

Deeside Golf Club

Rules

APPROVED ON 20 FEBRUARY 2024

1. Rules

- 1.1 These Rules shall regulate the Club and its Members and will come into force on the Operative Date.
- 1.2 With effect from the Operative Date all existing rules will cease to have effect.
- 1.3 The Schedule forms part of these Rules and any reference to these Rules includes the Schedule.

2. Definitions

The following definitions apply throughout these Rules:

Annual General Meeting	means the meeting of Members held annually during February, on a date to be fixed by Council at which the business matters referred to in Rule 9.1 are considered and Annual General Meetings shall be interpreted accordingly.
Annual Subscription	means the subscription payable by a Member each Year depending upon category of membership and Annual Subscriptions shall be interpreted accordingly.
Appeal	has the meaning given in Rule 15.11.
Appeal Committee	means a committee appointed by Council in accordance with Rule 15.12 for the purposes of the Disciplinary Procedure.
Appeal Hearing	has the meaning given in Rule 15.13.
Associate Member	means a Member who is a Associate Member as categorised in the Regulations.
Captain	means the Eligible Member elected as the Captain of the Club.
Club	means Deeside Golf Club.
Clubhouse	means the premises comprising offices, retail outlet, bar and catering facilities and changing facilities owned and operated by the Club for the use of Members, their guests and visitors.
Clubhouse Notice Board	means a notice board located in the Clubhouse designated by Council as the board for the display of notices.
Club Premises	means the Clubhouse, the Golf Courses and any other property owned or occupied by the Club.

Committee	means any committee appointed by Council in accordance with Rule 7.5.
Co-opted Members	means Eligible Members co-opted onto Council.
Council	has the meaning given in Rule 4.1.
Council Meetings	has the meaning given in Rule 4.3 and Council Meeting shall be interpreted accordingly.
Council Meeting Notice	has the meaning given in Rule 4.3.2.
Council Members	means the Captain, Vice-Captain, Ladies Captain, four Elected Council Members and any Co-opted Members.
Country Member	means a Member who is a Country Member as categorised in the Regulations.
Decision Letter	has the meaning given in Rule 15.10.
Disciplinary Committee	means a committee appointed by Council in accordance with Rule 15.3 for the purposes of the Disciplinary Procedure.
Disciplinary Meeting	means a meeting convened by the Disciplinary Committee under the Disciplinary Procedure.
Disciplinary Procedure	means the disciplinary procedure set out in Rule 15.
Elected Council Members	means the Eligible Members of the Club elected to Council at an Annual General Meeting and holding office from time to time.
Elected Period of Office	has the meaning given in Rule 5.1.
Eligible Member	means each Associate Member, Full Member, Honorary Member, Life Member, Senior Member and Senior VIP Member with voting rights.
Entry Fee	means means the amount payable by a Member upon admission to the Club and Entry Fees shall be interpreted accordingly.
Expulsion	has the meaning given in Rule 15.7.2.
Full Member	means a Member who is a Full Member as categorised in the Regulations.
General Meetings	means Annual General Meetings and Special General Meetings and General Meeting shall be interpreted accordingly.
Golf Courses	means all ground, practice areas, and courses owned and operated by the Club for the playing, practising or participation in the game of golf.
Honorary Member	means a Member who is a Honorary Member as categorised in the Regulations.

House Member	means a Member who is a House Member as categorised in the Regulations.
Junior Member	means a Member who is a Junior Member as categorised in the Regulations.
Ladies Captain	means the Eligible Member elected as the captain of the Ladies Section.
Ladies Section	means the section of the Club which considers and promotes participation in the game of golf by ladies under the auspices of Scottish Golf or its successor bodies and the organisation of ladies' competitions and events.
Life Member	means a Member who is a Life Member as categorised in the Regulations.
Member	means any person admitted to membership of the Club by Council in accordance with the Rules and placed on the Register of Members.
Non-Playing Member	means a Member who is a Non-Playing Member as categorised in the Regulations.
Non-Resident Member	means a Member who is a Non-Resident Member as categorised in the Regulations.
Notified Addresses	has the meaning given in Rule 19.1.
Operative Date	means the date the Rules, having been approved by the Members in General Meeting, are stipulated as coming into effect in the resolution proposing their adoption.
Past Captains	has the meaning given in Rule 15.12 and Past Captain shall be interpreted accordingly.
President	means the person nominated for that position by Council in accordance with the Regulations.
Register of Members	means an up-to-date database (maintained in accordance with data protection legislation) of all Members including their contact details, handicaps (if applicable), subscription information and the dates upon which such Members were admitted or ceased to be Members.
Regulations	means regulations of the Club approved by Council from time to time in terms of the Rules.
Requisition	has the meaning given in Rule 11.2.
Requisition Date	has the meaning given in Rule 11.3.
Resignation Date	has the meaning given in Rule 14.7.
Resignation Notice	has the meaning given in Rule 14.6.
Resigning Member	has the meaning given in Rule 14.7.

