

**CONSTITUTION
of the HARVEY
GOLF CLUB
INCORPORATED**

November 26

2010

Effective as at the AGM held 26th November 2010

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CONSTITUTION OF THE HARVEY GOLF CLUB INCORPORATED

1. NAME

The name of the Golf Club shall be the "HARVEY GOLF CLUB INCORPORATED ".

2. OBJECTS

The objects of the club are:-

- 2.1. To promote, exchange and foster the game of golf.
- 2.2. To provide for the members a golf course and club house.
- 2.3. To provide all things incidental to the playing of social and competitive golf, as the committee shall consider desirable. The club recognises that the groups of members wishing to organise regular competitions are acceptable to the committee providing that the aims and organisation of those groups are approved by the committee.
- 2.4. To promote interclub activities between this and other golf clubs, and to foster the spirit of comradeship.
- 2.5. To provide such other activities as the Committee shall consider desirable provided that no activities shall be provided that may interfere with the playing of golf.

3. INTERPRETATION

In this constitution:-

- 3.1. "Club "means the Harvey Golf Club Incorporated.
- 3.2. "Committee "means the Management Committee of the club.
- 3.3. Words in the singular include the plural
- 3.4. Words in the plural include the singular.
- 3.5. Playing rights means playing on the course and the use of the practice facilities of the club.
- 3.6. Words importing the masculine gender include the feminine gender.
- 3.7. Words importing the feminine gender include the masculine gender.
- 3.8. "The Act "means the Liquor Licensing Act. 1988

Each financial year of the club shall be as from the first day of April in each year until the last day of March (both inclusive).

4. MEMBERSHIP CATEGORIES

Membership of the club shall consist of the following categories.

4.1. FULL MEMBER

Any person over the age of twenty one (21) years who has paid the maximum authorised subscription and has been admitted to this category by the committee.

4.2. LIFE MEMBER

Any person elected to life membership in accordance with clause 6 hereof.

4.3. COUNTRY MEMBER CLASS (1)

Any person over the age of twenty one (21) years who has a permanent place of abode and resides at that permanent place of abode situated not less than a fifty (50) kilometres, or more than one hundred (100) kilometres radius from the club premises, by the shortest route and admitted by the committee to this category of membership.

4.1. COUNTRY MEMBER CLASS (2)

Any person over the age of twenty one (21) years who has a permanent place of abode and resides at that permanent place of abode situated not less than a one hundred (100) kilometres radius from the club premises, by the shortest route and admitted by the committee to this class of membership.

4.4. CORPORATE BODY MEMBER

Any company admitted by the committee to this category of membership under the conditions determined by the committee from time to time.

4.5. SOCIAL MEMBER

Any person who has attained the age of eighteen (18) years and paid the maximum authorised subscription as set by the committee and has been admitted to such a category by the committee. The number of social members is not to exceed 10% of full members.

4.6. HONORARY MEMBER

Any person who has been admitted by the committee to this category of membership.

4.7. JUNIOR MEMBER

Any person who has not reached the age of twenty one (21) years and who is eight (8) years of age or over may be admitted by the committee to this category of membership.

4.8. FULL SENIOR MEMBER

Any Male person who has attained the age of 65 years or Female person who has attained the age of 60 years.

4.9. SUMMER MEMBERSHIP

Any person over the age of twenty one years being accepted by the committee to have full membership conditions from only December to March.

4.10. CASUAL MEMBERSHIP

Any person accepted by the committee and has paid the allocated subscriptions, may use the course and the clubhouse but is unable to enter any competitions.

4.11. INTRODUCTORY MEMBERSHIP

Any new member unsure if they wish to join the club, may trial the use of the facilities for three months but will have no voting rights and be ineligible to win any competitions

5. ELIGIBILITY, RIGHTS & CONDITIONS OF MEMBERSHIP

Only amateur golfers shall be eligible for any category of membership, except for Honorary Membership which shall be at the discretion of the committee.

