



CONSTITUTION OF THE WEST LOTHIAN GOLF CLUB

Date of Constitution and Name:

1. The Club was constituted in 1892 and shall be named "The West Lothian Golf Club".

Objects of the Club:

2. The objects of the Club are to provide (1) the main purpose of the club are to provide facilities for and to promote participation in the amateur sport of Golf at The West Lothian Golf Club (2) suitable Club House accommodation for its members (3) Such other objects as may be from time to time approved at a general meeting of the Club. All surplus income or profits are to be re-invested in the club. No surpluses or assets will be distributed to members or third parties.
3. Application shall be made for registration and from time to time for renewal of registration of the Club in terms of the Licensing (Scotland) Acts or other Statutes of similar effect for the time being in force. Such alterations shall be made by the Club in the Constitution and Rules and in the arrangements for management of the Club as may from time to time be necessary to secure such registration.

Members:

4. Membership of the club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion, or other beliefs, except as a necessary consequence of the requirements of golf. The club may have different classes of membership and subscriptions on a non-discriminatory and fair basis. The club will keep subscriptions at levels that will not pose a significant obstacle to people participating. The club council may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to members. The Club shall consist of:
 1. *Ordinary Members* - Any person who is over 18 years of age on the 1st January of the calendar year.
 2. *Five Day Member* - Any person who is over 18 years of age may be a Five-day Member. Any such member is entitled to play on Monday to Friday inclusive provided they are clear of the first tee by a time to be determined by the Council. Notwithstanding the restriction they will be entitled to full unrestricted use of the Clubhouse facilities.
 3. *Community Member* – As a Community Amateur Sports Club (CASC) the club is open to the whole community including those on low or modest incomes. Anyone who cannot afford Full membership should apply to the Club Manager and be able to demonstrate that the full cost of membership is not affordable to them. Community is an inclusive 5 Day Sunday PM to Thursday membership.
 4. *Junior Members* – Any person who is under the age of 12 on the 1st January of the calendar year.
 5. *Juvenile Members* – Any person who is aged 12-17 on the first January of the calendar year may be a Junior Member. Notwithstanding a Junior Member may make application in writing to Council for Ordinary Membership status (AKA Senior Privileges) and the Council, after full consideration, may approve the application subject to such restrictions required to conform to the Rules

hereinafter stated.

6. *Country Members* - Any person who is not less than 18 years of age and whose current full time or main place of residence is out with a radius of 30 miles from the Club House may become a Country Member.
7. *Honorary Members* - Recommendations for Honorary Memberships shall be made to the Council who may submit such recommendations to the Annual General Meeting of the Club for approval. The Council may seek approval at the Annual General Meeting for the appointment of an Honorary President and Honorary Vice-Presidents from among the numbers of the Honorary Members.
8. *Non Playing Membership* – Any person who pays a social donation and therefor retains a non-playing affiliation with the club.

In addition Council may introduce further categories as deemed appropriate.

5. The obligations, powers, rights and privileges of members shall be defined and provided by the Constitution and Rules for the time being in force.
6. The council has the power to limit the numbers and to maintain a waiting list.
7. In the event of any objection to the admission of a nominee the Council shall proceed to vote on the nomination. If the majority vote of the Council favours the nominee they shall be admitted to membership.
8. A member may resign their membership of the club by giving written notice to that effect to the Managing Secretary or Club Captain. Unless such written resignation is received before the Annual General Meeting of the club the member may be held liable for such sums as are due by them for the year in which their resignation is subsequently received.
9. Any alleged complaint regarding the member or their conduct shall, on its receipt, be forthwith communicated by the Managing Secretary or Captain to the member who shall have the right to be heard thereon by the Council prior to any disciplinary action or other action being taken at the instance of the Council.
10. If it appears to the Council, or is represented to them, that a Member has, after a warning by or on behalf of the Council, acted contrary to the Constitution and Rules of the Club or instruction issued by the Council in terms thereof or that a member has behaved, acted or conducted themselves in a manner prejudicial to the interest or good name of the Club they may request such member to submit to a meeting of the Council, specially called for the purpose, either a written or verbal explanation of their alleged offence, behaviour, action or conduct. In the event of such member submitting no explanation or if their explanation appears unsatisfactory to a majority of the Council present at such specially called meeting, or any adjournment thereof, the Council may, by the majority present and voting, expel such member from the Club.
11. Any member so expelled shall have a right of appeal to a General Meeting of the Club whose decision by a majority present and voting shall be final. The General Meeting may also if so resolved make an order with regard to the expenses incurred in calling the meeting.