Rules	means these rules as amended from time to time.
Schedule	means the schedule annexed to these Rules.
Secretary	means the person appointed by Council to that position in accordance Rule 7.4.
Senior Member	means a Member who is a Senior Member as categorised in the Regulations.
Senior VIP Member	means a Member who is a Senior VIP Member as categorised in the Regulations.
SGM Notice	has the meaning given in Rule 11.4.
Special General Meeting	means a meeting of Members called by the Secretary under Rule 11.4 and Special General Meetings shall be interpreted accordingly.
Suspension	has the meaning given in Rule 15.7.1.
Vice-Captain	means the Eligible Member elected as the Vice- Captain of the Club.
Voting Members	means, for the purposes of General Meetings, Eligible Members and Country Members and Voting Member shall be interpreted accordingly.
Waiting List	means the list of all applications for admission to membership of the Club maintained by the Secretary.
Year	means the period of twelve months commencing on 1 March.

3. Name and Objects of the Club.

- 3.1 The name of the Club shall be **Deeside Golf Club**.
- 3.2 The objects of the Club are to provide facilities for and promote participation in the sport of golf.
- 3.3 The Club shall be a non-profit making body.
- 3.4 All surplus income or profits generated by the Club shall be re-invested in the Club. No surpluses or assets will be distributed to Members or third parties.
- 3.5 In the event of dissolution of the Club, all proceeds of dissolution, including all assets, after settlement of all liabilities, shall be distributed in such manner as shall be determined by the Voting Members at a duly convened Special General Meeting.

4. Council

- 4.1 The affairs of the Club shall be managed by its governing body (**Council**) which will:
 - 4.1.1 implement and enforce the Rules and the Regulations;
 - 4.1.2 implement resolutions and deal with issues arising from proceedings at General

Meetings; and

- 4.1.3 procure that correct accounts and books are kept showing the financial affairs and intromissions of the Club.
- 4.2 The Council shall comprise the Council Members each of whom shall have equal voting rights subject to Rule 4.3.9.
- 4.3 In relation to meetings of the Council (**Council Meetings**):
 - 4.3.1 Council Meetings shall be held at at such times as Council may think fit except that no period of more than three months shall elapse without a Council Meeting being held.
 - 4.3.2 Without prejudice to Rule 4.3.1, a Council Meeting may be called at any time by the Captain or by any three Council Members by written notice to the Secretary (**Council Meeting Notice**). On receipt of a Council Meeting Notice the Secretary shall convene a Council Meeting to take place not less than ten days thereafter. The Secretary shall give written notice of the date, time and place for the Council Meeting to each Council Member.
 - 4.3.3 Council Meetings may take place in person or by telephone conference call, video conference call or any other collective electronic means approved from time to time by Council.
 - 4.3.4 Council Members participate in a Council Meeting when:
 - 4.3.4.1 it has been convened and takes place in accordance with the Rules; and
 - 4.3.4.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the Council Meeting.
 - 4.3.5 In determining whether Council Members are participating in a Council Meeting it is irrelevant where any Council Member is or how they communicate with each other.
 - 4.3.6 The quorum for a Council Meeting is any four Council Members.
 - 4.3.7 At a Council Meeting, unless a quorum is participating, no business may be conducted or voted on, except a proposal to call another Council Meeting.
 - 4.3.8 The Captain, whom failing the Vice-Captain, shall be the chairperson at all Council Meetings. In the absence of both the Captain and the Vice-Captain, the Council Members present shall appoint an alternative chairperson.
 - 4.3.9 The chairperson at all Council Meetings shall have a casting as well as a deliberative vote.
 - 4.3.10 Any and all differences of opinion among Council Members shall be determined by the voice of the majority and such determination shall be the finding of the Council.
- 4.4 The Members shall be jointly bound to indemnify the Council Members against any claims, costs, charges, losses, expenses and liabilities arising in respect of any decision or act whether by commission or omission made or done by the Council Members in the exercise of their duties including any liability incurred by them in defending any civil or criminal proceedings.
- 4.5 The Council may provide Council Members with funds to meet expenditure incurred or to be

incurred by them in connection with any proceedings referred to in Rule 4.4 and otherwise may take any action to enable Council Members to avoid incurring such expenditure.

