



G O L D   C R E E K  
G O L F   C L U B  
C A N B E R R A

# **RULES FOR THE GOLD CREEK GOLF CLUB**

**September 2022**

**(Fifth Issue)**

## DOCUMENT HISTORY

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## APPROVAL DELEGATE

This document is approved by:

Name	Signature	Appointment	Date
Mr. Greg Nicholas	<i>(Original signed July 2005)</i>	President GCGC Committee	July 2005
Mr. Greg Nicholas		President GCGC Committee	May 2006
Mr. Greg Nicholas		President GCGC Committee	August 2006
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Mr. Garry Heald	<i>(Original signed September 2015)</i>	President GCGC Committee	September 2015
Mr. Brett Adam	<i>(Original signed September 2022)</i>	President GCGC Committee	September 2022

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# **GOLD CREEK GOLF CLUB STATEMENTS**

## **VISION STATEMENT**

To be the golf course of choice for golfers who seek a quality golfing experience in the Australian Capital Territory region.

## **MISSION**

“To promote, encourage and advance the game of golf at all levels within the Australian Capital Territory region and in so doing, provide all of our members and visitors with access to a golf club that they can enjoy, are proud of, and which is respected by peer clubs.”

# **GOLD CREEK GOLF CLUB**

## **RULES**

### **PART I – PRELIMINARY**

#### **1. Definitions and Interpretations.**

Words and phrases defined in these Rules shall have the meanings there defined and the following words and phrases shall, except where there is something or some matter in the subject or context inconsistent therewith, for all purposes of the object and these Rules, have the meanings given to them as follows:

- 1.1 "Annual General Meeting" means a general meeting of Members held in accordance with Rule 21.
- 1.2 "Annual Subscription" means the annual playing rights fee(s) payable by Members under these Rules, as determined by GCCC.
- 1.3 "Applicant" means a person who pays subscriptions to the GCCC and is of good standing in the district golf community.
- 1.4 "By-laws" means the by-laws made by GCGC.
- 1.5 "Club Captain" means the Captain on the GCGC. This official is responsible to the Committee for the overall conduct of all golfing competitions and their associated operations delivered by GCGC.
- 1.6 "Club Year" means 12 months after the Annual General Meeting.
- 1.7 "Course" means GCGC located at Curran Drive, Nicholls in the Australian Capital Territory.
- 1.8 "Exclusive Day" means those days, nominated by GCCC in advance, on which the course is closed to Members and the general public.
- 1.9 "Financial Year" means the year ending 30 June.
- 1.10 "GCCC" means the Gold Creek Country Club
- 1.11 "GCGC" means the Gold Creek Golf Club Incorporated.
- 1.12 "Golf General Committee" means the Management Committee of GCGC (Rule 9).
- 1.13 "Golf Club" means the Gold Creek Golf Club or the GCGC.
- 1.14 "Ladies Captain" means the ladies captain of GCGC. This official is responsible for the provision of advice to the Club Captain concerning the conduct of golfing competitions for lady golfers and is responsible for the conduct and operation of golfing activities as delegated by the Club Captain.
- 1.15 "Member" means a member, however described, of the GCGC.

- 1.16 "Notice Board" means a notice board to be placed by the GCGC in a position within the principal premises of the GCGC, accessible to all Members or the website of the GCGC.
- 1.17 "GCGC Statements" means the statements of the GCGC as altered, from time to time, in accordance with these Rules.
- 1.18 "Office Bearer" means each of the President, Vice President, Secretary, and Treasurer appointed under Rule 11.
- 1.19 "President" means the President of GCGC.
- 1.20 "Register of Members" means the Register of Members to be kept in accordance with Rule 3.2.1.
- 1.21 "Resignation" means the formal act of giving up one's office or position. The act of resignation is to be given effect by way of the tendering of written notice of such a decision to the Club President. The notice of resignation is to include an effective date for resignation which should be of a period no less than 14 days from the date the notice is tendered.
- 1.22 "Rules" means these rules of the GCGC.
- 1.23 "Secretary" means Secretary of the GCGC.
- 1.24 "Section" means a Rule or group of Rules identified by a specified heading or by the same initial number.
- 1.25 "Special Resolution":
- i) of the Golf General Committee, means a resolution passed at a duly convened meeting of the Golf General Committee by a majority of at least three-quarters of the Golf General Committee Members present at that meeting, and
  - ii) of the Gold Creek Golf Club, means a resolution passed by three-quarters of Members present and eligible to vote at a properly constituted general meeting.
- 1.26 "Sub-Committee" means a Committee of GCGC Members appointed by the Golf General Committee under rule 17.
- 1.27 "Sub-Committee Member or Golf General Committee Member" means each member of the GCGC Sub-Committee (including an Office Bearer) who is nominated and appointed under Rule 11.
- 1.28 "Treasurer" means Treasurer of the GCGC.
- 1.29 "Vice President" means the Vice President of GCGC.

