

GOLF VICTORIA BY-LAWS

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BY-LAW NO. 1

MEMBERSHIP FEES

The Annual Membership Fees payable by Members to Golf Victoria under the Constitution shall be as follows:-

1. Annual Membership Fees are payable to Golf Victoria by Members in the various categories under the constitution, shall be as determined from time to time by the Board.
2. a) Membership Fees shall be payable in respect of each and every member of the club as described in paragraph 2(b) of this by-law as at the 31st December in the preceding year of the fee notice that is issued.

The Board shall have the power to pro-rate membership fees during the first year of a clubs membership of the Company.

b) A club member is any person (excluding those bestowed honorary membership / patronage of the club due to external public achievement) who has any right to use the golf course and/or the practice facilities for the whole or any part of a year whether or not they are required to pay an additional fee to play and/or use the golf course or the practice facilities.

BY-LAW NO. 2

ELECTION OF DIRECTORS

1. Interpretation

Expressions used in this By Law have the meaning ascribed to them in the Constitution of the Company.

2. Nominations

2.1 Subject to the Constitution, in each year where appropriate, the Board must call for nominations for President, Finance Director and Directors.

2.2 A person may be nominated for more than one position but may not be elected to more than one position.

2.3 Nominations must be in the form (if any) prescribed by the Board from time to time and contain the information set out in this By-Law.

2.4 The Board must fix the closing date for nominations. A nomination or a facsimile of it in legible form must be received at the registered office of the Company not later than 5pm on the day nominated by the Board as the closing date for nominations.

3. Nomination of Directors

3.1 A nomination of a candidate for election as a President, Finance Director or a Director must be in writing, signed by the candidate and signed by a proposer and a seconder, both of whom must be either Members or persons who are eligible to nominate for election pursuant to Rule 10.6 of the Constitution.

3.2 The nomination must contain the following information:

- (a) the candidate's name and residential address;
- (b) the name of the Member Club or Affiliated Club of which the candidate is a member and the length of time the candidate has been a member and a certification by an authorised official of the Member Club or Affiliated Club of which the candidate is a member that the candidate is a financial member of that Club.
- (c) the candidate's experience, qualifications, expertise, other information relevant to the nomination and a statement not exceeding [100] words setting out the candidate's reason for being nominated to the position;
- (d) the names of the proposer and the seconder; and
- (e) if the proposer and seconder or either of them is not a Member, the Member Club or Affiliated Club of which the proposer or seconder is a member and the length of time that person has been a member and a certification by an authorised official of the Member Club or Affiliated Club of which the proposer or seconder is a member that the proposer or seconder as the case may be is a financial member of that club.

4. Election of President, Finance Director and Directors

4.1 If the number of candidates nominated for election as President, Finance Director or Directors as the case may be, is equal to or less than the number of vacancies and the provisions of Rules 10.1 of the Constitution are satisfied then the President or other Chairman of the Annual General Meeting must declare those candidates duly elected to the positions for which they were nominated.

4.2 Where there are more candidates for election than there are vacancies, the President, Finance Director and Directors will be elected at the Annual General Meeting in accordance with ballots conducted in accordance with these By Laws.

4.3 If there is more than one nomination for President or Finance Director or both and if any of the candidates for either of those positions have also nominated for election as a Director the Board must as soon as practicable after the date fixed by the Board under By-Law 2.4 distribute ballot papers for the election of President and Finance Director and specify a date

being not less than 14 days after the date of distribution of ballot papers as the date by which ballot papers must be received at the registered office of the Company.

- 4.4** If there is no need for ballots to elect a President and Finance Director or as soon as practicable after the results of the ballots referred to in By Law 5.3 are known, the Board must distribute ballot papers for the election of Directors and specify a date being not less than 14 days after the date of distribution of ballot papers as the date by which ballot papers must be received at the registered office of the Company.
- 4.5** If a ballot is required for any positions the CEO must prepare a ballot paper in the form the Board determines which sets out the positions for which there are vacancies, the number of vacancies and the name of each candidate nominated for election in alphabetical order.
- 4.6** Each ballot paper sent to a Member must be accompanied by
- (a) a statement containing the same information about each candidate for election as is required by By-Laws 3.2(a), (b) and (c)-
 - (b) clear instructions for validly completing the ballot paper and details of the time and date when the ballot opens and closes;
 - (c) a ballot envelope into which the Member is to place the ballot paper; and
 - (d) an envelope addressed to the CEO in which the ballot envelope enclosing the ballot paper is to be placed.
- 4.7** To vote in the ballot a Member who is entitled to vote must return the ballot paper to the registered office of the Company so that it is received at the Company's registered office no later than 5pm on the date fixed by the Board as the closing date for receipt.
- 4.8** If there are insufficient candidates to fill the available positions, the Board may appoint eligible persons to fill those positions which those persons will hold until the next Annual General Meeting.

