



Constitution

of

Collier Park Golf Club Incorporated

Accepted at the 2009 Annual General Meeting

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1.0 NAME OF CLUB:

The name of the Club is Collier Park Golf Club (Inc.) hereinafter referred to as the "Club".

2.0 OBJECTS:

The objects of the Club are:-

- 2.1 To provide for the members all things incidental to the playing of golf, insofar as the facilities of golf courses permit; the club shall be for the sole purpose of promoting golf for all ages at the Collier Park Golf Course.
- 2.2 To foster sportsmanship, fellowship, goodwill, tolerance and companionship.
- 2.3 To provide other pastimes as the members in General Meeting shall consider desirable, provided that;
 - 2.3.1 these do not interfere with the playing of golf;
 - 2.3.2 any pastime or recreation shall be provided purely as a means of recreation and no other clubs shall be formed within the Club.

3.0 POWERS OF THE CLUB:

- 3.1 To acquire, hold, deal with, and dispose of any real or personal property;
- 3.2 To open and operate bank accounts;
- 3.3 To deposit it's money -
 - (i) in any security in which trust moneys may be deposited; or
 - (ii) in any other manner authorised by the rules of the Club.
- 3.4 To give such security for the discharge of liabilities incurred by the Club as the Club thinks fit;
- 3.5 To appoint agents to transact any business of the Club on its behalf; and
- 3.6 To enter into any other contract the Club considers necessary or desirable.

4.0 MEMBERSHIP:

- 4.1 Membership shall be open to any person who wishes to further the interests of the Club.
- 4.2 Any person seeking membership shall complete the prescribed nomination form, the form must be signed by themselves and proposed and seconded by a financial member. The application must include the applicable nomination fee.
- 4.3 New members shall play three (3) full rounds with the Club to receive their playing handicap.
- 4.4 Election to membership will be the responsibility of the Management Committee. Applications denied membership shall be advised in writing.
- 4.5 Each person admitted to membership shall be;
 - 4.5.1 Bound by the Constitution and By-laws of the Club.
 - 4.5.2 Come liable for such fees and subscriptions as may be fixed by the Management Committee.
 - 4.5.3 Entitled to all the advantages and privileges of membership.
 - 4.5.4 Registered with the West Australian Golf League (Inc).
 - 4.5.5 Required to support the Club at the Club Premises after their round a minimum of fifty (50) percent of the days on which they compete.
- 4.6 The recommended maximum membership shall be: UNLIMITED.
- 4.7 The total membership of the Club shall be left to the discretion of the Management Committee, with due regard to the facilities available at the venue.

4.8 Membership Categories:

4.8.1 MEMBER

Any person who is over the age of 18 years and is a financial member of the Club are entitled to hold any office and enjoy the privileges of the Club.

4.8.2 JUNIOR MEMBER

Any person under the age of 18 years may become a Junior Member. Such shall have no voting rights nor be entitled to hold any office.

4.8.3 LIFE MEMBERSHIP

Any member who has given outstanding service to the Club may be nominated by the Management Committee as a Life Member. Upon nomination by the Management Committee, general members will be canvassed by Management Committee members, and the approval of 75% of the membership base is needed for life membership to be award

4.9 The Secretary shall hold and maintain an up to date register of members of the Club. Such register to include, at a very minimum, the name and postal or residential address of each member.

4.10 Any member may, upon request, access the Membership Register for inspection and is entitled to make a copy or take an extract of the register.

4.11 Any member may at any reasonable time inspect the records and documents of the Club.

5.0 TERMINATION OF MEMBERSHIP:

5.1 Any person's membership may be terminated by the following events:

5.1.1 Resignation in writing, presented to the Captain or Secretary.

5.1.2 False or inaccurate statements made in the persons application for membership of the Club, breach of any rule, regulation or By-law of the Club or by any act detrimental to the Club.

5.2 The Committee shall have the power to suspend or expel any member of the Club for any of the events in Item 5 above.

5.3 Any member who is expelled, suspended or has their membership terminated shall have the right to appeal against their suspension or expulsion by presenting their case to a Committee Meeting called for such purpose and the decision of the Committee Meeting shall be final.

5.4 Resignation from the Club will not entitle the resigning member to any reimbursement of membership fees, either wholly or on a pro-rata basis.

5.5 Any member who resigns, is expelled or has their membership terminated, shall be responsible for the immediate return of all Perpetual Trophies and any other Club property to the Club.

5.6 Any member whose membership is terminated shall be liable for any monies outstanding and due by him to the Club.

6.0 MEMBERSHIP FEES AND AUXILIARY:

6.1 Members shall pay membership subscriptions as laid down by the Committee, but at no time shall a variation be retrospective prior to the date of such a Committee decision.