## **PART II - MEMBERSHIP**

### **2. GCGC Membership Qualifications**

2.1 **General members of GCGC.** A person who joins the Gold Creek Country Club (GCCC) by either paying the requisite fee to be a golfing member or by receiving a membership by virtue of their employment with GCCC or similar is eligible to join GCGC subject to separate approval by GCGC Golf General Committee.

2.2 **Honorary members of GCGC.** A person who is not a current member may be granted, subject to GCGC Golf General Committee approval, Honorary membership with such conditions as determined by the Golf General Committee, if the person:

- i) is a prominent citizen visiting the Golf Club for a special event; or
- ii) has rendered some outstanding service to the Golf Club; and
- iii) in the unanimous opinion of the Golf General Committee warrants Honorary Membership.

2.3 **Life members of GCGC.** A person may be granted Life membership, subject to the GCGC approval, with such conditions as determined by the Golf General Committee if the person:

- i) has rendered some outstanding service to the Golf Club; and
- ii) in the unanimous opinion of the Golf General Committee warrants Life Membership.

2.4 In granting these special memberships referred to in this Clause, GCGC recognises that access to the golf course is a matter for the GCCC.

### **3. Proposal for GCGC Membership**

3.1 A person is qualified to be a member of the GCGC if they:

- i) hold a subscription to the GCCC commensurate with the specific membership category selected;
- ii) have maintained their membership in accordance with these rules; and
- iii) are approved by the Golf General Committee.

3.2 The Golf General Committee or its delegate shall:

- i) keep a Register of Members; and
- ii) record in the Register of Members, any notice of changes of address or other particulars relating to the Members.

3.3 The GCGC shall make the Register of Members available for inspection by Members at reasonable times, or at such times and places as specified by the unanimous decision of the Golf General Committee.

### **4. Membership Entitlements**

4.1 A GCGC member who is not otherwise deemed ineligible by the Golf General Committee may play in all GCGC competitions upon payment of the relevant competition fee.

4.2 A Member is not entitled, under these Rules or otherwise, to derive, directly or



indirectly, any profit, benefit, or advantage from the Golf Club that is not available equally to all Members.

4.3 The rights, privileges, and obligations which a person has, by reason of being a Member:

- i) are not capable of being assigned to another person; and
- ii) terminate upon cessation of that person's Membership.

## **5. Cessation of GCGC Membership**

5.1 A person ceases to be a Member if that person:

- i) dies;
- ii) resigns in accordance with Rule 5.3;
- iii) is expelled from the GCGC; or
- iv) fails to pay the Annual Subscription that is due to GCCC within 30 days after that Annual Subscription becomes due.

5.2 The Golf General Committee shall record, in the Register of Members, the effective date of cessation of Membership being:

- i) in the case of death, the date of death;
- ii) in the case of resignation, the date of expiry of the notice of resignation;
- iii) in the case of expulsion, the date determined by the Golf General Committee, being not earlier than the date that the Golf General Committee confirms that expulsion under Rule 8.4; and
- iv) in the case of failure to pay the Annual Subscription, the date determined by the GCCC, is not earlier than the date that the Annual Subscription became due.

5.3 On resignation from Membership a member remains liable for payment of all fees that remain outstanding at the time that the member's resignation is received by the Secretary.

## **6. Annual Subscriptions**

6.1 All members of GCGC must remain a financial member of GCCC to retain membership of GCGC and avail of the benefits and privileges that arise from such membership.

## **7. Liability of Members**

7.1 The liability of each Member to contribute towards the payment of debts and liabilities of the GCGC for the costs, charges, and expenses upon the cessation of the GCGC, is limited to the amount, if any, unpaid by the Member for Annual Subscriptions.

## **8. Discipline of Members**

8.1 A reference in this Rule to "Golf General Committee" shall be read where a relevant delegation has been made under Rule 17, to a "Sub-Committee".

