

LOXTON GOLF CLUB INCORPORATED

CONSTITUTION

1. NAME

The name of the Club is **LOXTON GOLF CLUB INCORPORATED**, hereinafter referred to as the **Club**.

2. COLOURS

The colours of the Club are red and white.

3. OBJECTS

The objects of the Club are:

- 3.1 To promote the game of golf
- 3.2 To provide facilities for the use of Members of the Club
- 3.3 To purchase, take on lease, exchange or otherwise deal with any lands, buildings, easements or property, real or personal, of the Club and to mortgage or dispose of the same or any part or parts thereof.
- 3.4 To hire and employ clerks, managers, servants and workmen and to pay them and to other persons in return for services rendered to the Club, salaries, wages, gratuities and pensions.
- 3.5 To promote and to hold either alone or jointly with any other Associations, Clubs or persons, golf meetings, competitions and matches, and to offer, give or contribute towards prizes and trophies and to promote, give or support dinners, balls, concerts and other entertainments
- 3.6 To establish, promote or assist in establishing or promoting and to subscribe to or become a member of or associated or amalgamated with any other association or club whose objects are similar or in part similar to the objects of the Club, or the establishment or promotion of which may be beneficial to the Club, and to join and become a member of any authority controlling golf in South Australia for the time being.
- 3.7 To invest and deal with the monies of the Club in such manner as from time to time be determined by the Committee of the Club for the time being.
- 3.8 To borrow or raise money to such an extent with or without security and in such manner as may be determined from time to time by the Committee of the Club for the time being.
- 3.9 To support and subscribe to any charitable or public body.
- 3.10 To do all such things as are incidental or conducive to the attainment of the foregoing objects.

4. **MEMBERS**

4.1 The general body of the members of the Club shall be those members within the categories of membership set out hereunder and who shall have rights and privileges as indicated. Only Club members shall be entitled to vote at general meetings of the Club or to hold any office in the Club.

4.1.1 **HONORARY LIFE MEMBERS**

On the recommendation of the Committee, a member or benefactor who has given conspicuous service to the Club may be elected as an Honorary life Member at any general meeting of the Club and shall be thereafter entitled to all privileges of Club Membership during life without any further payment of subscription, fees or levies.

4.1.2 **CLUB MEMBERS**

Club members are those persons who:

- Hold the category of member or associate member on the adoption of this Constitution, or
- Being the age of eighteen years, are on application admitted to that category of membership by the Committee and pay the entrance fee, annual subscription and other charges from time to time fixed by general meeting.

Members in this category shall have full playing rights on seven days each week except that restricted playing times shall apply when a competition for the opposite sex is conducted. Restricted playing times shall apply on trade days, pennant competition days and all other times when the Committee so determines.

4.1.3 **RESTRICTED MEMBERS**

Restricted members are those persons who being of the age of eighteen years or over are on application admitted to that category of membership by the Committee and pay the annual subscription and other charges from time to time fixed by general meeting.

Restricted members shall have full playing rights on weekdays except that restricted playing times shall apply when a competition for Club Members is conducted.

Restricted playing times shall apply on trade days, pennant competition days and all other times when the Committee so determines.

Restricted Members may be permitted restricted playing times on weekends and public holidays if the Committee so determine.

Restricted Members shall not be eligible to play in Club competitions except those minor events as determined by the Committee.

Restricted Members shall not have reciprocal rights with other Clubs.

4.1.4 **HONORARY MEMBERS**

Any person who has rendered such services to the Club as would in the opinion of the Committee entitle them to the distinction or any other person upon whom the Committee desires to confer such distinction may be admitted by resolution of the Club in general meeting as an Honorary Member of the Club for a fixed period not exceeding one year.

In the case of a member being so admitted they shall retain all existing rights, privileges and obligations as a member save and except that for the period of their Honorary membership, they shall not be required to pay any annual subscription or levy.

In the case of non-members being so admitted, they shall assume and enjoy all the rights, privileges and obligations of a member without payment of any annual subscription or levy as aforesaid save and except that they shall not be entitled to hold any office in the Club nor to sit on any committee of the Club nor to vote at general meetings of the Club.

Only ten such persons may be admitted under this category at any one time.

4.1.4.1. Full time employees of the Club shall be granted Honorary Membership rights until their employment status is changed or terminated.

4.1.5. **JUNIOR MEMBERS**

Any person who is under the age of 18 years on April 1st in the year for which membership is desired, or any full time student, may be admitted as a Junior Member of the Club without payment of an entrance fee.

4.1.6. **COUNTRY MEMBERS**

Any person whose principal place of residence is outside a radius of 80 kilometres from Loxton shall be eligible for Country membership of the Club. Any Country Member who subsequently resides within 80 kilometres of Loxton for more than two months in any season shall cease to be a Country Member but may remain a member upon payment of the appropriate pro-rata fee as required. Country Members shall not be eligible to play in Club Championships, in Riverland Pennant Competition, nor shall they have reciprocal rights with other clubs.

