

# **HAMPSTEAD GOLF CLUB**

**CONSTITUTION, RULES AND PROCEDURES**

**Adopted: 27 November 2017**

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## **1 INTRODUCTION**

- 1.1 The name of the club is The Hampstead Golf Club (“the Club”).
- 1.2 The Club’s object is to promote and provide for the benefit of members of the Club amenities for the pursuit of golfing and social activities, and to do all things necessary for or incidental to or conducive to the attainment of the same.
- 1.3 The Club and its members are affiliated to England Golf and Middlesex Golf Limited.
- 1.4 This document sets out the Constitution, Rules and Procedures of the Club. It shall be issued to all those admitted to membership of the Club, and to all members whenever changes are made to it. A copy shall be posted in the Clubhouse and on the Club website.
- 1.5 All members, guests and visitors shall be bound by this document.
- 1.6 Any amendments to this document must be approved at a General Meeting of the Club.

## **2 COMPANY, DIRECTORS AND TRUSTEES**

- 2.1 The land and buildings occupied by the Club are owned by Hampstead Golf Club Limited (“the Company”), which has members of the Club as directors (“the Directors”). The Company’s purpose is the provision of the land and buildings it owns to the Club, and it has granted a licence to the Club entitling it to occupy the land and buildings in return for certain repairing obligations.
- 2.2 The shares in the Company are held by trustees (“the Trustees”) appointed pursuant to a Trust Deed dated 18 July 1952. The Trustees shall hold the shares in the Company upon trust for the Management Committee for the benefit of the members for the time being of the Club. The Trustees may appoint a new trustee or trustees.
- 2.3 The Trustees shall exercise their voting and appointment powers as the Management Committee shall by resolution direct, save that the Management Committee shall not authorise or direct the Trustees to dispose or contract to dispose or grant any option for the disposal of any share or shares in the Company, or any part of the land vested in the Company, without first having obtained the consent of 75% of all members entitled to vote at a General Meeting of the Club whether present or not. This provision cannot be repealed, amended or replaced in any circumstances other than by a resolution at a General Meeting of the Club by 75% of the members entitled to vote at the meeting whether present or not. Not less than 28 days’ notice of any motion for such a resolution must be given to the General Manager, who will immediately give notice to all

members entitled to vote at a General Meeting and post a notice of the motion in the Clubhouse not less than 21 days prior to such meeting and which shall remain posted throughout the period between the posting and the meeting.

2.4 The Directors may appoint a new director or directors until the next Company Annual General Meeting, at which the Trustees (who also have power if so directed by the Management Committee to appoint and remove directors) may if so directed by the Management Committee resolve to approve the appointment.

2.5 The Directors shall be appointed for a term of three years but at the expiry of this period they shall be eligible for re-appointment at the Annual General Meeting of the Company.

2.6 The names of the Directors and Trustees shall be posted in the Clubhouse.

### **3 MEMBERSHIP**

3.1 The Club's categories of membership shall consist of the categories of membership set out in Appendix 1.

3.2 The Management Committee has power to limit the number of members in any given category.

3.3 The power to elect and admit all members shall be vested in the Captains' Committee.

3.4 A candidate for membership must be proposed and seconded by at least two Category 1 members of at least two years' standing at the date of the proposal.

3.5 Any application for membership must be made on an application form provided by the General Manager. A candidate may not be admitted to membership (or, as a candidate for membership, be admitted to the privileges of membership) without an interval of at least two clear days between their nomination or application for membership and their admission as a member of the Club.

3.6 All applications for membership shall first be considered by the Membership Sub-Committee as a Sub-Committee of the Captains' Committee.

3.7 Any potential member of the Club may be asked to demonstrate his playing ability in golf before his application is considered by the Captains' Committee.

3.8 Unless otherwise agreed by the Membership Sub-Committee, a member may only propose and/or second five applicants for membership in any calendar year.

- 3.9 Members are not entitled to any privileges of membership until the entrance fee and subscription for the first year have been paid. The Captains' Committee may rescind any membership if the entrance fee and subscription are not paid within one month of the date invoiced.
- 3.10 Members wishing to transfer from one category of membership to another must submit a reasoned request in writing to the General Manager. Transfers are subject to the approval of the Captains' Committee.
- 3.11 A member may resign from the Club by notifying the General Manager in writing of this fact, giving a minimum of two months' notice. No-one ceasing to be a member of the Club, whether by reason of resignation or otherwise, is entitled to the return of any part of the subscription or entrance fee or to have any claim upon the Club or the Company or to play in any competition for which he qualified during his period of membership.

#### **4 COMMUNICATION**

- 4.1 Every member shall be under a continuing duty to notify the General Manager of his up-to-date preferred contact details. The General Manager shall keep a register of members' details in accordance with the Data Protection Act 1998 ("the DPA") or the General Data Protection Regulation ("the GDPR") and any implementing domestic legislation (as applicable).
- 4.2 All notices in writing required to be given by the Club to the members pursuant to this document may be sent by hand delivery, by post or by email.
- 4.3 Any member who wishes to receive notices in writing only by post must expressly notify the General Manager of this fact in writing, save that members of the Management and Captains' Committees consent to receive notices in writing only by email.
- 4.4 All notices in writing required to be given by members to the Club pursuant to this document may be sent by hand delivery to the General Manager, by post addressed to the General Manager or by email addressed to a valid email address of the General Manager.
- 4.5 An email which contains an attachment or contains a link to information available on a website (or both) is to be regarded as including the information available in the attachment or by using the link (or both) as if it were part of the email.
- 4.6 For the purposes of carrying on the activities of the Club, a list of members with suitable contact details shall be circulated annually. The contents of this list are protected by the DPA or the GDPR and any implementing domestic legislation (as applicable). Members' contact details must not be used for business or commercial purposes. Appendix 5

may apply in the event of a communication in breach of the DPA or the GDPR and any implementing domestic legislation (as applicable) or in breach of the purpose of circulating the list of members.

## **5 ENTRANCE FEE AND SUBSCRIPTIONS**

- 5.1 The level of the entrance fee(s) and annual subscription(s) shall be determined annually by the Management Committee within such guidelines as may be resolved upon at the Annual General Meeting or at any General Meeting called for that purpose. A member's annual subscription shall include a charge to reflect the affiliations in clause 1.3.
- 5.2 Members will in addition be charged for any use by them of a locker and/or the trolley shed.
- 5.3 Annual subscriptions become due on 1 October each year.
- 5.4 In lieu of the full amount of the annual subscription appropriate to a new member for the year in which he is admitted, there shall be payable by him one twelfth of such subscription in respect of each complete calendar month between the date of admission and the following 30 September.
- 5.5 No member whose entrance fee, subscription or charge is unpaid one month after the date it is due shall be entitled to compete for any prize, play in any competition or attend any meeting of the Club until the entrance fee, subscription or charge is paid.
- 5.6 No member whose entrance fee, subscription or charge is unpaid two months after the date it is due shall be entitled to any of the privileges of membership of the Club until the entrance fee, subscription or charge is paid.
- 5.7 The name of any member whose entrance fee, subscription or charge is unpaid three months after the date it is due may be posted in the Clubhouse, at the discretion of the Management Committee, and may be erased from the register of members whereupon he shall forthwith cease to be a member of the Club.
- 5.8 The annual subscription of the Captains shall be remitted in full in respect of their year of office.
- 5.9 The Management Committee may, in its absolute discretion, give a member such relief from the entrance fee or annual subscription in whole or in part as it determines to be appropriate.
- 5.10 A member who transfers from one category to another with a higher entrance fee shall become liable to pay and shall forthwith pay the difference between the two prevailing entrance fees.

