



# Langlands Golf Club Constitution



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Latest updates approved at the Club AGM on Thursday 28th January 2016

## 1. NAME

The name of the Club shall be “Langlands Golf Club”. The Club is a non-profit making organisation. All profits and surpluses will be used to maintain or improve the Club’s facilities. No profit or surpluses will be distributed other than to another non-profit making body on winding up or dissolution of the Club.

## 2. OBJECTS

The Objects of the Club shall be:

To encourage the playing of Golf and the improvement of golfing standards. To promote social intercourse amongst Members and to promote competition amongst Members.

## 3. MEMBERSHIP

Persons resident within the area of South Lanarkshire, and a maximum of 25 persons out with the area of South Lanarkshire shall be eligible for membership.

The Membership of the Club shall be divided into the following classes:

Ordinary Membership – 300

Senior Membership – (65 years+) – 100

Junior Membership – 100 (10 years of age and under 18 years of age on 1<sup>st</sup> March)

Honorary Membership – 10 (Granted on a notice of motion at the AGM and passed by two-thirds of those attending and voting. They have no voting rights)

## 4. VOTING RIGHTS

All Members who have paid the up to date subscription declared at the AGM.

## 5. APPLICATION FOR MEMBERSHIP

An applicant for Membership shall make application on a form prescribed by the Committee (hereafter referred to) which shall be signed by the Applicant and his proposer and seconder who shall be Members of the Club.



The said Committee shall elect Members from among the applicants in such a manner as they may decide upon which shall be published on the Club Notice Board.

Junior Members who as of the commencement of the Club year have completed 2 full sessions of Junior Membership shall have priority over all other applicants.

The forms of application for membership so completed and aforesaid must be lodged with the Secretary of the Club at least 14 days before the date fixed by the Committee for the election of Members by the Committee. A list of applicants shall be displayed in a conspicuous place in the Club premises for at least 7 days before the date of election.

The Secretary shall give intimation of admission to each person admitted as a Member of the Club but such person shall not be entitled to the privileges of the Club until they have paid their subscription and any entrance fee, levy or loan, payment of which may be a condition of Membership.

The Secretary shall also imitate refusal of admission to each person, and to each person refused admission, and such person accompanied by a requisition in the terms of Clause 8 hereof, may appeal against the decision by giving written notice of appeal to the Secretary within 28 days of the Secretary's intimation and a Special General Meeting shall be called under the terms of Clause 8 hereof to consider that appeal.

No application for membership shall be reasonably refused.

## 6. ANNUAL SUBSCRIPTION

The annual subscription for the various categories of members shall be determined at an Annual or Special General Meeting.

Subscriptions shall be payable to the Secretary on or before 1<sup>st</sup> March every year.

Members on payment of the annual subscription shall be given a copy of the annual fixture list and if requested, a copy of the Constitution.

Any Member who has not paid their subscription and who takes part in a competition will be liable to disqualification in that competition. A member will be liable for their subscription annually unless written notice of resignation has been given to the Secretary prior to 31<sup>st</sup> March.

The Club year shall run from 1<sup>st</sup> March until the last day of February and members shall be liable for their current year's subscription although resigning during the year.



If a Member's subscription remains unpaid by 1<sup>st</sup> April in any year, they will cease to be a Member of the Club without prejudice to the power of the Committee to take proceedings for the recovery of any sum due.

Newly elected Members on payment of the annual subscription shall be given a copy of the Constitution and Club Rules as are in force at that time.

Payment of subscription shall entitle a Member to use the Club facilities at such times as they are available for use by Members of their class and shall entitle them to all privileges and advantages of Club Members subject to the other terms and conditions thereof.

The Members may at the Annual General Meeting or at a special General meeting called for the purpose by two-thirds majority of those present, fix an entrance fee to be paid by applicants for membership or impose a levy upon all Members or any section thereof, or insist upon the payment by all Members or any section, thereof a loan to the Club to be used for the purposes of the Club and payment of the said levy or loan shall thereupon become a condition of membership of the club. Any Member who does not make payment within the time appointed by the said meeting shall cease to be a Member of the Club.

