

CARRAMAR SOCIAL GOLF CLUB INCORPORATED

ASSOCIATION RULES

1. NAME OF ASSOCIATION

The name of the Association is **CARRAMAR SOCIAL GOLF CLUB INCORPORATED** herein after referred to as "The Club".

2. DEFINITIONS

In these Rules, unless the contrary intention appears

"Committee Meeting" means a meeting referred to in Rule 11 (d);

"Committee Member" means persons referred to in Rule 5(b);

"Financial year" means the period specified in rule 10 of this these Rules;

"General meeting" means a meeting convened under Rule 11 (b) or (c);

"Member" means a Full Playing Member Senior Member or Honorary Life Member of the Club;

"Ordinary resolution" means a resolution other than a special resolution;

"Special resolution" means as specified in section 24 of the Act;

"The Act" means the Associations Incorporation Act 1987;

"The Club" means the Club referred to in Rule 1;

"The Chairperson" means:-

- (a) In relation to the proceedings at a Committee meeting or general meeting, the person presiding at the Committee meeting or general meeting in accordance with Rule 8 (a) and (b) or
- (b) Otherwise than in relation to the proceedings referred to in paragraph 2(a) the President or, if that person is unable to perform his or her functions, the Vice President as provided in Rule 8 (b).

"The Committee" means the Committee of Management of the Club referred to in Rule 5;

"The Playing and Competition Rules" means the rules bearing that name as defined from time to time;

“The Secretary means the Secretary referred to in Rule 5 (b);

“The Treasurer” means the Treasurer referred to in Rule 5 (b);

“The Vice-Chairperson” means the Vice-President referred to in Rule 5 (b).

3. **OBJECTS OF THE CLUB**

- (1) The objects of the Club shall be to:-
 - (a) Promote, encourage and foster the game of golf generally.
 - (b) Promote good fellowship among the members and the organisation of social functions.
 - (c) Provide such other undertakings and activities as the Committee or members in a general meeting deem to be incidental to these Objects.
- (2) The income and property of the Club whencesoever shall be applied solely towards the promotion of its objects as set forth in these rules and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise howsoever to its members. Provided that nothing herein shall prevent the payment in good faith or remuneration to any officer or servant of the Club for services actively rendered to the Club.

4. **POWERS OF MANAGEMENT**

The business and affairs of the Club shall be conducted by the Committee which shall have the control of all business carried on by or on account of the Club and the appointment or removal of all other persons necessary for conducting the business and may assign to any such person such duties and remuneration as they think fit.

The Committee shall in all things act for and in the name of the Club, shall do all things and execute all documents, or authorise the doing and executing of such things and documents, for fully carrying into effect the objects of the Club and the resolutions passed at the meetings thereof, and all acts, documents and orders done, executed or given by them or the persons authorised by them, under the powers by these rules delegated to them or any of them, shall have the same force and effect as if they were done, executed and given by a majority of the members of the Club at a Special General Meeting thereof.

The Committee shall present a report of its operations at each Annual General Meeting.

5. **COMMITTEE**

- (a) Subject to the provisions of these rules the procedure and course of business to be followed at Committee meetings shall be determined by the Committee.

- (b) The Committee shall consist of the following officers - President, Vice-President, Secretary, Treasurer, Captain, Vice-Captain, Handicapper and no less than three (3) other members all of which shall be elected at the Annual General Meeting each year.
- (c) The Committee shall be elected in accordance with Rule 7 "Election of Committee and Officers" and shall at all time give effect to any directions given to it at a duly constituted meeting of members.
- (d) The Committee shall have the right to co-opt additional members, if necessary for special duties.
- (e) The quorum at any committee meeting shall be five (5) members.
- (f) If any member of the Committee shall be absent from three (3) consecutive meetings thereof without giving satisfactory explanation in writing to the Committee, the Committee may declare the seat vacant.
- (g) Any vacancy on the Committee, or any Sub-Committee shall be filled by the Committee, and any member so chosen shall retain office until the next Annual General Meeting, when he/she shall be eligible for re-election.
- (h) A member of the Committee having any direct or indirect pecuniary interest in a contract or proposed contract made by, or in the contemplation of the Committee shall disclose that interest to the Committee as required by the Act, and shall not take part in any deliberations or vote with respect to that contract.