5.1. FULL MEMBER:

A Full Member shall have the rights and privileges of the club including playing rights on any day unless there is a competition being run which that person is ineligible to participate.

5.2. LIFE MEMBER:

A Life Member shall have all the rights and privileges of a Full Member. A person may be elected to Life Membership in accordance with the provisions of appendix (1).

5.3. COUNTRY MEMBER:

A Country Member shall have the full privileges of the club facilities other than the right to vote at or address a meeting of the club or to be an Officer or Committee person of the club. Country members can participate in all events provided for in the Club Fixtures however are excluded from winning or receiving trophies for those events relating to Club Championships or Seasonal Club Novelties.

5.4. CORPORATE BODY MEMBER:

Corporate Body Membership shall be restricted to companies registered with the Corporate Affairs Office and subject to such conditions as agreed between Member and the Committee and as set out in this constitution.

Neither Corporate Body Members nor their representatives shall take any part in the management of the Club nor have any voting rights whatsoever.

There shall be no more than four (4) representatives of a Corporate Body Member at any one time.

Corporate Body Members or their representatives are not able to take part or participate in any officially organised Club golf event unless with the express permission of the Committee and in the event specially organised to include this class of membership.

No more than four (4) representatives or visitors (that is in aggregate) of the Corporate Body Member may use the course at any time unless as is provided in the preceding paragraph.

Corporate Body Members or their representatives may utilise the course only when there is no other officially organised Club golf event in progress. Otherwise, they

may utilise all other Club amenities and facilities when such are available in the normal course to other members.

Representatives of the Corporate Body Member may invite no more than three (3) visitors each at any time to use the facilities provided within the clubhouse, including bar facilities. Corporate Body Members and their representatives must otherwise comply with all the Objects and Rules of the Club as set out in the Constitution.

5.5. SOCIAL MEMBER:

A Social Member shall only be entitled to the privileges of the Clubhouse amenities and have no voting rights.

5.6. HONORARY MEMBER:

The Committee at its discretion may appoint any of the following persons to Honorary Membership of the Club:-

- Any person of distinguished position or attainment.
- Persons visiting or temporarily residing in Western Australia.
- Persons attending the Club in order to participate in a single event or a single series of events of golf.
- Persons of a class prescribed in the By-Laws as a class of persons qualified for Honorary Membership.

Honorary Members may use the Golf Course and the other premises and facilities of the Club as determined in each particular case by the Committee and will have no voting rights.

5.7. JUNIOR MEMBER:

A Junior Member shall be entitled to playing rights as laid down by the Committee only and shall conduct themselves as not to violate any provisions of the Liquor Licensing Act 1988.

Junior Members on reaching the age of twenty one (21) years shall be eligible for election as Full Members or Associate Members and shall notify the Committee of their intention to do so.

If a proposed Junior Member's twenty first birthday falls on or before the first day of April in the current year they shall not be eligible for election as a Junior Member.

Junior Members will have no voting rights.

5.8. FULL SENIOR MEMBER:

A Full Senior Member shall have the same rights and privileges as a Full Member.

6. MEMBERSHIP LIMITS

The total membership of the Club as well as numbers within each class of membership shall be contained within maximum limitations set by the Committee or Director of Liquor Licensing pursuant to the provisions of the Liquor Licensing Act 1988.

7. ELECTION OF MEMBERS

Candidates for election as members, in the categories of Full Member, Country Member, Social Member, Junior Member, Midweek Member or Full Member Senior having consented in writing on the form prescribed by the Committee, shall be duly proposed and seconded in writing by two (2) Full Members.

The prescribed form shall be displayed in a conspicuous place on the Club premises for a period of at least seven (7) days prior to their being voted on for membership and an interval of not less than fourteen (14) days shall elapse between the date of nomination and the date of voting thereon.

The Committee may make any such enquires as it deems proper or appoint an Investigations Committee who shall report to the Committee before any such ballot for election is carried out.