All adult members are liable to pay an interest-free loan to Club Funds of £120. This is for the Club year from 1<sup>st</sup> March 1998.

Repayment of the interest-free loan will be made as Club finances permit. Repayment of the interest-free loan will also be made on resigning from the Club, but not until the Club year from 1<sup>st</sup> March 2015.

On death of a member or ex-member who paid the pre-1<sup>st</sup> March 1999 interest-free loan, the sum deposited will be paid to proven next of kin as speedily as possible.

## 7. CESSATION OF MEMBERSHIP

Any Member upon ceasing to be a Member of the Club shall forfeit all rights or claims upon the Club property and funds.

## 8. ANNUAL GENERAL MEETING

The General Meeting of the Club shall be held annually, not later than 31<sup>st</sup> January. Notice of the date, place and time of business for this meeting shall be given to all Members not later than 28 days in advance by publication on the Club Notice Board.



Notice of Motion must be in the hands of the Secretary before 30 November for consideration at the ensuing Annual General Meeting.

1/6 (one-sixth) of voting Members shall form a quorum at any Annual General Meeting.

If there is not a quorum a Special General Meeting shall be called under the terms of Clause 8 hereof.

The meeting shall elect from the membership a Captain and Vice-Captain, Secretary and Treasurer. The meeting may also elect a President. The Captain, Vice-Captain and Immediate past Captain and 15 other members shall form the Committee of Management. The Vice-Captain and immediate Past Captain and 4 ordinary Committee Members shall retire annually and shall be eligible for re-election.

The 8 most recently elected Members shall serve on the Committee for a further year without re-election.

If for any reason these 8 Members cannot be easily determined, the Members who continue to serve shall be decided by lot.

The Golf Professional and Parks manager of the South Lanarkshire Council shall be Members of the Committee ex officio and, as such, shall be exempt of any Club subscription. He/she shall have no voting rights in Committee or at any General or Special Meeting.

## 9. SPECIAL GENERAL MEETING

A Special General Meeting shall be called by the Secretary.

At the request of the Committee

Within 14 days of the Secretary receiving an appeal under the terms of Clause 4 or Clause 20 hereof. The appeal would require a requisition addressed to the Secretary which has been signed by at least 20 Members and which states the purpose for which a meeting is desired.

Within 14 days of an Annual General Meeting at which there was no quorum under the terms of Clause 7 hereof.

Within 14 days of the Secretary receiving the written resignation of a fourth Member of the Committee under the terms of Clause 10 hereof.



Within 14 days of the Secretary receiving a requisition addressed to him/her, which has been signed by at least 50 members and states the purpose for which the meeting is desired.

The Secretary shall, on being required to call a Special General Meeting, give at least 14 days' notice of such a meeting to all Members in the same way as provided in Clause 7 hereof. Fifty voting Members of the Club shall form a quorum at such a meeting.

## 10. MANAGEMENT

The Management of the Club shall be vested in the Committee subject to the overall authority of the Members at a General Meeting. The Committee shall deal with accounts and transact all necessary business. The Committee may appoint a Sub-Committee for any necessary purpose.

The Committee shall have the power to make the regulations and by-laws and orders for the control of the Club matters and these shall be held to be sufficient when intimated to the Members by being posted within the Clubhouse and shall be binding on every member until set aside by a General Meeting.

The Committee shall, have the power to purchase, lease, exchange, hire and subscribe for, or otherwise acquire, hold or deal with any heritable or moveable property of whatsoever nature.

The Committee shall have the power to borrow money for the purpose of the Club and the power to grant security thereof subject to an overall borrowing limit of (£200,000) which may be varied at a Special General Meeting called for that purpose.

While the club is registered as a licensed Club the Secretary shall be the Licensee.

While the Club holds above all Committee decisions must be taken as dictated by licensing law at that time.

The Captain shall have the right to make or take action on making a decision (Office Bearers – consensus of opinion) requiring immediacy. In turn he/she will be answerable to the Committee who has the right to ratify or question the circumstances of the situation.