5.11 If, at the end of any Club financial year, the Club's net receipts are not sufficient to meet the expenditure incurred in that year, the Management Committee may impose a levy upon all Category 1 members (excluding Life Members) to recoup the deficit. The Management Committee may also impose a levy upon all Category 1 members (excluding Life Members) to cover emergency unplanned capital expenditure. Either of these levies if so imposed shall be a percentage of the annual subscription paid or payable in respect of that financial year, save that neither shall individually exceed 15% of such annual subscription (subject to any contrary resolution at a General Meeting). The members so levied shall be notified, and they shall become liable to pay and shall forthwith pay the levy. Clauses 5.5 to 5.10 shall apply to any levy imposed pursuant to this clause.

## **6 MANAGEMENT COMMITTEE AND CAPTAINS' COMMITTEE**

6.1 The management and control of all the affairs of the Club shall be vested in the Management Committee and the Captains' Committee ("the Committees").

6.2 The Management Committee is responsible to the members of the Club for the management and control of all of the affairs of the Club other than those matters which are the responsibility of the Captains' Committee. In particular, the Management Committee is responsible for the general administration, short-term planning, supervision and control of the Club's finances, assets and reserves, budgetary control relating to the course, Clubhouse and employees, long-term planning, website, policy development and implementation.

6.3 The Captains' Committee is responsible to the members of the Club for the planning, supervision and control of all golf and social events, the preparation and timely circulation of the annual Club diary, the Club website content (save that day-to-day responsibility rests with the General Manager), the election and admission of new members, determining the criteria for the election and admission of Social members, considering members' suggestions, promoting junior golf, the appointment of the Chair and members of the Membership Sub-Committee, Ladies' Sub-Committee, Disciplinary Committee, Disciplinary Secretary and Appeal Committee, food and bar matters within the budgetary framework set by the Management Committee, and liaising with the General Manager on all the foregoing.

6.4 The constitution and procedures of the Management Committee are set out in Appendix 2.

6.5 The constitution and procedures of the Captains' Committee are set out in Appendix 3.

- 6.6 The procedures regarding new members are set out in Appendix 4.
- 6.7 The division of responsibilities between the Committees may be varied with the agreement of both Committees.

## **7 GENERAL MANAGER**

- 7.1 The Management Committee is responsible for appointing and determining the terms of employment of a General Manager. The General Manager is accountable to the Management Committee for carrying out his duties in accordance with a contract of employment and job description determined by the Management Committee, and in accordance with this document.

## **8 PROFESSIONALS**

- 8.1 The Management Committee is responsible for appointing and determining the terms of employment or contract for services of the Club Professional and/or Head Teaching Professional and/or any other Professional. Each shall be accountable to the Management Committee for carrying out his/her duties in accordance with a contract of employment or contract for services and/or job description determined by the Management Committee, and in accordance with this document.

## **9 RULES**

- 9.1 The opening hours of the Club and its premises, including the Clubhouse, bar and kitchen, are to be determined by the Management Committee and shall be posted in the Clubhouse and on the Club website. The hours during which alcohol may be sold, supplied or served as a licensable activity may not be greater than the hours permitted or approved by the licensing authority.
- 9.2 Subject to any restrictions or conditions which may from time to time be imposed by the Management Committee, members, members' guests and visitors are entitled to admission to the Club and its premises within the opening hours.
- 9.3 Members introducing guests are responsible for each guest's expenses, dress and conduct whilst on Club premises.
- 9.4 Dogs (other than assistance dogs) are prohibited in the Clubhouse and on the course. However, dogs on a leash are permitted in the garden and car park and their owners are held responsible for their behaviour.
- 9.5 No paper, notice, placard, painting or similar shall be displayed in the Clubhouse without the displayer first advising the Committees and obtaining the prior consent of the General Manager.

- 9.6 No member shall take away or permit to be taken away from the Clubhouse, for whatever reason, or deface or destroy, any newspaper, magazine, book or any other item of Club property.
- 9.7 Save for emergencies, non-silent use of mobile telephones, electronic tablets, laptops and other electronic communication devices is limited to the car park, the locker rooms and the Clubhouse entrance vestibule.
- 9.8 Smoking is prohibited inside the Clubhouse.
- 9.9 Members, members' guests and visitors shall observe and comply with the Club's dress code (as determined by the Captains' Committee) as posted in the Clubhouse, on the Club website or in the Club diary.
- 9.10 The General Manager, a Professional and members of the Committees may ask anyone they consider inappropriately dressed to observe and comply with the Club's dress code in future, or (in serious cases or where previous requests have been ignored) to change their clothing or to leave the course, the Clubhouse or the Club's premises.
- 9.11 Any member who believes another member, member's guest or visitor is not observing or complying with the Club's dress code shall not confront the person concerned, but shall refer the matter to the General Manager, a Professional or any member of the Committees.
- 9.12 Members, members' guests and visitors are required to pay such expenses as they may have incurred before leaving the Club and its premises.
- 9.13 Non-members may play golf as guests or visitors upon payment of such green fees, at such times and under such conditions as the Management Committee shall determine. These conditions shall be posted in the Clubhouse and on the Club website, and they shall be reviewed annually by the Management Committee.
- 9.14 Priority of starting play is to be afforded to the first complete group present and ready to play on the 1<sup>st</sup> tee.
- 9.15 Players having completed nine holes and arriving at the 10th tee must afford priority of starting play to the first complete group present and ready to play on the 1<sup>st</sup> tee. Priority of play thereafter is to be alternate.
- 9.16 The Captains' Committee (or the General Manager if so delegated) may regulate and restrict the order of starting play at specific times by means of a starting list and/or by reserving any tee.
- 9.17 Members, members' guests and visitors are required to observe and comply with the applicable conditions and rules as to starting play.
- 9.18 The General Manager may decide to close the course, implement restrictions on the use of the course (including but not limited to the use of

trolleys or buggies) or vary the course owing to unfavourable weather or ground conditions, to prevent damage to the course or in the interests of health and safety. Members, members' guests and visitors must observe and comply with any such decision.

- 9.19 The Captains' Committee is responsible for determining the entry requirements for Club competitions.
- 9.20 Club competitions shall be held in accordance with the Rules of Golf as laid down by The R&A, and such local rules as may be determined by the Captains' Committee.
- 9.21 Members' handicaps are determined in accordance with the Unified Handicapping System administered by the Council of National Golf Unions ("CONGU").
- 9.22 No member may compete in any Club competition unless in possession of a current and active CONGU handicap.
- 9.23 Country members may play in up to 5 in total of Monthly Medal or Monthly Stableford competitions in any subscription year. The eligibility of Country members to play in other Club competitions and meetings is stipulated in the entry requirements for each event.
- 9.24 Junior members who have a current and active CONGU handicap may compete in such competitions as the entry requirements of the particular Club competition allow. When playing in stroke play or Stableford competitions, their cards must be marked by an Adult or Young Adult playing member.
- 9.25 The General Manager may play in such Club competitions and at such times as the Captains' Committee shall determine.
- 9.26 Members are responsible for acquainting themselves with and complying with Club competition starting times as posted in the Clubhouse, on the Club website, on the Club's internet booking facility or in the Club diary, and for adhering to deadline dates for the completion of matches. Failure to play at the allotted, booked or agreed tee time or within the posted deadline may result in disqualification. Repeated failure to play at an allotted, booked or agreed tee time or within a posted deadline without prior notification to and the agreement of the General Manager or the Captains may be deemed a disciplinary matter.
- 9.27 No non-Club event may be planned, advertised or held on Club premises without the prior written consent of the Captains' Committee and the General Manager.

