

**CONSTITUTION AND RULES**

**OF**

**COUNTRY VETERAN GOLFERS ASSOCIATION  
OF W.A. INC.**

CONSTITUTION APPROVED AT SPECIAL GENERAL MEETING 4/05/2010  
AS AMENDED AT AGM 14<sup>th</sup> DECEMBER 2010

**Constitution and Rules**  
**Country Veteran Golfers Association of W.A. Inc.**

**Introductory**

**1. Definitions:**

In this constitution Rules and By-Laws made hereunder unless the context indicates otherwise or another meaning is clearly intended in “writing” and “written” includes printing lithography and other modes of representing or producing words in visible form.

“**Month**” means a calendar Month.

“**Association**” means the Country Veteran Golfers Association of W.A. Inc.

“**The Committee**” means the Committee of Management established under the provisions of Rule 5.

“**The Register**” means the register of members required under the provisions of rule 18.

“**The Secretary**” means the Secretary elected under the provisions of Rule 7.

“**The Treasurer**” means the Treasurer elected under the provisions of Rule 7.

“**Veteran**” means a golfer who has attained the age of Fifty Five years who holds the status of an amateur and is a financial playing member of a Group “A, C”, affiliated club of Western Australian Golf Association (Inc) and has an Australian Golf Union Handicap.

**2. Interpretations.**

The Committee shall be the sole authority for the interpretations of this constitution Rules and By-Laws made hereunder and the decision of the committee shall be final and binding upon all members.

**3. Names & Constitution.**

The association shall be called “Country Veteran Golfers Association of W.A. Inc.” and shall consist of Veteran Golfers whose membership shall be classified under the provision of Rule 13.

**4. Objects.**

**The objects of the Association shall be:**

- (a) To promote amongst Veterans the game of Golf.
- (b) To promote and hold either alone or jointly with any other association club or persons golf matches and to offer give or contribute medals and awards and to promote give or support dinners and other entertainments.

© To establish promote or assist in establishing or promotion and to subscribe to or become a member of and co-operate with any Association or Club whose objects are similar or in part similar to the objects of the Association or the establishment or promotion if which may be beneficial to this Association.

(d) To raise money by annual subscriptions and other means and to grant any right and privileges to subscribers.

(e) To invest and deal with monies of the Association not immediately required upon such securities and in such manner as from time to time be determined and

(f) To do all things as are incidental or conducive to the attainment of all or any of the above objects.

(g) The income and property of the Association shall be applied solely to the promotion of its objects, and no part there of shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of pecuniary profit to the member provided that remuneration may be paid in good faith to officers and servants of the Association or other persons in return for services actually rendered to the Association.

## **5 Management Committee**

(1) Excepting that the President, Vice President, Secretary/Treasurer and Assistant Secretary/Treasurer shall constitute an Executive Committee to deal with matters of urgency relevant to the affairs of the association, the management of the business and affairs of the Association shall be vested in a Committee consisting of the aforesaid officers and four ordinary members.

(2) The Committee shall meet at least once every Three (3) months.

(3) At a meeting of the Committee **Five** members shall form a **quorum** but should there be no quorum the meeting shall be adjourned to such day within one month as those present may appoint.

(4) Provided that fourteen full days notice of intention to bring forward such a resolution has been given by a member of the Association to the Secretary in writing a member of the Committee may be removed from office at a general meeting by a majority of two thirds of members entitled to vote and voting.

## **6 Sub Committee**

The Committee shall have the power to appoint from time to time such Sub Committees for any specific purpose the Committee deems necessary for the functioning of the Association.

## **7 Election of Committee**

(1) Members of Committee shall comprise a maximum of two delegates from each participating Golf Club and nominated by the Financial Veteran members of the participating Golf Club and shall hold office for two years, except one delegate shall retire each alternate year.

