

Constitution of Muskerry Golf Club

New	NEW
1	<p>NAME OF CLUB The name of the Club shall be “MUSKERRY GOLF CLUB” (“the Club”). Muskerry Golf Club is a Members’ Club.</p>
2	<p>OBJECTS OF THE CLUB The objects of the Club shall be</p> <ol style="list-style-type: none"> 1. the playing and promotion of the game of Golf. 2. Provision of a Golf Course and facilities for social meetings and recreation for Members.
3	<p>RULES OF GOLF The Club shall adopt the Rules of Golf and the Rules of Amateur Status as approved by the Royal and Ancient Golf Club of St. Andrews with the addition of such Local Rules as the nature of the Course may require as being the Rules of Golf of the Club.</p>
4	<p>AFFILIATION TO GOLF IRELAND The Club shall be affiliated to Golf Ireland. As an affiliated member of Golf Ireland, the Club will confirm on an annual basis:</p> <ol style="list-style-type: none"> a) It has held a Club AGM at which a Board of Management comprising a Chairperson, Treasurer, Men’s Captain, Women’s Captain, and four Ordinary members has been elected. It has held a Men’s Golf Committee AGM at which a committee of 8 has been elected. It has held a Women’s Golf Committee AGM at which a committee of 12 has been elected. b) It has a minimum of 50 Home Club Members c) It has a course of a standard which has an official course rating d) It undertakes to pay the Membership Fee applicable to Affiliate Clubs, and to pay the Affiliation Fee by 31st March annually e) It has a clubhouse which is the official address of the Club f) It has a children’s safeguarding statement and a designated liaison person g) It is the owner of the lands on which the course has been constructed h) it abides by the Rules of Golf, the Rules of Amateur Status as approved by the R&A and the Rules of CONGU i) It will maintain an accurate register of all members on the Central Database of Handicaps (CDH) j) it will make available to Golf Ireland the facilities of the course and clubhouse at reasonable intervals as may be agreed
5	<p>GOLF IRELAND GENERAL MEETINGS</p> <ol style="list-style-type: none"> 1. The Club shall be entitled to send two men and two women to attend all general meetings of Golf Ireland and of its regions. The minimum number of representatives to attend is one and this person may be male or female.

	<ol style="list-style-type: none"> 2. The Men's Golf Committee shall select 2 male representatives, and the Women's Golf Committee shall select 2 female representatives to attend all general meetings of Golf Ireland and of its regions. 3. The Men's and Women's Golf Committees shall agree the Club's stance on any notices of motion at these meetings and shall direct these representatives on how the Club's votes will be cast.
6	<p>MANAGEMENT STRUCTURE</p> <ol style="list-style-type: none"> 1 The Management of the Club shall be the responsibility of the Board of Management. 2 The Golfing and Social Affairs of the Club shall be the responsibility of the Men's and Women's Golf Committees
7	<p>OFFICERS</p> <ol style="list-style-type: none"> 1. The OFFICERS of the Club shall consist of a President, Men's Captain, Women's Captain, Men's Vice-Captain, Women's Vice-Captain, Chairperson of the Board of Management and Hon. Treasurer. 2. It will not be permissible for any Member to hold more than one OFFICE at a time save where provided for in these rules. 3. The OFFICERS of the Club, members of the Men's and Women's Golf Committees, and of the Board of Management and members of any formally appointed sub-committee shall be entitled to be indemnified out of the assets of the Club, for all acts done or approved by them in good faith on behalf of the Club, in exercise of the powers and functions conferred on them hereunder and shall not by virtue of their holding such OFFICE incur any personal liability. 4. The OFFICERS of the Club shall be Ordinary Members of the Club of at least five years standing. Save and except that a Women's Captain or a Women's Vice-Captain who is an Associate member shall not be prohibited from being an OFFICER of the club. 5. The OFFICE of President of Muskerry Golf Club shall be held by a woman every third year beginning with the year 2016.
8	<p>THE PRESIDENT</p> <p>The President shall, together with the Captains, represent the Club at all Official Functions. The President shall chair all General Meetings of the Club and remain in OFFICE for one year and shall submit a report of his/her presidency to the Annual General Meeting. The President may attend, in a non-voting capacity, meetings of the Men's and Women's Golf Committees and Board of Management, and shall chair and be a voting member of all Joint Committee meetings.</p>
9	<p>CAPTAINS OF MEN'S AND WOMEN'S SECTIONS</p> <ol style="list-style-type: none"> 1 The Men's Captain shall chair the Men's Golf Committee whose meetings he shall convene. He shall represent the Club at all Official Functions and shall submit a report of his captaincy to the Men's Annual General Meeting. He shall be a member of the Board of Management. He shall remain in OFFICE for one year. 2 The Women's Captain shall chair the Women's Golf Committee whose meetings she shall convene. She shall represent the Club at all Official Functions and shall submit a report of her captaincy to the Women's Annual General Meeting. She shall be a member of the Board of Management. She shall remain in OFFICE for one year.