6. **POWERS OF THE COMMITTEE**

- (a) The Committee shall hold periodical meetings and minutes of all resolutions and proceedings shall be entered in the book provided for that purpose.
- (b) The Committee shall manage the Club in accordance with these rules and the Act, and have the power to act in accordance with the objects and powers set out in Rule 3 and 4 of these rules.
- (c) The Committee shall from time to time define the rules (The Playing and Competition Rules) regulating the organisation playing and format of Club competitions.

7. **ELECTION OF COMMITTEE AND OFFICERS**

- (a) Members of the Committee and Officers shall be elected at each Annual General Meeting and shall hold office until the next succeeding Annual General Meeting but shall be eligible for re-election.
- (b) Nomination for each position shall be submitted to the Secretary not less than seven (7) days before the date of the Annual General Meeting. Only current members shall be nominated and only current members can vote.

- (c) The nomination shall be in writing on the form designed by the Committee for that purpose and the nominee shall be proposed and seconded by two current members, who will sign the nomination form as such. Nominees must signify in writing, on the nomination form, their assent to such nomination. The form shall clearly indicate the office to which the nomination form relates.
- (d) The offices shall be filled in the order in which they appear in Rule 8.
- (e) In the event of more nominations for the same office being received than is required, a show of hands shall forthwith be taken from the members present and a simple majority of votes shall elect the person receiving same to the office.
- (f) So long as the nomination form has been correctly completed, it shall not be necessary for nominee to be present at the Meeting.
- (g) Two (2) Scrutineers shall be appointed by the members present at the Annual General Meeting to examine the votes and on the result, the election shall be declared by the Chairperson.

8. **DUTIES OF OFFICE BEARERS**

(a) **President**

- (i) The President shall be the official head of the Club and shall be entitled to preside at all meetings and functions of the Club at which he/she is present. He/she shall be an ex-officio member of all sub-committees.
- (ii) The President shall preside at all general and Committee meetings at which he/she is present, except the Match Committee which shall be chaired by the Captain.
- (iii) The President, or the person occupying the Chair for the time being, shall have a deliberative vote as well as a casting vote in the case of an equality of votes.

(b) **Vice-President**

- (i) The Vice-President shall deputise as necessary in the absence of the President.
- (ii) In the absence of the President he/she shall chair the meeting if present.
- (iii) In the event of the absence of the President, Vice-President and Captain, the meeting shall appoint a Chairperson.

(c) **Secretary**

The Secretary shall:-

- (i) Take and keep the minutes of all meetings of the Club and record and keep a record of all business transacted and of all resolutions adopted.
- (ii) Submit such records to the next ordinary meeting of members for confirmation.
- (iii) Have charge of all correspondence and general business of the Club.
- (iv) Have custody of all documents, registers and records of the Club and shall, upon request of a member, make available such aforesaid matters for the member's inspection in the Secretary's presence at a mutually agreed time.
- (v) Maintain in an up dated condition the Association Rules of the Club, and, upon request of a member, shall provide a copy of the rules free of charge or at a fee as may be determined by the Committee.
- (vi) Maintain a register of members as required by Rule 13.

(d) **Treasurer**

The Treasurer shall ensure that correct accounts and books of account are maintained showing the financial affairs of the Club. He/she is also responsible for:-

- (i) Receiving all monies/subscriptions due to the Club, paying same into the Club's designated bank account, paying the bills when approved by the Committee and keeping a correct account of the same in the books provided for that purpose.
- (ii) Issuing cheques drawn on the Club's Bank and other withdrawals on any of the Club's investment accounts which cheques shall be signed by two (2) of the five (5) officers – Treasurer, President, Vice-President, Secretary, Captain or such other officers as shall be determined by the Committee.
- (iii) Presenting a report at each Committee meeting showing the state of the Club's finances.
- (iv) Notifying all members of the maturity of their dues.
- (v) Producing at the Annual General Meeting, in conjunction with the Honorary Auditor, a statement duly audited showing receipts and disbursements of the Club during the last year and a balance sheet showing the assets and liabilities of the Club.
- (vi) Safe custody of all securities, books and documents relating to the financial affairs of the Club.