5. Election of Council and Related Matters

- 5.1 The Captain and the Vice-Captain shall serve for a period of two years (**Elected Period of Office**), after which they shall retire from office.
- 5.2 It shall be competent for the Vice-Captain to succeed to the office of Captain.
- 5.3 The Ladies Captain shall be an ex officio Council Member and shall hold office for the duration of her period of office as Ladies Captain.
- 5.4 Any person seeking to be elected to the position of Captain or Vice-Captain shall require to be nominated in accordance with Rule 5.13.
- 5.5 Any person (including for the avoidance of doubt an Elected Council Member eligible for re-election in accordance with Rule 5.8 and offering himself/herself for re-election) seeking to be elected to the position of an Elected Council Member shall require to be nominated in accordance with Rule 5.13.
- 5.6 In the event of a Captain vacating office for any reason prior the end of that Captain's Elected Period of Office, the Vice-Captain shall fill the office of Captain until the next Annual General Meeting when the office of Captain shall be subject to election in accordance with the Rules.
- 5.7 In the event of a Vice-Captain vacating office for any reason prior to the end of that Vice-Captain's Elected Period of Office, the Council shall appoint a substitute Vice-Captain until the next Annual General Meeting when the office of Vice-Captain shall be subject to election in accordance with the Rules.
- 5.8 Elected Council Members shall hold office for two consecutive years but shall be eligible for re-election for a further period of two consecutive years.
- 5.9 Subject to Rules 5.10 and 5.11, Elected Council Members shall not hold office for more than 4 consecutive years.
- 5.10 Rule 5.9 shall not apply to Elected Council Members who are elected as the Captain or Vice-Captain.
- 5.11 Rule 5.9 shall not apply to the effect of requiring the compulsory retiral of more than two Elected Council Members in any Year and where more than two Elected Council Members have held office for two consecutive years or more, the two Elected Council Members who shall retire shall, failing agreement, be determined by lot. Any Elected Council Member thus retaining office for more than two years shall retire at the next Annual General Meeting in preference to those who have held office for two years only.
- 5.12 All vacancies on Council due to be filled at an Annual General Meeting shall be posted by the Secretary on Clubhouse Notice Board and on the Club's website not later than the preceding 15 December.
- 5.13 Nominations for the election of the Captain, the Vice-Captain and Elected Council Members at an Annual General Meeting shall be made to the Secretary not later than the preceding 15 January in the prescribed form (obtainable from the Secretary or the Club's website). Each nomination form must bear the full name, address and signature of each of the proposer, seconder and nominee.
- 5.14 A Council Member will automatically vacate office if he/she:

- 5.14.1 becomes debarred under statute from being involved in the management or control of a charity;
 - 5.14.2 becomes disqualified from acting as a director of a company;
 - 5.14.3 becomes incapable for medical reasons of fulfilling the duties of his/her office and such incapacity is expected to continue for a period exceeding 6 months;
 - 5.14.4 ceases to be a Member of the Club;
 - 5.14.5 resigns office by notice to the Club;
 - 5.14.6 is absent, without permission of the Council, for more than three consecutive Council Meetings and the Council resolves to remove him/her from office; or
 - 5.14.7 is the subject of Disciplinary Procedure.
- 5.15 If an Elected Council Member vacates office in accordance with Rule 5.14 the Council may fill the position in advance of the next Annual General Meeting with a Co-opted Member. The Council will consider first the names of any unsuccessful nominees for Elected Council Member at the last Annual General Meeting. Only periods served on the Council as a result of an election at an Annual General Meeting shall be considered when calculating the maximum period of office as defined in Rule 5.9.

6. Club Property

- 6.1 The property of the Club other than cash in the bank shall be held by the Captain and Vice-Captain for the time being as ex-officio trustees of the Club. They shall deal with the property as directed by resolution of the Council and entry in the Club's minute book shall be conclusive evidence of such a resolution.

7. Powers of the Council

- 7.1 Subject to the provisions of the Rules the entire management of all matters relating to the Club shall be vested in the Council.
- 7.2 Without prejudice to the generality of any other provisions of these Rules, the Council shall have the powers set out in the Schedule.
- 7.3 Notwithstanding the powers vested in the Council in terms of Rule 7.2, the Council shall have no power to pledge the personal liability of any Member for the repayment of any sums borrowed.
- 7.4 The Council shall appoint a secretary to assist it in the performance of its duties (**Secretary**). The Secretary may be an employee of the Club, a Member or any other person at the discretion of the Council. The Council shall have the power to revoke an appointment as Secretary at its discretion.
- 7.5 The Council may appoint Committees to assist in the management of the Club. The convenor of each Committee shall be a Council Member. The convenor shall have absolute discretion as to the composition and procedures adopted by the Committee subject only to the duty of the convenor to report on the actions of the Committee at such times and in such manner as Council shall direct. The Council may revoke any delegation in whole or part, or alter its terms and conditions from time to time.