10	<p>VICE-CAPTAINS</p> <ol style="list-style-type: none"> 1. The Men's Vice-Captain shall assist the Men's Captain and have specific responsibility for Inter Club Competitions. 2. He will remain in OFFICE for one year and he will be a member of the Men's Golf Committee and shall attend Board of Management meetings as an observer. 3. The Women's Vice-Captain shall assist the Women's Captain and have specific responsibility for Inter Club Competitions. 4. She will remain in OFFICE for one year and she will be a member of the Women's Golf Committee and shall attend Board of Management meetings as an observer.
11	<p>CHAIRPERSON OF THE BOARD OF MANAGEMENT</p> <p>The Chairperson shall convene all meetings of the Board of Management, shall be elected annually at a Club General Meeting and shall hold OFFICE for a maximum of three years.</p>
12	<p>HON. TREASURER</p> <p>The Hon. Treasurer should be a member of the Board of Management, shall be elected annually at a Club General Meeting and shall hold office for a maximum of three consecutive years, but shall be eligible for reappointment to the post after a break of two years</p>
13	<p>THE MEN'S AND WOMEN'S GOLF COMMITTEES</p> <ol style="list-style-type: none"> 1. The Men's Golf Committee shall comprise of eight members including the Captain and Vice-Captain. 2. The Women's Golf Committee shall comprise of 12 members including the Captain, Vice-Captain and Women's Hon. Secretary. 3. All Positions on the Men's and Women's Golf Committees shall be elected annually at the respective AGMs. 4. Each Golf Committee shall hold meetings at periodic intervals of not more than one month.
14	<p>GOLF ADMINISTRATION COMMITTEE</p> <p>The Golf Administration Sub Committee shall comprise the Captains, Vice-Captains and the Competition Secretaries.</p> <p>The Golf Administration Sub Committee shall meet within three weeks of the request of either Captain, but in any event shall meet at a maximum of four-monthly intervals.</p>
15	<p>BOARD OF MANAGEMENT</p> <p>The Board of Management shall comprise eight members and shall hold meetings at periodic intervals of not more than two months. The Chairman, the Captains, and the Hon. Treasurer shall be members. To ensure compliance with 30/30/40 representation the remaining four positions shall be filled by two male Ordinary Members and two female Ordinary Members elected at the Annual</p>

	General Meeting of the Club. Each member of the Board of Management shall retire each year and if eligible may offer themselves for re-election at the Annual General Meeting of the Club.
16	TEMPORARY CHAIR If at any meeting of any committee or sub-committee the Chair is not present the members attending the meeting shall appoint a temporary Chair for the conduct of that meeting.
17	RULES OF THE CLUB The Rules of the Club shall be the provisions of this Constitution as determined by the Members at a General Meeting of the Club together with currently approved Bye-laws.
18	BYE-LAWS The bye laws of the Club shall be those bye laws already in existence and such bye laws as are deemed to be expedient or convenient for the proper conduct and management of the Club, which have been adopted by simple majority vote at a Club Annual General Meeting or Special General Meeting.
19	NOMINATIONS 1. Nominations for the OFFICES of President, Chairperson, Hon. Treasurer, and membership of the Board of Management shall be posted on the Notice Board in the Clubhouse for ten clear days before the date of the Club's Annual General Meeting. Each proposal must bear the signature of the proposer and seconder and of the nominee to signify his/her acceptance of nomination. 2. Nominations for the OFFICES of Men's Captain, Men's Vice-Captain and members of the Men's Golf Committee shall be posted on the Notice Board of the Clubhouse for ten clear days before the date of the Men's Annual General Meeting. Each proposal must bear the signature of the proposer and seconder and of the nominee signifying acceptance of the nomination. 3. Nominations for the OFFICES of Women's Captain, Women's Vice-Captain and members of the Women's Golf Committee shall be posted on the Women's Notice Board for ten clear days before the date of the Women's Annual General Meeting. Each proposal must bear the signature of the proposer and seconder and of the nominee signifying acceptance of the nomination.
20	ELECTION TO AND TENURE OF THE GOLF COMMITTEES 1. Candidates for election to the Men's Golf Committee shall be Male Ordinary Members of the Club of at least three years standing. 2. All members of the Men's Golf Committee shall be elected annually at the Men's Annual General Meeting. 3. Candidates for election to the Women's Golf Committee shall be Female Ordinary Members or Lady Associate Members of the Club of at least three years standing. 4. All members of the Women's Golf Committee shall be elected annually at the Women's Annual General Meeting. 5. The members of the Golf Committees shall be elected to serve for one year and subject to nomination and election procedures outlined in these rules may serve a maximum of six consecutive years.

	6. Other than the Captains a member of either Golf Committee may not at the same time be a member of the Board of Management.
21	<p>RESPONSIBILITIES OF THE GOLF COMMITTEES AND THE GOLF ADMINISTRATION COMMITTEE</p> <p>1 The Golf Committees shall have responsibility for the regulation of the Men's and Women's sections of the Club respectively in respect of the following:</p> <p>(a) The Golf activities of the Club</p> <p>(b) The promotion of all Golf activities of the Club including and /or practice as well as course set-up, and usage but excluding any material alterations to the course</p> <p>(c) Golf Handicaps</p> <p>(d) The social life of the Club</p> <p>(e) The preservation of proper standards of behaviour and etiquette on the Course and in the Clubhouse</p> <p>2 The Golf Administration Committee shall coordinate the Golfing calendar and shall address any golfing matters of mutual concern to the Women's and Men's Golfing Committees.</p>
22	<p>COMMITTEE VACANCY</p> <p>Any vacancy occurring in the elected membership of the Board of Management or the Golf Committees shall be filled by a nominee of the appropriate Committee.</p>
23	<p>QUORUM AND PROHIBITION OF PROXIES</p> <p>1 The Quorum for an Annual or Special General Meeting of the Club Shall be 50.</p> <p>2 The Quorum for the Men's Annual General Meetings shall be 40.</p> <p>3 The Quorum for the Women's Annual General Meetings of the Club Shall be 25.</p> <p>4 The Quorum for Joint Management Meetings of the Board of Management, the Men's Golf Committee and the Women's Golf Committee shall be 13.</p> <p>5 The Quorum for meetings of the Board of Management shall be 5.</p> <p>6 The Quorum for meetings of the Men's Golf Committee shall be 5.</p> <p>7 The quorum for meetings of the Women's Golf Committee shall be 6.</p> <p>8 The Chairperson of all Committees and sub-committees shall have the casting vote in the event of a tie.</p> <p>9 Proxies will not be permitted at any of the above meetings nor at any meeting of sub-committees created by any of the above authorities.</p>
24	<p>ELECTION TO AND TENURE OF THE BOARD OF MANAGEMENT.</p> <p>1. Only Ordinary Members of five years standing or Ordinary Members who were Lady Associate Members of five years standing prior to becoming Ordinary members shall be eligible for election to the Board of Management. Those who were Lady Associates prior to</p>