- 9.28 The Club and its name must not be used to represent a member or group of members participating in any non-Club event without the prior written consent of the Captains' Committee and the General Manager.
- 9.29 Members' children aged 8-11 may play golf at the Club if accompanied by a Category 1 A-B member at such times and for such annual fee as may from time to time be determined by the Management Committee.
- 9.30 Other than in connection with golf lessons with a Professional, practice on the course is limited to the area between the 9<sup>th</sup> fairway and the boundary of the course and any such other areas as the Captains' Committee may from time to time determine.
- 9.31 Priority with respect to parking spaces is afforded to Club members.

## **10 COMPLAINTS AND SUGGESTIONS**

- 10.1 Members shall not reprimand any employee of the Club, the Club Professional, the Head Teaching Professional or any other Professional. Any such reprimand is a disciplinary matter. Any complaint concerning an employee of the Club must be made in writing to the General Manager, whereas any complaint concerning the General Manager, the Club Professional, the Head Teaching Professional or any other Professional must be made in writing to the Chair of the Management Committee.
- 10.2 Suggestions may be made via the Club website and are to be reviewed by the Captains' Committee.

## **11 CONDUCT OF MEMBERS**

- 11.1 A Captain, any other member of the Committees or the General Manager may discuss any conduct matter of concern to them or others with the member in question and if appropriate orally request that the conduct is not repeated. If the request is rejected or the conduct is repeated, the Captains' Committee may consider the matter and in its absolute discretion repeat the request in writing or give the Disciplinary Secretary a Notice of Complaint in accordance with Appendix 5.

## **12 FINANCIAL CONTROL**

- 12.1 The Management Committee is responsible for the financial affairs of the Club in accordance with clause 6.2, this clause 12 and Appendix 2. The financial year will run from 1 October until 30 September.
- 12.2 The Management Committee shall have power to open and maintain a bank account or accounts with a High Street bank in the name of the Club and to arrange such facilities as may be necessary to carry on the activities of the Club including the arrangement of a loan or overdraft limit whether on a secured or unsecured basis provided that any such loan or overdraft limit exceeding the sum prevailing upon the taking effect of

this document shall not be arranged without prior notification at a General Meeting.

- 12.3 The Management Committee may in its absolute discretion establish and maintain a reserve fund for such purposes as it shall think fit.
- 12.4 The Management Committee shall have power to invest the Club's funds (in the names of at least four Club members acting as trustees for the Club) in any reasonable manner authorised by law or in the purchase of debentures or ordinary shares in the Company, if in the reasonable opinion of the Management Committee the investment or purchase will benefit the Club.
- 12.5 The Management Committee shall have power to spend the Club's funds in furtherance of the Club's object as well as in compliance with its duties of management. Any proposed capital or revenue expenditure exceeding £75,000 in total with respect to any new proposed item (or proposed related items) and to be funded by Club funds is subject to prior notification at a General Meeting.
- 12.6 The Club shall have power to defray out of the Club's funds reasonable expenses wholly and necessarily incurred by members of the Committees or any Sub-Committee, or incurred by any member acting reasonably on the authority of the Committees, which relates to or is connected with carrying out their duties or responsibilities on behalf of the Club.
- 12.7 Every Committee member, Sub-Committee member, officer or Trustee of the Club or the Company shall be entitled to be indemnified by the Club against all costs, charges, loss, damage, expenses and liabilities incurred by him in the proper execution and discharge of his duties or in relation thereto. The Club and Company together with their Committee members, Sub-Committee members, officers and Trustees shall not be liable to any member, member's guest or visitor by reason of any express or implied provision of this document or of any express or implied duty, warranty, condition or other term (whether arising under any statute or at common law or otherwise) for any costs, charges, loss, damage, expenses or liabilities relating to the Club or the use of its premises or facilities.
- 12.8 For the avoidance of any doubt, the Management Committee may arrange appropriate insurance cover in respect of the conduct of the Trustees, the Directors, the officers and members of the Committees or any Sub-Committee or of Club members generally.

## **13 GENERAL MEETINGS**

- 13.1 The procedures relating to the calling and conduct of General Meetings (including "Extraordinary General Meetings") are set out in Appendix 6.

- 13.2 The Management Committee may call a General Meeting when it thinks fit, and must do so at any time on the signed requisition of at least 25 members entitled to vote at a General Meeting. The purpose of the proposed General Meeting and any motion(s) to be voted on at the General Meeting must be stated in the requisition.
- 13.3 The categories of member entitled to attend, speak and vote at General Meetings are set out in Appendix 1.
- 13.4 One General Meeting in each calendar year shall be called as the Annual General Meeting and shall be held in the Clubhouse during the month of January or February on a date to be fixed by the Management Committee. Appendix 6 also applies to the calling and conduct of Annual General Meetings.
- 13.5 Subject to any express provision to the contrary in this document, a motion shall be carried at a General Meeting (thereby becoming a resolution) if it secures a simple majority of all the votes cast for or against the motion in question.

#### **14 INTERPRETATION AND DISPUTES**

- 14.1 References in this document to the masculine gender shall, unless the context indicates the contrary, apply equally to the feminine gender.
- 14.2 If any issue or dispute arises between the Club and its members or between members as to the correct interpretation of this document or its application the matter must be referred to the Management Committee for a ruling thereon.

#### **15 AMENDMENT**

- 15.1 Amendment of this document is governed by clauses 1.6, 2.3, 16.2 and the provisions as to General Meetings.

#### **16 DISSOLUTION**

- 16.1 Any motion to dissolve the Club must be the subject matter of a General Meeting.
- 16.2 To be carried at a General Meeting, any motion to dissolve the Club shall require the votes of 75% of all members entitled to vote at a General Meeting of the Club whether present or not. This provision cannot be repealed, amended or replaced in any circumstances other than by a resolution at a General Meeting of the Club by 75% of the members entitled to vote at that meeting whether present or not.
- 16.3 In the event of a resolution to dissolve the Club, any property or assets belonging to the Club will be given or transferred in whole or in part to another non-profit making body for the purpose of playing golf on the land

currently known as Hampstead Golf Club or in whole or in part to the members of the Club, as and how the members of the Club entitled to vote at a General Meeting may decide upon.

**17 DATE OF EFFECT**

- 17.1 This document, which supersedes and revokes the January 2013 Rules and Bye-Laws and all prior versions, shall take effect on 28 November 2017.

## APPENDIX 1

### MEMBERSHIP CATEGORIES

1. There shall be the following categories of Club member:

Category 1: Members entitled to attend, speak and vote at General Meetings:

- A Adult 7-Day. Aged 35 and over.
- B Adult 6-Day (Sunday to Friday). Aged 35 and over.
- C Young Adult 7-Day. From age 18 until 30 September on or after their 35th birthday.
- D Young Adult 6-Day (Sunday to Friday). From age 18 until 30 September on or after their 35th birthday.
- E Life members, who shall have the privileges of Adult 7-Day membership without payment of a subscription. They shall be nominated by the Captains' Committee for election at an Annual General Meeting of the Club.