8. General Meetings

8.1 No business shall be transacted at any General Meeting unless a quorum is present.

8.2 The quorum for General Meetings is 30 Voting Members.

8.3 At all General Meetings:

8.3.1 the chairperson shall be the Captain whom failing the Vice-Captain, whom failing any other person whom those Voting Members present at the meeting shall, by a majority, determine shall preside at the meeting;

8.3.2 the chairperson shall be entitled, without prejudice to any other powers vested in him/her, to make whatever arrangement and take such action or give such directions as the chairperson considers, in his/her absolute discretion, to be appropriate or conducive to promote the orderly conduct of the General Meeting, to promote the conduct of the business laid down in the notice of that General Meeting with reasonable despatch and to maintain good order;

8.3.3 the chairperson's decision on points of order, matters of procedure or on matters arising incidentally from the business of the meeting shall be final and conclusive;

8.3.4 the chairperson shall have a casting as well as a deliberative vote;

8.3.5 all matters shall be determined by a simple majority of the total votes cast.

8.4 Subject to Rule 8.10, the Council shall be entitled, at its sole discretion, to make whatever arrangements it considers fit to allow Voting Members to attend and participate in any General Meeting, including determining that Voting Members may attend and participate either in person or by means of electronic facilities and the means, or all different means, used for such electronic attendance and participation (**Hybird General Meeting**).

8.5 Where the Council determines that a General Meeting shall be a Hybrid General Meeting, the notice convening it shall:

8.5.1 include a statement to that effect;

8.5.2 specify the means, or all different means, of attendance and participation thereat, and any access, identification and security arrangements determined pursuant to Rule 8.6; and

8.5.3 state how it is proposed that Voting Members attending or participating in the Hybrid General Meeting electronically should communicate with each other during it and vote.

8.6 Where a Hybrid General Meeting is to be held:

8.6.1 the Council may make any arrangement and impose any requirement or restriction that is necessary to ensure the identification of those Voting Members participating electronically and the security of electronic communication including any voting application, system or facility for attendance, participation and voting as it sees fit;

8.6.2 all Members seeking to attend, participate in and vote at it electronically shall be responsible for maintaining adequate facilities to enable them to do so;

8.6.3 subject only to an adjournment pursuant to the provisions of Rule 8.9, any inability

of a Voting Member or Voting Members to attend or participate by way of electronic facility or facilities (for whatever reason) shall not invalidate the proceedings of that Hybrid General Meeting.

8.7 At a Hybrid General Meeting, the Voting Members present in person or electronically shall be counted in the quorum for, and be entitled to participate, in the Hybrid General Meeting in question which shall be duly constituted and its proceedings valid if the chairperson is satisfied that adequate facilities are available throughout to ensure that the Voting Members present (whether in person or electronically) are able to:

8.7.1 participate in the business for which the Hybrid General Meeting has been convened;

8.7.2 hear all persons who speak at the Hybrid General Meeting;

8.7.3 be heard by all other persons attending and participating in the Hybrid General Meeting; and

8.7.4 vote.

8.8 If it appears to the chairperson that the electronic facility or facilities or security at any Hybrid General Meeting have become inadequate or are otherwise not sufficient to allow that Hybrid General Meeting to be conducted substantially in accordance with the provisions set out in the notice convening it, then the chairperson shall, without requiring the consent of those Members present, interrupt or adjourn the general meeting.

8.9 Any adjournment of a Hybrid General Meeting pursuant to Rule 8.8 may be for such time and with such means of attendance and participation (including at such place or places and/or by means of such electronic facility or facilities) as the chairperson may in his/her absolute discretion determine, notwithstanding that by reason of the adjournment some Members may be unable to attend and participate in the adjourned meeting. No business shall be transacted at an adjourned Hybrid General Meeting other than the business which might properly have been transacted at the Hybrid General Meeting from which the adjournment took place.

8.10 Nothing in these Rules authorises or allows a General Meeting to be held exclusively on an electronic basis.

9. Annual General Meetings

9.1 The business competent at Annual General Meetings shall be:

9.1.1 receipt and adoption of the minutes of the previous Annual General Meeting;

9.1.2 receipt and adoption of Council's annual report;

9.1.3 receipt and adoption of the Club's annual accounts;

9.1.4 fixing of Entry Fees, Annual Subscriptions, subscriptions for Life Members and bar/catering charges; and

9.1.5 election of the Captain, Vice-Captain and Elected Council Members.

9.2 At least fourteen days before an Annual General Meeting, the Secretary shall post on the Clubhouse Notice Board and send to all Voting Members a notice containing:

- 9.2.1 the date, time and place of the meeting;
 - 9.2.2 a copy of Council's annual report and the annual accounts made up to 30 September in the preceding Year;
 - 9.2.3 a list of Council Members eligible for re-election and of nominations for new Council Members with the names of their respective proposers and seconders;
 - 9.2.4 a note of the business to be transacted; and
 - 9.2.5 if the Annual General Meeting is to be a Hybrid General Meeting, the information set out in in Rule 8.5.
- 9.3 At Annual General Meetings the chairperson may permit discussion, but not the taking of decisions, on matters other than the business referred to in Rule 9.1 .
- 9.4 For the purpose of establishing whether a quorum is present at an Annual General Meeting, proxy votes will be included in the count.
- 9.5 At an Annual General Meeting if either (i) within 30 minutes of the time at which it was due to start a quorum is not present or (ii) during it a quorum ceases to be present, the chairperson must adjourn it and specify a date (not less than 7 days after its adjournment), time and place to which it is adjourned pursuant to which the Secretary shall, as soon as practicable, post on the Clubhouse Noticeboard and send to all Voting Members a notice containing the date, time and place of the adjourned meeting.