4.1.7 **TEMPORARY MEMBERS**

The following persons shall be Temporary Members of the Club:

- a person who is participating in a golf competition which is being conducted on the course, or
- a member of a Golf Club with which the Club has entered into a reciprocal agreement in respect of playing rights, or
- a person who has been permitted by a Resolution of the Committee of management passed and minuted to use the course or the premises thereof in connection with the raising of funds for the benefit of Golf Associations or for hospital or charitable purposes, or
- a person using the course in respect of whom the appropriate green fee has been paid.

Unless the Committee of Management by resolution determines otherwise, or the terms of a reciprocal agreement provide otherwise, the period of such temporary membership shall not extend beyond the day of the permit or the competition as the case may be, nor beyond the period for which green fees have been paid. Notwithstanding anything in this rule contained, the Committee of Management, or its duly appointed representative, shall have the right at any time and from time to time, to refuse Temporary Membership to any person, or to cancel any Temporary Membership, and shall not be bound to give any reason for doing so.

4.1.8 NON-PLAYING MEMBERS:

In special circumstances, following application in writing, the Committee shall have the power to class any member a non-playing member for the current season. The Committee shall also have the power to accept nominations for non-playing membership from local residents, provided such application is made as outlined in Rule 11 except that no entrance fee shall apply.

5. CHANGE OF CONSTITUTION

This Constitution shall not be altered, except at a General Meeting of the Club, duly called for the purpose, in accordance with the Rules of the Club annexed to this Constitution, at which at least twenty percent of Club Members shall be present, and no motion for such alteration shall be deemed to be carried unless supported by at least two-thirds of those voting. Any such motion shall be posted in the Clubhouse at least fourteen days prior to the meeting, and shall be included in the notice convening the meeting.

6. MANAGEMENT

The Committee shall have the management of the Club and its business, property and affairs and it shall promote the objects and interests of the Club and shall take all steps necessary and proper to secure due compliance with the Rules of the Club.

7. SEAL

The President and each other member of the Committee for the time being, shall be a seal holder and shall have the authority to use the seal, but the seal of the Club shall not be affixed to any instrument except by the authority of a resolution of the Committee and in the presence of a seal holder and the Secretary of the Club who shall sign every instrument to which the seal of the Club is so affixed in their presence.

8. WINDING UP OF THE CLUB

- (a) Any motion for the winding up of the Club shall be submitted at a General Meeting of the Club called for the purpose in accordance with the rules.
- (b) Any such motion shall be deemed to be carried if at least three-fourths of members of the Club for the time being vote in the affirmative.

LOXTON GOLF CLUB INCORPORATED

RULES

1. PATRON

A Patron may be elected at each Annual General Meeting.

2. COMMITTEE

The business and general affairs of the Club shall be under the management of the Committee, consisting of the president, Vice-President, Secretary, Treasurer, five Club members and the men's and women's Captains and Vice-Captains.

2.1 Where reference is made to the Secretary, it will also mean the position of Secretary/Manager, who will have no voting rights.

3. ELECTION OF COMMITTEE

Written nominations are to be accepted by the Secretary, no later than 8:00 p.m. on the night of the Annual General Meeting, for the positions of President, Vice President, Secretary, Treasurer, men's and women's Captains, Vice-Captain and Committee members. Nominations must be signed by a proposer and seconder, who shall be Club Members, and by the candidates indicating their willingness to stand. Members may be nominated for more than one position.

Oral nominations will be accepted only when there is insufficient written nominations. In the case of elections for Committee members, any written nominations shall be declared duly elected before oral nominations are accepted for any remaining positions.

If there are more candidates than vacancies, the election shall be by ballot, which shall be under the absolute control of a Returning Officer, who shall be elected at the meeting.

4. ROTATION OF COMMITTEE

The President, Vice-President, Secretary, Treasurer, Captains and Vice-Captains shall retire at each Annual general Meeting, but three of the Committee members shall retire at the end of one year and two of the Committee shall retired at the end of the following year and so on. The two or three (whichever is applicable) of the Committee members to retire shall be those who have been longest in office since their last election. When Committee members have been in office an equal length of time, those to retire shall be determined by lot unless they agree among themselves.

5. CASUAL VACANCIES

Any vacancies in the position of members of the Committee may be filled by the Committee. Any person appointed to fill a casual vacancy shall retire at the Annual General Meeting next following such appointment.

6. QUORUM

At any general meeting fifteen Club Members, and at any Committee Meeting five Club Members, shall form a quorum. (See Clause 5, Constitution, for "Change of Constitution.")