5. Returning Officers

- 5.1** Where the number of nominations for any position exceeds the number of vacancies, the Board shall appoint 2 returning officers who shall take charge of the ballots immediately they have closed. The returning officers shall determine whether a vote has been properly recorded on any particular ballot paper and whether a ballot should be rejected as invalid. If the returning officers have any doubt as to the effect or validity of any ballot paper they shall refer the matter to the President whose decision shall be final.

- 5.2 The returning officers must supervise the opening of ballot papers and the counting of votes and must report the result of any ballot to the President prior to the Annual General Meeting.
- 5.3 The President or other Chairman of the Annual General Meeting must at the meeting declare the names of the candidates who have been elected.
- 5.4 The accidental omission to send a ballot paper to any Member or the failure of any Member to receive a ballot paper does not invalidate the result of the ballot.
- 5.5 Each candidate who has been elected will hold office with effect from the completion of the Annual General Meeting in the year in which the election takes place.

6. Voting

- 6.1 A vote may be cast only on the ballot paper distributed by the Board.
- 6.2 In the case on a ballot for President or Finance Director the candidate who obtains the most votes will be elected to the position;
- 6.3 In the case of a ballot for Directors, subject to Rules 10.1 of the Constitution being satisfied, the candidates who receive the most votes will be elected.
- 6.4 If two or more candidates receive an equal number of votes, the result of which is that not all of those candidates may be elected, the President must determine by lot which of those candidates is elected.

7. Death, Ineligibility or Withdrawal of a Candidate

- 7.1 If prior to being elected a member nominated for election:
 - (a) dies;
 - (b) withdraws the nomination; or
 - (c) the Board forms the view that the Member will be unable to serve in the position for which they have been nominated for the period of tenure of that position due to illness or injury;

The Board may,

- (a) extend the date of the ballot and call for additional nominations;
- (b) declare the ballot void altogether or in respect only of the affected position; or
- (c) give to the CEO such directions as the Board deems appropriate including allowing Members who have voted for the candidate concerned to lodge replacement votes.

- 7.2** If before the closing date for the return of ballot papers to the registered office of the Company, a candidate changes his or her residential address that candidate must inform the CEO forthwith of the change of address. For the purposes of Rules 10.1 of the Constitution the new address shall be regarded as the principal place of residence of that candidate.

BY-LAW NO. 3

OPEN AMATEUR COMPETITIONS

1. A Member shall obtain approval from the Board before announcing its intention to hold an Open Amateur Competition.
2. An affiliated club shall obtain approval from the Executive Committee of its respective District Golf Association except where Ivo Whitton status is concerned.
3. The program for an Open Amateur Competition shall be approved by the Board before issue and shall include:
 - a) On the front page the words "Under the Auspices of Golf Victoria".
 - b) The schedule of events and trophies.
 - c) Conditions of play.
 - d) A requirement that entrants state their Home Club and GolfLink number. .
4. The Conditions of play referred to in sub-paragraph 3(c) of this By-Law shall include the following clauses :
 - a) Entrants shall be amateurs who are members of clubs of the Company or of clubs registered with such state or overseas Associations as are affiliated with or recognised by Golf Victoria or of clubs affiliated with the Victorian Golf League and Registered Golfers. The Committee shall have the right to refuse the entry of any person without being required to give any reason for such refusal.
 - b) The competition shall be played in accordance with the Rules of Golf as adopted by R&A Rules Limited together with such local rules as are in force on the course over which the competition takes place.