8.2 Where the Golf General Committee considers a member may have:

- i) refused or neglected to comply with any provisions of these Rules; or
- ii) acted in a manner prejudicial to the interests of the Club;

it may investigate the facts and circumstances relevant to the possible offences.

8.3 Where the Golf General Committee considers it appropriate, it may in its discretion, authorise persons to investigate the facts and circumstances of the alleged or possible offences.

8.4 Where in the opinion of the Golf General Committee, whether formed of its own initiative or upon the report of an investigating officer, a member:

- i) has refused or neglected to comply with any provisions of these Rules; or
- ii) has acted in a manner prejudicial to the interests of the Club;

the Golf General Committee may resolve to impose a penalty on the member (the "discipline resolution").

8.5 Where it is proposed by the Golf General Committee to consider whether or not to form an opinion pursuant to Rule 8.4 of the Rules then the Secretary shall cause a notice in writing to be served on the member:

- i) giving not less than 7 days notice to the member concerned of the date, time and place of the meeting (the "discipline meeting") at which to consider whether or not the member is guilty of an offence or offences referred to in Rule 8.4;
- ii) setting out the grounds of the alleged offence or offences which will be considered by the Golf General Committee;
- iii) informing the member that he or she may do either or both of the following;
- iv) attend and speak at the disciplinary meeting, and/or
- v) submit to the Golf General Committee at, or before, the discipline meeting, written representation relating to the allegations.

8.6 For the avoidance of doubt, the Secretary, or other member or officer duly authorised, may draft the Notice and the terms of the offence or offences and the grounds in support thereof.

8.7 At the discipline meeting, the Golf General Committee shall:

- i) consider whether or not the provisions of Rule 8.5 have been complied with;
- ii) where it appears that there has been non-compliance with any of those provisions, the meeting shall not proceed further at that time unless the Members are satisfied that no prejudice would be caused to the member by so proceeding (such conclusion and decision thereon shall be included in the minutes of the meeting);
- iii) consider any application by the member for an adjournment and, if agreed,
- iv) adjourn the discipline meeting to a later time and date (with notification to the member to be provided in accordance with Rule 8.5).

8.8 Where the Golf General Committee proceeds to hear the matter:

- i) give to the member who is the subject of the Notice an opportunity to make oral representations;
- ii) give due consideration to any written representation submitted to the Golf General Committee by that member, at or prior to, the discipline meeting;
- iii) give every opportunity to put such relevant material before the Golf General Committee as the member so desires;
- iv) form an opinion whether or not the member is guilty of an offence or offences against Rule 8.2.

8.9 Where the member does not appear at the discipline meeting the Golf General Committee may hear and determine the matter in the absence of the member. Where, at any stage, the Golf General Committee is of the opinion that it is necessary to the proper disposition of the matter to amend the offence or offences or the ground or grounds supporting them, as notified to the member, the following rules apply:

- i) where the member can be notified orally of the amendments and the Golf General Committee is satisfied that no prejudice would be caused to the member, the Golf General Committee may make the amendments and proceed to hear and determine the allegations;
- ii) where the Golf General Committee cannot notify the member of the amendments orally and/or the Golf General Committee is not satisfied that no prejudice would be caused to the member by proceeding, the Golf General Committee shall:
  - a) adjourn the proceedings to a date, time and place as determined by the Golf General Committee (or an officer designated with authority to so determine),
  - b) notify the member of the grounds of the amended allegations (notification to the member to be provided in accordance with Rule 8.5) and the date, time and place for the resumption of the discipline meeting.

8.10 Where the Golf General Committee has formed an opinion under Rule 8.4, it shall, before imposing a penalty, afford the member an opportunity of submitting to it any mitigating circumstances which should be considered.

8.11 The penalty which the Golf General Committee may resolve to impose on a member shall be:

- i) a reprimand of the member; and/or
- ii) expulsion of the member from the Club; and/or
- iii) suspension of the member for such period, and
- iv) another form of penalty that constrains the Member from enjoying such rights and privileges of Membership, as the Golf General Committee may determine.

8.12 Where more than one discipline resolution is passed in respect of a member, the Golf General Committee may stipulate that the periods of suspension are to run concurrently or cumulatively or are to commence and cease at such times and dates as are specified at the Golf General Committee's discretion.

