

The Royal Montrose Golf Club
New Constitution
17th February 2016

PATRON
H.R.H. The Duke of York, KG

New Club Constitution

This Constitution should be read in conjunction with
the Club's Standing Orders

Preface to Constitution

'The Royal Montrose Golf Club' was formed on 12th February 1986 by the amalgamation of The Montrose Royal Albert Golf Club and the Montrose Victoria Golf Club.

The Montrose Royal Albert Golf Club was founded in 1810 under the name of 'The Montrose Golf Club'. This name was altered in 1845 to "The Montrose Royal Albert Golf Club.

The Montrose Victoria Golf Club was founded in 1864.

On the 25th June 1986 at an Extraordinary General Meeting of the 'The Royal Montrose Golf Club' it was resolved to merge with the North Links Ladies Golf Club. Such merger became effective on 30th September 1986.

The North Links Ladies Golf Club was founded in 1927

The initial Constitution of the Club was adopted at the first General Meeting of the Club on 12th February 1986.

Amendments to that constitution were adopted at Extraordinary General Meetings held on the following dates: -

25th June 1986

1st December 1987

26th April 1995

17th February 1999

16th February 2000

2nd April 2003

27th February 2008

10th December 2009

16th February 2011

15th February 2012

18th February 2015

Royal Montrose Golf Club Constitution

1. Name

- 1.1. The name of the Club shall be The Royal Montrose Golf Club, hereafter referred to as 'the Club'.
- 1.2. The Club shall affiliate to Scottish Golf Ltd and the Angus Area Golf Associations.

2. Objectives

The Club shall hold the following as its aims and objectives and shall strive to fulfil these aims and objectives at all times:

- 2.1. To fulfil the general objectives and functions of a golf Club and sports Club and by undertaking such activities as may be reasonably necessary and/or incidental to such objectives.
- 2.2. To generally promote the game of golf for the benefit of members and the local community.
- 2.3. To promote and abide by the Rules of Golf as they are fixed from time to time by The R&A.
- 2.4. To provide access to golf for players of all standards in a friendly and welcoming atmosphere that does not discriminate on the grounds of gender, age, race, religion or belief, sexual orientation or disability.
- 2.5. To provide coaching in golf to beginners and for improvement for experienced players.
- 2.6. To arrange competitions and matches for members.
- 2.7. To lease and/or purchase land and/or equipment suitable for the purposes and functions of the Club.
- 2.8. To sell and deal in alcohol, mineral/aerated water, and other related products as well as refreshments, foodstuffs and golfing equipment in accordance with the provisions of any licensing laws and by obtaining the necessary statutory consents and licences for this.

3. Membership

The membership of the Club shall consist of:

- 3.1. Ordinary (Full) members; age 25 years* and over.
- 3.2. Life members; Conferred automatically on any Ordinary Member aged 65 years* or over with 25 consecutive years' membership of the The Royal Montrose Golf Club.
- 3.3. Intermediate Members; over 18 years and under 25 years*.
- 3.4. Student Members; over 18 years* and undertaking a full time course in further education.
- 3.5. Junior members; under age of 18 years*.
- 3.6. Honorary members; those Members elected in terms of Rule 16 and who shall pay no subscription or no further subscription thereafter.
- 3.7. Country Members; those members residing more than 20 miles beyond the Montrose boundary.
- 3.8. International members; those members residing outside the United Kingdom.

Royal Montrose Golf Club Constitution

- 3.9. Associate Members; persons who over the age of 18 years*, and who do not play golf, or a member who has given up active participation in golf (i.e. non-playing).
- 3.10. Temporary members; as approved by Council from time to time in accordance with the Standing Orders of the club.

* Ages shall be taken as at the date of the Annual General Meeting

- 3.11. At the Captain's privilege and with the approval of Council, the Captain may elect as an Honorary Member of the Club any person who shall have rendered such service to the Club as to merit election as an Honorary Member.
- 3.12. All members joining the Club shall be deemed to accept the terms of this Constitution and any Standing Orders from time to time adopted by the Club in particular including the requirement to conduct themselves in accordance with any conduct rules, equity policy and disciplinary procedures.
- 3.13. The Club shall include within its Standing Orders the process for any person seeking membership of the Club. This process shall reflect that membership is open to all and no application shall be refused on grounds of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity or disability' political or other opinion.
- 3.14. The Standing Orders shall describe any reasonable grounds for refusing membership and any appeal process that shall apply to refusal or removal of membership.
- 3.15. All members shall pay an annual subscription to join the Club; the membership fee for each category of membership shall be decided by the Club Council and approved by the membership at the Annual General Meeting.
- 3.16. The Club shall provide notice of subscriptions due, including methods of payment available to members.
- 3.17. Annual subscriptions shall be due by 31st March. Subscriptions not paid by this date shall result in the cessation of membership.