(e) **Captain**

The Captain shall:-

- (i) As often as deemed necessary arrange and preside over a sub-committee (the Match Committee) for the purpose of giving effect to The Playing and Competition Rules referred to in paragraph 6(c) above.
- (ii) Be responsible for the day to day implementation of The Playing and Competition Rules.
- (ii) In the absence of the President and Vice President, take the chair at meetings.

(f) **Vice Captain**

The Vice Captain shall:-

- (i) Deputise as necessary in the absence of the Captain.
- (ii) In the absence of the President Vice President and Captain take the chair at meetings.

(g) **Handicapper**

The Handicapper shall:-

- (i) Be responsible for checking scorecards, recording competition scores and providing the results of competitions to the Captain on a weekly basis.
- (ii) Calculate and recalculate as often as necessary the playing handicap and if necessary the exact handicap of each member in accordance with the requirements of The Playing and Competition Rules and whatever handicap scheme the Club has from time to time adopted and publish a dated list of such handicaps whenever a handicap changes.
- (iii) Provide in a timely manner whatever information is required to any handicapping authority having jurisdiction over the Club's adopted handicap scheme.

9. **AUDITOR**

An Honorary Auditor shall be elected at the Annual General Meeting each year. The Hon. Auditor shall carry out at least once annually an audit of the books and financial records of the Club, and shall certify the Annual Statement for presentation to the Annual General Meeting.

10. **FINANCIAL YEAR**

The financial year of the Club shall begin on the 1st (first) day of October each year. The accounts for the Club shall be balanced as at 30th day of September in each year.

11. **MEETINGS**

(a) General Meetings

The quorum at any General Meeting shall be twenty (20) members. Every member present is entitled to vote and in addition written votes on a form issued on request by the Committee for the purpose shall also be counted. A simple majority shall carry any ordinary resolution.

(b) Annual General Meetings

The Annual General Meeting shall be held on a day and at a time and place determined by the Committee after the 30th September in each year before 4 months after the end of the financial year. Notice of this meeting shall be placed on the notice board of the Club, or sent to each member, by the Secretary at least three (3) weeks prior to such meeting. Such notice shall amongst other business, draw attention to the method of electing members to the Committee.

The order of business at such meetings shall be:-

- (vii) to receive and confirm Minutes of the previous Annual General Meeting;
- (viii) to receive and discuss the Annual Report and Statement of Accounts;
- (ix) to receive the President's Report;
- (x) to elect Patrons;
- (xi) to elect the Officers of the Club as set out in Rule 7 (b) (c);
- (xii) to elect Honorary Auditor as set out in Rule 9;
- (vii) To consider special resolutions for changes to the Association Rules, for which written notice of motion has been given to the Secretary at least twenty-one (21) days before the date fixed for the meeting
- (viii) Any other general business permitted by the chair.

(c) Special General Meeting

(1) The President and the Secretary, acting jointly, or the Committee as a body may call a Special General Meeting at any time by giving members at least twenty-one (21) days notice in writing of the time, date and place of such meeting and the business to be dealt with at such meeting.

(2) Upon a resolution signed by twenty members of the Club and handed to the President, the latter shall, as soon as practicable, direct the Secretary to call a

Special General Meeting in the manner provided in (1) above, within twenty-one (21) days of such direction.

(d) **Committee Meeting**

The Committee shall meet within fourteen (14) days of the Annual General Meeting and from there on determine when and where the future meetings of the Committee shall be held for the ensuing year. The Committee at its first meeting shall determine how much notice of further meetings shall be given to its members.