Office Bearers:

12. The Office Bearers shall consist of a Captain, Vice-Captain and the Immediate Past Captain who shall be ex officio members of the Council of the Club.
13. No Office Bearer shall rent or lease land to the Club or be a relative, business partner or person acting under the direction of any person renting or leasing land to the Club.
14. No Office Bearer may profit or receive emoluments based on any aspect of Club activity or be a relative, business partner or person acting under the direction of any person who receives such emoluments
15. The Office Bearers, excluding the Immediate Past Captain, shall be elected (by a ballot in the event of a plurality of candidates) at each Annual General Meeting of the Club from among the Ordinary Members of the Club and shall hold office till next ensuing Annual General Meeting when they shall retire but be eligible for re-election. In the event of a vacancy occurring among Office Bearers during the year the Council may either appoint someone from their own number to fill the same or summon a special General meeting to fill the vacancy. Office Bearers elected or appointed other than at an Annual General meeting shall hold office till the first succeeding Annual General Meeting but shall then be eligible for re-election.
16. The Captain, or in their absence the Vice-Captain, shall be chair of all meetings of the Council. In the Absence of both from any meeting the chair shall be chosen by the meeting. In the case of equality of votes at any meeting the chair shall have the casting vote which they may use irrespective of whether they have previously given a deliberative vote. The Captain shall be ex officio a member of all Sub-Committees appointed by the Council or Club.
17. The Council shall appoint a Managing Secretary or Office Administrator who may be a member of the Club or not and who shall be employed in a salaried capacity at such remuneration and upon such terms as the Council may deem advisable.
18. The Managing Secretary or The Captain shall keep a correct record of all the proceedings of the Club at their General Meetings and the meetings of the Council and shall call the meetings of the Club and Council and take custody of the papers, books and records of the Club and conduct the general correspondence of the Club.
19. The Managing Secretary or Finance Convenor shall receive and disburse all monies due to and by the Club and shall keep correct accounts and books showing the financial affairs of the Club and their intromissions with the funds thereof and present a full and complete account thereof at the close of the financial year to a suitably qualified independent accountant examiners appointed by the Club and thereafter present such inspected accounts of the Club's financial state to the Annual General Meeting of the Club. The Council may at any time require them to submit to them an account of their intromissions and the state of the funds of the Club.
20. The Managing Secretary or Office Administrator shall discharge the duties devolved upon them under the Constitution and such other duties as may from time to time be imposed on them by the Council

The Council:

21. The Council shall in addition to the three ex officio members in terms of para.12 hereof, consist of six members elected from among Ordinary Members of the Club.
22. The restrictions governing Office Bearers contained in Clauses 13 and 14 shall apply in equal measure to Council Members.
23. The retiring Captain shall continue to serve on the Council for two years only after their term of office when they shall retire and be eligible for re-election as a member of the Council.
24. At each Annual General Meeting three members of the Council shall be elected (by ballot in the event of plurality of candidates) from the members present and shall hold office for two years when they shall retire but be eligible for re-election. The names of retiring members shall be intimated in the circular calling the Annual General Meeting of the Club.
25. In the event of a vacancy occurring in the Council during the year the Council shall have the power to fill the same from the Ordinary Members of the Club. A member so appointed to the Council shall hold office until the next ensuing Annual General Meeting when election to fill any vacancies for the remainder of the term will take place.
26. Subject to the Constitution and the resolutions of the general meetings of the Club the entire management of the affairs of the Club shall be vested in the Council who, without prejudice to the foregoing general powers, may-
 - i. Purchase or acquire for the Club such moveable property, rights and privileges as they shall consider necessary for the purpose of the Club and shall sell, transfer or dispose of any such moveable property, rights or privileges as may, in their opinion, have become unnecessary for the purpose of the Club; and effect such insurance policies as they may consider necessary.
 - ii. Arrange on behalf of the Club for such overdraft on the Bank Accounts of the Club as they shall consider necessary for the purpose of the Club.
 - iii. Borrow from members of the Club or others on debentures or such other form of receipt as they may determine such sums as they shall consider necessary for the purposes of the Club; and such debenture or other receipts for the sums borrowed may be signed by the Managing Secretary or Finance Convenor and any two members of Council.
 - iv. Institute, conduct, defend, settle, abandon any legal proceedings, compromise or settle any claim by or against the Club or any of its officers or employees: subject to the right of an insurance company in terms of any policy of insurance.
 - v. Arrange for and approve of such competitions on the Course as shall appear to them proper.