8.13 Within 14 days after a Golf General Committee has passed a discipline resolution, the Secretary shall notify the member in writing of the terms of the said resolution.

8.14 Except as provided at law, a discipline resolution relating to the Rules of Golf, as amended from time to time by the Royal and Ancient Golf Club may be appealed to the District Golf Association.

## **PART III - THE GOLF GENERAL COMMITTEE**

### **9. Powers of the Golf General Committee**

9.1 Subject to these Rules, the Golf General Committee:

- i) shall control and manage the affairs of the GCGC;
- ii) may exercise all powers and functions of the GCGC that are not required to be exercised by the GCGC in a general meeting; and
- iii) has the power to perform acts and do all other things that the Golf General Committee believes to be necessary or desirable for the proper conduct of the GCGC.

### **10. Constitution of the Golf General Committee**

10.1 The Golf General Committee shall consist of:

- i) the Office-Bearers of the GCGC,
- ii) the GCGC Club Captain,
- iii) the GCGC Ladies Captain,
- iv) three (3) Ordinary Committee Members, and
- iv) a nominee of the Konstantinou Group. This nominee provides advice, assistance and support to the GCGC and is not a voting member of the Golf General Committee.

10.2 The Office-Bearers of the GCGC shall be:

- i) the President,
- ii) the Vice-President,
- iii) the Secretary, and
- iv) the Treasurer.

10.3 Members shall be eligible to be appointed as Office Bearers or Golf General Committee Members.

10.4 If there is a vacancy in the Golf General Committee, the Golf General Committee may nominate a Member to fill that vacancy.

10.5 Subject to these Rules, each Golf General Committee Member shall hold office for 12 months or until the GCGC General Committee has completed its obligations under Rule 11.10 following the date of the Golf General Committee member's appointment but is eligible for nomination (or re-appointment).

### **11. Nomination of Office Bearers and Golf General Committee Members**

11.1 The nomination of Office Bearers and Golf General Committee Members shall be conducted in the following manner:

- i) **Control of Election:** The election of the Golf General Committee shall be supervised and controlled by a Returning Officer, who is to be appointed by the Golf General Committee before nominations are called. The Returning Officer may appoint a delegate to assist.
- ii) The Secretary shall call for nominations of Members as candidates for Office Bearer and Golf General Committee Members positions, by the

display on the notice board, and other forms of communication (such as the website) as may be directed by the Golf General Committee, of a notice specifying the positions for which nominations are required and the closing date of such nominations which shall be not less than twenty-eight days after the date that the notice is first displayed.

11.2 Nomination of candidates for appointment as Office Bearers and Golf General Committee Members shall be made in writing in the format approved by the Golf General Committee and must be:

- i) signed by two Members, with one member being the Proposer and the other member being the Seconder;
- ii) accompanied by the written consent of the candidate (which must be endorsed on the nomination form); and
- iii) delivered to the Secretary or his nominee at the address or location provided in the notice of nominations.

11.3 Upon closing of nominations the Returning Officer shall:

- i) examine the nominations received and check the eligibility of candidates and nominators,
- ii) exhibit on the Notice Board particulars of all eligible nominations received in alphabetical order against each position for which nominations are required together with an indication of the Members retiring from such position or office if such persons have been nominated for appointment; and
- iii) exhibit for all positions, for which a ballot is necessary, ballot papers showing the names of the candidates in alphabetical order under the office or position for which nomination has been made.

11.4 Selection of Nominees for appointment as Office Bearers and Golf General Committee Members may be by secret ballot to be conducted at the GCGC during the week before the Sunday preceding the Annual General Meeting, by postal or email ballot, or by ballot or simple vote at the Annual General Meeting.

11.5 The GCGC Secretary shall prepare a list of Members eligible to vote and forward it to the Returning Officer to be used as a control list for the issue of ballot papers or emails for the conduct of a vote. The Returning Officer shall post the appropriate ballot papers to each eligible member or email each eligible member at least seven days before the poll closes.

11.6 When a ballot before the Annual General Meeting is required, each member recording a vote shall place the completed ballot paper into the locked ballot box that will be placed in a prominent position at the GCGC for that purpose or return the completed ballot paper by post to the GCGC Secretary. The Secretary shall place in that box any ballot papers which are received through the post. When a ballot is conducted by email before the Annual General Meeting, emails are to be sent to the Returning officer

11.7 Where a ballot in advance of the Annual General Meeting is utilised, the poll shall close at 6.00 pm on the Sunday immediately preceding the day set for the Annual General Meeting.