12. **QUALIFICATIONS FOR MEMBERSHIP OF THE CLUB**

There shall be the following classes of members:-

- (a) **Full Playing member** – being a person 16 years of age or over approved by the Committee and admitted in accordance with Rule 12 (g) and (h).
- (b) **Provisional Member** – being a person nominated for membership to fill a vacancy, having paid a nomination fee and awaiting a full handicap.
- (c) **Senior Member** – being a person 65 years of age or over on the 1st October of the relevant subscription year and who has previously been a Full Playing member for a continuous period of at least 5 years.
- (d) **Honorary Life Member** – on the recommendation of the retiring Committee, the Annual General Meeting may elect as a life member, any person who has a minimum of ten (10) years membership and rendered outstanding service in the advancement of the Club and its activities. Honorary Life Members shall be exempt from payment of annual subscriptions and shall have the rights and privileges of a Full Playing member. Honorary Life Membership shall continue for the lifetime of the recipient, except, subject to Rule 16(a) of these rules.
- (e) **Junior Member** – to encourage junior golf the Club may admit junior golfers under the age of 16years. Junior Members shall pay the same fees and charges and enjoy the same rights and privileges as a Full Playing member but will not be eligible for election to Office or Committee and shall have no voting rights.
- (f) **Associate Member** – at its discretion the Committee may allow former members to be admitted as Associate Members. An Associate Member shall be allowed to attend social gatherings of the Club but shall enjoy none of the rights and privileges of any of the other classes of membership.
- (g) Application for membership of the Club shall be in writing on a form (application) to be designed from time to time by the Committee. An applicant shall be proposed and seconded by at least two Full Playing members of twelve (12) months standing in the

Club. A nomination fee as determined by the Annual General Meeting from time to time shall be paid at time of nomination.

- (h) The Committee shall consider each application for membership and have sole discretion as to whether it is accepted. If the application is accepted the applicant shall upon payment of any entrance fee and current years' subscription be admitted as a member.
- (i) The Committee shall review membership at the end of the summer and winter seasons and shall request members not having played the minimum number of games during the season indicated below to show cause why their membership should not be revoked.

Summer Season – Minimum of five (5) games.

Winter Season – Minimum of ten (10) games.

- (j) Provisional Members not having submitted three (3) stroke cards for handicapping within two (2) calendar months of receiving their provisional membership shall be requested to show cause why their provisional membership should not lapse.
- (k) The Committee shall from time to time determine the maximum permitted number of members in each class of membership.

13. **REGISTER OF MEMBERS OF THE CLUB**

- (a) The Secretary shall, on behalf of the Club, keep and maintain in an up to date condition a register of members of the Club its Officers and any person appointed as a Trustee and their postal and residential addresses and telephone numbers. Upon the request of a member of the Club the Secretary shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register.
- (b) The Secretary shall cause the name of a person who dies or ceases to be a member under Rules 15 and 17 of these rules to be deleted from the register of members referred to in paragraph (a) above.

14. **SUBSCRIPTIONS OF MEMBERS OF THE CLUB**

- (a) Entrance fees and subscriptions payable for each class of membership shall be such as are determined from time to time at the Annual General Meeting, or at a Special General Meeting called for that purpose.
- (b) All subscriptions shall be due on the 1st day of October each year and shall be paid by the 31st October. Upon such payment by a member, he or she shall be deemed to be a member of the Club until the 30th day of October of the next year following.

- (c) The Committee may cancel the membership of any member failing to pay monies due to the Club within one (1) month of having being notified of their indebtedness. The defaulter may, at the discretion of the Committee be re-admitted on payment of arrears.
- (d) The Committee may grant a reduction in subscription to any Full Playing, Senior or Junior member who is unable to participate in Club activities due to ill health, financial difficulties or any other extenuating circumstances for a period exceeding three (3) months. Applications for such reductions may be made on behalf of a member unable to do so personally.
- (e) A former member failing to renew membership during October shall not be entitled to any abatement of subscription in the event of subsequently renewing membership.

15. **RESIGNATION OF MEMBERS OF THE CLUB**

- (a) A member who delivers notice in writing of his or her resignation from the Club to the Secretary or another Committee member ceases to be a member on that date.
- (b) A person who ceases to be a member under paragraph (a) remains liable to pay to the Club the amount of any unpaid subscription or other sums due and payable by that person to the Club or for which the Club is liable on his/her behalf.

16. **CONDUCT OF MEMBERS**

- (a) Members shall at all times conduct themselves in an appropriate manner so as not to affect the welfare and good order of the Club and its members. Members whose conduct brings the Club into disrepute shall be dealt with under Rule 17
- (b) Members acting in their own capacity in connection with any dispute arising under these rules or the Playing and Competition Rules shall not when discussing the dispute with or referring it to a third party (other than legal counsel) make any reference to the name of the Club or any other member or Officer of the Club.