- vi. Fix any charges to be paid by members for lockers or other special accommodation provided in the Club House.
 - vii. Fix the charges to be paid by visitors and guests playing on the Course or using the Club House.
 - viii. In addition to the Club House Sub-Committee hereafter specially provided for appoint Sub-Committees with specified powers but every Sub-Committee shall report their proceedings to the Council.
 - ix. Make sure arrangements in regard to the use of the Course and Club House by members as they shall at any time consider proper.
 - x. Make, vary and rescind Bye-laws and issue instructions in regard to (a) playing the game of golf on the Course of the Club (b) the use of the Club House and other property of the Club and (c) generally the regulation of the affairs of the Club.
27. All rules made and instructions issued by the council shall be binding on every member of the club and shall be deemed to have been sufficiently published by a copy being either (1) sent by post to each member of the club or (2) exhibited on the notice boards or (3) Posted on the club website.
28. Not less than eight Ordinary Meetings of the Council shall be held in any one year at such time and place as the Council may fix.
29. Special Meetings of the Council shall be called by the Managing Secretary at any time on the instruction of the Captain or Vice-Captain or any two members of Council.
30. Every meeting of the Council shall be called specifying generally the business to be transacted, issued to the members at least forty eight hours prior to the time of the meeting, but in the case of emergency to be stated in the Minutes, a meeting may be called at shorter notice.
31. The Quorum of the Council shall be five.

Subscriptions, Entrance Fees and Other Levies on Members:

32. The amount of the Annual Subscription due by members shall be determined by the Club at a General Meeting.
33. Members admitted after the 1st day of September in any one year shall only be called upon to pay that percentage of the annual subscription as shall be determined by Council.
34. Annual subscriptions shall be payable from the 1st day January following the Annual General Meeting for the succeeding calendar year.
35. Members who have failed to make payment of the Annual Subscription before the last day of February in the year shall be held to have terminated their membership. For the purpose of this sub-paragraph the requirement to make payment may also be satisfied

by a member (a) granting a Standing Order in favour of the Club or (b) by arranging payment by instalments over such periods and of such amounts as are acceptable to the Council

36. The Council shall have powers to waive the payment of all or any part of a member's Annual Subscription on consideration of the relevant circumstances.
37. Juvenile Members who become Ordinary Members will not commence payment of the higher rate of Annual Subscription until after the 30th day of December following their 18th birthday.
38. The amount of the entrance fee to be paid by a member shall be determined by the Club at a General Meeting.
39. The Club may make such a levy on members of such an amount as may be approved at a General Meeting and shall determine at such General Meeting the purpose for which the amount so raised shall be applied.

General Meeting:

40. A General Meeting of the Members of the Club shall be held annually in November of each year at such place and hour as may be fixed by the Council and shall be presided over by the Captain.
41. Only Ordinary Members, 5 Day Members, Community Members, Life Members and Honorary Members, who prior to appointment were Ordinary or 5 Day Members, of the Club, shall be entitled to vote at General Meetings.
42. There shall be submitted to the meeting for approval an account of the intermissions with the funds of the Club, the Independent Accountants report and a report by the Council, all for the year ending 30th day of September preceding.
43. An Ordinary, 5 Day, Life or Honorary Member wishing to submit to the Annual General Meeting a motion or other business relative to the affairs of the Club shall give specific intimation thereof in writing to the Managing Secretary or Captain at least twenty one days prior to the meeting.
44. The Managing Secretary or Captain shall, in the notice calling the meeting, give intimation of any such motion or other business so intimated to them in addition to the other business falling to be transacted at the meeting.
45. It shall be competent for the Chair at the General Meeting to accept or reject amendments to such motions.
46. Any competent business relative to the affairs of the Club may be transacted at the Annual General provided specific intimation thereof has been given in the notice calling the meeting.
47. The Council may at any time instruct the Managing Secretary or Captain to call a special General Meeting of the Club.