11.8 In respect of those candidates to be nominated for the positions of Office Bearer and the Golf General Committee, and subject to Rules 11.10, the following provisions shall apply:

- i) if there are fewer nominations than vacancies, those candidates shall be

declared selected for appointment and further nominations for the remaining vacancies shall be called for and may be received, at the Annual General Meeting;

- ii) if no candidates are nominated, nominations for the vacancies shall be called for, and may be received, at the Annual General Meeting;
- iii) if there are the same number of nominations as remaining vacancies, those candidates nominated shall be declared selected for appointment; and
- iv) if the number of nominations exceeds the number of remaining vacancies, a ballot for determining who, amongst those candidates, shall be selected for appointment to those vacancies, shall be held at the Annual General Meeting.

11.9 If insufficient further nominations are received, any vacant positions remaining may be filled in accordance with Rule 10.4.

11.10 After the Annual General Meeting, the Returning Officer shall announce to the Members the appointment of the selected nominees.

11.12 The GCGC Secretary shall prepare and display a notice advising the Membership of all appointments.

11.13 A person is not eligible to simultaneously hold more than one position on the Golf General Committee.

## **12. President**

12.1 The President shall:

- i) act in an honorary capacity; and
- ii) hold office until the Returning Officer has announced the new GCGC Golf General Committee under Rule 11.10.

12.2 The President shall:

- i) provide overall leadership to the GCGC and ensure that the Golf General Committee conducts its affairs in the best interests of the GCGC;
- ii) preside at Golf General Committee, Special, Extraordinary or Annual General Meetings of the GCGC.
- iii) in conjunction with the Secretary, determine the agenda for all GCGC Golf General Committee, Special, Extraordinary, or Annual General Meetings;
- iv) sign the minutes of meetings and thereby authorise the public record when agreed by the Committee Members who attended the relevant meeting;
- v) ensure that the GCGC operates in compliance with its legislative and regulatory requirements;
- vi) delegating responsibilities to other Committee Members as necessary to meet the needs of the GCGC;
- vii) act as the public spokesman of the GCGC when circumstances warrant;
- viii) liaising with Presidents and Directors of other Clubs and the ACT-Monaro District Golf Association when appropriate; and
- ix) representing the GCGC on appropriate ceremonial and social occasions as necessary.

### **13. Vice President**

13.1 The Vice President shall

- i) act in an honorary capacity.
- ii) hold office until the Returning Officer has announced the new Golf General Committee under Rule 11.10
- iii) deputise for the President on occasions and undertake specific initiatives as agreed between them.

### **14. Secretary**

14.1 A Secretary shall:

- i) act in an honorary capacity; and
- ii) hold office until the Returning Officer has announced the new GCGC under Rule 11.10

14.2 The Secretary shall:

- i) give notice:
  - a) to Golf General Committee Members of all Golf General Committee meetings; and
  - b) to Members of all general meetings;
- ii) keep minutes of:
  - a) all nominations and appointments of Golf General Committee Members;
  - b) the names of all Golf General Committee Members and Members present at Golf General Committee meetings or general meetings; and
  - c) all proceedings at Golf General Committee meetings and general meetings;
- iii) perform the functions of the Secretary as set out in these Rules;
- iv) attend to the statutory and regulatory compliance requirements of the GCGC; and
- v) carry out other duties as directed by the President and/or the Golf General Committee.

### **15. Treasurer**

15.1 The Treasurer shall:

- i) act in an honorary capacity; and
- ii) shall hold office until the GCGC has completed its obligations under Rule 11.10, but shall be eligible for re-appointment.

15.2 The Treasurer shall:

- i) subject to the directions of the Golf General Committee, receive all eligible monies on account of the GCGC;
- ii) keep correct accounts and books showing the financial position of the GCGC;
- iii) prepare and submit to the Golf General Committee, as and when required by the Golf General Committee, a statement showing the financial position



of the GCGC, together with any other information relating to the financial affairs of the GCGC as the Golf General Committee may require;

(a) prepare balance sheets and profit and loss accounts in respect of the GCGC;

produce to the GCGC Auditor, when required, all books, papers, and records to enable an audit of the accounts of the GCGC to be carried out; and

(b) carry out other functions as directed by the President and/or the Golf General Committee.