6.2 Members are responsible for the individual green fees in force at the venue on the day of participation.

6.3 Subscriptions shall fall due on the first day of June each year and shall be paid in full within thirty (30) days from that date.

6.4 Any former member applying to rejoin within twelve (12) months of their resignation will have the nomination fee waived. Applicant shall pay pro-rata fees applicable at the time.

7.0 MANAGEMENT COMMITTEE:

- 7.1 Management of the Club shall be vested in the Management Committee elected by the members at the Annual General Meeting and consisting of:
- 7.1.1 President
 - 7.1.2 Vice President
 - 7.1.3 Captain
 - 7.1.4 Vice Captain
 - 7.1.5 Treasurer
 - 7.1.6 Secretary
 - 7.1.7 Handicapper
 - 7.1.8 W.A. Golf League Delegate
 - 7.1.9 Two (2) Committee Members
- 7.2 At the Annual General Meeting, to be held in the month of November on a date to be fixed by the Committee, members of the committee shall retire from office. Such retiring Committee members shall be eligible for re-election.
- 7.3 Meetings of the Committee shall be held at least once per month and be presided over by the President. In the absence of the President from the Committee Meeting, the Vice President shall preside over the meeting with like powers of the President.
- 7.4 Four (4) members of the Committee shall form a quorum, providing that the President, Vice President or Captain of the Club are present.
- 7.5 A member of the Committee may lose his or her seat on the Committee for the following reasons:
- (i) Absent from three or more meetings without leave of absence.
 - (ii) Found not to be a financial member.

8.0 MANAGEMENT COMMITTEE TERMS OF REFERENCE:

- 8.1 The Management Committee shall carry out the day-to-day running of the Club and shall have the power to:
- 8.1.1 Administer the finances, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account;
 - 8.1.2 Fix the manner in which such banking accounts shall be operated upon, providing all payments are passed by the Committee;
 - 8.1.3 Cause minutes to be made of all proceedings at meetings of the Committee and General Meetings of members;
 - 8.1.4 Fix fees and subscriptions payable by members and such, and charges as is deemed necessary and advisable, and to enforce payment thereof;
 - 8.1.5 Give directions in cases not provided for herein, and By-laws made by them shall be binding until set aside at an Annual General Meeting or Special General Meeting.
 - 8.1.6 Make, repeal and promulgate "Local Rules" for abnormal playing conditions providing they comply with the "Royal and Ancient Golf Club of St. Andrews", Rules of Golf.
 - 8.1.7 Arrange all tournaments, competitions and matches, and to fix the dates there of, and to amend such dates if required, and to settle all disputes in connection herewith, and the allocation of members handicaps.

- 8.1.8 Should a vacancy occur on the Management Committee during the year, the Management Committee shall appoint a successor until the next Annual General Meeting.
- 8.1.9 Form and appoint any subcommittee/s as required for specific purposes. No decision by a sub Committee member shall be binding unless ratified by the Management Committee at a Committee Meeting.
- 8.1.11 Elect members to the Club as provided for in the rules.
- 8.1.12 Terminate or suspend the membership of any member.
- 8.1.13 The Secretary shall hold and maintain an up to date register of members of the Club.
- 8.1.14 Any member may at any reasonable time inspect the records and documents of the Club.
- 8.2 The President and two (2) Committee members shall have the power to call a Committee Meeting, except (7.3).

9.0 ELECTION OF THE MANAGEMENT COMMITTEE:

- 9.1 All candidates shall be nominated by two Members, in writing, and with the consent of the nominee. Nominations must be in the hands of the Secretary two (2) weeks before the election date.
- 9.2 A list of the candidates in alphabetical order shall be displayed on the notice board two (2) weeks before the election date.
- 9.3 Balloting lists containing the names of the candidates only, shall be prepared by the Secretary in order that the members may cast their vote by secret ballot or at the discretion of the candidates by a show of hands on the election date.
- 9.4 If two or more candidates receives an equal number of votes, another ballot shall take place until either candidate shall have a majority.
- 9.5 Elections for the Management Committee shall take place at the Annual General Meeting of the Club, or at such Special General Meeting as may be authorised for this purpose.
- 9.6 Each financial member shall be entitled to one (1) only vote for each of the vacant positions on the Management Committee.
- 9.7 Nominations may be taken from the floor at the Annual General Meeting or a Special General Meeting for any vacancy on the Management Committee for which the Secretary does not receive a written nomination by the due date.

10.0 GENERAL MEETINGS:

10.1 Annual General Meeting

10.1.1 The Annual General Meeting of the Club shall be held within the month of November on a date to be fixed by the Committee.

10.1.2 The Secretary shall give at least fourteen (14) days notice of the date, time and place of the Annual General Meeting, to all members.