- (2) Retiring members of the Committee are eligible for re-election.
- (3) A nomination for President, Vice President, Secretary/Treasurer and Assistant Secretary/Treasurer and other members of the Committee, shall be proposed and seconded by a financial member of the Association in writing and consented to by signature of the nominee, and shall be delivered to the Secretary a minimum of fourteen days before a general meeting.
- (4) Any financial member may be nominated and such nomination may be for more than one position on the Committee, but if elected to one position his name will be deleted from the ballot for subsequent positions.
- (5) If an election is required it shall be by ballot.
- (6) Should an insufficient number of candidates be nominated or there is no nomination, the Chairman shall call further nominations at the meeting.
- (7) A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member-
- (a) dies;
  - (b) resigns by notice in writing delivered to the President or, if the committee member is the President, to the Vice-President and that resignation is accepted by resolution of the Committee;
  - (c) is convicted of an offence under the Act;
  - (d) is permanently incapacitated by mental or physical ill-health;
  - (e) is absent from more than-
    - (i) 3 consecutive Committee meetings; or
    - (ii) 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings; of which meetings the member received notice, and the Committee has resolved to declare the office vacant;
  - (f) ceases to be a member of the Association; or
  - (g) is the subject of a resolution passed by a general meeting of members terminating his appointment as a Committee member.

Any casual vacancy on the Committee shall be filled by the Committee from financial members. An appointee to a casual vacancy shall hold office until the next election of the Committee.

## **8 Secretary/Treasurer**

The Secretary/Treasurer must-

- (a) co-ordinate the correspondence of the Association;
- (b) keep full and correct minutes of the proceedings of the Committee and of the Association;
- (c) comply on behalf of the Association with-
  - (i) section 27 of the Act with respect to the register of members of the Association, as referred to in Rule 18;

- (ii) section 28 of the Act by keeping and maintaining in an up to date condition the rules of the Association and, upon the request of a member of the Association, must make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose; and
- (iii) section 29 of the Act by maintaining a record of –
  - (A) the names and residential or postal addresses of the persons who hold offices of the Association provided for by these rules, including all offices held by the persons who constitute the Committee and persons who are authorised to use the Common Seal of the Association under Rule 21; and
  - (B) the names and residential or postal addresses of any persons who are appointed or act as Trustees on behalf of the Association, and the Secretary must, upon the request of a member of the Association, make available the record for the inspection of the member and the member may make a copy of or take an extract from the record but will have no right to remove the record for that purpose;
- (d) unless the members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Association, including those referred to in paragraph (c);
- (e) perform such other duties as are imposed by these rules on the Secretary.

#### **8A Assistant Secretary/Treasurer**

The Assistant Secretary/Treasurer must assist the Secretary/Treasurer in all duties as per **Rule 8**.

#### **9 Annual General Meeting**

- (1) The Annual General Meeting of the Association shall be held in December of each year at such time and place as the Committee may determine for the following purposes:-
  - b. To receive the report of the Committee, statements of accounts and balance sheets.
  - c. To elect members of the Committee should an election be necessary under provision of sub-rule (1) of rule 7.
  - d. To transact such other business as shall be brought forward and of which due notice has been given.
- (2) At an Annual General Meeting a member may:
  - (1) Bring forward a motion providing the member shall give a minimum of **Twenty one full days** notice of the motion in writing to the Secretary for inclusion in the notice of the Annual General Meeting, provided for in Sub-Rule (1) of Rule 11 or
  - (2) Bring forward a matter for consideration by the Committee.
- (3) A copy of the Annual report, an audited statement of accounts and balance sheet, shall be presented to each member attending the Annual General Meeting and copies shall be forwarded to any Delegate members unable to attend.

## 10 Special General Meeting

- (1) A Special General Meeting shall be called by the direction of the Committee or shall be called by the Secretary within **Fourteen days** after receipt of a requisition to that effect signed by not less than **twenty financial members** and specifying the business to be discussed at such meeting.
- (2) No business shall be discussed or transacted at a Special General Meeting except that which notice has been given in accordance with this rule.