10. Voting at Annual General Meetings

- 10.1 At each Annual General Meeting a Voting Member is entitled to appoint the Captain as a proxy to attend and vote on that Voting Member's behalf.
- 10.2 A Voting Member wishing to vote by proxy at an Annual General Meeting must deliver to the Secretary a completed and signed proxy form (in the prescribed form obtainable from the Secretary) by hand at least one working day prior to the date of that Annual General Meeting.
- 10.3 The appointment of a proxy shall be valid for an adjournment of the Annual General Meeting to which it relates.
- 10.4 The appointment of a proxy by a Voting Member shall terminate in the event of:
- 10.4.1 it being revoked by that Voting Member by written notice to that effect to the Secretary prior to commencement of the Annual General Meeting to which it relates;
 - 10.4.2 the death of that Voting Member prior to commencement of the Annual General Meeting to which it relates or any adjournment thereof.
- 10.5 At an Annual General Meeting which is not a Hybrid General Meeting:
- 10.5.1 every Voting Member who is present in person or by proxy shall have one vote; and
 - 10.5.2 voting shall be by a show of hands or ballot paper as the chairperson may determine.

- 10.6 At an Annual General Meeting which is a Hybrid General Meeting:
- 10.6.1 every Voting Member who is present in person or electronically shall have one vote;
 - 10.6.2 voting by those present in person shall be by a show of hands or ballot paper as the chairperson may determine; and
 - 10.6.3 voting by those present electronically shall be by such voting application as the Council shall determine.

11. Special General Meetings

- 11.1 All matters of business requiring to be determined in General Meeting, other than those specified for Annual General Meetings in Rule 9.1, will be conducted at a Special General Meeting.
- 11.2 A Special General Meeting may be requisitioned by notice to the Secretary in the prescribed form obtainable from the Secretary (**Requisition**):
- 11.2.1 by twenty Voting Members; or
 - 11.2.2 by three Council Members.
- 11.3 The date of a Requisition shall be the date it is received by the Secretary (**Requisition Date**).
- 11.4 A Special General Meeting shall be called by notice posted on the Clubhouse Noticeboard (**SGM Notice**) and sent to all Voting Members not less than twenty one days before the date of such Special General Meeting. The SGM Notice shall contain:
- 11.4.1 the date, time and place of the Special General Meeting;
 - 11.4.2 the purpose for which the Special General Meeting has been called and the motions to be considered; and
 - 11.4.3 if the Special General Meeting is to be a Hybrid General Meeting, the information set out in Rule 8.5.
- 11.5 The Secretary shall make available on request from any Voting Member a copy of the Requisition pursuant to which the Special General Meeting has been called.
- 11.6 In the event of a Requisition the Special General Meeting pursuant thereto shall be convened within twenty eight days of the Requisition Date.
- 11.7 At a Special General Meeting if either (i) within 30 minutes of the time at which it was due to start a quorum is not present or (ii) during it a quorum ceases to be present, the chairperson must either:
- 11.7.1 adjourn it and specify a date (not less than 7 days after its adjournment), time and place to which it is adjourned pursuant to which the Secretary shall, as soon as practicable, post on the Clubhouse Noticeboard and send to all Voting Members a notice containing the date, time and place of the adjourned meeting; or
 - 11.7.2 determine that the SGM Notice shall be deemed withdrawn and of no effect.

12. Voting at Special General Meetings

12.1 Proxy voting shall not apply to Special General Meetings.

12.2 At a Special General Meeting which is not a Hybrid General Meeting:

12.2.1 every Voting Member who is present in person shall have one vote; and

12.2.2 voting shall be by a show of hands or ballot paper as the chairperson may determine.

12.3 At a Special General Meeting which is a Hybrid General Meeting:

12.3.1 every Voting Member who is present in person or electronically shall have one vote;

12.3.2 voting by those present in person shall be by a show of hands or ballot paper as the chairperson may determine; and

12.3.3 voting by those present electronically shall be by such voting application as the Council shall determine.

13. Membership

13.1 Members of the Club shall comprise the following categories of membership with such rights or restrictions as shall be determined by the Regulations.