	<p>being Ordinary Members may aggregate their membership to satisfy the 5-year requirement. With the exception of the Captains a member of the Board of Management may not, at the same time, be a member of the either Golf Committee and vice versa. Ordinary Members of the Board of Management shall be elected annually by the General Meeting.</p> <ol style="list-style-type: none"> 2. The Vice Captains shall attend meetings of the Board of Management as observers. 3. Continuous service on the Board of Management in any capacity shall be limited to a maximum of six years.
<p>25</p>	<p>RESPONSIBILITIES OF THE BOARD OF MANAGEMENT</p> <p>The Board of Management shall have the following responsibilities:</p> <ol style="list-style-type: none"> a) The course, (excluding course setup, usage, designation and use of practice areas), the clubhouse and the land b) The control and management of the Club's finances, including generation and application of cash resources, control of income and expenditure in accordance with a budget approved at the Annual General Meeting in each year, administration of the funds of the Club and provision of adequate finance for the social and golf related activities of the Club c) Discipline and Good Order in the Club d) Control of bar and catering activities e) The control of all Club Employee matters including the appointment and terms of employment of the General Manager, the Club Professional and the Course Superintendent f) The Board, through its Chairperson, will report to the members at the Annual General Meeting and shall present an Annual Report and accounts on all activities for which the Board has responsibility. It will also submit a projected Income and Expenditure Budget for the forthcoming year and shall report on actual income and expenditure versus budget for the year completed g) The Board will prepare for each Annual General Meeting a rolling five-year projection on capital expenditure for approval by the membership h) The submission to the membership for their approval at General Meeting, any proposed alterations to such Club Bye Laws or alterations to this Constitution, as fall within their area of responsibility i) The submission to the membership for their approval at General Meeting, any proposed material alterations to the Club's Golf Course j) The Board shall be responsible for compliance with the licensing laws and any other statutory requirements imposed upon the Club by law k) The Board shall be responsible for Memberships and the induction of new members to the Club l) The Board of Management shall have power to borrow, for the purposes of the Club, by way of overdraft , term loan, loan account or otherwise, from the Club's Bankers, with interest in the category of the accommodation granted, such amount of money either at one time or from time to time as it may deem proper, such borrowings to be effected in the names of the Trustees and to give security for such borrowings and the Interest thereon by the issue of bills of exchange, promissory notes or other obligations or Securities of the Club or by Mortgage or Charge upon all or any part of the property of the Club and thereupon the Trustees shall at

	the direction of the Board of Management make all such dispositions of the property of the Club or any part thereof and enter into such agreements in relation thereto as the Board of Management may deem proper for giving such security.
26	<p>ELECTION OF OFFICERS & MEMBERS OF THE GOLF COMMITTEES & BOARD OF MANAGEMENT</p> <ol style="list-style-type: none"> 1. Should there be more nominations than positions to be filled in the Board of Management or the Golf Committees, then in each such case, election shall be by ballot at the relevant Annual Meeting. In the event of there being fewer or an equal number of candidates, then the persons nominated shall be deemed to be elected. 2. All members voting shall vote for as many of the candidates as there are vacancies but shall not vote for a greater number of candidates than there are vacancies to be filled. Any voting paper or ballot containing a greater or lesser number of votes than there are vacancies shall be deemed to be invalid. 3. Any OFFICER or Member of the Board of Management or Golf Committees who has attended fewer than one third of the Meetings held during the Club year shall be ineligible for re-election for the subsequent year. Illness or enforced absence, subject to the Committee deeming said absence reasonable, is considered a legitimate reason for non-attendance. Any OFFICER or member of the Board of Management or Golf Committees who has been removed from office by resolution of a simple majority at any Annual or Special General Meeting of the Club shall be ineligible for re- election to any Office of the Club or to any Committee of the Club for a minimum of 5 years.
27	<p>JOINT MANAGEMENT MEETINGS</p> <ol style="list-style-type: none"> 1. ANNUAL: Within one clear calendar month after the Annual General Meeting, the President shall call and chair a meeting of the Board of Management and the Men's and Women's Golf Committees to discuss matters that may have arisen at the Annual General Meeting and such other matters as required by either Captain or Chairperson of the Board of Management. The Quorum for this meeting shall be 13. 2. SPECIAL: At the request of the Captains and the Chairperson of the Board of Management the President shall be empowered to convene and chair a special meeting of the Board and these Committees to discuss such matters as decided by the Captains and the Chairman of the Board of Management. The Quorum for this meeting shall be 13. 3. EXECUTIVE: The President shall, at the request of either Captain or the Chairman of the Board of Management, convene and chair a meeting of the OFFICERS of the Club to resolve any difference that may arise between the Board of Management, the Men's Golf Committee or the Women's Golf Committee. The quorum shall be four. Such meetings must be held within 21 days of the date of the request.
28	<p>SUB-COMMITTEES</p> <ol style="list-style-type: none"> 1. APPOINTMENT: The Golf Committees and the Board of Management shall each have power, on matters falling within their respective areas of responsibility, to appoint sub-committees for such purposes and with such powers as each may deem necessary.