## 11 Conduct at Annual and Special General Meeting

- (1) Excepting that preliminary notice of meeting specifying that an election is to take place under provision (b) of Sub-Rule (1) of Rule 9 and calling for nominations under the provision of Sub-Rule (3) of Rule 7, **Notice of an Annual General Meeting** shall be sent by post to delegate members **Seven full days** before the date of the meeting.
- (2) The President or in his absence the Vice President or in both their absences a Chairman elected by a majority of members present entitled to vote shall preside at an annual or special meeting.
- (3) None other than financial members present shall be entitled to vote at a special or annual general meeting, excepting that a financial member absent on the day of such a meeting may give a proxy vote to a financial member at the meeting.
- (4) A proxy given under the preceding sub rules shall be in writing and shall relate to specific business listed on the notice of business.
- (5) The Chairman of an Annual or Special meeting in addition to his own vote shall have a casting vote.
- (6) (a) **Twenty** financial members present personally at an Annual or Special meeting shall constitute a quorum
  - (b) Should there be no quorum the meeting shall be adjourned to such a date, time and place within one month as those present appoint.
- (7) Should a ballot be necessary to elect a committee under the provision of Rule 7
  - (a) A returning Officer and such Scrutineers as are appointed by the committee shall conduct the ballot.
  - (b) Prior to the election the returning Officer assisted by the Secretary shall conduct a lot for the order of candidates names appearing on the ballot paper.
  - (c) (1) Supervise the issue of such ballot papers,  
 (2) Supervise the counting of votes,  
 (3) Shall report the result of the ballot to the Chairman.

## **10A Minutes of Meetings of Association**

- (1) The secretary must cause proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Committee meeting, as the case requires, in a minute book kept for that purpose.
- (2) The Chairperson must ensure that the minutes taken of a general meeting or Committee meeting under sub-rule (1) are checked and signed as correct by the Chairperson of the general meeting or Committee meeting to which those minutes relate or by the Chairperson of the next succeeding general meeting or Committee meeting, as the case requires.
- (3) When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that:-
  - (a) the general meeting or Committee meeting to which they relate (in this sub-rule called "the meeting") was duly convened and held;
  - (b) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
  - (c) all appointments or elections purporting to have been made at the meeting have been validly made.

## **12 Membership**

- (1) An application for membership shall be made in such manner and form and contain such information as the Committee may require.
- (2) The Committee shall have full power and discretion as to admission of an application for membership and may reject any application without assigning any reason therefore.
- (3) The privileges of a member shall not be transferable and shall cease on losing his status as an Amateur Golfer, or on his resignation, transfer or expulsion from membership or the privileges of a member may be suspended under the provision of Rule 15.

## **13 Classes of Membership**

- (1) Excepting that on recommendation of the Committee to an Annual General Meeting or Special General Meeting other classes of membership may be created, Veteran golfers shall be comprised of Ordinary Members and such Life-Members as are created under the provisions of Sub-rule (1) of Rule 14.
- (2) Excepting that Ordinary Members and Life Members shall be entitled to the full privileges of the Association the qualification rights and privileges of each class of membership shall be defined in By-Laws made under the provisions of Rule 19.

## **14 Life Membership**

- (1) An ordinary Member who has rendered outstanding service to the Association, on the recommendation of the Committee may be elected at an Annual General Meeting to be a Life-Member of the Association.

- (2) Life-Members are exempt from the payment of annual subscription excepting such minimum subscription as may be determined by the Committee.

## **15 Expulsion of Member**

- (1) The name of a member who fails to pay his subscription or any other money's due by him to the Association within one month after being requested in writing by the Secretary on the direction of the Committee may be removed from the register of members.
- (2) If in the opinion of the Committee a breach of the Rules and or By-Laws of the Association or who's conduct is deemed by the Committee to render that member unfit to be a member he may be excluded from membership of the Association subject to the following procedures:
- (a) The Committee shall communicate with that member supply him with a copy of the complaint against him and giving him seven clear days notice of the time and place of the meeting of the Committee called to consider the charge.
- (b) The member so charged shall be given the opportunity of refuting the complaint withdrawing from the Association.
- (c) The resolution to exclude the member so charged shall be carried by a three-fourths majority of members of the Committee present and voting and the quorum of the meeting shall be eight.
- (3) A member excluded from the Association under the provision of this Rule may appeal from the decision of the Committee to a Special General Meeting of the Association subject to the following procedures:
- (a) The appeal from the decision of the Committee shall be lodged with the Secretary within seven full days after notice of the expulsion.
- (b) The Special General Meeting shall be convened by the Committee to be held one month after such notice of an appeal, and
- (c) A majority of not less than three fourths of the members entitled to vote and voting shall have the power to annul the expulsion of the member.
- (4) Pending a decision of the Committee or pending the result of an appeal the Committee or in the case of emergency the Executive Committee established under the provisions of Sub-Rule (1) of Rule 5 may suspend a member charged under the provisions of Sub-Rule (2) of this rule.

