

# **Cumberland Country Golf Club**

## **Limited By-Laws — 2023**



Cumberland

These By-Laws are subject to revision and alteration at the discretion of the Board. They are governed by and shall be read in conjunction with the Club's Constitution.

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## DEFINITION

Cumberland Country Golf Club Limited is referred to in the By-Laws as the Club or Cumberland.

## 1 THE BOARD

### 1.1 General

#### 1.1.1 Eligibility

1.2 The Board shall consist of a President, Captain, Treasurer, Vice President, Vice- Captain and Two (2) directors, who all must be Cumberland members eligible to be elected as Directors. The Board shall be elected in accordance with the Constitution

1.2.1 All Directors will abide by the Board Charter (2023) and the Director Confidentiality Agreement (2023) in addition to their obligations under relevant Legislation and the NSW Club Code of Conduct of conduct.

### 1.3 Committees of the Board

The formation of the committees in these By-Laws will occur as soon as practical following the Annual General Meeting of the club. The Board of Directors will determine the Board members on each committee other than the Ladies Committee.

#### 1.3.1 Term of Committees

The appointment on these committees will be for a term covering from the date of appointment by the Board to the next Annual General Meeting of the Club.

#### 1.3.2 Appointment of Chairperson/Directors

The Chairperson of each Committee will be a Director appointed by the Board unless otherwise stipulated in the Club's Constitution or By-Laws. In addition to the Chairperson two other Directors will be appointed to each Committee.

#### 1.3.3 Role of the General Manager

The General Manager or delegate will act as permanent advisor to all Committees and will be responsible for recording the minutes of Committee meetings.

#### 1.3.4 Secondment to a Committee

Committees are empowered to seek assistance from fellow Directors, members or from other service providers to the Club from time to time. These additional members do not have the right to vote on Committee recommendations and are subject to the Board's authority to approve their membership of the Committee and to limit their number.

#### 1.3.5 Timing of Meetings/Quorum

The Chairperson shall call meetings when required and set an Agenda.

Two members of each Committee are required for a quorum. In the event a Director is unable to attend a Committee meeting, another Director may be appointed to the Committee.

## 2 PRINCIPAL OFFICERS OF THE CLUB

The Principal Officers of the Club shall be:

### 2.1 The President

The President shall be the Chairman of meetings of the Board. In the absence of the President, the Vice President shall perform the duties of the President. The President has the prime responsibility for the club overall and for ensuring that the General Manager implements Board decisions.

## 2.2 The Captain

The Captain will have a sound knowledge of the Rules of Golf and will ensure that all competitions are played in accordance with those rules. In the absence of the Captain, the Vice Captain will perform the duties of the Captain.

The Captain will be responsible for the golfing program of the Club.

## 2.3 The Treasurer

The Treasurer will supervise the financial affairs of the Club and will advise the Board on all matters relating to the financial aspects of the Club's operations.

## 2.4 The General Manager

The General Manager will be the Chief Executive Officer of the Club, in accordance with Registered Clubs Act.

The General Manager has full responsibility for the day to day running of the club in line with established Board Policy, the Strategic Plan and any other Board directions.

# 3 COMMITTEES OF THE BOARD

## 3.1 Finance, Policy and Strategy Committee

### 3.1.1 Overview

The Finance, Policy and Strategy Committee will consist of the Treasurer (Chairperson) and two appointed Board Members.

Role: "To provide oversight to the financial position of the club"

Responsibility: "to review the clubs monthly financial statements as prepared by the General Manger in accordance with the Corporations and Registered Clubs Act"

The committee reports to the Board of Directors at least once every two months.

## 3.2 Course and Match Committee

### 3.2.1 Overview

The Course and Match Committee will consist of the Captain, (Chairperson) and two appointed members.

The Course Superintendent or their delegate and the Club Professional or their delegate will act as advisors to the committee. Meetings will be held when required and the minutes of that meeting will be tabled at the next Board meeting.

Role: "To provide oversight with regards to local rules, representative teams and club competitions. Deliver support and guidance to the Superintendent. In consultation with the General Manger ensure that best practices are followed"

Responsibility: "To review and make recommendations to the Board to achieve the best possible golf course  
The committee reports to the Board of Directors at least once every two months.

