

EMU PLAINS SPORTING AND RECREATION CLUB – BY LAWS

SECTION 42. THE BOARD – SUB-CLUBS

1. GENERAL - PRELIMINARY

- 1.1. The name of the Club shall be Leonay Men’s Golf Club (“the Club”).
- 1.2. The Golf Club shall be a sub-club of the Emu Plains Sporting & Recreation Club pursuant to section 42 of the Emu Plains Sporting & Recreation Club Constitution and shall at all times be subject to the Rules, By-laws and regulations in accordance with the Constitution of the Emu Plains Sporting & Recreation Club. If any inconsistency arises between the Emu Plains Sporting & Recreation Club’s Constitution and the By-law of the Golf Club, the Emu Plains Sporting & Recreation Club’s Constitution will prevail.
- 1.3. The Golf Club shall be a non-proprietary club and profits if any and any other income will be applied to the promotion of the purposes for which its members are associated.
- 1.4. The Golf Club is established for the purposes set out in this By Law.
- 1.5. These ‘By Laws’ cancel all previous versions of the LEONAY MENS GOLF CLUB BY LAWS.

2. GENERAL - OBJECTS

- 2.1. The objects for which the Golf Club is established are:
 - 2.1.1. To promote the game of golf in accordance with the Rules of Golf of the Royal and Ancient Golf Club of St Andrews, Golf NSW or any affiliated Association.
 - 2.1.2. To promote and hold either alone or jointly with other associations, club or person(s), golf meetings, competitions and matches and to offer, give or contribute towards trophies, prizes, medals, distinctions or like rewards in accordance with the rules of golf.
 - 2.1.3. To take or reject any gift of property, money or goods whether subject to any special trust or not.
 - 2.1.4. To render aid either financially or by other means to clubs, associations and the like which the Golf Club considers worthy of such aid.
 - 2.1.5. To reimburse any person(s) who may incur any personal expense directly for the benefit of the Golf Club – such expenditure must be approved by the Committee of the Golf Club.
 - 2.1.6. To print and/or publish any newspaper, journal, newsletter, book, periodical or leaflet that Golf Club may think desirable or necessary for the promotion of its objects.
 - 2.1.7. To make donations for charitable or patriotic purposes.

- 2.1.8. To do all other things as are identical to or conducive to the attainment of all or any of the above objectives.

3. GENERAL - APPLICATION OF INCOME

- 3.1. Income and property of the Golf Club however derived shall be applied towards the promotion and objects of the Leonay Men's Golf Club.
- 3.2. The accounts of the Golf Club shall be subject to audit by auditors of the Emu Plains Sporting and Recreation Club during the normal audits undertaken of the Emu Plains Sporting and Recreation Club.
- 3.3. The Golf Club shall maintain its financial records in a manner that are approved by the Emu Plains Sporting and Recreation Club.
- 3.4. The Golf Club shall not enter into a contract or agreement for the purchase of services or equipment exceeding a total amount of \$5000.00 without the prior approval of the Board of the Emu Plains Sporting & Recreation Club.
- 3.5. The Golf Club may reimburse the Emu Plains Sporting and Recreation Club for reasonable expenses incurred on behalf of the Golf Club in ensuring compliance with its statutory, regulatory and prescribed taxes, fees and charges which may be paid or incurred by Emu Plains Sporting & Recreation Club on behalf of the Golf Club.

4. MEMBERSHIP - GENERAL

The various classes of membership of the Men's Golf Club shall be: -

Life member,
Full Golf Member,
Week-Day Member,
Senior Member,
Colt Member (18-21 years)
Student Member (22-24 years inclusive)
Junior Member (10-17 years inclusive),
Cadet Member (under 10 years)

- 4.1. It is a condition precedent to application for membership of the **Golf** Club that all applicants over the age of eighteen (18) years shall have been accepted as members of the Emu Plains Sporting and Recreation Club and be fully financial members of that Club.
- 4.2. All nominations for membership shall be lodged in accordance with Section 21 of the Constitution of the Emu Plains Sporting and Recreation Club.
- 4.3. All applications for Golfing Membership of the Emu Plains Sporting & Recreation Club, as prescribed in the Constitution shall be submitted by the CEO to the Secretary of the Golf Club for consideration prior to submission to the Board.