4. Management of The Club

- 4.1. There shall be a Club Council responsible for the overall management of the Club (see paragraph 5.1 below).
- 4.2. The Council shall be responsible for the financial management of the club. The Council shall use best endeavours to maintain, as far possible, the solvency of the club.
- 4.3. There shall also be a Management Committee consisting of the Captain, Vice-Captain, Honorary Secretary and Honorary Treasurer. They shall also be trustees of the Club and shall hold any property of the Club in their name and shall be entitled to be sued or sue as trustees of the Club. They shall be indemnified by the Club where acting in good faith in their capacity as trustees of the Club.

Royal Montrose Golf Club Constitution

- 4.4. The Council may establish such sub-committees as it deems necessary, from time to time, for the effective management of the Club.
 - 4.5. The remit for each committee shall be set by the Club Council
 - 4.6. Each Committee shall have a chair who shall be a member of and report to the Club Council and shall agree its own rules of operation subject to the terms of this Constitution.
 - 4.7. All committee members must be members of the Club.
 - 4.8. The quorum for a Council meeting shall be seven members.
5. Composition and Responsibilities of Club Council
- 5.1. The Club Council shall consist of the following office-bearers:
 - 5.1.1. Captain
 - 5.1.2. Vice-Captain
 - 5.1.3. Honorary Secretary
 - 5.1.4. Honorary Treasurer
 - 5.1.5. Match Secretary
 - 5.1.6. Handicap Secretary
 - 5.1.7. Six ordinary members
 - 5.1.8. Two representatives nominated by the Ladies Section.
 - 5.2. The Captain shall be elected annually to serve for a maximum of two consecutive years.
 - 5.3. The Vice-Captain, Honorary Secretary, Honorary Treasurer and Match and Handicap Secretaries shall retire annually but shall be eligible for re-election at the Annual General Meeting.
 - 5.4. All ordinary members of the Club Council elected at the Annual General Meeting shall remain in office for two years but three shall retire in alternate years and shall be eligible for re-election at the Annual General Meeting.
 - 5.5. Election to any position on the Club Council cannot be limited by or discriminated on the grounds of gender, gender reassignment, age, race, religion or belief, sexual orientation, marriage or civil partnership, pregnancy or maternity or disability.
 - 5.6. The Club Council will: -
 - 5.6.1. Be responsible for the Standing Orders of the Club.
 - 5.6.2. Be responsible for ensuring the Club, its office-bearers and employees have in place adequate and relevant insurance cover at all times.
 - 5.6.3. Set annual subscriptions, membership and entrance fees.
 - 5.6.4. Have the power to vote honoraria to the Honorary Secretary, Honorary Treasurer, Match Secretary and Handicap Secretary. Amounts voted shall not be based on any element of the Club's profit or turnover.
 - 5.6.5. Ensure that in no circumstances are emoluments paid to a Club councillor or intermediary or connected person based on any element of the Club's turnover or surplus.

Royal Montrose Golf Club Constitution

- 5.6.6. Ensure that in no circumstances will the Club purchase management or administrative services from a Club councillor or intermediary or connected person. Such services do not include routine legal or accounting services provided by a councillor's firm charged at no more than the normal market value.
 - 5.6.7. Have power to purchase for the Club goods and services including excisable liquor, but no purchase shall be for more than the normal market value; and subject to the aforesaid section (5.6.6). No councillor or intermediary or connected person and no manager or servant employed in the Club shall have any personal interest in the sale therein of goods and services including excisable liquor or in the profit arising from such sale.
 - 5.7. The operation of the club bars and the sale of excisable liquors shall be conducted in accordance with the Club's current Premises Licence issued under the Licensing (Scotland) Act – 2005 as amended from time to time.
 - 5.8. The Club Council shall not have power to purchase, sell, or lease heritable property without specific authority of members at a General Meeting.
 - 5.9. The Council are authorised to borrow in the name of the Club for the purposes of the Club.
 - 5.10. Seven Members shall constitute a quorum for Council Meetings.
6. General Meetings:
- 6.1. A special general meeting of the club may be called by the Captain at such times as deemed proper or, in the event of a written request from at least twelve voting members of the Club stating their objectives. In either event it shall be incumbent upon the Captain to call the club together. In all cases no questions shall be brought up for discussion except that for which the meeting was convened.
 - 6.2. At least 14 calendar days' notice of a general meeting must be given to the Club's voting membership.
 - 6.3. The Captain, or in the absence of the Captain, the Vice-Captain, shall chair meetings of the Club and Council and, should both Officials be absent, the Chair may be taken by any Member the meeting may appoint. The Chair shall have a casting vote as well as a deliberative vote at all meetings.
 - 6.4. Only Ordinary, Life, Intermediate and Honorary members of the Club may vote at General Meetings.
 - 6.5. The Quorum of any General Meeting shall be 30 voting members of the Club.
 - 6.6. Any decisions shall be reached by a majority of the voting members present.
 - 6.7. Voting by proxy shall not be allowed and should the majority of the Members present at a Meeting wish any questions to be put to the vote by ballot that method shall be adopted.