The Committee must ratify all proposals recommended by subcommittee or proposed formally by individuals on Committee.



The Club property shall be vested in Trustees of the Club who shall be in the Office-Bearers.

The said trustees will hold the Club Property on behalf of the Club who shall not deal with, dispose of, burden, or in any way intromit with the Club property except at the direction of the Committee.

The Club Trustees shall have the power, subject to the directions of the Committee to grant security over heritable property of the Club, and execute all necessary standard securities, assignations, negotiable instruments, leases and other documents, and shall have the power, subject always to the directions of the Committee, to invest Club funds on behalf of the Club and to execute all documents, financial or legal, required in that connection.

### Office-Bearers

The Captain, Vice-Captain, Immediate Past captain, Secretary/Treasurer shall perform the function of Office-Bearers.

## 11. COMMITTEE MEETINGS

The Committee shall meet at least once per month on a date to be fixed by the Captain, or in his absence, by the Vice-Captain.

The Secretary shall be bound to call a meeting upon receiving a requisition signed by not less than three Members of the Committee of whom at least 2 must be elected Members. This requisition shall state the reason for which the meeting is being called.

Seven Members of the Committee shall form a quorum which must include one Office-Bearer who will act as Chairman, with minutes recorded accordingly.

The Committee shall have the power to co-opt persons on to the Committee in the event of Committee Members who may resign or otherwise demit office during the year up to a maximum of three.

If more than three Members of the Committee resign or demit office during the year, a Special General Meeting shall be called in the terms of Clause 9 hereof.

The Captain shall chair all meetings or, in his absence, the Vice-Captain, whom failing, the meeting shall elect its own Chairman.

The Chairman shall have a casting as well as a deliberative vote at all meetings.



## 12. SECRETARIAL AND FINANCIAL DUTIES

### The Secretary

Subject to instructions of the Committee, shall conduct the correspondence/administrative/legislative/regulatory matters of the Club, attend all meetings and record the Minutes and maintain a register of all Members of the Club.

### The Treasurer

Subject to the instructions of the Committee, shall receive subscriptions and keep proper books showing the financial affairs and intermissions of the Club.

All monies received by the Treasurer shall be lodged in the name of the Club in a Bank appointed by the committee or invested according to the instructions of the Committee.

All cheques, deposit receipts and others shall be signed on behalf of the Club by two Office-Bearers and the Treasurer.

All other monies received by any section of the Club shall be lodged in the name of the Club in a Bank appointed by the Committee.

The Accounts shall be audited shall be audited by a Company of Chartered Accountants or by suitably qualified persons who shall be appointed by the current Office-Bearers, and thereafter to the Annual General Meeting.

All contracts binding to the Club must be signed or countersigned by a Trustee and Office-Bearer then filed within administration for future reference.

## 13. ALTERATION OF CONSTITUTION

The Club Constitution has been adopted.

The Constitution shall be altered only at the Annual General Meeting or Special General Meeting called for that purpose and notice of any proposed alteration shall be given in accordance with Clause 7 hereof.

No alteration of the Constitution of the Club shall be made unless to-thirds of those Members present vote in favour of such alteration.

Any alteration to the Constitution shall be intimated to the Chief Executive of South Lanarkshire Council and South Lanarkshire Council Licensing Board, and shall not become effective until the written consent of these agencies is received.



## 14. THE COMMITTEE

The Committee shall have the power to admit temporary Members (with or without payment).

Members of any Golf Club or Association for the purposes of engaging in a Match or Competition.

To partial privileges of ordinary membership to any persons over 18 years of age who has paid for and played a round of golf at Langlands Golf Course, and who has produced a round ticket issued by South Lanarkshire Council as proof.

Temporary Membership shall be extended to such a person only on the day shown on the round ticket as aforesaid.

The names and full addresses of these privileged members (a) and (b) along with their signatures must be recorded in appropriate register which will contain within the privileges afforded them.

## 15. THE SUPPLY OF ALCOHOL

The Committee shall exercise the complete and absolute control over the supply and price of food and drink within the Clubhouse premises.