### 3.2.2 Handicap Committee

The Handicap Committee will comprise the Course and Match Committee (including co-opted members) however the chairperson of the Handicap Committee is not permitted to be the chairperson of the Course or Match Committee. A Handicap Committee is the committee of a golf club that ensures compliance with the World Handicap System. A majority of the Handicap Committee, including the chairperson, must be members of the Club.

### 3.3 House, Social, Membership & Communication Committee

#### 3.3.1 Overview

The House Committee will consist of the Vice-President (Chairperson) and two appointed members.

Role: "Review club activities, member services, facilities within the clubhouse and supporting infrastructure"

Responsibility: "To review, action or to make recommendations to the Board pursuant to the Role"

The committee reports to the Board of Directors at least once every two months.

### 3.4 Disciplinary Committee

The Board delegates all of the powers and functions given to the Board by Rule 21 of the Constitution to the Disciplinary Committee.

- The Disciplinary Committee shall be constituted by not less than three Directors.
- Conduct of the Committee shall be in accordance with Rule 21 of the Constitution.

### 3.5 Research and Grants Committee

The Research and Grants Committee will focus on emerging trends and developments in the golfing and club industry as well as opportunities for assistance through government and industry Grants.

- The Committee shall consist of the Treasurer, a Director and the General Manager.
- The Committee may enlist assistance from other directors or members to assist with research or when applying for Grants

### 3.6 Junior Committee

The Junior Committee shall comprise of the Chairperson as appointed by the Board, a representative from the Ladies Committee, Club Professional or their nominated representative and such members seconded to help specific projects

Role: To consider matters raised relative to Junior members

Responsibility: "To review, action or to make recommendations to the Match committee pursuant to the Role"

Appointment to the committee is conditional on providing a current working with children check. There is no requirement for the committee to meet outside of one being called by the chairperson

## 4 GOLFING REGULATIONS

### 4.1 Trophies

Winners of trophies will have the trophy value credited to their House Account. The value of a golf ball will be credited to the Ball Account. For visitors, golf balls must be collected within 3 months after day of winning otherwise they will be forfeited.

### 4.2 Club Championship Events

To be eligible to enter and win the Annual 'A' Reserve', 'B' or 'C' Club and/or Foursomes Championship events, a player must have held a Cumberland club handicap at least 6 months or returned 10 singles cards from Cumberland competitions prior to the date of play. Qualification for entry in these and other major events shall be decided by the Match Committee.

### 4.3 Handicapping

New Members joining from other golf clubs and holding a current Golf Australia (G.A.) handicap will not be required to obtain a new handicap. They will be allowed to compete in competitions upon verification of their handicap. New Members not holding a current G.A. handicap will be required to return three (3) cards of Stableford playing to a 36 handicap for men and 45 handicap for Ladies and must be signed by a member holding a G.A. handicap. They will be then allocated a G.A. handicap. All away competition rounds must be entered into Golfink either by the club where the round is played or Cumberland.

### 4.4 Priority on the Course.

Unless otherwise determined by the Match Committee, priority on the course is determined by a group's pace of play. Any group playing a whole round is entitled to pass a group playing a shorter round. The term "group" includes a single player.



#### 4.4.1 Competition Days

On days when competitions arranged by the Match Committee are played, any Member not taking part may play only when directed by the golf professional (Pro Shop).

#### 4.5 Ladies Playing Times

On Sundays and Tuesday's times on the tee is reserved for Lady Members during their golfing season as seen fit by the Match Committee.

#### 4.6 Social Play

Members intending to play in Non-Competition times are advised to book on line and or to check with the golf professional (Pro Shop) as there may be Social or Trade events booked. Members cannot infringe on times booked by Social Clubs or Trade days. All players must report to the golf professional (Pro Shop) before hitting off.

#### 4.7 Practice Range

The hitting of golf balls back towards the practice tee end of the range is strictly prohibited.

#### 4.8 Practice Rounds

No more than 2 balls can be played during any practice round by any member whilst on the golf course. The use of the practice area located at Lake Johnson is permitted at the discretion of the Match Committee.

#### 4.9 Hole in One Hospitality

##### 4.9.1 Eligibility

The Hole in One must be scored in a recognised competition at Cumberland.

##### 4.9.2 Hole in One Prize

Cumberland members, 18 years and above will receive the following:

- I. A 700 ml bottle of scotch whiskey; and,
- II. 100 drink vouchers each with a value at the prevailing cost of a schooner of full-strength beer.
- III. A Hole in One trophy for the ball to be mounted.
- IV. Lady members will receive a hat clip with a magnetised ball marker.