Royal Montrose Golf Club Constitution

7. The Annual General Meeting

- 7.1. The AGM shall be held no later than 28th February in each calendar year, and shall have as its main business:
 - 7.1.1. Approval of the minutes of the last AGM and any other General Meetings held during that year.
 - 7.1.2. The presentation of the Club Council Report for the past year.
 - 7.1.3. Approval of the audited accounts for the last financial year and appointment of auditors.
 - 7.1.4. Approval of Membership Subscriptions for the coming year.
 - 7.1.5. The election of office-bearers and Ordinary Committee members.
 - 7.1.6. Deal with any other relevant business.
- 7.2. An agenda giving notice of the AGM must be circulated along with a copy of the audited accounts to all Club members at least fourteen calendar days in advance.
- 7.3. Nominations for office-bearers and ordinary Club Council members must be posted on the Club noticeboard at least fourteen calendar days in advance of the AGM and closed one calendar day before the meeting.
 - 7.3.1. Each nomination shall require one proposer and seconder who shall be a voting member of the Club.
 - 7.3.2. Elections shall be conducted on a simple majority of Club members present and voting.
 - 7.3.3. In the event of there being no nomination for a post within the stipulated time then nominations may be accepted at the AGM.
 - 7.3.4. In the event that no person is voted in to a post or in the event of retiral or resignation from a position, the vacancy shall be filled by co-option. The Captain or Vice-Captain shall undertake the duties until such time as the post is filled.

8. Finance

- 8.1. The financial year shall run from 1st November to 31st October.
- 8.2. The Treasurer shall be responsible for securing the preparation of Annual Accounts of the Club and laying these before the AGM.
- 8.3. The accounts shall be certified by the Club's independent Auditor as approved at the AGM.
- 8.4. All cheques drawn against the Club's funds shall be signed by any two members of the Management Committee.
- 8.5. All members of the Club shall be jointly liable for the financial liabilities of the Club.

9. Ladies Section

- 9.1. Only Ordinary, Life, Intermediate and Honorary Members of the Ladies Section shall have voting rights in the affairs of the Ladies Section and shall be responsible for the administration of the playing activities of the Ladies Section and shall be entitled to seek election to the Committee after-mentioned.

Royal Montrose Golf Club Constitution

- 9.2. Affairs of the Ladies Section shall be managed by a Committee to consist of a Captain, Vice-Captain, Secretary, Treasurer, Match Secretary, Handicap Secretary and four Committee members, five to form a quorum.
 - 9.3. The Officials shall retire annually but shall be eligible for re-election at the Annual General Meeting of the Ladies Section after-mentioned. Of the four Committee Members two shall retire annually by rotation and not be eligible for re-election until one year elapses. Vacancies in Committee occurring during the year shall be filled by the Committee by co-option. The Annual General Meeting of the Ladies Section of the Club shall be held each year on the third Thursday of November and no later than the 30th November in each year.
 - 9.4. All competitions shall be played under the Rules of Scottish Golf Ltd., Ladies Section, in force at the time.
10. Dissolution or Winding Up of the Club
- 10.1. The Club is non-profit-making and all profits and surpluses shall be used to maintain and or improve the Club facilities or to carry out the objectives of the Club.
 - 10.2. No profit or surplus shall be distributed (other than to another non-profit making body on a winding up or dissolution of the Club).
 - 10.3. If upon winding up or dissolution of the Club there remains after the satisfaction of all debts and liabilities any property whatsoever this shall be transferred either to any association to which the Club is affiliated or, to some other organisation or organisations having objects similar to the Club. This organisation shall be determined by the members of the Club by resolution passed at a General Meeting.
11. The Constitution.
- 11.1. The Constitution shall only be altered by consent of a majority of members present at a General Meeting, in accordance with the rules in Section 6 above.
 - 11.2. The Constitution and Standing orders/Bylaws in force from time to time shall be binding on the Club office-bearers and members.
 - 11.3. This constitution has been approved in accordance with paragraph 11.1, and accepted as the constitution for 'The Royal Montrose Golf Club'.

- Blank Page -

- Blank Page -

- Blank Page -

Royal Montrose Golf Club Constitution

Royal Montrose Golf Club, 17th February 2016