	<p>2 CHAIRPERSON: Each sub-committee shall agree one of their number to be Chairperson.</p> <p>3 QUORUM: The quorum for meetings of each Sub-Committee shall be determined by the Board of Management or by either Golf Committee, as appropriate, at the time of appointment of such Sub-Committee.</p>
29	<p>GENERAL MANAGER</p> <ol style="list-style-type: none"> 1. Muskerry Golf Club shall appoint a General Manager to oversee the proper administration of the Club 2. The General Manager shall not be a member of the Club. During her/his tenure as General Manager s/he shall be afforded the right to use all of the facilities of the Club. 3. The General Manager shall report and be responsible to the Board of Management, and shall attend in a secretarial capacity, if requested, the Board of Management, Men's and Women's Captains' Committees, and General Meetings of the Members 4. The General Manager will be responsible for: <ol style="list-style-type: none"> a) Implementing the decisions of the Board of Management b) S/he shall regularly review all activities of the Club and make recommendations as appropriate c) The management of the day-to-day affairs of the Club and shall keep the Captains and Chairperson of the Board fully informed on all relevant matters d) The welfare and performance of all staff employed, permanently or temporarily, by the Club e) Informing every new Member or Associate Member of their election to Membership and shall furnish him or her with copies of the Constitution & Bye Laws of the Club f) Maintaining up to date master copies of the Constitution & Bye Laws of the Club governing the operation and management of the Club and incorporate therein such changes as are made from time to time by the appropriate authorities g) The maintenance of all minutes, legal and financial records and returns h) The control of expenditure within the approved budget i) Liaising with the Women's and Men's Golf Committees j) Ensuring compliance by members and Staff with all statutory and government regulations, including the Health and Safety at Work Act while on the Club premises or acting on behalf of the Club k) S/he will be available to attend at sub-committee meetings, at the direction of the Chairperson of the Board of management l) Shall act as Data Protection Officer for the Club. m) Shall operate and be responsible for the Club IT System n) Shall maintain an accurate and up to date data base of members o) Carrying out other duties as the Board of Management shall more specifically define
30	<p>GENERAL GOOD GOVERNANCE</p> <p>The Club shall adhere to good governance practice and follow Golf Ireland's guidance on good Club governance. The Club shall have policies and practices with which the membership is required to comply</p>

31	<p>MEMBERSHIP</p> <p>The Club shall consist of members within the following categories:</p> <ol style="list-style-type: none"> 1. Ordinary Members shall have full voting rights and privileges subject to the Constitution and Byelaws of the Club. Only Ordinary Members or those members who have the rights of Ordinary Members shall be entitled to hold any OFFICE or to have any interest in Club property. 2. Life Members, who have paid the appropriate fee as determined by the members at a General Meeting, shall retain all the rights and privileges and assume all the obligations of an Ordinary member as provided by the Constitution of the Club. Life members shall not be required to pay an annual subscription for as long as they live. 3. Associate Members shall not have voting rights or the right to attend at General Meetings or to have any interest in Club property and are only entitled to use the facilities of the Club upon such terms consistent with the Class of Associate Membership to which they belong. <ol style="list-style-type: none"> a) Lady Associate Members Persons who were admitted to this category of membership were admitted prior to the Annual General Meeting of 2001. As and from that date there shall be no further admission to this category and Members of this category shall have the right to transfer on payment of the appropriate entrance fee to Ordinary Membership of the Club b) Five-day Associate Member - Five-day Associate Member (Male or Female) shall have the right to play Monday to Friday with eligibility to play in Weekday Club Competitions c) Junior Member - Junior Associate membership shall be confined to persons who have not yet attained their 23rd Birthday, on the 1st September d) Juvenile Associate Members shall be confined to persons ages of 10 and 17 years of age, who have attained the age of 10 and not attained the age of 18 on the 1st September of the subscription year inclusive, who may play in Club Competitions in accordance with the Bye-Laws e) Five-day Juvenile Associate Member. Associate Membership in this category shall be confined to those ages of 10 and 17 years of age, who have attained the age of 10 and not attained the age of 18 on the 1st September of the subscription year inclusive, who may play the course from Monday to Friday and in Club Juvenile Competitions from 1st February until 31st of October, plus Christmas competitions and any juvenile competitions which are arranged outside these dates which may be organised officially by the appropriate Club Committee. Membership of this category cannot be retained beyond 2 golfing seasons. Membership of this category does not guarantee automatic entry to any other category of membership f) Student Members - Student Associate Membership shall be confined to full-time students of any 3rd level Educational Institution who have not yet attained their 25th birthday, on the 1st September g) Country Member - Country Associate Membership shall be confined to men and women resident outside a radius of 130Kms from the Club and who are Lady Associate or Ordinary Members of another Golf Club h) International Member - International Associate Membership shall be confined to men and women resident outside the State and who are Lady Associate or Ordinary Members of another Golf Club in their country of residence
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	<p>i) Corporate Member - Corporate Associate membership shall be confined to the nominee of the company who has been selected by the Board of Management for corporate membership. The Corporate Associate Membership shall be for a period of five years only, and at a total subscription to be determined by the Board of Management and payable in advance. Corporate membership is transferable throughout the period, subject to the nominee having the prior approval of the Board of Management</p> <p>j) Non-golfing (Pavilion) Member - Non-golfing Members shall be entitled to the privileges of the Clubhouse only. The Board of Management shall have the right to suspend such membership whenever and for as long as they consider fit</p> <p>k) Temporary Member - The Board of Management shall have the power if they see fit to admit persons as Temporary Associate Members without ballot for any period not exceeding six months on payment of such sum as the Board of Management shall from time to time decide. The period of such temporary membership shall not exceed in the aggregate three years. Such Temporary Members shall not be entitled to attend or vote at Club Meetings, play in Club Competitions or to have any interest in the property of the Club</p> <p>l) Cadet Associate Member shall be confined to children between the ages of 6 and 9 years inclusive, on the 1st September of the subscription year who shall be children or grandchildren of current members. Cadet Members must be accompanied by an Ordinary Member or a Lady Associate Member while on the course or Club premises</p> <p>4. Honorary Members</p> <p>a) Only those only who have rendered exceptional service to the Club or to the Game of Golf may be elected as Honorary Members by simple majority of members voting at a General Meeting. Voting shall be by written ballot only.</p> <p>b) Members on whom this honour is conferred shall retain the rights and privileges of the membership category to which they belonged at the time of their election to honorary membership. Honorary members may be elected for life or for any defined period.</p> <p>c) The tenure of persons whom the Board of Management decide should enjoy the privilege of Honorary membership for any short-term, time limited period shall be ratified at the next Annual General Meeting by a simple majority vote of those present and entitled to vote.</p> <p>d) Those who represent their country at International level at golf shall be offered Honorary Membership. In the case of full International Caps this honour will be Life Honorary Membership. In all other cases the Honorary Membership will be for the year immediately following the year in which the Cap was awarded.</p> <p>5. The President, Captains, Chairperson of the Board of Management, Treasurer, Men’s and Women’s Competitions Secretaries shall be Honorary Members of the Club during their term of office.</p>
<p>32</p>	<p>MEMBERSHIP NUMBERS</p> <p>1. The total of members in all classes of membership shall be as determined by the Members at the Annual General Meeting subject to the provisions of this Constitution.</p>