Cumberland members, under the age of 18 will receive the following:

- I. A \$50 House account top
- II. A Hole in One trophy for the ball to be mounted
- III. Lady members will receive a hat clip with a magnetised ball marker.

A Club representative will issue the vouchers on the day of the Hole in One or on the next competition day the person who scored the Hole in One is playing. The vouchers will have a date of issue recorded and only be valid on the date of issue. Upon receiving the tokens the Club member is eligible to 'ring the bell' and then issue each person within the Club a voucher. Hence 'the bar is shouted'.

#### 4.10 Guzzlers Cup

Awarded to the best nett score commencing with A grade in January, B grade in February, C grade in March and so on throughout the calendar year. The trophy will be a drinking glass engraved with the Club logo, month and year. The allocation of the Guzzlers Cup will commence from wind up of the competition on the day contested until close of the Club on the day before the next scheduled round of play for the Guzzlers Cup.

#### 4.11 Memorial Events

Any naming of an event in memory of a past member must be approved by the Board and will be restricted to a maximum of two years without further review.

#### 4.12 Touring Professional Golfers

Unless a club member and/or the holder of a domestic handicap at Cumberland or another Golf Australia affiliated Club, the maximum handicap permitted for a touring golf professional in club or open competitions shall be 0.

#### 4.13 Children on Course

Children under the age of 5 years of age are not permitted on the golf course.

Except in the following circumstances, children aged 5-12 year's age are not permitted on the golf course:

- Children accompanied by an adult who is a current and financial golfing member of any Golf Club
- Children accompanied by an adult and the child is a current and financial member of the Banners Golf Academy

Children 12 years of age or older are permitted on the golf course without an accompanying adult provided they are either:

- A current and financial Junior member of Cumberland Country Golf Club; or
- A current and financial member of the Banners Golf Academy

#### 4.14 Animals

No animal may be brought onto the Golf Course.

### 5 GOLF CARTS

5.1 Players using motorised golf carts/bikes must abide by the rules set down covering their use as set out in the hire's agreement

The Applicant must meet all relevant requirements as provided by the "Members Personal Cart use Policy 2022".

Only those members who were using a personal bike or golf cart and had obtained written approval from the Board on or before 1<sup>st</sup> December 2022 are exempt from the policy update

Unless modified for disability use visitors are not permitted to use their personal motorised cart or bike on the course.

### 6 DRESS STANDARDS — GOLF COURSE

#### 6.1 Male

Acceptable clothing:

- Shirts must be worn at all times and must have a "fold over" or mock neck collar.
- Shirts may be untucked
- Short socks permitted
- Black socks permitted

**Unacceptable** Clothing:

- Singlets, t-shirts, football jerseys or shirts with large or offensive motifs.
- Football shorts, bike shorts, stubbies, sports/training shorts work or Board shorts.
- Overalls and tracksuit pants.
- Football socks.

#### 6.2 Female

Acceptable clothing:

- Tailored skirts and shorts.
- Culottes.
- Tailored pants.
- Shirts or blouses (worn tucked in unless of appropriate length designed to be worn out): and
- Covered in shoes.

**Unacceptable** Clothing:

- Tight fitting or any blue denim jeans or shorts.
- Lycra type shorts or pants.
- Tracksuits.
- Rubber thongs
- and heeled shoes.

## 7 REGULATIONS

### 7.1 General Rules

- The 'Dress Rules' of the club visible at all times within the foyer and enforced by staff. The Board for special events can impose exceptions to the dress code.
- In no instance shall a member, director or visitor directly reprimand an employee or contractor of the Club.
- All complaints about Club employees or other matters relating to Club management shall be made in writing to the General Manager, who shall then submit them to the Board.
- Members are not permitted in the Club's kitchen, staff quarters or in the bar area; and
- No canvassing for donations, raffles or subscriptions is allowed in or about the Club premises unless permission is obtained from the Club's Board.

### 7.2 Dress Code — Club

#### House Acceptable Clothing

- Neat, clean and tidy clothing.
- Work wear including fluoro colours are permitted up to 7pm at the discretion of management.

#### Unacceptable Clothing

- Metal spiked golf shoes.
- Caps, hats and hard hats.
- Singlets.
- Bike shorts.
- Training apparel.
- Dirty work boots
- Dirty or soiled clothing
- Offensive logos or slogans.