15.3 If the Golf General Committee does not appoint a Treasurer, the Secretary shall perform the functions of the Treasurer.

## **16. Removal of Golf General Committee Members**

16.1 Subject to Rule 15.2:

- i) the Golf General Committee may, by Special Resolution, or
- ii) the Members may, by Special Resolution at a general meeting; remove any Golf General Committee Member from office before the expiration of that Golf General Committee Member's term of office.

16.2 On the passing of a Special Resolution to remove a Golf General Committee Member, the Secretary shall notify Members accordingly.

## **17. Vacancy in the Golf General Committee**

17.1 For the purposes of these Rules, a vacancy in the office of a Golf General Committee Member occurs if the Golf General Committee Member:

- i) dies;
- ii) ceases to be a Member;
- iii) resigns from office;
- iv) is removed from office pursuant to Rule 16;
- v) becomes an insolvent under administration within the meaning of the Corporations Law;
- vi) otherwise becomes ineligible to be or remain a director within the meaning of the relevant legislation;
- vii) is or becomes indebted in respect of outstanding subscriptions or levies and such indebtedness continues for six weeks;
- viii) is or becomes an employee of the GCCC;
- ix) is directly or indirectly interested in any contract or proposed contract with GCCC or GCGC and fails to declare the nature of that interest;
- x) is or becomes a person whose person or estate is liable to be dealt with under any law relating to mental health; or
- xi) without the consent of the Golf General Committee, is absent from three consecutive meetings of the Golf General Committee.

## **18. Golf General Committee Meetings**

18.1 The Golf General Committee shall meet at least once in each calendar month at the place and time determined by the Golf General Committee, from time to time.

18.2 Additional meetings of the Golf General Committee may be convened by the President.

18.3 Oral or written notice of a meeting of the Golf General Committee convened under Rule 18.2 shall be given by the Secretary to each Golf General Committee Member at least 48 hours (or such other period as may be unanimously agreed upon by the Golf General Committee) before the time appointed for the holding of the meeting.

18.4 Any five Golf General Committee Members constitute a quorum for the transaction of the business of a meeting of the Golf General Committee.

18.5 No business shall be transacted by the Golf General Committee unless a quorum is present and if within half an hour after the time appointed for the meeting, a quorum is not present, the meeting shall stand adjourned to the same day in the following week, at the same time and at the same place.

18.6 If, at the adjourned meeting, a quorum is not present within half an hour after the time appointed for the meeting, the meeting shall be dissolved.

18.7 At meetings of the Golf General Committee:

- i) the President shall preside; or
- ii) if the President is absent, the Vice President shall preside;
- iii) if the Vice President is absent, one of the remaining Golf General Committee Members may be chosen by the Golf General Committee Members present to preside; and in each case, the person presiding shall have the powers and functions of the President during that meeting.

18.8 Except as provided by the previous provisions of Section 17 and Section 18, the procedure to be followed at a meeting of the Golf General Committee shall be as determined by the Golf General Committee, from time to time, and the person presiding shall be responsible for the proper conduct of each meeting.

## **19. Delegation by Golf General Committee to Sub-Committees**

19.1 The Golf General Committee may, in writing, delegate to one or more Sub-Committees (consisting of at least three (3) Members nominated, from time to time, by the Golf General Committee) the exercise of any of the permitted functions of the Golf General Committee, other than:

- i) this power of delegation; and
- ii) a function which is a function imposed on the Golf General Committee by any other relevant law of the Australian Capital Territory or Commonwealth of Australia.

19.2 A function, the exercise of which has been delegated to a Sub-Committee under Rule 19.1, may, while the delegation remains unrevoked, be exercised, from time to time, by the Sub-Committee in accordance with the terms of the delegation.

19.3 Any Member appointed to a Sub-Committee shall, unless appointed for a shorter period, or that person's appointment is revoked sooner by the Golf General Committee, hold office until the next Annual General Meeting following the date of appointment.

19.4 Except as provided by the previous provisions of this Section, a delegation under this Section, may be made subject to any conditions or limitations as to:

- i) the exercise of any function;
- ii) time; or
- iii) circumstances, that may be specified.

19.5 No delegation under Section 19 will prevent the Golf General Committee from exercising any delegated function.

19.6 Any act or thing done or permitted by a Sub-Committee, acting in the exercise of a delegation under Section 19, has the same force and effect as it would have if it had been done or permitted by the Golf General Committee.