- 4.4. The Committee shall consider each application notwithstanding that nomination fees may have been paid in advance. The Committee shall be satisfied that the applicant has not been declared 'person non grata' by any other affiliated club, the New South Wales Golf Association or any other affiliated association.
- 4.5. The Committee shall advise the Board of the Emu Plains Sporting and Recreation Club of the result of its considerations. The Board shall not ratify membership of the ordinary class of membership prescribed in Section 15.4.4 of the Constitution until this has occurred.

5. MEMBERSHIP - CONDITIONS

- 5.1 At all times Members shall observe the etiquette and Rules of Golf.
- 5.2 Members shall observe all Golf Rules, Club Local Rules and Club Regulations in force from time to time as determined by the Golf Club Committee or its Sub-Committees.
- 5.3 The rights and privileges of every member shall be as defined or limited by the Committee and shall be personal to the member and shall not be transferable by the members own act or by operation of the law.
- 5.4 Any member wishing to withdraw from the Golf Club shall give notice in writing to the Secretary of the member's intention to do so. The Secretary shall advise the CEO of the Emu Plains Sporting and Recreation Club who shall arrange to remove that members name from the Register of Golf Members.

6 MEMBERSHIP - CLASSES

FULL GOLF MEMBER

- 6.1.1 Shall be a male person who has attained the age of eighteen (18) years and is elected to full Golfing membership of the Golf Club in accordance with the requirements of 15.4.4 of the Constitution of the Emu Plains Sporting & Recreation Club.
- 6.1.2 Shall be entitled to all privileges of a Full Golfing Member as may be determined by the Committee of the Golf Club.
- 6.1.3 Shall pay a Golfing Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

WEEK DAY MEMBER

- 6.2.1. Shall be a male person who has attained the age of eighteen (18) years and is elected to full Golfing membership of the Golf Club in accordance with the requirements of 15.4.4 of the Constitution of the Emu Plains Sporting & Recreation Club.

- 6.2.2. Shall be entitled to all privileges of a Full Member except that they cannot play in Saturday or Sunday Competitions.
- 6.2.3. Shall pay a reduced Golfing Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

SENIOR MEMBER

- 6.3.1. Shall be a member who has attained the age of sixty (60) years and who has been member of the Golf Club for at least ten (10) consecutive years.
- 6.3.2. Shall be entitled to all privileges of a Full Golfing Member as may be determined by the Committee of the Golf Club.
- 6.3.3. Shall pay a reduced Golf Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

COLT

- 6.4.1. Shall be a male person between the age of (18) years and twenty-one (21) years and has been elected to Full Golfing membership of the Club in accordance with the requirements of 15.4.4 of the Constitution of the Emu Plains Sporting & Recreation Club.
- 6.4.2. Shall be entitled to all privileges of a Full Golfing Member as may be determined by the Committee of the Golf Club.
- 6.4.3. Shall pay a reduced Golf Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

FULL TIME STUDENT

- 6.5.1. Where a member has attained the age of twenty-one (21), but has not attained the age of twenty-five (25) and attends a recognised TAFE, University or other training provider approved by the Board and is not in full term employment, that member may continue as a Colt Member at the Boards discretion. The member must provide appropriate evidence of enrollment at the nominated training institution at each renewal.
- 6.5.2. Shall be entitled to all privileges of a Full Golfing Member as may be determined by the Committee of the Golf Club.

- 6.5.3 Shall pay a reduced Golf Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

JUNIOR

- 6.6.1 Shall be any person who has attained the age of (10) years, but has not attained the age of eighteen (18) years admitted to the Club as a Junior Sporting member in accordance with Rule 16 of the Constitution of the Emu Plains Sporting and Recreation Club.
- 6.6.2. Shall be entitled to all privileges of a Full Golfing Member as may be determined by the Committee of the Golf Club.
- 6.6.3. Shall pay a reduced Golfing Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

CADET

- 6.7.1. Cadet Membership is open to any person who has not attained the age of ten (10) years. The Cadet Membership is a precursor to Junior Membership and is designed for those young golfers who have not yet reached the level of ability or confidence required to play in competitions.
- 6.7.2. Shall pay a reduced Golfing Membership Fee as may be determined by the Board of the Emu Plains Sporting & Recreation Club.