The General Manager or the General Manager's appointee or any member of the Board has the right to refuse entry into the Club House if they deem a member or visitor is not suitably attired.

### 7.3 Animals

No animal may be brought into the Clubhouse.

- Exception. An Assistance Animal as defined in the Disability Discrimination Act 1992 (Cth) (DDA) in Section 9,

### 7.4 Club Property

Members are expected to protect and care for all Club property or any part thereof. Towels must not be removed from the Club's locker room.

### 7.5 Club Hours

A notice will be provided in a prominent position in the Clubhouse advertising the daily hours during which the Club is open. These hours may be varied at the discretion of the Board.

### 7.6 Loss, Damage or Injury

The Club shall not be liable for the loss or damage to any articles or property whatsoever being delivered or received by the Club or any of its officers or servants for or on behalf of any member of the Club. The Club is not responsible for any loss or damage to members' or visitors' property while on the premises.

### 7.7 Gambling

No part of the Clubhouse whatsoever may be used for the purpose of organised unlicensed betting, and any

## 7.8 Lockers and Electric Buggy Storage

Where practicable, lockers and electric buggy storage are provided for the use of members and the Board shall determine fees charged for the use thereof.

## 8 APPLICATION FOR LEAVE OF ABSENCE (ABSENTEE MEMBER)

### 8.1 Definition

An absentee member who applies and is approved absentee status for a period not less than 3 months or greater than 2 years.

### 8.2 Applying for Absentee Status and Acceptable Circumstances for Approval

All applications for absentee status must be made through the General Manager for submission to the Club's Board. The following circumstances are acceptable for approval of a 'Leave of Absence'.

- Member moving interstate or overseas.
- Member has sustained an injury preventing them from playing golf.
- Member is suffering an illness preventing them from playing golf; and
- Member is a full-time carer to a dependent spouse or child.

### 8.3 Payment of an Annual Subscription

Members approved a Leave of Absence must pay a minimum annual subscription of \$50.

#### 8.3.1 Circumstances when the Full Annual Subscription has already been paid.

When the member has paid the annual subscription (excluding the minimum fee of \$50) in the financial year the Leave of Absence is approved, the annual subscription amount will be divided on a monthly pro rata basis calculated from the date the written application for Leave of Absence is received by the General Manager, to the end of the subscription year.

The calculated amount will be carried forward and credited to the member's subscription account in the financial year the Leave of Absence ends and the member is reinstated to their former membership category.

#### 8.3.2 Action Required when the Leave of Absence less than 3 Months after Approval

No financial provision is provided when a member with an approved Leave of Absence seeks reinstatement within the initial three-month period.

#### Leave of Absence for Defence Force Members and Australian Federal Police

The Board may approve a leave of absence to a member of the Australian Defence Force or Australian Federal Police who is deployed interstate or overseas for training, operational or peacekeeping duties. The leave may be approved upon the Board being satisfied of the reason for the absence. The period of leave shall be no less than one month and no longer than two years. Calculation of pro-rate fees will be as per 8.3. and 8.3.1.

## 9 RECIPROCAL MEMBERS

Means such members of Clubs enjoying reciprocity who, on application to the General Manager, can enjoy playing rights of up to 12 competition games at members' competition fee rates, none of which can be in major events.

## 10 PROVISIONAL MEMBERS

### 10.1 Period of Restriction

Provisional Membership is subject to a maximum period of three months

### 10.2 Eligibility for the Club Championship

#### 11 COMPLIANCE — 'WORKING WITH CHILDREN'

All Staff and members who by either paid employment or on a voluntary basis will undertake the 'Working with Children' check prior to any roll that is deemed necessary as per the *Child Protection (Working with Children) Act 2012 No 51*

#### 12 MEMBERS' HOUSE ACCOUNTS

The member's house account allows for cashless transactions at the Bar, Restaurant, Pro Shop and renewal of Club subscriptions to be undertaken using monies stored on each members' own house account.

Upon joining a house account is created for each member, all members have the ability to utilise a member's house account. All trophy vouchers awarded to members in a golfing competition are automatically transferred to the members house account.

Members can top-up their house account through facilities at the bar or reception area when open. It is not permissible for members to withdraw cash from their house account.