Category 2: Members entitled to attend and speak at General Meetings, but not vote:

- F Junior 7-Day. From age 12 until 30 September on or after their 18th birthday.
- G Junior 5-Day (Monday to Friday). From age 12 until 30 September on or after their 18th birthday.
- H Social members, who shall have the right to use the facilities of the Clubhouse but who shall have no right to play or use the course.
- I Country members, who shall be members of at least three years' standing who do not have a residence within 50 miles of the Club and who are full playing members of another golf club which is their home club.

Category 3: Members not entitled to attend General Meetings or vote:

- J Honorary members, who shall be elected by the Captains' Committee for specified periods (which may be lifetime) without payment of a subscription in recognition of services to the Club (normally employees, former employees or Professionals) and who are ineligible for Club competitions and meetings.
- K Absent members, namely playing members of at least one year's standing who take up residence outside the United Kingdom.
- L Temporary members.

2. Transfer to different category of membership:

- i. All transfers from one category of membership to another are subject to the approval of the Captains' Committee.

- ii. Members in Category 1A or 1B upon the taking effect of this document may thereafter apply to transfer to a category of membership known as Adult 5-Day membership (Monday-Friday) upon completion of a minimum of five full consecutive years of membership in Category 1A or 1B starting with the date of the taking effect of this document. Any such Adult 5-Day members are entitled to attend, speak and vote at General Meetings.
  - iii. The Captains' Committee may, in its absolute discretion, waive the requirement for an individual Country member to be a full playing member of another golf club. Such waiver may be withdrawn at any time whereupon the member shall have the option of requesting a transfer to another category of membership or of resigning from the Club.
3. The Captains' Committee may elect a person as a Temporary member to any category of membership of the Club for a period not exceeding three years upon the payment of such fee or subscription as shall be determined by the Management Committee. At the end of each period the Temporary membership shall lapse unless the person is elected for a further period not exceeding three years. Temporary members are entitled to all the privileges of the Club except those of attending General Meetings of the Club, voting, proposing or seconding candidates for election or nominating candidates for the Management or Captains' Committees.
4. A member in a category of membership other than Category A-L above upon the taking effect of this document shall remain in that category of membership (with any attendant privileges including voting rights where applicable) unless and until he transfers to a different category of membership or ceases being a member of the Club.

## APPENDIX 2

### MANAGEMENT COMMITTEE

1. The Management Committee shall consist of the following:-
  - i. Three officers, each of whom must be entitled to vote at a General Meeting, namely a Chair and the two Captains (one male and one female). The Captains are ex-officio members of the Management Committee. The Chair shall be appointed or elected at an Annual General Meeting to serve for a term of three years although he or she may be re-appointed or re-elected to serve for one subsequent term of up to three years. The Captains shall be appointed or elected at each Annual General Meeting to serve for a term of one year in each office; and
  - ii. Up to four members (of whom one shall be the Director of Finance), each of whom must be entitled to vote at a General Meeting. They shall be appointed or elected at an Annual General Meeting to serve for a term of three years each although they may be re-appointed or re-elected to serve for a subsequent term or terms of up to three years each.
2. The Vice-Captains may attend and participate in meetings of the Management Committee, but they shall not have the right to vote or take the chair at such meetings.
3. Save for the Captains and the Vice-Captains, no member of the Management Committee may serve simultaneously on the Captains' Committee.
4. There shall be staggered terms of office for the members of the Management Committee.
5. The nomination, appointment and election procedures for Management Committee members are set out in Appendix 6.
6. The Management Committee shall meet regularly at such times as it may determine, and it shall make and maintain a record of its decisions.
7. Any member of the Management Committee who routinely fails to attend its meetings may be invited by the Management Committee to resign from the Management Committee.
8. If, during the year, a member should resign from the Management Committee, the Management Committee (in consultation with the Captains' Committee) shall immediately appoint a new eligible member and members shall be given notice of the appointment as soon as practicable. The appointment shall be effective only until the following Annual General Meeting.

9. For any meeting of the Management Committee to be quorate at least four members of the Management Committee (other than the Vice-Captains) must be present.
10. The Chair of the Management Committee shall chair the meetings of the Management Committee. If the Chair is absent, any member of the Management Committee designated by the Chair for such purpose shall chair. In the absence of such designated member, the meeting shall be postponed.
11. Any decision of the Management Committee must be made unanimously or by a majority decision at a meeting.
12. The Management Committee may from time to time appoint ad hoc Sub-Committees to consist either of members of the Committees, or of other members, or of both, for such purposes and with such written responsibilities as the Management Committee may determine.

#### **Ad hoc Sub-Committees**

13. Arrangements regarding ad hoc Sub-Committees:
  - i. The Management Committee shall appoint the Chair and members of ad hoc Sub-Committees. For the avoidance of any doubt, the Captains' Committee shall appoint the Chair and members of the Membership Sub-Committee, Disciplinary Committee, Appeal Committee and Ladies' Sub-Committee.
  - ii. Members of ad hoc Sub-Committees should be Category 1 members of at least 3 years' standing unless otherwise specially qualified.
  - iii. If any doubt arises about the division of responsibilities between ad hoc Sub-Committees appointed by the Management Committee, the matter shall be resolved by the Management Committee.
  - iv. The Chair of the Management Committee shall be an ex-officio member of all ad hoc Sub-Committees appointed by the Management Committee.
  - v. No contracts or financial expenditure may be entered into or agreed by ad hoc Sub-Committees without the express permission, by vote, of the Management Committee.
  - vi. All ad hoc Sub-Committees, save for the Membership Sub-Committee, shall operate in accordance with written guidelines determined by the Management Committee. Ad hoc Sub-Committees shall not have the right to appoint additional or replacement members of ad hoc Sub-Committees.
  - vii. Any member of an ad hoc Sub-Committee who routinely fails to attend its meetings may be invited by the Management Committee to resign from the ad hoc Sub-Committee.
14. If any doubt arises about the division of responsibilities between the Management Committee and the Captains' Committee, or as to which of

the Committees the General Manager shall be responsible to for any function, the matter shall be resolved by the Management Committee.

### **Director of Finance**

15. Arrangements regarding the Director of Finance:
  - i. A member of the Management Committee shall act as Director of Finance.
  - ii. The Management Committee, in conjunction with the General Manager, shall determine the role and responsibilities of the Director of Finance.

### **Financial control**

16. Before the commencement of each new financial year, the Director of Finance shall produce, for the Management Committee's consideration and approval, Annual Budgets for capital and revenue expenditure.

### **Auditors**

17. The Management Committee shall nominate for appointment by the members at the Annual General Meeting a suitable firm of external independent auditors. Nomination and appointment shall take place at Annual General Meetings thereafter, as and when required.