Any member may apply in writing to the Committee to change their class of membership to another class of membership for which such member shall be qualified in accordance with this constitution. The Committee shall have sole discretion to accept or reject such an application and if such application is accepted to prescribe any adjustment of subscription fee it may in each case determine.

Election of membership will not be considered by the Committee under this rule unless, in the case of past members seeking re-election to the Club, have fulfilled the provisions of Rule 9 with respect to previously outstanding fees.

A candidate proposed for membership who has been rejected shall not again be proposed as a Member until six (6) months after the date of any such rejection PROVIDED THAT any such candidate whose election has been rendered void by irregularity in the ballot, may, with the consent of the Committee, be proposed for membership again at once.

Candidates for election as Corporate Body Members, having consented in writing on the form prescribed by the Committee, shall be duly proposed and seconded in writing by two (2) Committee Members. Up to a maximum of four (4) representatives of each Corporate Body Member are to be nominated for election to this position. Each individual Nomination is to be separately proposed by the Corporate Body Member in writing on the form prescribed by the Committee and seconded by a Committee Member and consented by each nominee. Nominations for election of representatives of the Corporate Body being undertaken at the same time as the election of the Corporate Body must be proposed and seconded by two (2) Committee members in writing on the form prescribed by the Committee. Amendments to the representatives of the Body Corporate member are to be in writing to the Club with the replacement representative being proposed in writing by the Body Corporate member and seconded by the Committee member and consented to by the replacement nominee. In the event of an application being received from the candidate who is not known to any member, the Committee may appoint an investigation committee who shall report to the Committee before any ballot for election is carried out. The names and addresses of the persons proposed as members of the Club or representatives of the Corporate Body Member shall be displayed in a conspicuous place in the Club premises for at least seven (7) days before their election, and an interval of not less than fourteen (14) days shall elapse between the nomination and election of member.

The election of all members shall conform to this Constitution and to any applicable By - Laws made by the Club.

8. NOTIFICATION OF ELECTION TO MEMBERSHIP

When any person has been elected to membership of the Club (other than to Honorary Membership) as provided in Clause 8 hereof, shall within fourteen (14) days of such election be notified of such election by the Secretary of the Club, or such person acting on his behalf for the Committee of the Club. At the same time the Member shall receive a copy of the Constitution and By-Laws of the Club.

Every Member shall be deemed to agree to be bound by the rules and By-Laws of the Club for the time being and payment of entrance fees and annual subscription shall be conclusive evidence of such agreement and any such fees and subscriptions shall be deemed payable within twenty one (21) days of such nomination being accepted by the Committee.

The Secretary shall keep on the premises of the Club a register of members setting forth names and addresses of all members and the nature of membership.

9. RESIGNATION OF MEMBERS.

Any Member wishing to resign from the Club shall give notice in writing to the Secretary. Such notice shall be considered at the next meeting of the Committee. Prior to accepting the resignation all Membership fees up to and including the last day of the month within current year following the receipt of the resignation by the Club and any other amount shall be paid.

There shall be no refund of any subscription made by the Club to any Member resigning.

10. ENTRANCE FEE, SUBSCRIPTION AND LEVY.

Any new member joining the club shall pay no Entrance fee as well as an Annual Subscription and any levy, as may be in force at the time of joining, dependant upon the time that such new member joins.

The Entrance fee, Annual Subscription or any Levy in respect of each Membership of the Club shall be as determined by a General Meeting of the Club on the recommendation of the Committee.

No alteration in rate of Entrance fee, Subscription or Levy can be made except at the Annual General Meeting or a General Meeting and the proposed alteration must be stated in the notice calling the meeting.

The Annual Subscription which shall not be less than the fee prescribed by the Liquor Licensing Act 1988 becomes due and payable on the first day of April in each year, and no member shall be entitled to the privileges of the Club or to play in any Competition of the Club after 5.00pm on the 30th. day of April in each year until their subscriptions be paid in full.