7. DUTIES OF SECRETARY AND TREASURER

7.1 The Secretary shall keep full and correct Minutes of all resolutions and proceedings of the meeting of the Club and the Committee in a permanent record provided for that purpose and shall produce such permanent record at all meeting and generally shall perform such duties as the Committee may prescribe.

7.1.1. The Club's permanent records and financial accounts much be backed up and a copy held off site at all times.

7.2 The secretary and/or Treasurer shall keep in a register provided for the purpose a list of all members of the Club and their addresses and a list of subscriptions paid by them to the Club. The register shall be kept at the Club premises.

7.3 The Treasurer shall pay into the ANZ bank, Loxton Branch, or such other Bank as the Committee may from time to time direct, to the credit of the Club, the monies the Treasurer may receive on account of the Club and shall keep correct accounts and books raising the financial affairs of the Club.

7.4 All payments on account of the Club shall be paid by order of the Committee and, by cheque to be signed by any two of the following; President, Vice-President, Secretary, Treasurer and one other nominated committee member.

8. CLUB MANAGEMENT

The management of the Club shall be vested in the Committee.

8.1 The Committee shall prepare a report of the Club's affairs and a balance sheet and the usual statements of account for the twelve months ending on the 31st August in each year, for presentation to the Annual general Meeting.

8.2 COMMITTEE MEETINGS

The Committee shall hold meetings at least once in every month.

8.2.1 The Secretary shall call a meeting of the Committee as and when directed by the President or by any two Committee members and at least two clear days notice stating the time and place of the meeting shall be given to each member of the Committee.

8.2.2 If at the expiration of fifteen minutes from the time for which a meeting was called there is not a quorum present then the meeting shall lapse.

8.2.3 All decisions of the Committee shall be by a majority of those present at a meeting.

8.2.4 In the case of equality of votes, the President or Chairperson shall have a second or casting vote.

8.3 If any member of the Committee is absent from three consecutive meetings of the Committee without obtaining leave of absence from the Committee, that place on the Committee shall be declared vacant.

9. POWERS OF THE COMMITTEE

Without derogating from the generality of the powers conferred on the Committee by these rules the following specific powers are conferred on the Committee.

9.1 Power to limit the number of members of each category and subject to these rules to prescribe qualifications for and conditions of membership.

9.2 Power to regulate standards of conduct and of dress of users of the Club's facilities, power to discipline members for breaches of etiquette or the Rules of Golf or for unruly or unseemly conduct on the Club premises and power to suspend or terminate membership in accordance with these rules where the Committee considers that action to be appropriate in the circumstances.

9.2.1 A member who is suspended or whose membership is terminated in accordance with these rules may appeal to the Committee and the appeal shall be determined by a simple majority. The member may attend the meeting at which the appeal is considered.

9.3 Power to regulate the conduct of play on the course and to fix playing times especially affecting members of different categories of membership.

10. SUB-COMMITTEES

10.1 The Committee may from time to time delegate to such sub-committees as it may appoint such of its powers and authorities as it may from time to time determine.

10.2 A sub-committee appointed pursuant to the preceding rule may but need not necessarily be comprised of members of the Committee.

10.3 The operations and functions of all sub-committees appointed pursuant to this rule shall be governed by procedures approved by the Committee from time to time.

10.4 There shall be separate sub-committees to administer ladies and men's golf.

10.5 The president shall be ex officio a member of all sub-committees.

11. ELECTION OF MEMBERS

- 11.1 A person may join one category of membership. Members shall comply with the terms and conditions of their respective category of membership set out in these Rules or fixed from time to time by the Committee.
- 11.2 If at any time there are more candidates for election as members than there are vacancies in the categories sought the Committee shall, subject to the priorities granted by these rules, elect candidates in order of priority of nomination for membership.
- 11.3 Every candidate for membership shall be proposed and seconded in the form prescribed by the Committee. The candidate shall be personally known to both the proposer and seconder. Only Club Members may propose or second a nomination.
- 11.4 The secretary shall post on the principal notice board in the Clubhouse the names addresses and categories of membership nominated for all persons nominated at least fourteen (14) days prior to the date for election. A Club Member objecting to the election of a candidate may do so in writing to the Secretary. The grounds of objection shall be disclosed in full. The election of members shall be by ballot at a duly convened meeting of the Committee.
- 11.5 A candidate whose application is rejected shall not be eligible for re-nomination for at least twelve (12) calendar months from the date of rejection of application for membership. No candidate who has been rejected shall be admitted to the Club's premises as a guest.
- 11.6 The Committee's ballot on each nomination is final.
- 11.7 A member may with the approval of the Committee and on such terms as the Committee may determine change the member's classification of membership.