If a dispute arises on any point it shall be decided by the Committee in charge of the competition whose decision shall be final. Provided however that the Committee if in doubt shall have the right to refer any such dispute to the Board of Golf Victoria whose decision shall then be final.
 - c) The Committee has the power to temporarily alter a player's Australian handicap in accordance with the Australian Handicapping System.

BY-LAW NO. 4
COMPETITIONS FOR PRIZE MONEY

1. A Member or an affiliated club or an Accredited Golf Handicapping Centre shall obtain approval from the Board before making arrangements for any sponsored competition involving the payment of prize money to be held on its course.

An Affiliated Club shall obtain approval from the Executive Committee of its District Golf Association before seeking approval from the Council.

2. The application to the Board for approval shall include a statement as to the amount of prize money for the professionals and the trophies if any to be awarded to amateurs who take part.
3. The club on whose course the competition is conducted shall be responsible for strict adherence to the following Condition :

‘The competition shall take place in accordance with the Rules of Golf as adopted by R&A Rules Limited together with such local rules approved by Golf Victoria in force on the course over which the competition takes place.’

BY-LAW NO. 5
INTERNATIONAL AND INTERSTATE MATCHES

1. A Member of an Affiliated Club or an Accredited Golf Handicapping Centre shall obtain approval from the Board before making arrangements for any International or Inter-State Match to be held on its course.

An Affiliated Club shall obtain approval from the Executive Committee of its District Golf Association before seeking approval from the Board.

2. The application to the Board for approval shall include a statement as to the amount of prize money if any for the professionals and the trophies if any to be awarded to amateurs who take part.

BY-LAW NO. 6

APPLICATION FOR MEMBERSHIP

1. Application for membership shall be in the form or to the effect set out in Schedules 6.1 or 6.2 hereto whichever is applicable and in accordance with Schedule 6.3.

2. In determining upon an application by a club or the nominees of a club for election as a member of the Company the Board shall apply the following principles with reference to the guideline definitions of Member classes
 - a) The club must not be run for profit of any person or company (other than the club if it is organised as a company). All profits must be applicable for the benefit of the club itself or for a sporting objective.

 - b) The club shall have a Constitution which in the opinion of the Board reasonably accords with the "Model Rules of an Incorporated Association" as set out in the Incorporations Act 1981 (as amended from time to time) and substituting the word Association in favour of the word club.

 - c) The club must have a course on which to play having :
 - I. At least nine holes
 - II. A standard satisfactory to the Board
 - III. Except in circumstances considered special by the Board a total length of not less than 3,600 metres.

 - d) The club must have clubhouse facilities satisfactory to the Board
 - e) The club should demonstrate to Board that it is in a sound financial position

 - f) The club should have in respect to the land on which its course is situated :
 - I. Freehold ownership or

 - II. Leasehold tenure conferring exclusive rights

 - g) If the club has no such freehold ownership or leasehold tenure :
 - I. It must have a licence to make use of the course which confers at least rights to the first tee exclusive to the club and its members for regular recurrent and clearly defined periods and to be sufficient permanence to be a reasonable substitute for freehold ownership or leasehold tenure conferring exclusive rights of occupancy. Its right of use should be sufficient to enable the club to make in advance long term arrangements to provide hospitality to members of other clubs in the vicinity.

 - II. Not more than one Member club or Affiliated Club may use the one course except where clubs are affiliated under the class of Victorian Golf League .

 - III. For the right to play on the course and enjoy the facilities and organisation of the

club, members shall pay to the club an annual subscription of appropriate substance and sufficient to ensure financial viability having regard to the clubs commitment under the license and otherwise.

If green fees payable by individual members of the club to an outside organisation for the right to play is in substance the only financial requirement made of members, this would prima face indicate that the organisation is not sufficiently stable as a club so as to warrant membership of or affiliation with Golf Victoria.

3. Affiliation - Country Clubs

- a) Country Clubs may lodge with the District Golf Association of its district an application for affiliation with Golf Victoria and an application for membership of the District Golf Association.
- b) The application to the District Golf Association shall be in accordance with Clause 9 of the Model Rules of a District Golf Association as set out in By-Law No. 7 Schedule 7.1.
- c) The District Golf Association shall satisfy itself that the application accords with its Constitution and meets the principles set out in paragraph (2) of this By-Law.
- d) The District Golf Association may forward the application to Golf Victoria with a recommendation that the applicant be admitted as an Affiliated Club with Golf Victoria.
- e) The District Golf Association shall elect the applicant as a member upon the applicant being admitted as an Affiliated Club of Golf Victoria.