No Member of the Committee and any Manager or Servant employed by the Club at any time shall have the personal interest in the sale of excisable liquor therein or in the profits arising from such sale.

No excisable liquor shall be sold or supplied in the Club premises for consumption off the premises except to a Member of the Club in person for consumption by his or to a person holding an excise license for its sale, subject to the terms of Section '4' (1) of the Licensing (Scotland) Act 2005.

A visitor shall not be supplied with excisable liquor in the Club premises unless on the invitation and in the company of a Member and that Member shall upon admission of such a visitor, enter his own name and address and that of the visitor within a book which shall be kept for the purpose and which shall show the date of each visit.

No excisable liquor shall be sold or supplied to any person less than 18 years of age.

The Clubhouse Bar will be open for the sale of excisable liquor as determined in accordance with the relevant statutory provisions.



Members and guests' children younger than 14 years of age will be permitted but must remain in the company of parent(s) or guardian(s) in area(s) designated.

Children will be permitted to have a meal with their parent(s) or guardian(s) in the Clubhouse dining area then to retire to designated areas above stated if intention is to remain within Clubhouse.

On bar closing, drinking-up time is 15 minutes when members and their guests must leave the clubhouse quietly and respect the privacy of residents in close proximity to the golf course.

## 16. GUESTS

A Member may introduce into the Club premises not more than 3 guests at any session. These guests must therefore remain in the member's company and must depart from the Clubhouse when their introducing member leaves.

Permission to introduce guests at any session may be suspended or modified at the discretion of the Committee.

## 17. CONDUCT

If the conduct or behaviour of any Member in any place whatsoever shall, in the opinion of the Committee, be injurious to the reputation of the interest of the Club, it shall be in the power of the Committee to suspend such Member's membership for such a period as they consider appropriate, and recommend such a Member to resign and if the Member shall refuse or delay to resign within one week from the date of recommendation having been conveyed in writing to him, the Committee shall expel such a Member, and that Member shall not thereafter be allowed to enter the Club premises or to enjoy the privileges of membership.

Such a suspension or recommendation shall not be made until the member whose conduct shall be under consideration has been afforded an opportunity to give an explanation of such conduct to the Committee.

Any Member so suspended or expelled shall have the right to appeal in the manner specified for an application refused admission in the terms of clause '4'.

Any Member disciplined as above will not be entitled to a refund or any part of his/her subscription.



## 18. HANDICAPS AND COMPETITIONS

The Committee shall handicap the Members according to CONGU.

They shall also arrange the conditions under which competitions shall be played, except where conditions are laid down by the donor(s) of prizes.

Every effort shall be made to comply with such conditions.

For the purpose of assisting in arranging and supervising competitions, the Committee will appoint a Match Secretary from among the Membership of the Club.

## 19. LANARKSHIRE LEISURE AND CULTURE

The Club, Members and their guests therefore will at all times comply with the instructions of the Recreation Manager (Outdoor) and his staff while out with the Clubhouse but still within the golf course perimeter.

## 20. COMPLAINTS AND SUGGESTIONS

All complaints and suggestions in relation to the matters affecting the interests and welfare of the Members shall be addressed in writing to the Secretary to be laid before the Committee.

If they so consider that any matter should be referred to South Lanarkshire Council, the Secretary shall communicate the Committee's views to the Chief Executive.

## 21. INTERPRETATION

The interpretation of the foregoing Constitution shall be at the discretion of the Committee whose decision on such a matter shall be final.

## 22. DISSOLUTION

If, upon winding up or dissolution of the Club, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or organisations having objects similar to the objects of the Club by resolution passed at a general meeting at or before the time of the dissolution, and in so far as effect cannot be given to such provision, then to some charitable object.

## 23. PUBLIC LIABILITY INSURANCE

The Club has arranged public liability insurance with a limit of £1 million.



For any occurrence to indemnify the Club, its Members, guests, visitors in respect of their legal liability against parties for loss or damage to the property or for injury, illness, death or disease.

Members are advised that they should provide their own insurance cover for all aspects of golfing liabilities on the course, in the Clubhouse and around the curtilage thereof.