	<p>2. The Board of Management shall be responsible for adhering to the most recent membership limits determined by the members at the Annual General Meeting.</p>
33	<p>APPLICATIONS FOR MEMBERSHIP</p> <ol style="list-style-type: none"> 1. The Board of Management shall elect all categories of members. Candidates shall be proposed by an Ordinary Member and seconded by an Ordinary Member each being of at least two years standing and the prescribed form of proposal shall contain the signatures and other details specified therein. It shall contain a footer to the form stating that the applicant consents to the Application Form and its contents being exhibited on the Notice Board. 2. Such completed form shall be handed to the General Manager together with the appropriate sum covering entry fee and subscription. 3. The Membership sub-committee of the Board of Management will consider the application form at the first available opportunity. 4. If approved by the Membership sub-committee, the form shall then be posted on the Main Notice Board for a period of not less than fourteen days. Following this period the proposed member shall be considered elected unless an objection has been received in writing from a member. 5. The Board of Management having considered any objection received from members shall be the sole judge as to whether the proposed member is elected or not, and its decision shall be final and binding. In the case of non-election of a candidate the Board of Management shall not state or be required to state any reason for such non-election. Voting by the Board of Management on membership shall be by secret ballot, election taking place on simple majority. 6. Any person whose membership has been terminated and who seeks to re-join the Club shall not be elected until all outstanding debts due by that person to the Club have been paid. 7. After the election of a candidate to membership the General Manager shall send to the elected member a notice that he has been elected together with a copy of the Constitution and the Bye-Laws/rules of the Club. In the event of an application for membership being rejected the General Manager shall refund to the applicant such monies as were forwarded with the application.
34	<p>OFFICER'S NOMINATIONS FOR MEMBERSHIP</p> <p>The President and Captains in their year of office may each nominate one new Member who shall be elected to membership by the Board of Management. Where no vacancies arise in their year of office the upper membership limits may be temporarily increased to accommodate the nominations and the first available opportunity must be taken to restore the upper membership limit to the prescribed number.</p>
35	<p>SUBSCRIPTIONS, ENTRANCE FEES AND LOANS</p> <ol style="list-style-type: none"> 1. The Annual Subscription and Entrance Fee for the time being of members and associates shall be as determined at the most recent Annual General Meeting.

	<ol style="list-style-type: none"> 2. The Entrance Fee payable by members and associates on election and on transfer from one category of membership to another shall be as determined at the most recent Annual General Meeting. 3. A person who re-joins the Club shall not be required to pay an entrance fee except where an applicant re-joining has changed from one category of membership to another. Persons re-joining the club shall pay any levies that have arisen during the past 10 years together with a contribution to the capital cost of the club developments equal to 5% of the current entrance fee for each year of absence up to a maximum of 50% of the current entrance fee. 4. A person who is re-joining the Club cannot avail of a discounted subscription. 5. Members who have paid an interest free loan shall have this advance repaid in the following circumstances: <ol style="list-style-type: none"> a) On retirement or removal from the Club b) On his or her death c) At the discretion of the Board of Management 6. A member whose subscription remains unpaid by the 30th November following the commencement of the Club's financial year shall be ineligible to play in any competition on the Course until such time as the subscription has been paid. It shall be at the discretion of the Board of Management to withdraw the right to play the Course and/or the use of the Clubhouse from any such defaulting member. 7. A member whose subscription remains unpaid by the 31st December following the commencement of the Club's financial year shall cease to be a member of the Club from that date. 8. Should such a person apply for re-admission before the end of the then current financial year the Board of Management may renew membership on receipt of the normal subscription and may charge a levy of 2% for each month or part of month subsequent to 31st December during which the subscription was left unpaid.
36	<p>LEAVE OF ABSENCE</p> <ol style="list-style-type: none"> 1. A member may apply to the General Manager, in writing, for Leave of Absence stating the reasons for the application. 2. The Board of Management shall have the power to grant Leave of Absence to a Member for good and sufficient reason 3. Leave of Absence may only be granted for one year at a time with an option to reapply. 4. Leaves of Absence may not be granted for more than five years in aggregate. 5. A period of Leave of Absence shall commence on a date decided by the Board of Management and shall end on the following 31st of October. 6. A Member who has been granted Leave of Absence and who wishes to resume playing during the year in which he/she has been granted Leave shall be required to pay the full Annual Subscription. 7. A Member who is on Leave of Absence may not play golf on the Course. 8. A Member who has been granted Leave of Absence shall make a contribution of 5% of the Annual Subscription for each year of the Leave of Absence. Such payments to be credited on return against the first subscription invoice.