If any Member shall be indebted to the Club for Annual Subscriptions on or after 5.00pm on the 30th day of April in that year the Committee may, upon giving fourteen (14) days notice in writing to such member of their intention to do so, strike the Member's name off the roll of membership of the Club. Such notice may be given by posting the same to the Members last known address and such notice shall be deemed to have been given on the date of posting the same as aforesaid.

Any Levy shall be due and payable immediately it is determined by the General Meeting or Special General Meeting at which it is presented.

If any Member shall be indebted to the Club for any Levy one (1) month after it is due the Committee may, upon giving fourteen (14) days notice in writing to such Member of their intention to do so, strike the Member's name off the Roll of Membership of the Club. Such notice may be given by posting the same to the Member's last known address and such notice shall be deemed to have been given on the date of posting the same as aforesaid.

Any member intending to defer their Membership for a minimum period of twelve (12) months, provided they have given written notice to the Secretary of their intending absence, before such Subscription becomes payable, shall be liable for a subscription determined by the Committee and provided that they shall have satisfied the Committee of the Bona Fide of the application and provided further that such Member shall not during such period be entitled to enjoy any of the rights and privileges of the course but entitled to rights and privileges of the Club House and provided also that in the event of such Member desiring to continue as a member before the expiration of the twelve (12) month period, subject to Committee approval pay a Subscription proportionate to the unexpired portion of the current year.

Any person desiring to become a New Member throughout a financial year may be entitled to a proportional reduction in Subscription relevant to that category of membership for that financial year. Such proportional reduction being accessed in accordance with the Club by-laws and decided by the Management Committee.

Any person who shall have resigned there membership for a period of upto two years and so wishes to again apply for membership to the Club will not be required to pay the prescribed entrance fee

In the case of Junior Members the following is to apply:-

- (a) Entrance Fee - as may be determined by the Committee from time to time.
- (b) Levy - will not apply to Junior Members, however a pro - rata payment will be due and payable within one (1) month of being elected to another class of Membership.
- (c) Subscriptions - as may be determined by the Committee from time to time.

11. MANAGEMENT COMMITTEE.

The management of the Club shall be vested in a Committee consisting of:-

- A President,
- A Vice President, who may also hold another position on the Committee,
- A Captains of Men's Golf and A Captain of Ladies Golf,
- A Vice Captains of Men's Golf and A Vice Captain of Ladies Golf,
- A Treasurer,
- A Secretary,
- A Course Manager,
- A Club House Manager,
- A Bar Manager,
- Junior Coordinator.
- A representative of Ladies Golf and
- Two (2) General Committee Members.

All Committee Members shall be Full or Life Members and all Committee Members shall have full voting rights.

Any member of the Committee receiving remuneration for their duties shall not have a right to vote.

The term of appointment for all Members of the Committee shall be two (2) years.

At the Annual General Meeting held next after the adoption of this constitution eight (8) Members of the Committee shall be elected for a two (2) year term and seven (7) members of the Committee shall be elected for a one (1) year term.

A casual vacancy occurring during the period of office of the Members shall be filled by the Committee and any person so appointed shall retain office only so long as the vacating Member would have done if no vacancy had occurred.

Should any Committee Member be absent from three (3) consecutive monthly meetings of the Committee without explanation, that Members position may be declared vacant by the Committee.

The Committee may appoint any other Sub-Committee it thinks fit provided that such Sub-Committee shall report and be responsible to the Management Committee and no decision of any Sub-Committee shall be binding unless ratified by the Management Committee.

The Management Committee recognises that a Sub-Committee for Ladies Golf shall be formed for the control and management of affairs which relate solely to ladies golf.

Sub-Committee's need not be made up of Full Members only.

12. GENERAL POWERS OF THE COMMITTEE.

The Committee shall have the sole right to interpret this Constitution and to give directions in cases not provided for herein, and all Orders, By-Laws or Regulations made by them shall be binding.

Committee meetings will be held at least once in each calendar month.