LIFE MEMBER

- 6.8.1 A Life Member shall be a member who has rendered long or meritorious service to the Golf Club and has been granted Life Membership of the Golf Club in accordance with this Rule;
- 6.8.2 Life membership may only be conferred at a General Meeting of the Golf Club (including an Annual General Meeting).
- 6.8.3. A proposal for Life Membership shall be made to the Committee in writing and shall be nominated by one Golf Club Member or Life Member and seconded by another Golf Club Member or Life Member at least 60 days prior to the Annual General Meeting.
- 6.8.4. If such recommendation is recommended by the Committee, the nomination shall be referred to the next General meeting of the Club and not less than 21 days written notice of the nomination shall be given to all members eligible to vote at that meeting.

- 6.8.5. If such nomination is approved by a two thirds majority of the members present and voting at the meeting the person nominated shall thereby be a Life Member of the Golf Club.
- 6.8.6. A person elected as a Life Member shall be relieved from payment of the annual Golfing Membership Fee as determined by the Board of the Emu Plains Sporting and Recreation Club in consultation with the Golf Club Committee but shall retain all rights and privileges of the Leonay Golf Club Membership.
- 6.8.7. A person elected as a Life Member shall be granted such additional privileges as may be determined by the Committee.

OTHER MEMBERSHIP

- 6.9.1. Any other category of Membership as determined by the Committee (promotional/beginner membership) in consultation with the Board of the Emu Plains Sporting and Recreation Club.
- 6.9.2. Shall pay a reduced Golf Membership Fee as may be determined by the Club Committee in consultation with the Board of the Emu Plains Sporting & Recreation Club.

7. MEMBERSHIP - SUSPENSION FROM PLAY

- 7.1. The Committee shall have the right to suspend any member from the privilege of playing golf who is found to be guilty of a breach of the Rules of Golf, Local Rules and Local Regulations or other offence which is deemed to be to the detriment of the game of golf.
- 7.2. In each case the member will be advised and cited to appear before the Committee. The member will have the opportunity of presenting their case for the Committees consideration.
- 7.3. The period of suspension if any, shall be at the discretion of the Committee whose decision shall be final.

8. MEMBERSHIP - DISCIPLINARY PROCEDURES

- 8.1. If any member shall willfully refuse or neglect to comply with the provisions of the Rules of the Golf Club or shall be guilty of any conduct which is in the opinion of the Committee is unbecoming of a member or prejudicial to the interest of the Golf Club the Committee shall cite the member to appear before the Board of the Emu Plains Sporting and Recreation Club by providing details to the CEO of the Club.
- 8.2. The CEO shall arrange for the citation to be dealt with in full compliance with the requirements of the Emu Plains Sporting & Recreation Club Constitution, Section 5 -Disciplinary Procedures.

- 8.3. Two (2) Executive Members of the Club Committee shall assist the Board or its nominated Disciplinary Committee in hearing the allegations against the member.

9. COMMITTEE - LEONAY MENS GOLF CLUB

- 9.1. The business and general affairs of the Golf Club shall be under the management of a committee, who shall be elected at the Men's Golf Club Annual General Meeting, comprising the following:
- 9.1.1. **President:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members, shall become the President of the Men's Golf Club.
- 9.1.2. **Vice President:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.
- 9.1.3. **Captain:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.
- 9.1.4. **Vice Captain:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.
- 9.1.5. **Secretary:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.
- 9.1.6. **Treasurer:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.
- 9.1.7. **Five (5) other Members:** A male Golf Member who has attained the age of 18 years elected to office by the general body of male golfing members.

10. COMMITTEE - ELECTION

- 10.1. All Full Members and Life Members shall be eligible to nominate for a position on the Committee, provided that the nominee has been a fully paid up member of the Club for a period of at least twelve (12) months at the closing date for nominations.
- 10.2. Application forms for a position on the Committee shall be available from the Secretary fourteen (14) days prior to the close of nominations.
- 10.3. Nominations for the Committee will be accepted up until close of business seven days (7) prior to the Annual General Meeting.
- 10.4. Election of the Committee shall be by ballot to be held at the Annual General Meeting. This ballot may be supervised by a member of the Board of the Emu Plains Sporting and Recreation Club. In the event of a tie, the Chairman shall have the deciding vote, as set out in section 14.1. of these By Laws.