13.1.1 **Full Member;**

13.1.2 **Honorary Member;**

13.1.3 **Senior Member;**

13.1.4 **Associate Member;**

13.1.5 **Junior Member;**

13.1.6 **House Member;**

13.1.7 **Non-Playing Member;**

13.1.8 **Non-Resident Member;**

13.1.9 **Country Member;**

13.1.10 **Life Member;** and

13.1.11 **Senior VIP Member.**

13.2 The conditions attaching to the respective categories of membership and the procedures for membership transfers are set out in Regulation 3 (*Conditions attaching to Categories of Membership and Membership Transfers*).

13.3 The procedures for application for Associate, Full, House and Junior categories of membership respectively are set out in the Regulation 4 (*Applications for Membership*).

- 13.4 In relation to an application for Associate, Full, House and Junior categories of membership, the Council shall have the power and discretion to approve or refuse the application, in the latter case without assigning a reason. An application which is approved shall be placed on the Waiting List. Notwithstanding approval of an application by the Council in the first instance, each application, upon reaching the top of the Waiting List, shall be remitted to the Council for reconsideration and the Council shall have the power and discretion to approve or refuse, in the latter case without assigning a reason, the admission of the applicant to membership of the Club.
- 13.5 It shall be at the discretion of the Council to place at the top of the Waiting List, any applicant for membership who, whether on account of special skill in golf or otherwise, but not more than 5 applicants shall receive such preferential treatment in any Year.
- 13.6 Subject to Rules 13.4 and 13.5, approved applicants shall be admitted to membership of the Club strictly according to the date of application. The Secretary shall intimate in writing to the approved applicant his/her admission to membership, place the applicant's name on the Register of Members and send him/her a copy of the Rules and Regulations.
- 13.7 If the approved applicant has not paid his/her Entry Fee (if any) and Annual Subscription (if any) in full or by payment of the relevant instalment(s) due on admission to membership in the manner prescribed by Council within one month of such intimation his/her admission to membership will be automatically rescinded and his/her name removed from the Register of Members.
- 13.8 The procedures for a Member transferring from one Membership category to another are set out in the Regulation 3 (*Conditions attaching to Categories of Membership and Membership Transfers*).

14. Entry Fee and Subscriptions

- 14.1 In relation to each Year, the Entry Fee and Annual Subscription payable in respect of each category of membership shall be fixed at the Annual General Meeting held in the preceding Year and a statement of the amounts so fixed shall form part of and be read along with the Rules.
- 14.2 Members can opt to pay the Annual Subscription for any Year:
- 14.2.1 in full by a single payment on 1 March (**Due Date**); or
- 14.2.2 by direct debit instalments in the manner and on the dates prescribed by Council (each a **Due Instalment Date**).
- 14.3 In any Year, where a Member opts to pay his/her Annual Subscription in full by a single payment, in the event the Annual Subscription is not paid:
- 14.3.1 by the Due Date, that Member shall forfeit all membership rights with effect from the Due Date; and
- 14.3.2 by 31 March of that Year, the Council shall have the power (exercisable by notice in writing to that Member) to expel that Member from membership of the Club with immediate effect and remove his/her name from the Register of Members.
- 14.4 In any Year, where a Member opts to pay the Annual Subscription by direct debit instalments, in the event that any direct debit instalment is not paid on the Due Instalment Date that Member shall forfeit all membership rights with effect from the Due Instalment Date and the Council shall have the power (exercisable by notice in writing to that Member) to expel that Member from membership of the Club with immediate effect and remove

his/her name from the Register of Members .

- 14.5 A Member whose membership rights have been forfeited pursuant to Rules 14.3 or 14.4, shall be entitled to apply to the Council to have his/her membership rights reinstated on payment of the overdue amount or amounts (as the case may be). The Council shall have absolute discretion whether or not to reinstate the membership rights of that Member. For the avoidance of doubt, a Member who has been expelled from membership pursuant to Rules 14.3 or 14.4 shall not be entitled to apply to the Council to have his/her membership rights reinstated in any circumstances.
- 14.6 In any Year, a Member shall liable for payment of his/her Annual Subscription unless he/she has given written notice to the Secretary of his/her intention to resign membership (**Resignation Notice**) before 1 March of that Year.
- 14.7 In any Year, a Member who submits a Resignation Notice during that Year (**Resigning Member**) notifying the Secretary of his/her intention to resign membership from the date in the Resignation Notice (**Resignation Date**) shall not be entitled to repayment of any portion of his/her Annual Subscription already paid.
- 14.8 A Resigning Member who uses the Club Premises after the Resignation Date is thereby held to have withdrawn any previously submitted Resignation Notice.
- 14.9 Without prejudice to any other provisions of these Rules, the Council, at its discretion and on cause shown, shall be entitled to rebate any balance of the Annual Subscription due by a Member; to repay any portion of such Annual Subscription already paid or to declare that, in the case of a Member being admitted during the course of the Year, that such Member shall pay only a specified proportion of such Annual Subscription.