48. A special General Meeting shall be called by the Managing Secretary, whom failing the Captain, as soon as practicable after receipt of a requisition to that effect signed by at least fifty Members of the Club and stating the reason or reasons for such requisition.
49. Every special General Meeting shall be held at such place and time as may be fixed by the Council.
50. The precise business to be brought before every special General Meeting shall be intimated in the notice calling the meeting and no other business may be transacted or considered.
51. It shall be competent for the Chair at the General Meeting to accept or reject amendments to the business as intimated.
52. The Annual General Meeting and every special General Meeting shall be called by mail or electronic mail by the Managing Secretary, whom failing the Captain, not less than six days prior to the date of the meeting. Hard copies of the AGM items will be made available by post or for collection as individual members may elect. The accidental omission to give notice to, or the non-receipt of notice by, any person entitled to receive notice shall not invalidate the proceedings at any Annual or Special General Meeting of the Club.
53. At any Annual or Special General Meeting of the Club, Thirty Ordinary Members present in person or by proxy shall form a quorum. All votes via proxy must nominate their principle in advance of the meeting, in writing, to the council.
54. At any meeting of the club, or of the council or committees, any vote shall be taken by a show of hands and a count of proxy votes cast, unless the meeting decide otherwise. Electronic polling or voting may be utilised where it is deemed, by the council, that the subject does not merit the calling of a special general meeting. All votes via proxy must nominate their principle in advance of the meeting, in writing, to the council.
55. The council will endeavour to hold all general meetings in person but in certain circumstances it may be necessary to hold meetings remotely utilising a video conferencing platform.

Property and Liabilities:

56. Subject to the Constitution of the Club and the rights and powers vested in the Council and Trustees, the whole heritable and moveable property of the Club shall belong to the Members of the Club for the time being equally but the rights and interests of every such member shall not be assignable or arrestable and shall expire on his ceasing to be an Member of the Club.
57. The whole of the membership of the Club for the time being shall be liable jointly for the whole debts and liabilities incurred by the Club or by the Council on their behalf including (a) all monies borrowed in terms of sub-section (iii) of para. 26 hereof and (b) all money borrowed on Standard Security over heritable property of the Club.

Acquisition of Heritable Property:

58. On the recommendation of the Council any General Meeting of the Club specially called for the purpose may, by a majority of the members present and voting, resolve to (a) purchase or otherwise acquire for the Club any heritable property (b) sell, otherwise dispose of, or lease all or any of the heritable property of the Club (c) borrow on Standard Security over all or any of the heritable property of the Club and (d) repay the whole or any part of any money borrowed on Standard Security over all or any of the heritable property of the Club.

Trustees:

59. All heritable property of the Club shall be vested in the Captain, Vice-Captain and Immediate Past Captain of the Club, and their successors in office, for the time being as Trustees for and on behalf of the Club.
60. The Trustees shall be bound and shall only have power to sell, dispose of, lease, borrow on the security of, or repay any money borrowed on the security of any of the heritable property of the Club in accordance with a resolution of a majority of the members of the Club, present and voting, at a meeting specially called for the purpose in the terms of the Constitution of the Club for the time being.
61. In respect of sums which the Club may resolve to borrow on the security of the heritable property of the Club the Trustees shall, notwithstanding the powers devolved upon the Council, grant Standard Securities over such heritable property containing all usual and necessary clauses and binding the Club, its Members and its whole assets, heritable and moveable, in repayment of all sums so borrowed.
62. Upon dissolution of the club any remaining assets shall be given or transferred to another CASC, a registered charity or the sport's governing body for use by them in related community sports.

Club House and Course:

63. The Club House and Course shall be opened every day including Sundays at such hours as may be fixed by the Council with the following conditions- The course may close at any time due to adverse weather or ground conditions subject to a decision by Council or a member of the Greenkeeping team. The Clubhouse may close on December 25th and January 1st subject to a decision by Council.
64. Alcoholic liquor may be sold in the Club to all classes of members, except members under the age of eighteen years, for consumption on the premises by themselves.
65. Alcoholic liquor shall be sold or supplied in the Club House in accordance with the provisions the current Licensing (Scotland) Acts. The permitted hours during which alcoholic liquor may be sold or supplied in the Club House shall be laid down by the Council from time to time as permitted by the current Licensing (Scotland) Act or Statutes.
66. Every member shall, before leaving the Club House, pay whatever charges he may have incurred.
67. Subject to the provisions contained elsewhere in the Constitution:

- a. No member of the Council and no Manager or employee in the Club shall have any personal interest in the sale or supply of alcoholic liquor therein or in the profits arising from such sale.
 - b. No Alcoholic liquor shall be sold or supplied to any person under eighteen.
 - c. No alcoholic liquor shall be sold or supplied on the Club premises for consumption off the premises except to a member of the Club for consumption by him.
68. Subject to the approval of the Council the Club House shall be managed by a Sub-Committee consisting of members appointed thereto and under the convenorship of a member appointed by the Council from among its number.
69. Rules and instruction regarding the use of the Club House and Course shall be made by the Council in pursuance of their general powers and duties.