	<p>9. A Member who has been granted Leave of Absence must pay any levy/levies which may have been imposed on the members during the period of the Leave of Absence</p>
<p>37</p>	<p>RESIGNATIONS</p> <p>A Member wishing to resign from the Club shall notify the General Manager in writing on or before the last day of the Club's financial year, otherwise he shall be liable for his subscription or such part thereof for the ensuing year as shall be decided by the Board of Management.</p>
<p>38</p>	<p>TRUSTEES</p> <ol style="list-style-type: none"> 1. All the property and assets of the Club, whether real or personal, shall be vested in Trustees. The number of Trustees shall not exceed six and shall not be less than three persons, all of whom shall be Ordinary members of the Club and shall have first signified willingness to act. Appointment of trustees shall follow the principle of 30/30/40 – minimum 30% male and 30% female Trustees 2. The Trustees shall be appointed by resolution at the Annual General Meeting of the Club. 3. Trustees shall hold office until the Annual General Meeting next following their appointment and out-going Trustees shall be eligible for re-election. Any vacancy occurring by death, retirement, absence, incapacity or unfitness or other cause shall be filled by the Board of Management if so required on an interim basis pending the next Annual General Meeting and any Trustee so appointed shall have the full power and authority to act in that capacity until his/her ratification at the next Annual General Meeting. 4. The Trustees shall, when and so often as they are directed by a minimum 2/3rd's Resolution of the Board of Management, sell, mortgage or charge the property vested in them, and execute any Deeds, Transfers, Assurances, Mortgages or other documents required to give effect to such direction. Evidence of the passing of such a Resolution of the Board of Management shall be an entry in the Minute Book of the Board. Save and except the Board of Management shall not resolve to sell or dispose of any real property of the club without the prior consent of the members expressed at a Special General Meeting called for that purpose and for not less than 2/3rd majority present and entitled to vote at the meeting. 5. Should any Trustee fail to carry out the direction of the Board as soon as is practicable after the said direction has been made known to her/him, she/he shall be removed from office by the Board of Management and such removal shall not invalidate any acts of the remaining Trustees in any matter undertaken by them in accordance with the requirement of the Board of Management. 6. In the event of the death, retirement, absence, incapacity, unfitness or absence or other cause befalling any one Trustee, then the remaining Trustees shall have the power to act as if all of the nominated Trustees were acting, provided not less than three are available to carry out the direction of the Board. 7. All legal proceedings by and against the Club shall be taken in the name of the Trustees. 8. The Trustees shall be indemnified against liability out of the funds and property of the Club and any Trustee guaranteeing or undertaking to discharge any liability arising from their activities as Trustees, for monies borrowed or a debt or debts incurred for the purpose of the Club shall be indemnified out of the funds and property of the Club.

39	<p>FINANCIAL AFFAIRS</p> <ol style="list-style-type: none"> 1. The financial year shall end on the 31st August. 2. Correct accounts and books shall be kept showing the financial affairs receipts and disbursements of the Club. 3. Certified accounts, incorporating an Income and Expenditure Account and Balance Sheet shall be exhibited in the Clubhouse for not less than fourteen days before the date of the Annual General Meeting and shall be submitted by the Hon. Treasurer to the Annual General Meeting. 4. The funds of the Club, including monies received from sales, loans, subscriptions, fees and all other sources shall be in the hands of the Hon. Treasurer for the time being who shall apply these monies as directed by the Board of Management. The borrowing limits of the Club shall be determined by the members at the Annual General Meeting. 5. The bank account shall be kept in the name of the Club in such bank as the Board of Management may decide. Cheques shall be signed by any two of the following: the Hon. Treasurer, the Chairperson, either Captain or the General Manager. 6. All accounts and books shall be open for inspection by any member of the Board of Management at all reasonable times. A request for such inspection must be made at a Board of Management Meeting. 7. The General Manager shall conduct all correspondence of the Club and have custody of all the books and documents belonging to the Club except those assigned to the Hon. Treasurer. 8. Annual Accounts shall be kept and made available to the Revenue Commissioners on request 9. The Board of Management shall produce and publish quarterly management accounts within 2 weeks of the end of that quarterly period
40	<p>45 INCOME AND PROPERTY</p> <p>The income and property of the Club shall be applied solely towards the promotion of its main object(s) as set forth in this Constitution. No portion of the Club's income or property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit, to the members of the Club. No officer shall be appointed to any office of the Club paid by salary or fees or receive any remuneration or other benefit in money or money's worth from the Club in respect of such office However, nothing shall prevent any payment in good faith by the Club of:</p> <ol style="list-style-type: none"> a) Reasonable and proper remuneration to any Member, servant of the Club (not being an officer) for any services rendered to the Club b) Reasonable and proper rent for premises demised and let by any Member of the Club to the Club c) Reasonable and proper out of pocket expenses incurred by any duly authorised member in connection with their attendance to any matter affecting the Club d) Fees, remuneration or other benefit in money or money's worth to any Company of which an OFFICER may be a member.
41	<p>ANNUAL & SPECIAL GENERAL MEETINGS</p>

	<ol style="list-style-type: none"> 1. The Annual General Meeting shall be held in the month of October on a date to be fixed by the Board of Management. The business to be transacted shall be: <ol style="list-style-type: none"> a) To receive the Board of Management's Annual Reports and Statement of Accounts for the preceding year duly certified by the Auditor(s) appointed for that purpose. b) To elect the President, Chairperson of the Board of Management, Hon. Treasurer and members of the Board of Management and Auditors c) To transact other business properly before the meeting. 2. Only Ordinary Members and those members who have the rights of Ordinary Members shall be entitled to attend and vote at General Meetings (Special or Annual) of the Club. No proxies shall be allowed at General, Special, Board or Committee Meetings. 3. Notice of all General Meetings shall be posted in the Clubhouse for not less than fourteen clear days prior to such meeting and a similar notice shall be inserted on the website and sent out by email. This shall be considered sufficient intimation to the members of the meeting. 4. A Special General Meeting of the Club shall be called by the General Manager on a direction of the Board of Management or on a requisition signed by at least forty members entitled to vote and stating the business to be brought forward. Such meeting to be held not later than 40 days of receipt of the requisition, failing which any one of the signatories to the requisition may call the meeting. 5. Not fewer than fifty shall form a quorum at an Annual or at a Special General Meeting. If that number be not present at the expiry of one half hour after the time for which the meeting was summoned the meeting shall stand adjourned for one week at the same time and place whereupon in the further absence of a quorum the meeting shall be absolutely dissolved.
42	<p>STANDING ORDERS for GENERAL MEETINGS.</p> <ol style="list-style-type: none"> 1 The President, or in his/her absence, the Chairman of the Board of Management shall preside at General Meetings. If the President or Chairman are not present, or decline to preside, the members present entitled to vote shall appoint a Chairman. The Chairman shall have a casting as well as a deliberative vote. 2 Motions shall be authenticated by the General Manager prior to being put up on the noticeboard. The General Manager shall keep a record of the motions submitted including date of submission and signature of the proposer and seconder. Notice of motion signed by the proposer and seconder shall be posted on the Notice Board in the Clubhouse for ten clear days before the day of a General Meeting, otherwise any such motion cannot be accepted by the Chairman unless Standing Orders be suspended by not less than two-thirds majority of the members present and voting at the meeting. 3 The first proposition on any particular subject shall be known as the Original Motion and all succeeding propositions seeking to alter or improve the Original Motion shall be called amendments. Every motion or amendment must be moved by members actually present at the meeting before it can be discussed and, wherever possible, should be set forth in writing. When an amendment is moved to an original motion no further amendment shall be discussed until the first amendment is disposed of but notice of any further amendment or amendments must be given before the first amendment is put to the vote.