## APPENDIX 3

### CAPTAINS' COMMITTEE

1. The Captains' Committee shall consist of the following:
  - i. Four ex-officio officers, each of whom must be entitled to vote at a General Meeting, namely the two Captains (one male and one female) and the two Vice-Captains (one male and one female). The Captains and Vice-Captains shall be appointed or elected as Captains and Vice-Captains at an Annual General Meeting to serve for a term of one year in each office;
  - ii. Up to five members, each of whom must be entitled to vote at a General Meeting. These five members shall be appointed or elected to the Captains' Committee at an Annual General Meeting to serve for a term of one year although they may be re-appointed or re-elected to serve for a subsequent term or terms each of one year; and
  - iii. The two immediately prior Captains. These two members shall be appointed to the Captains' Committee at an Annual General Meeting to serve for a term of one year, but they shall not have the right to vote or take the chair at Captains' Committee meetings.
2. Save for the Captains, no member of the Captains' Committee may serve simultaneously on the Management Committee.
3. The nomination, appointment and election procedures for Captains' Committee members are set out in Appendix 6.
4. The Captains' Committee shall meet regularly at such times as it may determine, and it shall make and maintain a record of its decisions. Captains' Committee minutes shall be provided to the Management Committee.
5. Any member of the Captains' Committee who routinely fails to attend its meetings may be invited by the Captains' Committee to resign from the Captains' Committee.
6. If, during the year, a member should resign from the Captains' Committee, the Captains' Committee (in consultation with the Management Committee) shall immediately appoint a new eligible member and members shall be notified of the appointment as soon as practicable. The appointment shall be effective only until the following Annual General Meeting.
7. For any meeting of the Captains' Committee to be quorate at least five members of the Captains' Committee (other than co-opted members) must be present.

8. The Captains' Committee may co-opt additional members to attend and participate in meetings of the Captains' Committee, but they shall not have the right to vote or take the chair at such meetings.
9. The Captains shall chair meetings of the Captains' Committee alternately or as they may agree. If one Captain is absent the other Captain shall chair. If both the Captains are absent one of the Vice-Captains shall chair. In the absence of all of these officers the meeting shall be postponed.
10. Except in the case of a decision to which clause 3.3 and Appendix 4 applies, any decision of the Captains' Committee must be made unanimously or by a majority decision at a meeting.

### **Membership Sub-Committee**

11. The Captains' Committee shall appoint the Chair and members of a Membership Sub-Committee. Its responsibilities to the Captains' Committee (as determined by the Captains' Committee and in accordance with written guidelines to be determined by the Captains' Committee) shall include:
  - i. the initial processing of all applications for membership including interviewing and playing golf with candidates if deemed necessary;
  - ii. making recommendations to the Captains' Committee regarding those considered suitable for membership; and
  - iii. lead in mentoring and supporting newly elected members in their first year of membership.
12. Membership of the Membership Sub-Committee shall consist of the following
  - i. Two officers, namely the two Vice-Captains as ex-officio members; and
  - ii. Up to seven members, comprising up to four men and three ladies each of whom shall be an ex-Captain or a Category 1 member of at least six years' standing, one of whom shall be the Chair.
13. Each member of the Membership Sub-Committee shall initially serve for a maximum term of three years although they may be re-appointed for a further three years. The Chair is a three year appointment with no re-appointment option for a minimum of three years (subject to any contrary determination by the Captains' Committee). Terms and appointments are to be staggered.
14. The Membership Sub-Committee shall meet regularly at such times as it may determine. A written record of the decisions made at each meeting shall be kept by the Chair, copies of which shall be supplied to the Captains' Committee.

15. Any member of the Membership Sub-Committee who routinely fails to attend its meetings may be invited by the Captains' Committee to resign from the Membership Sub-Committee.
16. For any meeting of the Membership Sub-Committee to be quorate at least four of its members must be present.
17. In the absence of the Chair, a Vice-Captain or an ex-Captain will chair.
18. A minimum of three members of the Membership Sub-Committee will interview any prospective member. The interview panel will be chaired by one of the Chair, a Vice-Captain or an ex-Captain.

## APPENDIX 4

### NEW MEMBERS

1. The Captains' Committee may give priority to any candidate whose admission it thinks may be advantageous to the Club.
2. Only the Captains' Committee has the power to elect members.
3. A motion to elect and admit a candidate for membership must be passed in one of the following ways:
  - i. By unanimous approval of those attending a Captains' Committee meeting; or
  - ii. By approval at a meeting of the Captains' Committee of not less than three-quarters of the members of the Captains' Committee, whether in attendance or otherwise.
4. Approval may be given by a show of hands at a Captains' Committee meeting, by a vote at a Captains' Committee meeting or by Captains' Committee members indicating approval in writing (including by email).
5. If an application is put to a vote and it does not secure the required level of approval, the Captains' Committee shall decide (by a simple majority of those present at the meeting) either:
  - i. To reject the application; or
  - ii. To suspend consideration of the application to enable either more detailed consideration, a further meeting of the Captains' Committee or a request to Captains' Committee members to indicate in writing whether they approve the application.
6. The Captains' Committee shall not be under any obligation to provide a reason for unsuccessful applications, and this is to be stated on the application form.
7. A rejected applicant may re-apply for membership not less than six months after the date of rejection if informed that playing ability was the reason for the rejection.

## APPENDIX 5

### DISCIPLINARY REGULATIONS

#### 1 DEFINITIONS

“Appeal Committee”	the Appeal Committee of the Club as appointed in accordance with these Regulations;
“Appellant”	the person or body who appeals against a decision of the Disciplinary Committee;
“Charge”	The charge which is brought against the Respondent in respect of the disciplinary matter;
“Club Rules”	The rules of the Club and any other rules by which the Members are bound in accordance with their membership of the Club;
“Club Tournament”	Any tournament administered by the Club from time to time;
“Complaint”	a complaint of misconduct or notification of a concern regarding particular circumstances and/or conduct of a Member as referred to in Regulation 2;
“Complainant”	the person or body from whom a Complaint has been received by the Disciplinary Committee;
“County”	The County association or company to which the Club affiliates
“Disciplinary Committee”	the Disciplinary Committee of the Club as appointed in accordance with these Regulations;
“Disciplinary Secretary”	the person who is appointed as the Disciplinary Secretary by the Captains’ Committee from time to time;
“England Golf”	the trading name of The English Golf Union Limited, National Golf Centre, The Broadway, Woodhall Spa, Lincolnshire, LN10 6PU, Company Number: 5564018;
“Member”	Any member of the Club;
“Notice of Complaint”	the notice of the Complaint received by the Disciplinary Committee from the Complainant;
“Respondent”	the person who is the subject of the Complaint or

disciplinary action brought by the Disciplinary Secretary under the Regulations;

“Rules of Golf” the rules governing the playing of golf as jointly issued by the R&A and the USGA from time to time;

## **2 JURISDICTION AND DISCIPLINARY MATTERS**

2.1 These disciplinary regulations (“the Regulations”) are made by the Club in relation to any disciplinary matters which include without limitation the following:

2.1.1 alleged breaches of the Club’s Constitution, Rules and Procedures;

2.1.2 alleged breaches of the Rules of Golf, handicap infringements, disqualifications and any breach of the rules of a Club Tournament; and

2.1.3 any matter in which a Member has allegedly engaged in any conduct which is inappropriate, unlawful, unsporting or which is unacceptable or opposed to the general interests of the Club or the sport of golf or which brings the Club into disrepute.

2.2 The Regulations apply to all Members of the Club, their guests and visitors.

2.3 The Regulations may be amended by the Club at any time in accordance with the procedure for amending the Club’s Constitution, Rules and Procedures.

2.4 Such amendments shall be effective from the date stated.

2.5 Disciplinary proceedings shall be commenced against a Member, guest or visitor in accordance with the Regulations where the Disciplinary Secretary receives a Notice of Complaint or where the Disciplinary Secretary becomes aware of a disciplinary matter referred to in Regulation 2.1 above.