The Committee shall not have the power to conclude negotiations relating to Resolutions 1 - 7 in Clause 18. This power is preserved for Members in General Meeting.

The President or any two Members of the Committee shall have the power to instruct the Secretary to call a meeting of the Committee.

The Committee in addition to the powers hereinafter specially conferred upon them, shall have the control of all Finances of the Club, power to engage, control and dismiss all employees and all such administrative powers as may be necessary for properly carrying out the Objects of the Club, in accordance with this Constitution.

13. ADDITIONAL POWERS OF THE MANAGEMENT COMMITTEE.

In addition to all other powers contained in these rules the Committee shall have the power from time - to - time:-

- To borrow, or raise money, enter into lease or hire purchase agreements, or guarantee or indemnify any undertaking by the Club to a limit of 35% of budgeted annual gross revenue for the previous financial year and make financial arrangements as they think necessary in the interest of the Club including the pledging or mortgaging any or all of the Club's landed assets, chattels or equipment in support of such financial arrangements.
- Any borrowings in excess of the 35% limit in that financial year must be approved by the Members in a General Meeting.
- To purchase, take or lease any land or building or equipment or part thereof for the purpose of the Club upon such terms as they may think fit.
- To make all necessary arrangements for the supply to the Club of all wines, spirits, malt liquors, viands, cigars, tobacco and provisions as may be required in accordance with the Liquor Licensing Act 1988 and any other relevant statutes...
- To make such arrangements as it may decide for reciprocity of Members with other golf clubs.
- To make, repeal and amend such By-Laws as may be necessary for the management of their own proceedings, and of the Club, provided that no such By-Laws shall be made which are inconsistent with this Constitution or which may violate the terms of the Clubs Leases. Any amendment to the By-Laws shall be distributed to all Members.
- To make and from time to time alter or repeal local playing rules for the game of golf.

- To arrange all Tournaments, Competitions and Matches and to fix the dates thereof and to alter such dates if occasion shall require, and to settle all disputes in connection therewith.
- To elect Members as provided in Clause 7.
- To fill a casual vacancy arising from the resignation of the Club's auditors.
- To accept the resignation of any Officer of the Club, or Member of the Committee, and to fill any vacancy so caused as provided in Clause 11.
- To expel and/or suspend Members as provided in Clause 32.

14. RESPONSIBILITIES OF MEMBERS OF THE MANAGEMENT COMMITTEE.

14.1. PRESIDENT

The President shall preside over every meeting of the Committee, should he not be present the Vice President shall preside but should that person not be present, a Committee person elected by those present shall preside.

The President shall be responsible to co-ordinate the activities of the Committee and direct the overall administration and well being of the Club.

The President shall be responsible for any public media announcement made on behalf of the Club.

It shall be the prerogative of the President to attend all Sub-Committee meetings and to take part in discussions and voting but shall not preside as chairperson of the Sub-Committee unless it is the wish of the members of the Sub-Committee.

In case of equality of votes, as well as his deliberative vote, the President presiding over a Committee meeting or the Chairperson over the Sub-Committee meeting shall have a casting vote.

14.2. VICE PRESIDENT

The Vice President shall assist the President of the Committee and, in the absence of the President, shall occupy the chair and conduct the business of the meeting. He shall perform all the functions indicated for the President pro tem, if the President, for any reason, is unable to perform them.

14.3. CAPTAIN OF MEN'S GOLF

The Captain of men's golf shall ensure that all play is conducted in accordance with the Rules of Golf, as settled or approved from time to time by the Royal and Ancient Golf Club of St Andrews and/or the Australian Golf Union.

The Captain of Men's golf shall be chairperson of the Men's Match Committee and shall deal with such playing matters which are of exclusive concern to Men.

He shall be responsible:-

- for the conducting of weekly Men's golf events as agreed to by the Committee and,
- Liaising with the Captain of Women's Golf and for the conducting of mixed events.