10.1.3 All financial members may attend the Annual General Meeting.

10.1.4 The agenda for an Annual General Meeting shall be:

- Opening of Meeting
- Apologies
- Confirmation of Minutes of Previous Annual General Meeting
- Committee's Report
- Treasurer's Statement
- Adoption of Annual Report
- Notice/s of Motion
- Urgent General Business
- Election of New Management Committee
- Vote of Thanks to outgoing Committee
- Closure

10.1.5 The quorum at the Annual General Meeting, shall be a minimum of fifty (50) percent of the members. If, at the end of thirty (30) minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for two (2) weeks. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

10.2 Special General Meetings

10.2.1 A quorum of the Management Committee shall have the power to call a Special General Meeting, or on receipt by them of a resolution, or petition incurred by Fifty (50) percent of financial members which states the reason for calling of a Special General Meeting.

10.2.2 The Secretary shall give at least fourteen (14) days notice, in writing, of the date of the Special General Meeting to the members. Notice for Special General Meeting shall set out clearly the business for which the meeting has been called. No other business shall be dealt with at that Special General Meeting.

10.2.3 The quorum at the Special General Meeting shall be a minimum of thirty (30) percent of members. If, at the end of thirty (30) minutes after the time appointed in the notice for the opening of the Meeting, there be no quorum the meeting shall stand and adjourn for two (2) weeks. If at such meeting there is no quorum those members present shall be competent to discharge the business of the meeting.

10.2.4 All motions, proposals and resolutions for discussion at a Special General Meeting must be submitted to the Secretary, in writing, not less than fourteen (14) days prior to the meeting. Written submissions will only be heard.

11.0 VOTING

- 11.1 Voting powers at the Annual General Meeting and Special General Meetings:
 - 11.1.1 The President shall be entitled to a deliberative vote and, in the event of a tied vote, the President shall exercise a casting vote.
 - 11.1.2 Each individual financial member shall have one (1) vote.
- 11.2 Voting powers at Management Committee Meetings;
 - 11.2.1 The President shall be entitled to a deliberative vote and, in the event of a tied vote, the President shall exercise a casting vote.
 - 11.2.2 Each individual committee member present shall have one (1) vote.

12.0 ALTERATIONS TO THE CONSTITUTION AND BY-LAWS

- 12.1 No alteration, repeal or additions shall be made to the Constitution except at the Annual General Meeting, or Special General Meeting, called for that purpose and notice of all motions to alter, repeal or add to the Constitution shall be given to the members fourteen (14) days prior to the Annual General Meeting, or a Special General Meeting called for such purpose. As well,
- 12.2 The Secretary shall forward such notices of motion to each Management Committee member at least fourteen (14) days prior to the Annual General Meeting, or Special General Meeting.
- 12.3 Such motions, or any part thereof, shall be of no effect unless passed by a seventy five percent (75%) majority (Special Resolution) of those present and entitled to vote at the Annual General Meeting, General Meeting or Management Committee Meeting, as the case may be.
- 12.4 Within one month of the passing of a Special Resolution, the Secretary shall notify the Ministry of Fair Trading of the amendment.

13.0 FINANCE

- 13.1 All funds of the Club shall be deposited into the Club's accounts at such bank or recognised financial institution as the Management Committee may determine.
- 13.2 All accounts due by the Club shall be paid by cheque after having been passed for payment at the Management Committee Meeting and when immediate payment is necessary, account/s, shall be paid then the action endorsed at the next Management Committee Meeting.
- 13.3 The Secretary shall not spend more than a set amount of Petty Cash without the consent of the Management Committee, and shall keep a record of such expenditure in a Petty Cash Book.
- 13.4 A statement showing the financial position of the Club shall be tabled at each Management Committee Meeting by the Treasurer.
- 13.5 A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor's report shall be attached to such financial report.
- 13.6 The financial year of the Club shall commence on 1st November each year. The accounts, books and financial records of the Club shall be audited each year.
- 13.7 The signatories to the Club's account/s will be the Treasurer any of the following;
President Vice President
Secretary Captain
- 13.8 All property and income of the Club will apply solely to the promotion of the objects of the Club and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

14.0 DISSOLUTION:

- 14.1 The Club may be dissolved or wound up only at a General or Special General Meeting and then if only seventy five (75) percent of the total membership should vote in favour of such a dissolution. If, on the winding up of the Club, any property of the Club remains after satisfaction of the debts and liabilities of the Club and the costs, and charges and expenses of that winding up, that property shall be distributed-
- (a) to another club incorporated under the Act; or
 - (b) for charitable purposes which incorporated club or purposes, as the case requires shall be determined by resolution of the members when authorising and directing the Committee under Section 33 (3) of the Act to prepare a distribution plan for the distribution of the surplus property of the Club.