Finance:

70. An Account (or Accounts) in the name of the Club shall be kept with a Branch of such Joint Stock Bank as may from time to time be fixed by the Council and all sums received for or on behalf of the Club shall be paid to the credit of such Account (or Accounts). All payments from the funds of the Club shall be made by cheque or electronic banking on the Bank Account (or Accounts) other than wages and petty outlays.
71. All cheques shall be signed by two persons from the Managing Secretary and authorised members of the Council and the Council shall nominate the persons so authorised to sign and make due intimation to the Bank of the persons so nominated.
72. No expenditure shall be incurred on behalf of the Club or of the council except in terms of a resolution of the authority expressly delegated by Council.
73. Payments from the fund of the Club other than the periodic payment of rates, taxes and interest on borrowed money may be made prior to but shall be reported at a duly constituted meeting of the Council.
74. At each Annual General Meeting of the Club a suitably qualified Chartered Accountant shall be appointed to prepare the Managing Secretary's or Finance Convenor's Account of their intromissions with, and statements regarding, the funds of the Club for the year ending 30th September next succeeding.
75. If the Independent Accountant dies, declines to act, or is, in the opinion of the Council, incapacitated from acting the Council shall appoint another Independent Accountant.

Temporary Members, Visitors and Guests:

76. In accordance with the terms of the Licensing (Scotland) Act, 2005 and the major variation to the Club's license in 2016 or any subsequent Legislation, there shall be no

restriction on the sale of alcohol to a visitor other than those set out within the Club's policies and procedures.

77. Temporary Members and Non-playing Members duly admitted as such by the Council and whose admission is recorded in the Minutes of the appropriate Council meeting, shall be granted the use of the Club House and Course as if they were Ordinary Members of the Club.
78. A Temporary Member or a Non-playing Member shall not be eligible for election as an Office Bearer of Member of the Council or be entitled to act or vote at any meeting of the Club.
79. No visitor will make use of the Course except after payment of the appropriate visitor's fee. Such payment will entitle the visitor to the use of the Course only for the period so paid for.
80. Guests must be introduced by members of the Club and shall not use the Course except under the conditions prescribed by the Club at a General Meeting or by the Council in pursuance of their general powers and duties; always subject to the provisions of the Licensing Laws for the time being in force.
81. No member shall at any time introduce as guests more than three persons at any one time to the golf course.
82. Charges for guests who make use of the playing facilities of the Club shall be specified from time to time by the Club.
83. All visitors shall, upon payment of the appropriate green fee, become Temporary Member of the Club for that day and as such shall be restricted in accordance with appropriate clauses of the Club Constitution and Rules.
84. Partners of Ordinary Members shall, unless being Members of the Club in their own right, become Non-playing Members for such time as the Ordinary Membership is maintained.
85. All players and Officials of visiting teams competing in competitions authorised and being played under the jurisdiction of the appropriate local Golf Association together with the Officials of that Association shall be afforded the status of Temporary Membership for the day of that competition only.

Complaints and Suggestions:

86. All Complaints and suggestions regarding the affairs of the Club must be made in writing and addressed to the Captain or Managing Secretary.
87. The game of Golf shall be played on the Course according to the Rules of the Royal and Ancient Golf Club of St Andrews for the time being in so far as these rules may be modified, or local rules adopted, by the Council

Alteration of Constitution:

88. No motion to (1) dissolve the Club (2) abandon the present Course or Club House (3)

form a new Course or erect a new Club House (4) rescind, suspend, alter or add to the existing Constitution of the Club or (5) adopt any new Constitution of the Club shall be competent at any General Meeting of the Club unless the precise terms of the motion have been stated in the circular calling such meeting; and no such motion shall be declared carried or receive effect unless it is supported by not less than two thirds of the membership present at the meeting and voting.

89. No motion to rescind any resolution which has been passed by a General Meeting within the preceding six months shall be competent.

Amendments: 15th Dec 2022

Clause 74 - Two word change Independent to Chartered and Audit to Prepare.

Clause 4.3 and 4.4 - Change junior and juvenile to age 13 as per Scottish Golf.

Bryan Gale, Club Captain



Donald MacLeod, Vice-Captain