- 10.5. The Committee shall be elected for a period of twelve (12) months or such other period as may be determined by the Board of the Emu Plains Sporting and Recreation Club. All serving members of the Committee shall be eligible to offer themselves for re-election.

11. COMMITTEE - RESIGNATION

- 11.1. Any resignation from the Committee shall be handed to the Secretary of the Committee and must be considered and accepted or otherwise, by the Committee.
- 11.2. Any vacancy or vacancies which may occur on the Committee may be filled by the Committee from the general body of male golfing members and once appointed that member shall hold office until the next Annual General Meeting.

12. COMMITTEE - DUTIES

- 12.1. Subject to the general control and supervision of the Board, the committee shall manage its own affairs but shall make regular reports to the Board (or otherwise as may be required from time to time by the Board). The minutes, financial reports and records of the Golf Club shall be produced promptly to the Board, which shall review and preserve such minutes and records.
- 12.2. The Committee shall set the annual competition fees for golf in conjunction with Emu Plains Sporting & Recreation Club CEO.
- 12.3. The Committee shall be responsible for the arrangement and control of all golfing activities conducted by the Golf Club, the conduct of members on the course, the enforcing of Golf Rules, Local Rules, and Local Regulations that apply to the game of golf.
- 12.4. The Committee shall declare in force, from time to time Local Rules and Local Regulations as may be necessary and shall revise these from time to time. This power shall not exceed to the amendment or alterations of the Rules of Golf except as allowed by Golf NSW.
- 12.5. Any Golf Club Committee shall exercise the powers delegated by the Board of the Emu Plains Sporting and Recreation Club, and conform to any regulation or restriction that the Board may from time to time impose.

13 COMMITTEE - MEETINGS

- 13.3. Meetings of the Committee shall be held at least once in each calendar month for the conduct of the general business of the Club.

- 13.4 A quorum for a full committee shall consist of six (6) committee members provided that all members of the committee have been advised of the date, time and place of the meeting.
- 13.5 The minutes and records of the committee shall be made available to the Board of the Emu Plains Sporting & Recreation Club, if requested.

14 MEETINGS - GENERAL

- 14.3 All meetings shall be presided over by the Club President or in his absence the Vice President, who in addition to his own vote shall in the case of equality of votes have a second vote or casting vote. In the absence of the President or Vice President an executive member of the Committee may assume the role of Chairman.
- 14.4 The interpretation of the Golf Rules, Local Rules and Local Regulations at any meeting shall be, in the first place be left to the Captain, but any member present may require the Chairman to submit the question of interpretation to the meeting and if the decision of the meeting be adverse to the opinion of the Captain, he must submit to such decision.
- 14.5 Only fully paid up members, aged eighteen (18) years and over and Life Members shall be eligible to vote at any meeting of the Club.
- 14.6 No proxy votes shall be permitted.

15 MEETINGS - ANNUAL GENERAL MEETING

- 15.1 Notice of any Annual General Meeting and of any general meeting of the members of the Club must be advised to members at least 21 days prior to said Annual General Meeting or any General Meeting of the members of the Club. Such advice should;
- 15.1.1 set out the place, date and time of the meeting;
- 15.1.2 state the general nature of the meeting's business;
- 15.1.3 Neither the accidental omission to give notice of a meeting or the non-receipt by any person of notice of a meeting nor the omission to post a copy of a notice of the meeting on the Notice Board shall invalidate any proceedings at such meeting. (unless pursuant to Section 1322 of the Act such proceedings are declared to be void in Sports Club Constitution)
- 15.2 The ANNUAL GENERAL MEETING of the GOLF CLUB shall be held during the month of February each year on a date to be set down by the Committee. Proceedings at the Annual General Meeting shall be to receive, consider, and if carried, accept the Annual Report, Balance Sheet and accounts and other reports for the preceding year, to elect office bearers and committee for the ensuing year, consider any Notice of Motion received as specified in section sixteen (16), and the transaction of any business in accordance with the By Laws of the GOLF CLUB.

- 15.3 At any ANNUAL GENERAL MEETING, SPECIAL GENERAL MEETING or EXTRAORDINARY GENERAL MEETING a quorum of 10% of the members or 30 members, whichever is the lesser, must be present before proceeding to business.
- 15.4 If a quorum (as set out in section 15.3) is not present within 30 minutes after the time appointed for the commencement of the meeting, the meeting shall:
- a. stand adjourned to the same day in the next week at the same time and place or to such other day time and place as the Committee may determine provided that such adjournment shall not exceed twenty-one (21) days.