15.0 COMPLAINTS:

- 15.1 Members having any suggestions or complaints with regard to the management of the Club may;
- (i) Approach a Committee member directly
 - (ii) Write to the Secretary who shall present the letter at the next Committee Meeting for discussion.
 - (iii) Attend a Committee Meeting personally.

16.0 CLUB PREMISES:

- 16.1 In the interest of the Club's good name, coupled with the non-existence of Club premises, the following shall apply;
- 16.1.1 Any premises used as a place of congregation for the purpose of Club activities and duly sanctioned by the Committee as being premises for this purpose shall be deemed as CLUB PREMISES during the time that members are in attendance.
- 16.1.2 At all times whilst on CLUB PREMISES members and their visitors shall be required to behave in a proper and responsible manner and any gross breach of good manners or incidents of bad behaviour may at the discretion of the Committee, constitute a reason for censure, suspension or dismissal from the Club of the offending member/s. A member shall be fully responsible for the behaviour of any visitor in his/her company.

17.0 PLAYING RULES:

- 17.1 All play shall be conducted in accordance with the Rules of Golf as sanctioned by the "Royal and Ancient Golf Club of St Andrews".
- 17.2 Local rules which may, from time to time be necessary shall be promulgated and adhered to in conjunction with the Rules of Golf.

18.0 DUTIES OF TREASURER:

- 18.1 The Treasurer shall keep a record of all monetary and real receipts and expenditure appertaining to Club business and shall draw up the Annual Statement of Accounts and Balance Sheet to be tabled at the Annual General Meeting.
- 18.2 The Treasurer shall be refunded his/her fees for the year at the end of their full term in office.

19.0 DUTIES OF SECRETARY:

- 19.1 The Secretary shall have custody of all Club documents and property. She/he shall record proceedings of the Committee and Annual General Meetings. And hold all competition records.
- 19.2 The Secretary shall hold in their custody the Common Seal of the Club. The Seal can only be applied to documents which are authorised by those members of the management committee designated as signatories on the Club's bank account(s).
- 19.3 The Secretary shall be refunded his/her fees for the year at the end of their full term in office.

20.0 DUTIES OF CAPTAIN:

- 20.1 The Captain shall take members bookings, organise Club competitions, and tee off times, tally scores, and make presentations
- 20.2 The Captain shall be refunded his/her fee for the year at the end of their full term in office.

**Collier Park Golf Club Inc.
By-laws**

1.0 WEEKLY GAME FEE:

- 1.1 A weekly game fee determined by the Committee shall be levied on every playing member and visitors if any, who shall then be eligible for near pin, long drive prizes. This also covers all competitors with hole in one insurance.
- 1.2 Any member or visitor that does not pay the weekly game fee will be deemed non-financial and ineligible for any prizes or other benefits offered by the club.

8/2/06

2.0 BOOKINGS:

- 2.1 Bookings or cancellations shall be made with the Captain by no later than 8.00pm Thursday.
- 2.2 Any bookings or cancellations made after 8.00pm Thursday will incur an inconvenience fee as set by the committee.
- 2.3 Any member that does not pay the inconvenience fee will be deemed non-financial and ineligible for any prizes or other benefits offered by the club.

8/2/06

3.0 DRESS STANDARDS:

- 3.1 The club dress standard shall be, no jeans, stubby shorts or shirt without a collar, short white socks may be worn with dress shorts. Shorts and trousers must have provision for a belt. Draw string waist not permitted
- 3.2 Members and visitors will abide by the dress standards as laid down by the Club, whether on course or at the Club Premises.

16/10/99

4.0 HANDICAPS:

- 4.1 All members must play a least three (3) 18 hole rounds with the club to maintain their WAGL handicap.

8/2/06

5.0 TOURNAMENT FEES:

- 5.1 All members wishing to compete in WAGL tournaments, club away days, or social events must pay all fees by the advertised closing date.

8/2/06

6.0 APPLICANT FOR MEMBERSHIP:

- 6.1 Visitors shall be able to play to a handicap no greater than 36 strokes before being considered for membership.

8/2/06

7.0 FINE SESSION:

- 7.1 The fine session after the game is intended for fun and a source of revenue for the club. All fines shall be golf related and not an overtly personal nature. Sledging will not be tolerated. The maximum of any fine shall be 10 cents.

7.2 Members must pay 10 cents to do a stand-up fine.

7.3 The Captain may nominate a “Fines Master” for the day. Nominated member may refuse.

8/2/06

8.0 Members arriving at the 19th after presentations have commenced will not be eligible for long drives, NTPs, Members draw or raffles and any novelty prize.

21/11/09