- 4 If an amendment be carried it displaces the Original Motion and itself becomes the Substantive Motion, whereupon any further amendment relating to any portion of the Substantive Motion may be moved, provided it is consistent with the business and has not been covered with an amendment or motion which has been previously rejected at that meeting. After the vote on each succeeding amendment has been taken, the surviving proposition shall be put to the vote as the main question and, if carried, shall then become a resolution of the meeting.
- 5 No motion or amendment, which has been accepted by the Chair, shall be withdrawn without the unanimous consent of the meeting. Neither shall any addendum or rider be added to a motion, which has been accepted by the Chair without such full consent. Should any member dissent, the addendum must be proposed and seconded and treated as an Ordinary Amendment.
- 6 No members shall be allowed to speak more than once upon any subject before a General Meeting, or on a point of order, or explanation, except the mover of a Motion or of an Amendment who shall have the right of reply at the close of the debate upon such motion or Amendment. But on an Amendment being moved any member even though he has spoken on the Original Motion and (or) on any amendment thereto may speak again on the Amendment. Members wishing to raise points of order or explanation must first obtain the permission of the Chairman, and must rise immediately the alleged breach occurs. Any member may formally second any motion or amendment and reserve his speech until a later point in the debate.
- 7 If the Chairman rises to call a member to order or for any other purpose connected with proceedings the member speaking shall thereon resume his seat, and no other member shall rise until the Chair be resumed. The ruling of the Chairman on any question shall be final unless challenged by not less than ten members and unless two-thirds of the members present vote to the contrary.
- 8 If any member interrupts another while addressing the meeting or uses abusive or profane language, or causes disturbance at any meetings and refuses to obey the Chairman when called to order, he may be named by the Chairman. He shall thereupon be expelled from the room and shall not be allowed to enter again until an apology satisfactory to the meeting is given.
- 9 If a two-third majority of members present wish any question under discussion to be put to vote by ballot, that mode of voting shall be adopted and scrutinisers shall be appointed by the Chairman.
- 10 No notice of Motion put before the General Meeting shall be invalidated by reason of the motion referring to a Rule of the Constitution when the motion should refer to a change in the Bye Laws or Vice Versa.
- 11 In the event of any member requesting the Chairman at the General Meeting to do so the Chairman shall ask the General Meeting to determine by simple majority whether a proposed amendment is an amendment to this Constitution or an amendment to the Byelaws of the Club.
- 12 There shall be a Men's Annual General Meeting which shall:
 - a) receive the Captain's report
 - b) elect Members of the Men's Golf Committee
 - c) conduct any other relevant businessThe quorum at the Men's Annual General Meeting shall be forty.
- 13 There shall be a Women's Annual General Meeting which shall
 - a) receive the Women's Captain's report.

	<p>b) elect Members of the Women's Golf Committee and c) conduct any other relevant business The quorum at the Women's Annual General Meeting shall be twenty five.</p>
43	<p>MINUTES Minutes shall be kept of every General Meeting and recorded in a minute book and an online secure folder kept for that purpose.</p>
44	<p>ALTERATION OF THE RULES</p> <ol style="list-style-type: none"> 1 No Article of the Constitution of the Club shall be repealed or altered and no new Article shall be made save at a General Meeting and by a Resolution carried by the votes of not less than two-thirds majority of the Members present and entitled to vote. 2 Except that it shall require a majority of not less than three-quarters of the Members present and entitled to vote to carry a Resolution for the Dissolution of the Club. 3 Provided however, that the Board of Management may alter or add to the Constitution & Rules for the purpose of complying with the Registration of Clubs (Ireland) Act 1904, or the Intoxicating Liquor Act 2000 or any Act which may have been passed amending either.
45	<p>ALTERATION TO BYE-LAWS</p> <ol style="list-style-type: none"> 1. All bye-laws must be adopted by General Meeting, Annual or Special, and can only be changed at a General Meeting 2. All Local Rules made by the Golf Committees or Board of Management shall be posted on the Club Notice Board and shall thereupon take immediate effect. 3. Resolutions at General Meeting approving altering or amending Bye Laws shall be carried by the votes of a simple majority of the Members present and entitled to vote. 4. A copy of the Current By-Laws of the Club will be published on the Club's website and available on request from the General Manager.
46	<p>EQUALITY AND ANTI-DISCRIMINATION</p> <ol style="list-style-type: none"> 1. The Club shall comply with the provisions of the Equal Status and Employment Equality legislation and will not discriminate against any persons or visitors to the Club. The Club shall have a policy of non-discrimination in respect of employed and voluntary staff, membership applications, members and individuals within the general public. 2. The Club where practicable will adopt the 30/30/40 gender balance principle as advocated by Golf Ireland in all of its committees and sub-committees.
47	<p>SAFEGUARDING CHILDREN AND VULNERABLE ADULTS</p> <p>The Club shall maintain a Child Protection Policy in accordance with the Department of Health</p>

