twenty-five Members shall form a quorum.

The Management Committee may call a Special General Meeting of Ordinary Members to discuss any urgent business which may arise, and such a meeting shall be called by the Management Committee on receipt of a requisition signed by not less than twenty Ordinary Members. At least ten days' notice of any Special General Meeting and copies of the agenda will be given to Members.

It will be expected that all General Meetings will be "physical" meetings on a "face to face" basis.

In the event that extraordinary circumstances apply (for example, pandemics or government regulations) and the committee is not permitted to convene physical meetings, the Committee may convene "virtual" or electronic meetings.

The established Constitutional quorum and voting majority requirements will still apply in terms of members logged into and participating in such meetings, and the "show of hands" voting requirements will be replaced by an online voting facility for everyone with voting rights engaged in such a meeting.

## **7. Financial Year**

The financial year of the Club shall commence on the 1st January each year and run for 12 months until 31st December of that year.

## **8. Golf Club Management**

The Committee shall appoint such qualified and experienced staff as required to fulfil Club needs in relation to: preparation for General and Committee Meetings including minutes and agendas; correspondence; membership records; staff records; *finance and accounts including independent examination by a suitably qualified accountant*; banking; custody of Minute Books, Titles, leases and all other documents connected with the Club; and any other matter deemed appropriate by the Committee. Staff will report to the appropriate member of Committee.

## **9. Election of Ordinary Members**

Applications for all membership categories must be made on the appropriate Application Form. Candidates may be interviewed by the Management Committee and will not be admitted to membership unless the Management Committee by majority approves such admission. A copy of the Constitution and Rules of the Club shall be provided to such new Members.

## **10. Entry Fees and Subscriptions**

- a) The Management Committee shall have the power to fix an Entry Fee at any time. Members joining the Club after 31<sup>st</sup> August shall be admitted at proportionate monthly rates of the Annual Subscription and shall pay the full amount of any Entry Fee applicable to that year.
- b) Annual Subscriptions are payable in advance on 1<sup>st</sup> April each year. Any member whose Subscription is unpaid at 1<sup>st</sup> May or who is not paying by an instalment plan or arrangement agreed by the Management Committee may be charged a late payment supplement of 5% of the appropriate annual subscription.
- c) Any member whose subscription is unpaid on 1<sup>st</sup> June will cease to be a Member of the Club. In exceptional circumstances, at the discretion of the Management Committee, membership may be restored on payment of all arrears, including the late payment supplement.

- d) The Entry Fee and Subscription for new Members are ordinarily payable in advance and candidates for membership shall pay the appropriate amounts to the Club at the time of their admission to membership, unless an instalment plan is agreed by the Management Committee. The Management Committee may set an appropriate proportionate rate for new Members joining after 31<sup>st</sup> August.
- e) Subscription rates for Members in appropriate categories shall be fixed by the Management Committee except that any alteration to the Ordinary Membership subscription shall require the approval by a majority vote of the Annual General Meeting.
- f) As Article 2a confirms, Burntisland Golf House Club is open to the whole community, including those on low or modest incomes. To comply with CASC requirements regarding affordability, a Sunday to Thursday inclusive 5-Day membership will be available at a reduced cost. Anyone unable to afford full subscription rates will in the first instance make a case to the Managing Secretary to show why the full cost of membership is not afford-able. Each application will be considered by the Management Committee on its merits.

### **11. Assessment**

The Club by a majority of votes, shall have the power at any General Meeting duly called to assess the whole Membership for payment of such sums as may be considered necessary for the liquidation of obligations of the Club, and any Member failing to pay his share within thirty days after the date of notice demanding such payment shall cease to be a Member of the Club, but shall, notwithstanding, remain liable for his share of said assessment.

### **12. Resignations**

Members wishing to resign from the Club must give written notice to the Club of their intention to do so no later than 28<sup>th</sup> February. Resignations will take effect from 31<sup>st</sup> March. Any members who are on the 'old' direct debit scheme and do not give notice of their resignation before 28<sup>th</sup> February will be deemed to be members for as many months payments as have been made. No refunds will be made to such members.

### **13. Suspension and Expulsion**

- a) The Management Committee shall have the power, on a vote by ballot, by a majority of its entire number, to suspend from exercising her or his privileges as a Member of the Club, 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.
- b) The Management Committee shall also have the power, by a similar majority, to recommend to any General Meeting that any Member suspended under this rule be expelled from the Club, and in the event of three-fourths of the Members present and voting by ballot at such General Meetings adopting such recommendations, the said Member shall be expelled forthwith.
- c) The Management Committee may remove membership only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against removal may be made to the Members; if necessary an Extra-ordinary General Meeting shall be called for the purpose of hearing the appeal.