15. Disciplinary Procedure

- 15.1 It is essential that proper standards of conduct are maintained in the Club to protect the amenities for the Members. Members wilfully violating any of the Rules or the Regulations, or conducting themselves in such a manner as is, in the opinion of the Council, objectionable or likely to injure or discredit the character of the Club, will be subject to the Disciplinary Procedure. The purpose of the Disciplinary Procedure is to ensure fair and equal treatment of such Members.
- 15.2 Depending upon the circumstances of each case, and at the discretion of the Council, the Disciplinary Procedure may be entered into at any of the stages set out in this Rule 15.
- 15.3 If in the opinion of the Council a Member breaches any of the Rules or the Regulations or if his/her conduct fails to meet the standard reasonably to be expected of a Member the Council may invoke the Disciplinary Procedure set out in this Rule 15 and convene a disciplinary committee (**Disciplinary Committee**) comprising three Elected Council Members including either the Captain or the Vice-Captain.
- 15.4 When the Disciplinary Procedure is invoked the Disciplinary Committee will review the alleged breach or misconduct and:
 - 15.4.1 shall, where in the view of the Disciplinary Committee there is a case for the Member to answer, inform the Member in writing of the alleged breach or misconduct and advise the Member that he/she is required to attend a Disciplinary Meeting on a specified date and time and at a specified location; or
 - 15.4.2 shall, where in the view of the Disciplinary Committee there is no case for the Member to answer, take no further action.

- 15.5 A Member who is the subject of Disciplinary Procedure has the right to be accompanied by another Member at a Disciplinary Meeting.
- 15.6 The Member will be given the opportunity to state his/her case and call witnesses at the Disciplinary Meeting.
- 15.7 If the Disciplinary Committee decides that disciplinary action should be taken it may either:
- 15.7.1 suspend the Member from membership of the Club for a period not exceeding twelve months (**Suspension**); or
 - 15.7.2 expel the Member from membership of the Club (**Expulsion**).
- 15.8 Suspension may, at the discretion of the Council, result in the suspension of the suspended Member's liability for Annual Subscription which, in such circumstances, will be apportioned when the suspended Member is re-instated to membership of the Club on expiry of the period of Suspension.
- 15.9 On Expulsion the expelled Member shall not be entitled to any refund of Annual Subscription.
- 15.10 Following the Disciplinary Meeting the Council will issue the Member with a letter informing the Member of the Disciplinary Committee's decision (**Decision Letter**).
- 15.11 In circumstances where disciplinary action is to be taken, the Member shall be entitled to appeal the Disciplinary Committee's decision (**Appeal**). An Appeal must be submitted in writing by the Member to the Secretary within fourteen days of the date of the Decision Letter
- 15.12 On receipt of an Appeal the Council will convene an appeal committee (**Appeal Committee**) comprising three former Captains (**Past Captains**). When required by the Council to do so the Secretary, in the first instance, will contact the three most recent Past Captains inviting them to sit on the Appeal Committee. If any of the three most recent Past Captains declines the invitation the Secretary will contact the next most recent Past Captain until the Appeal Committee is appointed. In the event that three Past Captains are not available to sit on the Appeal Committee then the Appeal Committee may comprise a combination of Past Captains and/or Elected Council Members, including either the Captain or the Vice-Captain, provided that those Elected Council Members who comprised the Disciplinary Committee shall not be eligible to sit on the Appeal Committee.
- 15.13 The Appeal Committee will review the facts and circumstances of the case and will hold a meeting with the Member to which he/she may bring an adviser/supporter (**Appeal Hearing**). The Appeal Committee will communicate its decision on the Appeal in writing to the Member within ten days of the Appeal Hearing and such decision shall be final and shall exhaust the Disciplinary Procedure.
- 15.14 A record of any action taken under the Disciplinary Procedure will be maintained by the Secretary.

16. Guests and Visitors

- 16.1 The Council shall be entitled to make Regulations from time to time for the introduction of guests by Members, and for visitors, and to decide what fees, if any, shall be payable by them and on what conditions they shall be admitted. Playing guests or visitors shall be deemed to be temporary members on payment of the appropriate green fee. Non playing

guests may use the facilities of the Clubhouse, at the invitation of, and in the company of a Member, upon signing the visitors book.

- 16.2 All green fees of visitors or guests of Members shall be paid before such visitors or guests use the Club Premises in any way.

17. Sale of Alcohol

- 17.1 The sale of alcohol in the Club Premises shall be conducted in accordance with the provisions of the Premises Licence issued to the Club by Aberdeen City Licensing Board and the permitted hours for the sale of alcohol as set out in the Premises Licence shall be displayed in the Clubhouse.