14.4. VICE CAPTAIN OF MEN'S GOLF

The Vice Captain of Men's Golf shall at all times assist the Captain of Men's Golf and, in the absence of the Captain, shall conduct all duties of this position. He shall perform all the functions indicated for the Captain pro tem, if the Captain, for any reason, is unable to perform them.

14.5. CAPTAIN OF WOMEN'S GOLF

The Captain of women's golf shall ensure that all play is conducted in accordance with the Rules of Golf, as settled or approved from time to time by the Royal and Ancient Golf Club of St Andrews and/or the Australian Golf Union and the Women's Golf Australia.

The Captain of Women's golf shall be chairperson of the Women's Match Committee and shall deal with such playing matters which are of exclusive concern to Women.

The Captain of Ladies Golf shall be responsible for the conducting of weekly Women's golf events as agreed to by the Management Committee.

14.6. VICE CAPTAIN OF WOMEN'S GOLF

The Vice Captain of Women's Golf shall at all times assist the Captain of Women's Golf and, in the absence of the Captain, shall conduct all duties of this position. She shall perform all the functions indicated for the Captain pro tem, if the Captain, for any reason, is unable to perform them.

14.7. TREASURER

The Treasurer shall receive and pay all monies belonging to the Club into such bank or banks as shall be approved by the Committee. He shall keep correct accounts and records showing the financial affairs of the Club, and particulars usually shown in the books of accounts of a like nature.

He shall present an income and expenditure statement to each regular meeting of the Committee.

He shall balance the books and prepare an annual statement of accounts and balance sheet of the Club to the last day of March in each year together with an interim Balance Sheet & P & L Statement for period 1st. April to 31st. October, such statement and balance sheet shall be prepared and presented to the Club's Auditors in sufficient time prior to the Annual General Meeting to enable the Auditor to report to the Annual General Meeting.

Such statement and balance sheet shall be available to members of the club for seven (7) days immediately preceding the Annual General Meeting.

The Treasurer shall prepare an annual budget for presentation to the Members at the Annual General Meeting which shall be used as a guide by the Management Committee for the preceding financial year.

14.8. SECRETARY

The Secretary shall attend all Meetings of the Club and take minutes of same, receive and respond to all correspondence, have custody of all documents belonging to the Club and answer such questions as may be asked in accordance with the Constitution.

He shall continually keep available, on the Club premises, an up to date register of all Club Officers and Members, setting forth the full names and addresses of all Members of the Club each in his/her class, for the time being and the date of the last payment of each members subscription/levy.

The Secretary shall apply for, obtain and renew a Club License or any required permit in accordance with the Liquor Licensing Act 1988.

14.9. COURSE MANAGER

The Course Manager shall ensure that the Golf Course is acceptably presented for the playing of social and competitive golf.

The Course Manager shall be responsible for the effective supervision of course employees.

In consultation with the Green Keeper he shall ensure that all plant, equipment and tools necessary for the proper maintenance of the Golf Course are adequate and kept in good serviceable condition.

The Course Manager shall submit to each monthly meeting a report on the activities surrounding the course maintenance and employees involved in same.

14.10. CLUB HOUSE MANAGER

The Club House Manager shall ensure that the Club House amenities provided for members are adequately maintained presented and oversee the staffing for the cleaning of the facilities.

The Club House Manager shall submit to each monthly meeting a report on the activities surrounding the Club House facilities.

14.11. BAR MANAGER

The Bar Manager shall be responsible for the ordering of all stocks for the bar and overseeing the requirements of staffing the bar.

The Bar Manager has the authority of the members of the Club to adjust bar prices as are necessary, after consultation and agreement with the Management Committee

The Bar Manager shall submit to each monthly meeting a report on the activities surrounding the operations of the bar.