2.6 In the event that the Disciplinary Secretary is involved in a disciplinary matter, either as Complainant or Respondent, then the matter shall be referred to the Captains’ Committee who shall appoint a new Disciplinary Secretary for that matter.

2.7 As a general rule the Disciplinary Secretary, where considered appropriate and in his sole and absolute discretion, may deal with a disciplinary matter in an informal manner, however, should the Disciplinary Secretary, in his sole and absolute discretion, deem a matter to be sufficiently serious he may commence formal disciplinary proceedings and these Regulations shall apply. Where the matter is to be dealt with on an informal basis it may be dealt with by the most appropriate person or body of the Club.

### 3 NOTICE OF COMPLAINTS

- 3.1 A Notice of Complaint may be given to the Disciplinary Secretary by any person or body which shall include, without limitation, another Member, an employee/officer of the Club, the Captains' Committee or the Management Committee, or a member of the public, in relation to an alleged disciplinary matter which is referred to in Regulation 2 above.
- 3.2 The Notice of Complaint shall be made in writing as soon as practicable but no later than 28 days following the alleged incident (or knowledge of the incident by the Complainant) and shall set out details of the Complaint including, where applicable, the specific Club Rule, competition rule or Regulation which is alleged to have been breached by the Respondent.

### 4 INITIAL INVESTIGATION

- 4.1 On receipt of the Notice of Complaint or the Disciplinary Secretary otherwise becoming aware of an alleged disciplinary matter regarding a Member, guest or visitor, the Disciplinary Secretary shall within 14 days:
- 4.1.1 commence an initial investigation into the matter in order to gather information and evidence;
  - 4.1.2 forward a copy of the Notice of Complaint to the Respondent and invite a written response from the Respondent; and
  - 4.1.3 undertake any further investigation deemed appropriate in order to ascertain the best course of action to resolve the Complaint or commence disciplinary action against the Respondent.
- 4.2 Upon completion of the steps set out in Regulation 4.1 the Disciplinary Secretary may take any of the following steps:
- 4.2.1 decide that no further action is required in which case the Disciplinary Secretary shall notify the Respondent and the Complainant in writing explaining the reasons why the Complaint has been dismissed, for example:
    - 4.2.1.1 it does not fall within the authority of the Club;
    - 4.2.1.2 there is not enough evidence to justify further action being taken; or
    - 4.2.1.3 it is vexatious and/or malicious in which case the Complainant's actions may be referred to the Captains' Committee for further consideration;

- 4.2.2 deal with the matter informally by way of advice, information or mediation between the respective parties;
  - 4.2.3 if deemed appropriate and the matter is of a serious nature, following consultation with the Captains' Committee and any other appropriate person/committee of the Club, refer the matter to England Golf or another appropriate body; or
  - 4.2.4 refer the matter to the Disciplinary Committee to be constituted in accordance with Regulation 5.
- 4.3 As soon as is practicable, the Disciplinary Secretary shall inform the Complainant and the Respondent of the course of action taken. If the Disciplinary Secretary chooses to refer the matter to the Disciplinary Committee the Respondent shall be informed of the Charge being brought and granted the opportunity to either accept or deny the Charge.
- 4.4 If the Respondent accepts the Charge then the matter shall be referred to the Disciplinary Committee for a hearing to determine the sanction (if any) and the Respondent shall only be granted permission to appeal on the ground that the sanction imposed was disproportionate to the circumstances of the case.
- 4.5 If the Respondent denies the Charge then the matter shall be determined at a hearing of the Disciplinary Committee in accordance with Regulation 5.

## **5 DISCIPLINARY COMMITTEE**

- 5.1 The Club shall establish a Disciplinary Committee consisting of three Category 1 members who are appointed by the Captains' Committee. The Disciplinary Committee shall elect one of its members to act as Chair. In the event that the Disciplinary Committee is not able to elect a Chair, the Captains' Committee shall appoint the Chair.
- 5.2 The Disciplinary Committee shall have jurisdiction to conduct disciplinary hearings and impose sanctions upon those persons who are subject to a Charge.
- 5.3 The members of the Disciplinary Committee including the Chair shall serve a term of three years after which time they will either be re-appointed by the Captains' Committee or replaced. If a member of the Disciplinary Committee shall resign, no longer be a Member, or otherwise becomes unable to perform his duties on the Disciplinary Committee, the Captains' Committee shall have the power to appoint another Category 1 member in his place.
- 5.4 Each member of the Disciplinary Committee must have no personal

interest in the outcome of the proceedings (other than to see that the decision is fair) and have no previous involvement in the matter under consideration. In the event that a matter is referred to the Disciplinary Committee and a member of the Disciplinary Committee either declares an interest or is deemed to have an interest by the Disciplinary Secretary or the Captains' Committee, he shall be replaced on the Disciplinary Committee for that matter only.

## **6 DISCIPLINARY HEARINGS**

- 6.1 Where a matter is referred to the Disciplinary Committee by the Disciplinary Secretary, the Disciplinary Committee may hear a disciplinary matter by way of oral hearing or consider the charge on the basis of written submissions from the Respondent and the Club / Complainant as appropriate and at the request of the parties. In the event that an oral hearing is held, the Disciplinary Secretary shall make arrangements for the hearing to be held within a reasonable time.
- 6.2 The Respondent may be represented at the hearing and such representative may make submissions on the Respondent's behalf. The Respondent may also request that another Member attends in support however such Member shall not be permitted to make submissions to the Disciplinary Committee.
- 6.3 The procedure for an oral hearing shall be flexible and shall be at the discretion of the Chair of the Disciplinary Committee, who may make such decisions as necessary to ensure the orderly and effective conduct of the hearing, subject to the overriding requirement of fairness. The Chair of the Disciplinary Committee will outline the basic procedure of the hearing.

*A standard hearing procedure is set out at Appendix 5a which may be followed by the Chair of the Disciplinary Committee at his discretion.*

- 6.4 If the Respondent does not attend the hearing as arranged above, provided that the Disciplinary Committee is satisfied that notice of the hearing was served properly, it may proceed to hear the evidence and decide the case in the absence of the Respondent.

## **7 DECISION AND AVAILABLE SANCTIONS**

- 7.1 The Disciplinary Committee shall either communicate its decision to the parties at the end of a hearing or notify the decision in writing at a later date as set by the Disciplinary Committee.
- 7.2 The Disciplinary Committee may dismiss the Complaint against the Respondent, or where a disciplinary matter is found proven impose such sanctions upon the Respondent as it thinks fit including without limitation:

- 7.2.1 a warning or reprimand;
  - 7.2.2 suspension or exclusion from Club activities including Club competitions, teams, meetings or otherwise;
  - 7.2.3 suspension or exclusion from holding office within the Club for a specified or indefinite period of time;
  - 7.2.4 suspension of the Member's membership of the Club for a specified period not exceeding 12 months;
  - 7.2.5 expulsion from the Club, meaning that the person in question ceases forthwith to be a Member and shall be prohibited from returning to the Club as a guest or visitor or otherwise;
  - 7.2.6 a combination of any of the above or any other disciplinary sanction as considered appropriate by the Disciplinary Committee.
- 7.3 The decision taken by the Disciplinary Committee in relation to the sanction to be imposed must be proportionate to the circumstances of the case and consideration may be given to the Respondent's previous disciplinary record.