BY-LAW NO.6

SCHEDULE 6.1 – MEMBERSHIP APPLICATION FORM – INCORPORATED CLUB

Membership Application Form for an Incorporated Club

The (insert club name) _____

Of (insert address) _____

_____ Postcode _____

Hereby applies for membership of Golf Victoria as:

- A Member Club
- A Victorian Golf League Club
- An Affiliation (Country) Club

Through the _____
District Golf Association

and undertakes if admitted to be bound by the Constitution and By-Laws of Golf Victoria and to accept and enforce all decisions of the Board.

By Order of the Committee

We certify that information which is attached to and forms part of this application is true and correct

Name _____

Signed _____
(Secretary, Manager, Authorized Committee Member)

(Secretary, Manager, Authorized Committee Member)

BY-LAW NO.6
SCHEDULE 6.2 MEMBERSHIP APPLICATION FORM – UNINCORPORATED CLUB

Membership Application Form for an Unincorporated Club

We _____

Representing the
(insert club name) _____

Of (insert address) _____

_____ Postcode _____

Being duly authorized nominees hereby apply for membership of Golf Victoria as:

- A Member Club
- A Victorian Golf League Club
- An Affiliation (Country) Club

Through the _____
District Golf Association

and undertake if admitted to be bound by the Constitution and By-Laws of Golf Victoria and to accept and enforce all decisions of the Board.

Signatures of Authorized Nominees

We certify that information which is attached to and forms part of this application is true and correct

Name _____

Signed _____
(Authorized Nominee)

(Authorized Nominee)

BY-LAW NO.6

SCHEDULE 6.3 MEMBER INFORMATION REQUIREMENTS

The following information shall be supplied with an application for consideration of admittance as a member of the Company.

1. CLUB NAME

PHYSICAL CLUB ADDRESS

CLUB POSTAL ADDRESS

2. LIST OF OFFICE BEARERS.

3. NUMBER OF MEMBERS.

4. SHORT ACCOUNT OF FORMATION OF CLUB.

5. NUMBER OF HOLES IN PLAY.

6. SHORT DESCRIPTION OF CLUBHOUSE AND FACILITIES.

7. STATEMEN
(Refer to By-Law No. 6 Clause (2) (e) and (g).

8. STATE WHETHER THE CLUB COLLECTS AND RETAINS AS PART OF CLUB FUNDS ALL FEES PAID BY VISITORS OR PLAYERS ON ITS COURSE.

9. STATE IF THE CLUB IS SO CONDUCTED THAT REVENUE ACCRUES TO ANY INDIVIDUAL WHETHER A MEMBER OR NOT (other than rent to a Lessor).

10. A COPY OF THE CLUB CONSTITUTION AND SCORE CARD.

(By-Law 6 Attachment A)

GOLF VICTORIA – METROPOLITAN BOUNDARY GUIDE

The Golf Victoria Metropolitan Boundary is enclosed by the :

- ◆ Wyndham
- ◆ Melton
- ◆ Hume
- ◆ Whittlesea
- ◆ Nillumbuk
- ◆ Knox
- ◆ Casey
- ◆ Frankston and
- ◆ An area of the Yarra Ranges bordered by Nillumbuk, Manningham, Maroondah, Knox to the west and limited to the area not exceeding an eastern boundary of Yarra Glen Rd, Symond St, Melba Highway, Maroondah Highway, Hereford Rd, Swansea Rd, Mt Dandenong Tourist Route and Sheffield Rd.

BY-LAW NO. 7
DISTRICT GOLF ASSOCIATION

A District Golf Association shall have a Constitution which in the opinion of the Board reasonably accords with the “Model Rules of an Incorporated Association” as set out in the Associations Incorporation Reform Regulations 2012 (as amended from time to time).

BY-LAW NO.8
RULES OF GOLF

1. Members and affiliated clubs or registered golfers shall comply with the Rules of Golf as adopted by R&A Rules Limited.
2. The Board shall make decisions on matters in doubt or in dispute upon application to the CEO of Golf Victoria by the Secretary or other office bearer of the club and the decision of the Board shall be final.