The Bar Manager shall on approval of the Director of Liquor Licensing, shall manage all activities of the licence in accordance with the Liquor Licensing Act 1988

Should the Approved Manager, for any unforeseeable reason be unable to fulfil the duties of approved Manager, the Club, as licensee shall temporarily appoint a suitable replacement to that position and immediately make application for a person approved by the Director of Liquor Licensing to be appointed as the approved manager under the provisions of the Liquor Licensing Act 1988.

14.12. CATERING MANAGER

The catering Manager shall be responsible for and ensure that all kitchen furnishings and equipment is adequate for club needs and maintained in a satisfactory standard to comply with appropriate health requirements. The Catering Manager shall arrange all aspects associated with catering and staffing for such requirements.

The Catering Manager shall submit to each monthly meeting a report on the activities surrounding club catering operations.

14.13. SOCIAL MANAGER

The Social Manager shall ensure that a proper social calendar is maintained to provide a good balance of social activities for members during the year and arrange and oversee fund-raising activities from time-to-time.

The Social Manager shall, as required consult with the Catering Manager, to ensure that all catering arrangements are adequate for social and golfing events as necessary.

14.14. REPRESENTATIVE OF LADIES GOLF

The Representative of Ladies Golf shall ensure that all aspects associated with ladies activities are adequately catered for by the Club.

The Representative of Ladies Golf shall submit to each monthly meeting a report on all activities surrounding the lady members of the Club.

14.15. GENERAL COMMITTEE MEMBER

The General Committee Member shall participate in the Management Committee, represent members of the Club in all categories of membership and carry out other duties that may from time to time be allotted to him/her by the Committee.

15. ELECTION OF MANAGEMENT COMMITTEE MEMBERS.

At every Annual General Meeting of the Club the Committee Members serving their second year in office shall retire. Retiring Committee Members shall be eligible for Re-election.

The election of Members of the Management Committee shall take place in the following manner:-

- All candidates for election to any of the above positions must be nominated by two (2) Full Members of the Club (except in the case of the Captain of Ladies Golf and the Representative of Ladies Golf) with the consent of the nominees in writing, and these nominations must be in the hands of the Secretary by 5.00 pm ten (10) days before the Annual General Meeting.
- All nominations shall be posted on the notice board immediately on receipt.
- The nomination shall state which position the candidate is being nominated for. They shall be deemed to take Office immediately following the conclusion of the meeting at which they are elected. The Secretary shall make a final list of candidates for each position being contested and display them on the Club's Notice Board one (1) week before the Annual General Meeting.
- In case there shall be more candidates than the vacancies, the election shall be by secret ballot of Members present.
- In any case where there are not a sufficient number of candidates the Members may then nominate candidates at the meeting for the remaining vacancies unless the President, having regard to the number of Members

present at the meeting, deems it advisable to leave the positions to be filled as casual vacancies.

- The Secretary of the Club shall act as the Returning Officer for any secret ballot. Should the Secretary not be in attendance at the Annual General Meeting the Treasurer shall be the Returning Officer. Should either members not be present, then nominations for the position of Returning Officer will be received from Members present who are eligible to vote.
- The Returning Officer shall call and accept nominations for election of two (2) scrutineers from members present who are eligible to vote. It will be the responsibility of the Returning Officer to ensure that nominations for scrutineers who may have a conflict of interest be excluded from such positions. Members qualified to vote shall then elect from those nominations two (2) scrutineers whose responsibility it will be to count and inspect ballot papers.
- Any casual vacancy amongst the above positions shall be filled by the Management Committee as provided.

16. ANNUAL GENERAL MEETING.

The Annual General Meeting of the Club shall be held no later than the last day of the month of November in each year on a date to be fixed by the Committee for the following purposes:-

- To receive the Auditor's Report.
- To receive Committee Members reports and the Balance Sheet and associated documents for the financial year ended.
- To elect Committee Members and Auditors for the ensuing year.
- To fix Entrance Fees and Annual Subscriptions.
- To transact such other business as shall be brought forward and of which due notice may have been given.
- To receive recommendations that may be brought forward without notice for consideration by the Committee.