17. **SUSPENSION OR EXPULSION OF MEMBERS OF CLUB**

- (a) If the Committee considers that a member should be suspended or expelled from membership because his/her conduct is detrimental to the interests of the Club, the Committee must give written notice to the member :-
 - (i) Of the proposed suspension or expulsion and of the time, date and place of the Committee meeting, at which the question of that suspension or expulsion will be decided; and
 - (ii) Of the particulars of that conduct.

Such notice to be given not less than fourteen (14) days before the date of the Committee meeting referred to in paragraph (a) (i).

- (b) At the Committee meeting referred to the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, suspend, expel or decline to suspend or expel that member from membership of the Club and must, forthwith after deciding whether or not to suspend or expel that member from membership of the Club communicate that decision in writing to that member.
- (c) Subject to paragraph (e), a member has his/her membership suspended or ceases to be a member fourteen (14) days after the day on which the decision to suspend or expel a member is communicated to him/her under paragraph (b).
- (d) A member who is suspended or expelled under paragraph (c) must, if he/she wishes to appeal against that suspension or expulsion, give notice to the Secretary of his/her intention to do so within the period of fourteen (14) days referred to in paragraph (c).
- (e) When notice is given under paragraph (d):-
 - (i) The Club in a general meeting called for that purpose must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, the Club in the general meeting.
 - (ii) The member who gave that notice is not suspended or does not cease to be a member unless and until the decision of the Committee to suspend or expel him/her is confirmed under this paragraph

18. **GRIEVANCES DISPUTES AND MEDIATION**

The procedure set out in this Rule applies to any grievances or disputes under these rules and The Playing and Competition Rules (hereinafter collectively referred to as 'the dispute') between a member and another member; or a member and the Club.

- (a) The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- (b) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- (c) The mediator must be a person chosen by agreement between the parties or in the absence of agreement:-

- (i) In the case of a dispute between a member and another member, a person appointed by the Committee
 - (ii) In the case of a dispute between a member and the Club, a person who is a mediator appointed to, or employed with, a not for profit organisation.
- (d) A member of the Club can be a mediator.
- (e) The mediator cannot be a member who is a party to the dispute.
- (f) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- (g) The mediator, in conducting the mediation, must:-
- (i) Give the parties to the mediation process every opportunity to be heard.
 - (ii) Allow due consideration by all parties of any written statement submitted by any party.
 - (iii) Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (h) The mediator must not determine the dispute.
- (i) The mediation must be confidential and without prejudice.
- (j) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

20. **DISSOLUTION OF THE CLUB**

- (a) If the Club is solvent and able to meet all its debts it may be dissolved and wound up by a Special Resolution carried by a seventy five percent (75%) majority of members present and voting at a Special General Meeting called for the purpose.
- (b) If, on winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the cost, charges and expenses of that winding up, that property shall be distributed:
 - (i) to another Association or Club incorporated under the Act which has similar objects or;

(ii) For charitable purposes to whichever incorporated association as shall be determined by resolution of the members when authorising and directing the Committee under section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club.

(c) Dissolution pursuant to the voluntary winding up of the Club shall take effect seven (7) days after the transfer of its assets pursuant to paragraph (b) above.

21. **THE ASSOCIATION RULES**

(a) These Rules shall bind the Club and every member to the same extent as if they had respectively signed and agreed to be bound by all the provisions thereof.

(b) Special resolutions proposing amendments to or deletions from the Association Rules shall be considered at the Annual General Meeting or Special General Meeting called under the provisions of these rules. Amendments and deletions must have the consent of 75% of the members who are entitled under these rules to vote and vote in person or who submit a written vote on a form provided on request by the Committee for that purpose.

(c) The Committee is empowered to adopt a slip rule which allows patent errors, clerical mistakes and accidental omissions in these Rules to be corrected by the Committee at any time or on application by a member.

22. **COMMON SEAL**

(a) The Club shall have a common seal on which its corporate name shall appear in legible characters.

(b) The common seal of the Club shall not be used without the express authority of the Committee and every use of that common seal shall be recorded in the minute book referred to in rule 6.

(c) The affixing of the common seal of the Club shall be witnessed by any two of the President, the Secretary and the Treasurer.

(d) The common seal of the Club shall be kept in the custody of the Secretary or such other person as the Committee from time to time decides.