#### 13 RESIGNED MEMBERS TROPHY AND GOLF BALL PRIZES

Members who are not financial as at the 1st November each calendar year will forfeit all ball and trophy vouchers awarded during the previous subscription year. Any monies added by the member via 'House Top' facility onto a members' house account will be credited back to the member's nominated bank account during the month of November each year.

#### 14 VISITORS' GOLF BALLS AND TROPHY PRIZES

All golf balls and trophy vouchers awarded to visitors will be forfeited if not collected within 3 months of being awarded.

#### 15 MEMBERSHIP FEES

Members' subscriptions and other fees are payable in advance and are due by 30th September each year.

Members' subscriptions and fees are prepaid annually on a non-refundable basis. Where the Board feels it is appropriate, it may approve the refund of pre-paid fees on a pro-rata basis.

The ability for members to pay monthly via direct debit is provided subject to that member initially paying 3 months in advance and being charged each month thereafter via a direct debit to an account with an acceptable financial institution.

#### 16 LADIES COMMITTEE

##### 16.1 The Committee

The Ladies Committee will consist of a President, Vice President, Captain and Vice Captain.

##### 16.2 Election of Committee

The Ladies Committee will be elected at an Annual General Meeting of all Lady Members of the Club who are entitled to vote at a General Meeting of the Club. The Annual General Meeting of the Lady members of the Club will be held in October each year. The General Manager on behalf of the Board of Directors will conduct the vote at the Annual General Meeting for each position on the Ladies committee.

##### 16.2.1 Conduct of Election for Committee

A notice of the date when the Annual General Meeting is to be held will be sent to all Lady Members 14 days prior to the meeting and displayed on the General Notice board of the Club.

### 16.2.2 Term of Appointment

The Ladies Committee term will be from the appointment at the Annual General Meeting of the Lady members to the date of the next Annual General Meeting of the Lady members.

### 16.2.3 Vacancy on Ladies Committee

A committee member's position will be declared vacant when they fail to attend three consecutive meetings, without leave of absence. The Board of Directors may at its discretion appoint a successor to hold office until the next Annual General Meeting of the Lady members.

## 16.3 Conduct of Meetings

The President or delegate shall call meetings when required and set an Agenda. Three committee members shall constitute a quorum. The Ladies Committee shall be empowered to seek assistance from fellow Lady Members. The additional members do not have the right to vote. The Board of Directors will have the authority to approve their membership of the Committee and to limit their number.

### 16.3.1 Co-Opting to Committees

A member of the Ladies Committee will be co-opted onto a Club Committee as follows:

- Golf Committee – Captain
- Course Committee – Vice Captain
- House Committee – Vice President
- Membership & Social Committee - President

As a co-opted member to the Club Committee the Ladies Committee Member will be representing the Lady members in all aspects of the Club's activities. The co-opted member does not have voting powers.

### 16.3.2 Responsibilities

The Ladies Committee will be responsible for the preparation of Ladies competition schedule, presentation of competition prizes, selection of representative players and the preparation and running social activities of the Lady members

## 17 LONG TERM MEMBERS

The Board has determined that for the purpose of Rule 10.28 of the Constitution, the period of 50 years membership shall include continuous membership as a Junior Member prior to transferring to a category defined in Rule 10.28 (a).

## 18 BOOKING IN RULES

### 18.1.1 Selection Process

- Member's card needs to be in the barrel no later 5:00 pm or prior to the commencement of the draw
- No cards will be accepted once the draw has commenced. Those members that arrive after the commencement of the draw will have to wait until all members cards have been drawn from the barrel.
- By way of a random draw a member's card will be drawn from the barrel

### 18.1.2 Conditions

- Members must be at the club at the time of the commencement of the barrel draw, IE a member cannot give another member their membership card to place in the barrel if that member is unable to attend due to other commitments at booking in time
- When a member's card is drawn from the barrel they are then entitled to book in as a single player or a group.
- A Member cannot at any time use another member membership card to make any additional bookings.
- Once a member has been booked on the time sheet either as a single player or as part of a group, they are not permitted to make further bookings even if their card is still to be drawn from the barrel.
- A maximum of 4 players (one group) can be booked in per member.

**18.1.3** Timesheet release post booking in

- Members bookings will be made available online the same day from 8pm for people that cannot attend the first draw.
- The above also applies to social bookings.

**18.1.4** Breach of Booking in rules

- Failure to comply with these procedures may result in the suspension of the members booking in rights and or further sanctions as deemed by the Match Committee.

END..