Such decision shall be circulated to Golf Australia and all State Associations.

3. If the Board cannot come to a decision it shall refer the dispute to Golf Australia whose decision shall be final.
4. The Board shall as and when it thinks fit take such steps as it considers appropriate for the purpose of making known any decision concerning the Rules of Golf.

BY-LAW NO 9
RULES OF AMATEUR STATUS

1. For the purpose of deciding whether a person is an Amateur golfer or not the Board shall apply the Rules of Amateur Status as adopted by R&A Rules Limited.
2. Application for reinstatement of Amateur Status shall be in the form or to the effect set out in the Schedule hereto.
3. Any Member, or person aggrieved by a decision of the Board may appeal to Golf Australia whose decision shall be final.
4. The Board shall as and when it thinks fit take such steps as it considers appropriate for the purpose of making known any decision concerning the Amateur Status of a golfer.

BY LAW NO. 10

AUSTRALIAN COURSE RATING AND HANDICAPPING SYSTEM

1. Member and Affiliated Clubs

- a) Members and Affiliated Clubs shall comply with the Australian Course Rating and Handicapping System as approved from time to time by Golf Australia. The Board shall make decisions on matters in doubt or in dispute upon application to the CEO of Golf Victoria by the Secretary or other office bearers of the Member or Affiliated Clubs.
- b) If the Board cannot come to a decision it shall refer the matter to Golf Australia whose decision shall be final.

Any person aggrieved by a decision of the Board may appeal to Golf Australia whose decision shall be final.

The Board shall as and when it thinks fit take such steps as it considers appropriate for the purpose of making known any decision concerning the Australian Course Rating and Handicapping System.

BY-LAW NO.11

GOLF VICTORIA MAGAZINE SUBSCRIPTIONS

The number of annual hardcopy subscriptions to Golf Victoria's official magazine "Golf Victoria" payable by members shall be as follows:

1. Member Clubs:

Each club is required to select one of the following options:

- Option A: A hardcopy of the Magazine to be mailed direct to ALL members of the club as defined in Bylaw 1 at a rate as set from time to time by the Board.
- Option B: Club to subscribe to hardcopy Magazines at a level equal to 50% of its total membership, as defined by Bylaw 1, with all hardcopies delivered in bulk to the club.
- Option C: Club to include a Hardcopy Magazine subscription option as a strike-off item on the club's annual fee notices to its members with Golf Victoria mailing direct to subscribing members.
- Option D: Where clubs remit an electronic copy of their club membership database covering all members as defined in Bylaw 1 (including Name, Mobile Number, Email Address and Membership Category) clubs can elect to subscribe to hardcopy Magazine subscriptions at a level equal to 15% of their membership, as defined in Bylaw 1, with all hardcopies delivered in bulk to the club.

2. Affiliated Country Clubs, Golf League Clubs, Transitional and Associated Clubs:

Option A One subscription for each member as defined in By-Law 1, Clause 2 (a) at a rate as set from time to time by the Board, or

Option B A minimum number at a rate as set by the Board from time to time in accordance with the following Minimum Subscription Scale

0-25 Members	-	5 Subscriptions
26-50 Members	-	10 subscriptions
51-100 Members	-	15 subscriptions
101-150 Members	-	20 subscriptions
151-200 Members	-	25 subscriptions
201-250 Members	-	30 subscriptions
251-300 Members	-	35 subscriptions
301-350 Members	-	40 subscriptions
351-400 Members	-	45 subscriptions
401-450 Members	-	50 subscriptions
451-500 Members	-	55 subscriptions
501+ Members	-	60 subscriptions

Where clubs remit an electronic copy of their club membership database covering all members as defined in Bylaw 1 (including Name, Mobile Number, Email Address and Membership Category) clubs will have the option of discounting these prescribed minimum subscription numbers by 50% with all hardcopies delivered in bulk to the club.

3. Other Social Golf Clubs & Corporate Golf Clubs:

One subscription for each member as defined in By-Law 1 at a rate as set from time to time by the Board, unless otherwise agreed by the Board.

BY-LAW NO.12

NATIONAL BODY REPRESENTATION

DELEGATES

The President and two persons appointed by the Board from amongst its number shall be the Delegates to Golf Australia.