## **16 Change of Address**

A member shall keep the Secretary informed of his address or any change of member details.

## **17 Finance**

- (1) The financial year of the Association shall be from the First day of December through to the Thirtieth day of November.
- (2) Subscription renewal is due and payable by 1<sup>st</sup> of February for the ensuing golf season.



- (3) The Committee shall determine the annual subscription and such other dues as may be necessary to be paid by members.
- (4) The Secretary/Treasurer shall:
- (a) Maintain a Bank Account in the name of the Association as directed by the Committee with all cheques issued thereon to be signed by any two of President, Vice President, Secretary/Treasurer and Assistant Secretary/Treasurer.
  - (b) Keep proper books of account in the correct manner detailing all financial transactions of the Association and the particulars usually shown in books of account:
    - © Provide at a regular meeting of the Committee an income and expenditure account setting out all transactions since the previous meeting, the bank balance and investments.
- (5) (1) An Auditor shall be appointed for the term of one year at the Annual General Meeting:
- (2) Should the Auditor's appointment be terminated the Committee shall appoint another for the period remaining until the next Annual General Meeting.
- (4) The Auditor shall audit the books, documents, and accounts, and certify the financial statement and balance sheet, before publication.

## **18 Register of Members of Association**

- (1) The secretary, on behalf of the Association, must comply with section 27 of the Act by keeping and maintaining in an up to date condition a register of the members of the Association and their postal or residential addresses and, upon the request of a member of the Association, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.
- (2) The register must be so kept and maintained at the Secretary's place of residence, or at such other place as the members at a general meeting decide.
- (3) The Secretary must cause the name of a person who dies or who ceases to be a member under rule 15 to be deleted from the register of members referred to in sub-rule (1).

## **19 Alteration of the Constitution and Rules**

- (1) The Constitution and Rules of the Association once adopted by the Committee shall not be repealed, added to, or amended in whole or in part, except at an Annual General Meeting or a Special General Meeting called for that purpose and made by a special resolution and passed by a majority of 75% of members present and entitled to vote at a General Meeting.

- (2) Details of a repeal, addition, or amendment, shall be set forth in the notice convening the meeting.
- (3) Within one month of the passing of a special resolution altering its rules, the Association must lodge with the Commissioner notice of the special resolution setting out particulars of the alteration together with a certificate given by a member of the Committee certifying that the resolution was duly passed as a special resolution and that the rules of the Association as so altered conform to the requirements of this Act.
- (4) A member may at any reasonable time inspect without charge the documents, books, records and securities of the Association.

## **20 BY-LAWS**

- (1) The Committee may make, repeal, or amend, such By-Laws as thought necessary for the functions of the Committee and the well being of the Association, providing such By-Laws shall not be inconsistent with this Constitution and Rules.
- (2) A By-Law made under this Rule shall come into force and have the full authority of a Rule of the Association on being signed by the President.

## **21 Common Seal of Association**

- (1) The Association must have a common seal on which its corporate name appears in legible characters.
- (2) The Common seal of the Association must not be used without the express authority of the Committee and every use of that common seal must be recorded in the minute book referred to in rule **10A**.
- (3) The affixing of the common seal of the Association must be witnessed by any two of the President, the Vice President and The Secretary.
- (4) The common seal of the Association must be kept in the custody of the Secretary or such other person as the Committee from time to time decides.