12. GENERAL MEETINGS

- 12.1 The Annual General Meeting shall be held in October or November of each year.
- 12.2 Club Members who are not in arrears with the payment of their subscriptions shall be entitled to attend and vote at every General Meeting.
- 12.3 The following shall preside (in the order set out) over General Meetings.
 The president
 The Vice-President
 A member of the Committee elected by the Committee members present
 A member elected by the meeting

- 12.4 At the Annual General Meeting the following shall be the business:
- 12.4.1 Receiving and discussing the Committee's report, the balance sheet and statements of account and the auditor's report for the preceding year.
 - 12.4.2 Electing such committee members as are required under the rules.
 - 12.4.3 Appointing an auditor
 - 12.4.4 Fixing the amount of entrance fees and subscriptions for the ensuing year.
 - 12.4.5 Deciding upon any motion for the alteration of the rules or any other motion or business of which due notice has been given.
 - 12.4.6 Appointing delegates to the Riverland Golf Association.
 - 12.4.7 Such other business as the Chair directs.
 - 12.4.8 Members who intend to move a motion at the Annual general Meeting shall be encouraged to submit such motions in writing to the secretary, not later than 14 days before the date scheduled for the meeting, so that, if possible, such motions can be included on the Notice calling the meeting.
 - 12.4.9 The Committee may frame and submit motions to the Annual general Meeting and shall, if possible, include such motions on the Notice calling the meeting.

13. ENTRANCE FEE AND SUBSCRIPTION

- 13.1 The amounts of the subscriptions and entrance fee for the ensuing year shall be determined at each Annual general Meeting.
- 13.2 All annual subscriptions fall due on the fairest day of March in each year. Subscriptions may be paid in whole or in instalments the method of payment and timing of which the Committee in it's discretion may determine.
- 13.3 Any member who leaves the district may be refunded such portion of the current year's subscriptions paid by the member as the Committee may determine.

14. GREEN FEES

The green fees shall be fixed by the Committee. Persons who are ordinarily residing within the district of Loxton may use the Club's facilities on only ten occasions in any one calendar year without becoming a member. All persons other than members who play on the Club's course shall, prior to commencement of play, pay green fees.

15. AUDITOR

- 15.1 There shall be an auditor.
- 15.2 The auditor shall, if required by law be a registered company auditor at the time of their nomination and appointment. The auditor shall not be a member of the Committee but may be a member of the Club.
- 15.3 The auditor shall audit the accounts of the Club and shall have full access to all of the books papers accounts and documents relating to the affairs of the Club for the purposes of the conduct of the audit. The auditor shall report to the Annual general Meeting on the accounts of the Club submitted to that meeting.
- 15.4 The Committee shall have the power to fill any vacancy in the office of auditor resulting from the death resignation or loss of qualification of the Auditor.

16. RESIGNATION

Members may at any time, by giving one month's notice in writing to the secretary, resign their membership to the Club, but shall continue to be liable for any annual subscription and all arrears due and unpaid at the date of their resignation.

17. PROFITS AND PROPERTY

- 17.1 The property of the Club shall belong to the members for the time being.
- 17.2 No member shall be reason of their membership, have any transmissible or assignable interest in the property of the Club whether by operation of law or otherwise.
- 17.3 On a member ceasing to be a member, all his interests shall survive, accrue and belong to the other members of the Club for the time being.
- 17.4 No portion of the income or property of the Club whensoever derived, shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the Club, but the income and property of the Club shall be applied towards the object of the Club PROVIDING that nothing shall prevent the payment in good faith of remuneration to any officer or servant of the Club, or to any member of the Club in payment of or in return for out-of-pocket expenses of services actually rendered to the Club as Committee member, secretary, or otherwise, nor prevent the payment of reasonable interest on money lent or reasonable rent of premises demised or let by any member of the Club.

18. COMPLAINTS

All complaints shall be made in writing to the secretary and shall be dealt with by the Committee, whose decision shall be final. In no instance shall an employee of the Club be reprimanded by an individual member.

19. PLAYING RULES

The rules of play shall be the Rules of Golf, as promulgated by the Royal and Ancient Golf Club of St. Andrews, except in so far as they may be modified from time to time by local rules.

20. INTERPRETATION OF RULES

20.1 if any circumstances arise for which no provision is made by the rules, or if these arises any question on the interpretation of the rules, or if there is any doubt as to the correct procedure to be adopted on any occasion, the Committee, having regard to the rules in existence, may decide the matter or interpret the rules or direct what shall be done in a particular case.

20.2 Any such decision, interpretation, or direction may be disallowed or amended at any General Meeting.

21. VISITORS

All visitors to Loxton Golf Club whether introduced by members or not, shall be subject to all applicable rules of the Club and all Liquor Licensing and Gaming Laws.

22. PERSONS UNDER 18 YEARS OF AGE

22.1 No liquor shall be sold or supplied to any person under eighteen years of age.

22.2 No person under eighteen years of age shall be employed in that portion of the Club premises which is licensed under the said Act.