16. NOTICES OF MOTION

Notices of Motion may only be made in writing and must be proposed and seconded by eligible financial members as specified in clause 14.3. Any such Notice of Motion may only be dealt with at an ANNUAL GENERAL MEETING or an EXTRAORDINARY GENERAL MEETING called in terms of section eighteen (18). Such Notice of Motion must be received by the Secretary of the GOLF CLUB one calendar month prior to the ANNUAL GENERAL MEETING. A majority of two thirds (2/3) of the members present at the respective meeting is required to accept any such Notice of Motion.

17. MEETINGS - SPECIAL GENERAL

Shall be called if necessary, by the Committee by notice of such meeting being sent to all current financial members twenty-one (21) days prior to such meeting being held. Only business as advised in the notice of meeting shall be discussed at such Special General Meeting.

18. MEETINGS - EXTRAORDINARY GENERAL

- 18.1 May be called by the general body of members in pursuance of a requisition to the Secretary of the Club signed by 15% of the members empowered to vote. Notice of such meeting shall contain the reason for calling the meeting.
- 18.2 It shall not be competent for such meeting to transact any other business other than that for which the meeting is called or by any amendment which in the opinion of the Committee, the matter may be properly resolved by the Committee and/or any of its Sub-Committees in discharge of their normal responsibilities.

19. HONORARIUMS

Nothing contained herein shall be deemed to prohibit the payment of an honorarium to the President, Vice President, Captain, Vice-Captain, Secretary, Treasurer, for duties performed in the interest of the Golf Club. The total honorarium allocation will be set at the Annual General Meeting for the ensuing year with 50% of such allocation being equally divided between the President and Captain and the remaining 50% being divided equally between the Secretary, Treasurer, Vice President and Vice Captain.

20. COMMITTEES - SUB-COMMITTEES

- 20.1 The committee may appoint from its members, with the right to co-opt from the general body of members, Sub-Committees. The President being ex-officio on all Sub-Committees whose duties are set out as follows:
- 20.1.1 **Liaison Committee:** Shall consist of the President, Captain and Treasurer, or their delegate, any two of which shall constitute a quorum. They may represent to Management or the Board any suggestions to assist in the general upkeep, maintenance improvement, development of the course and its surrounds and discuss any other relevant issues.
- 20.1.2 **Match Committee:** Shall consist of three members, including the Captain, any two of which shall constitute a quorum. They shall select all players for matches and competitions which require selection, manage and control the play of matches and competitions on the course and supervise all other matters which relate to play on the course. They shall receive all protests in conjunction with matches and competitions and settle disputes in connection therewith. They shall prepare a yearly list of fixtures in advance as well as set starting times and times for the duration of play in association with the Emu Plains Sporting and Recreation Club and the Club Professional.
- 20.1.3 **Social Committee:** Shall consist of two members of the Committee, whose duties will embrace from time to time the welcoming of new members as well as the organisation and arrangement of special events.
- 20.1.4 **Junior Development Committee:** Shall consist of two members whose duties will be the promotion of Junior Golf, the arranging of clinics, organisation and managements of golf events for juniors. They shall also be responsible for the management of special funds allocated for this purpose, as well as the general behavior and education of juniors.
- 20.1.5 **Publicity Officer:** Whose duties will be to write any articles for newspapers and to print and/or publish any journals, newsletters, books. Periodicals or leaflets that the Committee thinks desirable or necessary for the promotion of its objectives.
- 20.1.6 Any other Committee or persons deemed necessary by Leonay Men's Golf Club from time to time to assist in the conducting, promotion and administration of golf activities and events.

21. ALTERATION OF BY LAW

- 21.1 A motion for alteration of all or any part of this by-law shall only be made at an Annual General Meeting or Special Meeting of the GOLF CLUB called for that purpose and no such motion shall be deemed to be carried unless supported by at least two-thirds of those present and voting.
- 21.2 This By-Law shall only be altered as prescribed in Section 12 and shall be subject to the consent of the Board of Directors of the Emu Plains Sporting and Recreation Club.