## **22 Indemnity**

Members of the Committee and other Officers for the time being of the Association and each and every one of them acting in relation to any of the affairs of the Association shall be indemnified out of funds of the Association from and against all actions, cost, charges, losses, damages, and expenses, which they or any of them shall or may incur or sustain by reason of any act done, concurred in or omitted in or about the discharge of their duty or supposed duty in their respective offices except such if any as they shall incur or sustain by or through their own wilful default or others of them or for joining in any receipts for the sake of conformity or for any bankers or other persons with whom any moneys or effects belonging to the Association shall or may be lodged or deposited or for the insufficiency or deficiency of any security upon which any moneys of or belonging to the Association shall be placed out or invested or any other loss, misfortune or damage which may happen in the execution of their respective offices, or in

relation thereto except the same shall happen by or through their own wilful default or dishonesty.

### **23 WINDING UP THE ASSOCIATION**

Upon winding up or dissolution of the Association if there remains any property whatsoever after satisfaction of all debts and liabilities that property shall not be paid to or distributed amongst members of the Association, but shall be entrusted to the Western Australian Golf Association (Inc) for the advancement of Golf by Veterans.

## **BY-LAWS** **OF** **COUNTRY VETERAN GOLFERS ASSOCIATION OF W.A. (INC)**

1. Members must be aged 55 years, complete a nomination form (showing date of birth and current Golf Link number) and lodge through their Club delegate with prescribed fee.
2. Annual membership fee must be paid by 1<sup>st</sup> February each year, otherwise a penalty of \$10-00 will apply and late payer will be excluded from the event immediately following payment. (This is to allow time for nomination records to be updated and also applies to new members).
3. Nomination for all events can **only** be made through **Club Delegate to Host Club Delegate**. Delegates will submit nominations 7 days prior to event. **substitution of players is not allowed** and late nominations (through Club delegate) will only be accepted by host club delegate if his field is lower than anticipated.
4. Host club delegates will limit field to maximum of 160 for large clubs and generally 80 for 9 hole courses. Some variation may be necessary for some clubs **but fields must not exceed above**.
5. If nominated fields exceed above, host club will place own members on stand by, then if field is still exceeded will contact delegates of larger nominations and request them to ballot out a selected number of players. Then if later cancellations are received, host club members held on standby will replace these.
6. Members wishing to cancel after having nominated, **must ring host club delegate as soon as possible**, but by no later than 8am on day of

event. Failure to do so will result in them being stood aside from next 3 events.

7. Host Club delegate is in charge of event at his Club. Draw to be arranged as soon as possible after nominations received. Event to be shotgun start teeing off at 10am. Morning tea to be provided from 9am, refreshments/snack half way round, and light meal after game with announcements/presentations to be completed by 4pm. Presentations comprise 4 golf balls to winner, 3 to runner-up, 2 down to CCR, then 1 down to score that would result in a **minimum** of 1 ball to 2 players. (i.e. a **minimum** of 80 balls for a field of 160, this may be exceeded by say 5-10 balls to complete group on similar score). 2 balls to OBE winner (He can win both sections), and a ball for 4 nearest the pins and 2 long puts. A CVGA ball raffle may be held (sheet of 40 @ \$1.00 a number) (amended AGM 13/12/11) with 6 balls per sheet. There is no limit on the number of sheets that can be sold, it generally ranges from 6 to 12, **but no other raffles may be held** (except for Pemberton who run a special black rabbit raffle in addition to normal). All golf balls to be of good standard i.e. in separate packet, not loose). Note: That balls **must not be thrown** across Club room.
8. Host Club delegate to complete Report form and forward to Co-ordinator as soon as possible after event.
9. Current Fees.
 

(a) New Members - Nomination Fee.	\$5-00
(b) Membership - Annual	\$10-00
(c) Late Fee for Members above).	\$10-00 (in addition to (b))
(d) Competition fees	\$15-00
10. CVGA of WA Inc. donation to Host Club \$200-00

By-Laws Approved by the Committee 4 / 05 / 2010

Signed.....President 4 / 05 / 2010