	<p>and Children’s Guidelines entitled “Children First”.</p> <p>The Board of Management shall appoint in every year a designated liaison person. This person will be the resource person for any member of volunteer who has child protection concerns and will liaise with outside agencies when necessary.</p> <p>The designated liaison person will be knowledgeable about child protection and be provided with whatever training is considered necessary to fulfil the role.</p> <p>This person will be responsible for ensuring that reporting procedures within the club are followed.</p> <p>The contact details of the designated liaison person will be made available to all members and volunteers.</p> <p>This individual shall be the mandated person within the meaning of Section 14 of Children First Act 2015.</p>
48	<p>DATA PROTECTION CLAUSE</p> <p>The Club shall have a Data Protection Officer who shall be the General Manager for the time being of the Club and s/he shall have responsibility for compliance with the General Data Protection Regulations.</p>
49	<p>VISITORS / TEMPORARY MEMBERS</p> <ol style="list-style-type: none"> 1 Visitors may play on the Course at such times and under such conditions as the Board of Management may determine. 2 Visitors must enter their names in the Visitor’s book and pay the prescribed Green Fee. 3 Visitors paying green fees must be members of a Golf Club and may not take out more than twelve such fees in any one Club Year. 4 Except at such times as the Joint Golf Committee may determine Ordinary members, Honorary members and Lady Associates may introduce friends to the Club on payment of such sum as may from time to time be fixed by the Board of Management. 5 A book shall be kept in which the names of visitors shall be entered and those of the members introducing them, with the date and periods for which they are admitted shall also be entered. 6 A member introducing a visitor shall be liable for payment of any expenses, which the visitor incurs and does not discharge. 7 Any OFFICER of the Club may, without giving any reason, cancel the admission of any temporary member or visitor whose admission may have been irregular or whose presence or conduct is deemed objectionable or who contravenes any of the Rules or Bye-Laws of the Club. 8 Visitors introduced by and playing in the company of OFFICERS of the Club shall not be liable for Green Fees: Neither shall visitors who have represented their country at Golf at Senior level be liable for Green Fees. 9 Competitors in Open, Inter-Club and National Competitions played on the Course shall be temporary members of the Club for the day or days fixed for the Competition or for practice.

	<p>10 Green Fees payable by visitors shall be as determined by the Board of Management from time to time. Every playing visitor, before availing of the use of the Clubhouse or the Course, must procure a Green Fee Voucher bearing the date of such visit.</p>
<p>50</p>	<p>INTOXICATING LIQUOR ACTS 1833-2000 The Club shall comply with the provisions of the Intoxicating Liquor Acts and all additions and amendments thereto, and to the Registration of Clubs Act and all the additions and amendments thereto.</p>
<p>51</p>	<p>COMPLAINTS AND MISCONDUCT OF MEMBERS</p> <ol style="list-style-type: none"> 1 Complaints as to the conduct of a member shall be referred in the first instance to the General Manager who if unable to remove the cause, shall submit the complaint to the Board of Management whose decision shall be final. 2 When the Board of Management receives a complaint of misconduct by a member in writing, it will consider the complaint, and if it is of the opinion that the complaint is trivial or vexatious it shall take no further action and shall advise the complainant accordingly. If the Board of Management considers the complaint to have substance, then it shall appoint one or more persons that it considers appropriate to make all relevant enquires into the facts or circumstances relating to the complaint. The information so gathered shall then be considered by the Board of Management who can direct such further enquires as it sees fit to be made or can proceed in accordance with 40.3 hereof. 3 If in the opinion of the Board of Management, the conduct in question may warrant the censure, the suspension by temporary withdrawal of privileges of membership, or expulsion of such member, he or she shall be so informed in writing. The member shall then have the right to appear and speak and/or make written representations to the Board of Management which shall be considered by the Board of Management together with all other relevant information. 4 Any member who in the opinion of the Board of Management is found to have conducted themselves in a manner unbefitting a member of Muskerry Golf Club or who is guilty of conduct detrimental to the interests of Muskerry Golf Club may be censured, or may have the privileges of the course and clubhouse withdrawn from them for a specific period, or be expelled from the Club. 5 In considering the sanction of censure, the withdrawal of privileges or expulsion, the Board of Management will, in making such a decision require not less than six of its eight members to agree to the imposition of such sanction. Where the subject of the complaint is a member of the Board of Management, then five of the remaining seven shall be adequate for the purposes of this section. 6 In the event that the subject of the complaint is a member of the Board of Management, then in that event, that member shall absent him or herself from all meetings where consideration of the complaint is made other than to make representation as envisaged by 51.3 above. 7 A member who is suspended or expelled from the Club shall have the right of appeal. He/she should notify his/her intention to appeal within 7 days of his/her censures, suspension or expulsion to the general manager of the Club. Thereafter, the general manager shall

	request that the President for the time being of Golf Ireland to nominate an appropriate person or persons who are not a member of the Club to consider the appeal. The decision of that person or persons shall constitute a final determination.
52	HANDICAPS The Rules and Recommendations for the fixing and adjustment of handicaps as approved by the Council of National Unions and Golf Ireland shall be those adopted by the Club.
53	INTERPRETATION <ol style="list-style-type: none"> 1 The Board of Management shall be the sole authority for the interpretation of this Constitution and its decision shall be final and binding on all concerned. 2 The Board of Management and the Golf Committees shall be the sole authority for the interpretation of any local Rules and Byelaws as fall within their respective areas of responsibilities and their decisions shall be final and binding on all concerned. 3 Copies of the Club Constitution Byelaws and Local Rules shall be available for inspection in the Clubhouse and on the Club website. 4 A certified copy of the Club Constitution and Bye Laws shall be lodged with the Club solicitor. 5 No Member shall be absolved from the effects of the Rules contained in the Club Constitution, Byelaws and Local Rules on the basis of not having received a copy of said Rules.
54	DISSOLUTION AND WINDING UP OF THE CLUB <ol style="list-style-type: none"> 1 If any Special General Meeting of which due notice has been given and called in accordance with the Rules as set out herein a Resolution for the Dissolution of the club be carried by a majority of not less than three –fourths of the members present and entitled to vote, the Board of Management shall thereupon proceed to realise the property and the assets of the club. The Board of Management shall discharge all liabilities of the Club. 2 If upon the winding up or any dissolution of the club there remains after the satisfaction of all its debts and liabilities, any assets whatsoever, they shall not be paid to or distributed among the members of the club. Instead such assets shall be given or transferred to some institution or institutions having main objects similar to the main objects of the club. The institution or institutions to which the assets are to be given or transferred shall in its rules prohibit distribution of its or their income and property or assets among its or their members to an extent at least as great as is imposed on the club under or by virtue of Clause 54 hereof. The Members of the club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the assets shall be given or transferred to some charitable object.