### **14. Licence**

No alcohol shall be sold or supplied in the Club premises except within the permitted hours as defined in the Licensing (Scotland) Act 2005 and the power to fix these hours and to vary them within the limits imposed by the said Act shall be vested in the Management Committee. Other than when an occasional licence has effect, no person will be supplied with alcohol on the Club premises unless that person is:

- a) A member of the Club;
- b) A person who is on the premises at the invitation of a member of the Club and is accompanied by that member; or
- c) A member of another club which meets the requirements of Section 125(1), Licensing (Scotland) Act 2005.

No Office Bearer, member of the Management Committee or employee shall have any personal interest in the sale of alcohol on the Club premises or in the profits arising from such sale.

No alcohol shall be supplied in the Club premises for consumption off the premises. No alcohol shall be sold or supplied to any person under the age of 18 years.

Where a person referred to at 14 b) above is supplied with alcohol on Club premises when an occasional licence is not in effect, there is to be entered in a book kept for the purpose:

- (i) The date in question;
- (ii) The name and address of the person; and
- (iii) The name of the member accompanying the person.

## **15. Actions**

The Club shall have power and authority to sue and be sued in the name of the Captain, Vice-Captain or Finance Convener thereof for the time being, and no Member shall, in any action or suit raised against her or him by the Club, be entitled to object or to impugn such instance.

## **16. Suggestions, Comments and Complaints**

Suggestions, comments and complaints must be made in writing to 'The Captain and Committee' in order that they may be submitted to the Management Committee, whose decision shall be final.

## **17. Bye-Laws and Local Rules**

The Management Committee is empowered to make Bye-Laws such as it considers necessary for the wellbeing of the Club which shall have effect until the next General Meeting, when the same shall be con-firmed or otherwise by a majority of the Members present and voting at such General Meeting.

Power to make Local Rules shall be invested in the Management Committee except that, in cases of emergency, the Convener of the Greens Committee may make rules for play on the course, such rules to be submitted to the next meeting of the Management Committee for approval.

## **18. Rules of Play**

The game of golf shall be played on Dodhead Course according to the Rules of the Royal & Ancient Golf Club of St Andrews, subject to such Bye-Laws as may be made under the foregoing rule.

## **19. Visiting Clubs**

The Management Committee may, on application being made to the Club, grant the courtesy of the course to members of other duly constituted Golf Clubs who shall then become Temporary Members for the day on which they propose to play any of their competitions on Dodhead Course.

## **20. Alteration of Rules**

No Rule of the Club shall be altered, nor any new Rule made, except by consent of two-thirds of the Members present and voting at a General Meeting duly called, and ten days' notice of any proposed new Rule or alteration must be sent to each Member.

## **21. Club Assets**

- (a) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- (b) The Committee will then be responsible for the orderly winding up of the Club's affairs.
- (c) After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
  - (i) to another Club with similar sports purposes which is a registered charity and/or
  - (ii) to another Club with similar sports purposes which is a registered CASC and/or
  - (iii) to the Club's governing body for use by them for related community sports.

## 22. Priority

Where there is any conflict between any of Rules 1, 2, 3 or 21 (“key Rules”) and any other rule or rules the key Rule(s) will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for Community Amateur Sports Clubs as first provided for by the Finance Act 2002.

### Appendix - Information on categories of membership

Category	Max. No.	% or multiple of Full Fee which may not be exceeded	Definition
<b>Ordinary Members: with full voting rights at General Meetings</b>			
Full	550	100%	18 years of age or over at 1 <sup>st</sup> January of Subscription year
Senior	100	90%	65 years and over at 1 <sup>st</sup> January of Subscription year with 20 years of continuous Full Membership. Where Maximum number is exceeded, a member qualifying for Senior category will join a waiting list based on Seniority of date continuous membership commenced.
Life Members	20	10 times	Over 10 years of continuous membership. Minimum age at application of 55 years.
Honorary Life	any	0%	Over 50 years of continuous membership.
Family Membership	any	1.8 times	Two adults and up to two children under 21 from the same family
5 Day (Mon.-Fri)	50	85%	Golf restricted to Monday-Friday. Play on the course in this category is restricted by the Rules and Bye-Laws of the Club.
Under-30	50	80%	Under 30 years of age at 1 <sup>st</sup> January of Subscription year.
Under-25	50	65%	Under 25 years of age at 1 <sup>st</sup> January of Subscription year.
<b>Special Categories: with no voting rights at General Meetings</b>			
Honorary Life	5	0%	Without 50 years continuous membership but conferred upon at a General Meeting.
Country	40	60%	18 years of age and over at 1 <sup>st</sup> January of subscription year provided that their permanent residence is outwith 40 miles of the Clubhouse.
International	10	45%	Living abroad
Non-Playing	25	5%	Any member of standing who, through age or infirmity, is unable to continue playing golf, but who does not wish to sever ties with the Club.
Social	100	5%	Members will be entitled use of Clubhouse facilities.
Temporary	10	Variable	Visitors to the area for not more than 6 months.
Partnership	100	Variable	Ordinary and Concessionary Members of Thornton Golf Club. Golf restricted to Monday-Friday. Play on the Course in this category is restricted by the Rules and Bye-Laws of the Club.
Lifestyle	50	Variable	12 games during the year – pm start only. Can upgrade.
Student	50	25%	Student in full-time further education at university or college.