19.7 The Golf General Committee may, by an instrument in writing, revoke, wholly or in part, any delegation under Section 19.

19.8 The procedure to be followed at a meeting of the Sub-Committee, and the frequency of those meetings, shall be as directed by the Golf General Committee and, failing any direction, as determined by the Sub-Committee.

19.9 The President shall be ex officio to any Sub-Committee but shall not necessarily preside.

## **20. Voting and Decisions**

20.1 Questions arising at a meeting of the Golf General Committee shall be determined by a majority of the votes of the Golf General Committee Members present at the meeting.

20.2 Each Golf General Committee Member present at a meeting of the Golf General Committee (including the person presiding at the meeting) is entitled to one vote, but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

20.3 A resolution in writing, signed by all Golf General Committee Members, shall be as valid and effectual as if it had been passed at a duly convened meeting of the Golf General Committee. The said resolution must be tabled in writing at the following Golf General Committee meeting and be endorsed.

20.4 Subject to Rule 18.5, the Golf General Committee may act notwithstanding any vacancy on the Golf General Committee.

20.5 Any act or thing done or permitted, or purporting to have been done or permitted, by the Golf General Committee, or by a Sub-Committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any Golf General Committee Member, or member of that Sub-Committee.

## **PART IV - GENERAL MEETING**

### **21. Annual General Meetings**

21.1 The Golf General Committee shall, at least once in each calendar year and within five months after the expiration of each Club Year, convene an Annual General Meeting of Members.

21.2 The Annual General Meeting shall be convened on the date and at the place and time determined by the Golf General Committee.

21.3 In addition to any other business which may be transacted at an Annual General Meeting, the business of an Annual General Meeting shall be:

- i) to confirm the minutes of the last preceding Annual General Meeting and of any general meeting held since that meeting;
- ii) to receive from the Golf General Committee, reports on the activities of the Club during the last preceding Club Year; and
- iii) to nominate Golf General Committee Members and Office Bearers.

### **22. General Meetings**

22.1 The Golf General Committee:

- i) may, whenever it thinks fit, and
- ii) shall, on the requisition in writing of not less than 25 Members, convene a general meeting of the GCGC.

22.2 A requisition of Members for a general meeting shall:

- i) state the purpose of the meeting;
- ii) be signed by the Members making the requisition; and
- iii) be lodged with the Secretary.

22.3 If the Golf General Committee fails to convene a general meeting within thirty days after the date on which a requisition for the meeting is lodged with the Secretary, any one or more of the Members who made the requisition, may convene a general meeting to be held not more than 90 days after that date of lodgement.

22.4 A general meeting convened under Rule 22.3 shall be convened, as nearly as practicable, in the same manner as general meetings.

### **23. Notice of General Meetings**

23.1 The Secretary shall display upon the Notice Board a notice, specifying the place, date and time of the meeting, the nature of the business proposed to be transacted at the meeting and (if applicable), a notice of the intention to propose a resolution as a Special Resolution in accordance with the following timeframes:

- i) where the nature of the business to be dealt with at a general meeting requires a Special Resolution, at least 21 days before the date fixed for the holding of the general meeting; and
- ii) otherwise, at least 28 days, before the date fixed for the holding of the general meeting.

23.2 No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except in the case of an Annual General Meeting where business may be transacted under Rule 21.3.

## **24. Procedure at General Meetings**

24.1 No item of business shall be transacted at a general meeting unless a quorum is present at the time the meeting is open for the transaction of business.

24.2 25 Members in person or attending via Internet constitute a quorum for the transaction of the business of a general meeting. The Golf General Committee shall determine if a general meeting is to be conducted via the Internet.

24.3 A Member is not entitled to vote at any general meeting unless all money due and payable by that Member has been paid.

24.4 If, within half an hour after the appointed time for the commencement of a general meeting, a quorum is not established, the meeting:

- i) if convened upon the requisition of Members, shall be dissolved; and
- ii) in any other case, shall stand adjourned to the same day in the following week, at the same time and the same place.

24.5 If, at the adjourned meeting, a quorum is not established within half an hour after the time appointed for the commencement of the meeting, the Members present (being not less than three) shall constitute a quorum.

24.6 At general meetings:

- i) the President, or in that person's absence, the Vice President shall preside; or
- ii) if the President and the Vice President are absent, the Members present shall elect one of their number to preside at the Meeting.