- 17.2 The provisions of Section 2(2) of the Licensing (Clubs) (Scotland) Regulations 2007 and any lawful variation thereof shall be deemed to be incorporated in and to form part of these Rules.

18. Rules and Regulations

- 18.1 A statement of the Regulations in force for the time being shall form part of and be read along with the Rules. Any reference to the Rules includes the Regulations

- 18.2 Every Member shall be subject to the Rules and the Regulations.

- 18.3 The Rules may be repealed, extended or amended at a Special General Meeting duly called for that purpose by resolution determined in accordance with Rule 11.4.

- 18.4 In the event of any ambiguity or conflict arising between the Rules and any Regulations the terms of the Rules shall prevail and the Council will use its powers to amend such Regulations in order to remove any such ambiguity or conflict.

19. Notices

- 19.1 It is the responsibility of each Member to ensure that the details held by the Club of his/her postal and email address from time to time are correct and up to date (**Notified Addresses**).

- 19.2 Any notice, document, communication or other information by or on behalf of the Club to a Member's Notified Addresses shall:

19.2.1 if sent by first class post, be deemed to have been delivered on the day after the day when it was put in the post;

19.2.2 if sent by second class post, be deemed to have been delivered on the second day after the day when it was put in the post;

19.2.3 if sent by email be deemed to have been received on the day on which it was sent.

- 19.3 Any notice, document or other information posted to the Club's website shall be deemed to have been made available to Members on the day it was posted.

- 19.4 No notice or document of any kind shall be placed on the Clubhouse Noticeboard or on the walls of the Clubhouse without the authority of the Secretary or the Council.

This is the Schedule referred to in the foregoing Rules

Powers of the Council

1. to make, and amend from time to time, Regulations;
2. to appoint signatories who can open, operate and overdraw the Club's bank accounts;
3. to purchase, take on lease, hire, or otherwise acquire any property or rights which are suitable for the Club's objects;
4. to improve, manage and develop all or any part of the Club Premises and any rights owned by the Club;
5. to sell, let, hire, license, or otherwise dispose of all or any part of the Club Premises and any rights owned by the Club;
6. to borrow money on behalf of the Members for the purposes of the Club from time to time at its own discretion declaring that when so borrowing the Council shall have the power to raise in any way any sum or sums of money in such a manner or on such terms and conditions as it thinks fit and in particular, to secure such loans by standard security over or mortgage of or charge upon or by issue of debentures charged upon all or any part of the property of the Club;
7. to approve the Club budget for the following Year;
8. to enter into contracts or agreements with any person and to employ such officers or employees as it considers necessary or desirable on such terms as the Council shall determine;
9. to engage such consultants and advisers as may be considered necessary to achieve the objects of the Club;
10. to enter into contracts;
11. to invest any sums not being immediately required for the Club's activities in such investments as may be suitable for the needs of the Club at that time and to vary and dispose of such investments;
12. to liaise with voluntary sector bodies, local authorities, UK or Scottish Government Departments or agencies, Golf Unions and any other bodies with a view to furthering the objects of the Club;
13. to take such action as may be required for raising funds for the performance of the Club's activities; and
14. to accept any grants, donations and/or legacies of all kinds and to accept any reasonable conditions attached thereto.
15. to create, amend or extend the rights and restrictions applicable to each category of membership of the Club;
16. to recommend for approval at Annual General Meetings the Entry Fees and Annual Subscriptions and the subscription for Life Membership;
17. to co-opt Eligible Members on to the Council from time to time for the purpose of replacing Elected Council Members vacating office under Rule 5.14 and such Co-

opted Members shall be eligible to hold office until the next Annual General Meeting;

18. to co-opt on to the Council not more than two additional Eligible Members for the purpose of being appointed as convenors of Committees and such Co-opted Members shall be eligible to hold office until the next Annual General Meeting but shall not by reason of their co-option by one Council be prevented from being co-opted by a subsequent Council;
19. to invite attendees to attend at any/all Council Meetings;
20. to implement all matters relating to the Club as set out in the Rules and the Regulations declaring that in the absence of a clear direction from a General Meeting the Council shall be entitled to interpret the meaning and effect of any such Rules and Regulations;
21. to discipline Members according to the Disciplinary Procedure;
22. to retain and maintain the Register of Club Members;
23. ensure that accurate books and accounts are maintained showing the financial affairs and transactions of the Club;
24. to arrange the Club's golf programme including all Club and non-Club competitions and tournaments to be played on the Golf Courses;
25. to prepare an annual fixture list and list of the Members;
26. to arrange the Club's social functions and official events;
27. to ensure that the number of visitors to the Club is properly controlled and recorded, that handicap certificates are exhibited and all such visitors are informed of the Club Courses' local rules;
28. to manage the Club Premises; and
29. to do anything which may be incidental or conducive to the furtherance of the Club's objects.