## **8 DISCIPLINARY MATTERS INVOLVING JUNIOR MEMBERS, GUESTS AND VISITORS OR ADULTS AT RISK OF HARM**

- 8.1 Where a disciplinary matter involves a Category 2 F-G member, a guest or visitor under the age of 18 or an adult deemed to be at risk of harm, the Club, the Disciplinary Committee and/or Appeal Committee must be mindful of the needs of the person in question and take these into account when deciding:
- 8.1.1 the format of proceedings;
  - 8.1.2 whether any action is to be taken against such a person;
  - 8.1.3 if the panel should include at least one member who has received safeguarding training; and
  - 8.1.4 whether any standard directions set out in these Regulations should be varied.
- 8.2 Written permission should be obtained from any parent/carer of a Category 2 F-G member, a visitor or guest under the age of 18 or an adult deemed to be at risk of harm where such person is asked to provide evidence and/or attend a hearing. Where a Category 2 F-G member, a visitor or guest under

the age of 18 or an adult deemed to be at risk of harm is asked to attend a hearing, they shall be afforded the opportunity to do so accompanied by any parent/carer and the Disciplinary Committee shall make sure that the Category 2 F-G member, visitor or guest under the age of 18 or adult deemed to be at risk of harm fully understands the process taking place.

- 8.3 For the avoidance of any doubt, the refusal of the parent/carer, Category 2 F-G member, visitor or guest under the age of 18 or adult deemed to be at risk of harm to co-operate shall not preclude Club from taking disciplinary action against the Category 2 F-G member, visitor or guest under the age of 18 or adult deemed to be at risk of harm.

## **9 APPEALS**

- 9.1 Should an Appellant wish to appeal against a decision of the Disciplinary Committee, the Appellant must give notice of the appeal to the Captains' Committee in writing within 14 days of the decision being notified to the Respondent.
- 9.2 The Appellant must set out the grounds of appeal in as much detail as possible including the nature of any new evidence he seeks to rely upon which may be considered by the Appeal Committee if deemed appropriate.
- 9.3 The Club will refer the appeal to County to hear in accordance with its disciplinary regulations, if applicable. County shall determine at its own discretion whether the appeal is appropriate to be heard by County. If County determines not to hear the appeal, it shall be remitted to the Club to determine in accordance with these Regulations.

## **10 APPEAL COMMITTEE**

- 10.1 The Club shall establish an Appeal Committee consisting of three Category 1 members who are appointed by the Captains' Committee. The Appeal Committee shall elect one of its members to act as Chair. In the event that the Appeal Committee is not able to elect a Chair, the Captains' Committee shall appoint the Chair.
- 10.2 Each member of the Appeal Committee must have no personal interest in the outcome of the proceedings (other than to see that the decision is fair), must have no previous involvement in the matter under consideration and must not be a member of the Disciplinary Committee. In the event that a decision is appealed to the Appeal Committee and a member of the Appeal Committee either declares an interest or is deemed to have an interest by the Disciplinary Secretary and/or Captains' Committee, he shall be replaced on the Appeal Committee for that matter only.

## 11 APPEAL HEARINGS

11.1 The Appeal Committee shall have jurisdiction to conduct appeal hearings and have the power to:

11.1.1 dismiss the appeal;

11.1.2 overturn any finding and any sanction imposed by the Disciplinary Committee;

11.1.3 remit the matter for a re-hearing by the Disciplinary Committee;

11.1.4 substitute an alternative finding;

11.1.5 reduce or increase the original sanction; and/or

11.1.6 make such further decision as it considers appropriate.

11.2 The Appeal Committee may hear an appeal by way of oral hearing or consider the appeal on the basis of written submissions received from the Respondent and the Club / Complainant as appropriate. Where an appeal is considered by way of written submissions then the Appellant's consent must be received in writing prior to such consideration.

11.3 The Appeal Committee shall determine in its absolute discretion, and on a case by case basis, whether an appeal against a Disciplinary Committee decision shall be by way of review only or a full re-hearing of all the evidence presented to the Disciplinary Committee plus any fresh evidence.

11.4 The procedure for an Appeal Hearing shall be flexible and shall be at the discretion of the Chair of the Appeal Committee, who may make such decisions as necessary to ensure the orderly and effective conduct of the hearing, subject to the overriding requirement of fairness. The Chair of the Appeal Committee will outline the basic procedure of the hearing.

*A standard hearing procedure for disciplinary hearings is set out at Appendix 5a which may be followed by the Chair of the Appeal Committee at his discretion.*

11.5 The Appeal Committee shall either communicate its decision to the Appellant at the end of a hearing or in writing at a later date as set by the Appeal Committee.

## 12 MISCELLANEOUS PROVISIONS

12.1 The standard of proof in all cases before the Disciplinary Committee and the Appeal Committee is the balance of probabilities.

- 12.2 Any time frame required to be implemented in respect of the Regulations may be amended on a case by case basis with consideration of all the circumstances of the case and the setting of such time frame shall be at the discretion of the person/body who has the power to impose a deadline pursuant to the Regulations.
- 12.3 If the Chair of the Disciplinary Committee / Appeal Committee deems it appropriate, bearing in mind all the circumstances surrounding the case, the appropriate Committee may, at its discretion, request an independent person to act as adviser to the Disciplinary / Appeal Committee.
- 12.4 The Disciplinary Committee / Appeal Committee is not obliged to apply the strict rules of evidence. They may admit such evidence as they think fit and accord such evidence such weight as they think appropriate in all the circumstances.
- 12.5 The Disciplinary Committee and Appeal Committee shall decide any issue by majority and no member of the Disciplinary Committee or Appeal Committee may abstain from voting.
- 12.6 The Club will not be liable to any person, Member, or body for any loss, however caused, whether direct, indirect, financial or consequential arising out of or in connection with any disciplinary action taken under the Regulations.
- 12.7 Any relevant contact details for the Disciplinary Secretary and the Disciplinary Committee / Appeal Committee shall be available from the Club and communicated to members from time to time.

## APPENDIX 5a

### STANDARD DISCIPLINARY HEARING PROCEDURE

- 1 If deemed to be required, prior to any hearing, the Disciplinary Committee shall set appropriate deadlines for the submission of any written evidence / representations requested from the Disciplinary Secretary or the Respondent.
- 2 The hearing shall be convened by the Disciplinary Committee at a time suitable to the parties and communicated to the parties by the Disciplinary Secretary.
- 3 The case against the Respondent will be presented by the Disciplinary Secretary, together with relevant evidence, including witness evidence, if appropriate.
- 4 The Respondent will be granted the opportunity to present his case, challenge the evidence presented against him, submit his own evidence, call witnesses and make representations to the Disciplinary Committee. The evidence of further witnesses not notified in accordance with the Regulations will be admitted only at the sole discretion of the Chair of the Disciplinary Committee.
- 5 Those representing a Respondent at a hearing may present and sum up their case, but they are not permitted to answer questions put to the Respondent.
- 6 Before being called, witnesses will not be allowed in the room while evidence is being given, although this shall not apply in relation to the Complainant or Respondent.
- 7 Questions may be put by the Disciplinary Committee to the Respondent and each witness during or on the conclusion of their evidence.
- 8 The Respondent shall have the opportunity to raise questions in cross-examination.
- 9 The Disciplinary Committee may limit cross-examination as it deems appropriate.
- 10 The Respondent and the Disciplinary Secretary will be allowed to make a closing statement to the Disciplinary Committee.
- 11 The room will be cleared and the Disciplinary Committee will deliberate and determine whether, on the balance of probabilities, the disciplinary charge has been proven.
- 12 The hearing will reconvene and the Chair of the Disciplinary Committee

shall either communicate its decision to the parties at the end of a hearing or notify the decision in writing at a later date as set by the Disciplinary Committee.