24.7 The person presiding at a general meeting at which a quorum is established may, with the consent of the majority of Members present at the meeting, adjourn the meeting, to another time and place, but no business shall be transacted at an adjourned meeting, other than the business left unfinished at the meeting at which the adjournment took place.

## **25. Voting**

25.1 Subject to Rule 24.2, upon any question arising at a general meeting of the GCGC, each Member over 18 years present in person or via Internet has one vote but is not entitled to vote by proxy.

25.2 In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.

25.3 Unless a poll is demanded, a question arising at a general meeting shall be determined on a show of hands.

25.4 A declaration by the person presiding that a resolution has, on a show of hands, been carried, carried unanimously, carried by a particular majority or lost; or an entry to that effect in the Minute Book of the GCGC is evidence of that fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

25.5 At a general meeting, a poll may be demanded by the person presiding or by not less than ten Members present in person at the Meeting.

25.6 Where the poll is demanded at a general meeting the poll shall be taken immediately, in the case of a poll which relates to:

- i) the election of the person to preside at the meeting; or
- ii) the question of an adjournment; and
- iii) in any other case, in the manner and at the time, before the close of the meeting, as the person presiding directs.

## **PART V – MISCELLANEOUS**

### **26. By-Laws**

26.1 The Golf General Committee shall have power, from time to time, to make by-laws, not inconsistent with these Rules, prescribing all matters which, by these Rules, are required or permitted to be prescribed or which may be necessary, expedient or convenient for the proper conduct and management of the GCGC and, in particular, and exclusively, they may make by-laws regulating:

- i) the imposition of penalties for the breach of any by-law or Rule;
- ii) the procedure at general meetings and meetings of the Golf General Committee;
- iii) the conduct of Members in relation to one another; and
- iv) generally, all other matters that are commonly the subject of GCGC by-laws.

26.2 The Golf General Committee shall have power, from time to time, to amend or repeal any by-laws.

26.3 All by-laws shall be displayed on the Notice Board as soon as practicable after they are made.

26.4 A by-law shall, so long as it is in force, be binding upon all Members but may be set aside by a resolution of a general meeting.

### **27. Funds**

27.1 The funds of GCGC shall be derived from permitted sources determined by the GCGC General Committee.

27.2 The funds of GCGC shall be applied solely towards the promotion of the GCGC Statements and no part of those funds shall be paid or transferred, directly or indirectly, to the Members, by way of profit.

### **28. Accounts and Audit**

28.1 Financial accounts of the GCGC shall be kept by Golf General Committee.

28.2 The annual financial statements of GGCC shall include information and explanations of golfing activities during the financial year. The Golf General Committee may direct an audit of the annual financial accounts.

28.3 The Treasurer shall present such statements and information of accounts to the Annual General Meeting.

### **29. Records**

29.1 Subject to these Rules, the books, records and other documents relating to the GCGC shall be kept in the custody of the Secretary.

### **30. Service of Notices**

30.1 For the purposes of, and except as otherwise provided by these Rules, a notice may be served by, or on behalf of, the GCGC upon any Member:

- i) by being served personally upon the Member; or
- ii) by being delivered to, or sent by, prepaid post, to the Member at his or her address shown in the Register of Members; or

iii) by email or facsimile communication if shown in the Register of Members.

30.2 Where a notice is sent to a person by any means set out in Rule 30.1, unless the contrary is proved, it shall be taken, for the purposes of these Rules, to have been served on the person at the time at which the notice would have been delivered in the ordinary course of post or in the case of email or facsimile, at the time of transmission.

30.3 Any notice to be given to Members or a category of Members generally, may be given by being placed on the Notice Board.

### **31. Alteration of GCGC Statements and Rules**

31.1 The GCGC may:

- i) with the consent of the Golf General Committee given in accordance with Rule 31.2; and
- ii) the consent of the Members given in accordance with Rule 31.3;

alter the GCGC Statements or these Rules by a Special Resolution of Members.

31.2 A consent of the Golf General Committee under 31.1 may only be given by a Special Resolution of the GCGC Members.

31.3 A consent of Members under 31.1 may only be given by a Special Resolution.

### **32. Winding up and cancellation**

32.1 The GCGC may be wound up voluntarily by a special resolution.

32.2 In the event of the winding-up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.

32.3 Subject to the Act and any court order made under the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its members.

32.4 The body to which the surplus assets are to be given must be decided by special resolution.