<b>Associate Members: with no voting rights at General Meetings</b>			
A. Under 21	50	60%	Under 21 years of age at 1 <sup>st</sup> April of Subscription year.
B. Under 18*	100 in total	30%	Under 18 years of age at 1 <sup>st</sup> April of Subscription year.
C. Under 16*		15%	Under 16 years of age at 1 <sup>st</sup> April of Subscription year.
D. Under 14*		10%	Under 14 years of age at 1 <sup>st</sup> April of Subscription year.
E. Under 12*		5%	Under 12 years of age at 1 <sup>st</sup> April of Subscription year.
<p>*Play on the course for Associate Members in categories B-E is restricted by the Rules &amp; Bye-Laws of the Club. Such male members may play in men's competitions once a handicap of 12 is achieved. Such female members may play in ladies' medal competitions once a CONGU handicap of 36 is achieved. In all cases the Committee must be satisfied about standards of golf etiquette.</p>			

## **Bye-Laws and Rules**

### **Greens Bye-Laws**

1. Players looking for a lost ball must not hold up matches behind them. They should signal to the players following to play through and, having given such a signal, must not continue to play until these players have passed out of range. Following matches should insist on their rights under this bye-law.
2. If a match fails to keep its place on the course and loses in distance more than one clear hole on the players in front it shall allow the match following to pass.
3. Dogs are permitted on the course on a lead.
4. Turf cut or displaced by a player must be replaced at once and pressed down with the foot.
5. Pitchmarks on greens must be repaired at once by the player responsible for this damage.
6. Practice Areas are defined in the "Health and Safety on the course" document. No practice is permitted out with these areas.
7. Authority to close the golf course for play for competition and for poor weather is defined in the "Health and Safety on the course" document.

### **Playing of Golf**

1. The Committee has the authority to close the golf course for play for competitions and for poor weather. This authority may be delegated to the Greens Convener or Match & Handicap Convenor and through her/him to a member of the Greens staff.
2. 5-Day Members are permitted to tee-off during normal playing Mondays to Fridays inclusive.
3. Unless otherwise agreed, Associate Members in Categories B, C, D and E are permitted to play at times other than:
  - Monday to Friday between 1700 and 1830 hours
  - Saturday (April - October) between 0700 and 1400 hours
  - Saturday (October to March) between 0700 and 1300 hours
  - Sunday (April - September) between 0900 and 1000 hours and 1230 to 1400 hours
  - Sunday (October to March) between 0900 and 1000 hours and 1230 to 1300 hours

### **Visitors to the Golf Course**

1. Ordinary Members are entitled to introduce as Temporary Members not more than three visitors at any one time.
2. To comply with licensing rules, members should sign guests into the lounge if they use it.
3. Visitors shall pay the appropriate Green Fee and play with the Member introducing them.

## **House Bye-Laws**

1. The Clubhouse shall be closed, and all Members off the premises, as follows:
  - by 2330 hours on Sundays;
  - by 0030 hours on Mondays to Thursdays; and
  - by 0130 hours on Fridays and Saturdays,
  - except that, for special purposes, the Management Committee may fix the time of closing.
2. Guests may only remain on the Club premises while the introducing member is present. The privilege of being introduced may be withdrawn from any Member or Guest at any time by the Management Committee.
3. No person who has unsuccessfully applied for or been expelled from membership of the Club shall be eligible as a Guest. Members shall be responsible for the conduct of visitors (whether Temporary Members or Guests) to the Clubhouse who have been introduced by them. A Member may introduce no more than three Guests at any one time.
4. The conduct of an employee shall in no instance be made the subject of personal reprimand by a member, but all complaints against employees shall be made in writing to 'The Captain and Committee'. The Committee shall include the matter on the agenda of its next meeting.
5. Gratuities to employees are strictly prohibited.
6. The Club shall not be responsible for any valuables or property left in the Clubhouse.
7. The rent of lockers and trolley shed spaces shall run concurrently with Annual Subscription and shall be payable in advance of through a payment plan. The allotment of lockers and trolley shed spaces shall be controlled through the Management Committee.
8. No notice of any kind shall be placed in the Clubhouse, except with the authority of the Management Committee.
9. No Member shall take or permit to be taken from the Clubhouse any article belonging to the Club.
10. No excisable liquor, except that purchased from the Clubhouse bar, may be consumed on the premises.
11. Persons under 18 years of age are permitted within the Members' Lounge up to 2100 hours, provided they are accompanied by an adult Member who shall be responsible for their conduct. Exceptions to this rule may be authorised by the Management Committee.
12. On application to the Management Committee permission may be granted for use of the Clubhouse facilities for private functions. The Management Committee may apply a suitable fee for such occasions.