- 13 Where a charge is proven the Respondent shall have the opportunity to present arguments in mitigation of any sanction to be imposed.
- 14 The Disciplinary Committee will review the Respondent's previous disciplinary record, where relevant, to consider sanctions.
- 15 The room will again be cleared and the Disciplinary Committee shall determine the appropriate sanction in accordance with the Regulations.
- 16 The hearing shall be documented in writing by the Disciplinary Secretary and a record kept of all disciplinary proceedings, hearings and outcomes. Members shall be entitled to inspect (but not copy or take away) this record upon reasoned request to the General Manager. At every Annual General Meeting, members will be informed of any disciplinary sanction imposed upon a Member, guest or visitor in the preceding year and of the name of the Member, guest or visitor in question.

*The above procedure may also be followed by the Appeal Committee whereby the Respondent is the Appellant and the Disciplinary Committee is the Appeal Committee*

## APPENDIX 6

### ARRANGEMENTS FOR GENERAL MEETINGS

1. General Meetings shall be held in the Clubhouse, or an alternative venue as may be determined by the Management Committee, and they shall commence between the hours of 9.00am and 9.00pm. At least 21 clear days' notice in writing of any General Meeting shall be sent to the members entitled to attend a General Meeting, specifying the day and the hour of the General Meeting, the general nature of the business, nominations for appointment or election and any special business (including the terms in full of any member's motion). Ballot papers shall be included with the notice as and when required. The accidental omission to give such notice to any member shall not invalidate any resolution passed at such General Meeting.
2. 25 members entitled to vote at a General Meeting shall form a quorum at any General Meeting.
3. The meeting shall be chaired by the Chair of the Management Committee, or, in his absence, by such other chair as the members present and entitled to vote shall appoint or elect.
4. Voting by those present shall be by show of hands/acclaim, save that voting for a contested election of Management Committee and/or Captains' Committee members, on a motion to amend this document, on a motion under special business or on a motion to dissolve the Club shall be by way of a secret ballot.
5. With the exception of amendments to clauses 2.3 and 16.2, any motion to amend this document shall be carried (thereby becoming a resolution) if it secures a two-thirds majority of all the votes cast on the motion in question.
6. The arrangements as to General Meetings also apply to the Annual General Meeting.
7. At each Annual General Meeting, the Chair of the Management Committee shall present to members:
  - i. A Management Committee Report covering the period since the last Annual General Meeting;
  - ii. Revenue Accounts, a Balance Sheet and Financial Report together with a report from the external auditors, covering the last financial year to 30 September;

- iii. A list of members who have been properly nominated for appointment or election to the post of Chair of the Management Committee or to membership of the Management Committee;
- iv. Any motion to amend this document;
- v. The names of the members whom the Captains' Committee nominates to be Captains and Vice-Captains;
- vi. A list of members who have been properly nominated for appointment or election to membership of the Captains' Committee;
- vii. A report on the past year's golfing activities and any other items considered to be appropriate by the Captains' Committee; and
- viii. Any special business, including member's motions,

and details of the above items 7(i)-(viii) shall be sent to members together with the notice of the Annual General Meeting.

- 8. Appointment or election of Chair of the Management Committee, Management Committee members, Captains and Captains' Committee members:
  - i. In the Autumn of each year, prior to the Captains' Committee meeting at which nominations for Captains and Vice-Captains will be considered, separate meetings of the male and female ex-Captains of the Club shall be called by the male and female Captains respectively, to each of which the current Vice-Captain of the relevant gender shall be invited. These meetings will consider possible nominations for Captaincy and Vice-Captaincy and, if thought fit, make recommendations to the Captains' Committee for its consideration. Only the Captains' Committee may nominate Captains and Vice-Captains.
  - ii. Any two Category 1 members having each attained at least three full consecutive years of membership may, in the event of a vacancy to be filled at the Annual General Meeting (as to which members will be notified not later than the prior 31 October), nominate a member aged 18 or over who has been a Category 1 member for at least three years to be appointed or elected as Chair of the Management Committee or as a member of the Management Committee and/or Captains' Committee, having previously received the assent of such member. No member may be nominated for appointment or election at any Annual General Meeting for both the Management Committee and the Captains' Committee. Nominations shall reach the General Manager not later than 30 November prior to the Annual General Meeting to be held in the January or February of the following calendar year. A list of names in alphabetical order of the members so nominated shall be posted in the Clubhouse throughout the period 1 December until the Annual General Meeting (stating to which post or Committee the members are being nominated for appointment or election) and sent to members together with the notice of the Annual

General Meeting (stating to which post or Committee the members are being nominated for appointment or election). Should nominations exceed vacancies ballot papers shall be prepared containing the names of the candidates.

- iii. At each Annual General Meeting the Captains' Committee shall nominate: two Adult members to be Captains (one male, one female) for the year ahead (normally the Vice-Captains unless circumstances have changed); and two Adult members to be Vice-Captains for the year ahead (one male, one female).
  - iv. At each Annual General Meeting, in addition to any other business that may be conducted, members shall appoint or elect, as appropriate, the Captains for the year, the Vice-Captains for the year, the Chair of the Management Committee and the other members of the Management Committee and Captains' Committee, respectively, each as nominated when required in accordance with the procedures set out above and duly seconded during the Annual General Meeting. Appointment shall be by show of hands/acclaim save where a ballot is required and ballot papers have been prepared, in which case each member present and entitled to vote at the Annual General Meeting may select, in a secret ballot, names in number not exceeding the number of vacancies. The candidates with the largest number of votes shall be duly elected so as to fill the vacancies. If any candidates obtain an equal number of votes the Chair of the Management Committee shall determine by lot which of the candidates shall be duly elected.
  - v. No member shall serve more than nine consecutive years in total as a member of the Management Committee or Captains' Committee.
9. Pursuant to and subject to clauses 1.6, 2.3, 15.1 and 16.2, and to Appendix 6(4)-(5), members with voting rights may cast their vote at a General Meeting (including the Annual General Meeting) only (i) if and by being present; (ii) by proxy; or (iii) by communicating their vote in writing to the Chair of the Management Committee so as to be received by him not less than 48 hours before the opening of the meeting. A member wishing to appoint a proxy must inform the Chair of the Management Committee not less than 48 hours before the opening of the meeting of the appointment and the name of the proxy. After those members present have voted, they shall be notified of the number of any votes cast in accordance with method (iii) and the way in which those votes have been cast.
10. A proposed member's motion under special business at the Annual General Meeting must be submitted in writing to the General Manager not later than 30 November prior to the Annual General Meeting, identifying the terms of the motion, the proposer and seconder of the motion and in addition the signatures of at least 25 members entitled to vote at a General Meeting.

11. The minutes of all General Meetings shall be uploaded onto the Members' Area of the Club website as soon as practicable thereafter. The minutes of each Annual General Meeting shall be proposed for formal approval by the members at the subsequent Annual General Meeting.

End