A report on the affairs of the Club with a copy of the Balance Sheet and associated documents shall be posted to each member, with the notice convening the meeting at least seven (7) days prior to such meeting.

Any Member wishing to bring forward any special business at the Annual General Meeting must give twenty one (21) days notice in writing to the Secretary.

17. SPECIAL GENERAL MEETINGS.

Special General Meetings shall be called by a resolution of the Committee or on the receipt of a requisition signed by no less than twenty (20) Full Members of the Club, stating the purpose for which such meeting shall be called. Fourteen (14) days notice in writing providing full particulars of agendered items, posted to the last known address of all Members, shall be given by the Secretary of any General

Meeting. Such notice shall be placed on the notice boards at the same time. No business shall be transacted at any Special General Meeting except for the items listed on the agenda.

At any General Meeting of the Club, the President, or in his absence, the Vice President, or in the absence of both, a Chairperson to be elected by those present and eligible to vote, shall preside.

18. POWERS OF MEMBERS IN GENERAL MEETINGS.

ONLY Members in a General Meeting may resolve to:-

1. Amend the constitution.
2. Authorise borrowings in excess of 35% of aggregate of previous year's gross revenue.
3. Authorise the sale or purchase or lease of any real property or any estate or interest in land.
4. Authorise any major alterations to the layout of the Golf Course
5. Set Entrance Fees, Levy and Subscriptions.
6. Dissolve or wind up the Club.
7. Remove any Member of the Committee from office except as provided for in Clause 12.

These Resolutions 1 to 7 shall be passed by a majority of no less than two thirds of votes cast by Members present and who are entitled to vote.

Other resolution not dealing with any of the above matters shall be passed by a simple majority.

19. VOTING RIGHTS.

Only Full Members, Life Members and elected Committee Members have the right to vote at any General Meeting of the Club or Management Committee.

Votes on behalf of Members Absent and qualified to vote may be given at any General Meeting by a representative or posted to the Secretary. It must be in writing and in the hands of the Secretary twenty four (24) hours prior to the election being held and must be duly signed by that Member. The Secretary shall verify the Member's eligibility and present the Vote to the Returning Officer.

At any meeting of the Club or of Management Committee the Chairperson shall only have a deliberative vote.

In the case of an equality of votes the question shall be determined in favour of the status quo.

Unless a poll be demanded by at least two (2) Members, a declaration by the Chairperson that the resolution has been carried or lost, shall be conclusive. If the poll be demanded as above, it shall be taken in such manner and at such time as the Chairperson shall direct.

20. QUORUM.

A Quorum at any General Meeting of Members shall be twenty (20) Full Members, Life Members or Elected Committee Members.

A Quorum at any Committee Meeting shall be Seven (7) Members.

21. COMPLIANCE WITH THE REQUIREMENTS OF THE CONSTITUTION AND BY-LAWS.

Any Member on paying an entrance fee and subscription is considered thereby to have submitted themselves to the requirements of the Constitution and By-Laws of the Club and is entitled to enjoy all the advantages and privileges of the Club in accordance with their respective category of membership.

22. CONSTITUTION.

The Constitution of the Club shall not be altered, added to, or rescinded except at the Annual General Meeting or Special General Meeting of Members called for that purpose. The nature of such alteration must be shown on the notice boards calling such meeting. Pursuant to section 49(4) (d) of the Liquor Licensing Act 1988, as soon as practicable after the making of any proposal for a change to the Constitution or Rules of the Club, the Secretary shall provide to the Director of Liquor Licensing and Minister of Fair Trading, certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director.

23. COMMON SEAL.

The Club shall have a Common Seal which shall be at all time kept in the custody of the Secretary. The Common Seal shall not be affixed to any instrument except by authority of a Resolution of the Committee. Every instrument to which the Common Seal is affixed will be jointly signed by any two (2) of, the President or in his absence the Vice President and the Secretary. A register of the Common Seal usage shall be maintained.

24. BANK ACCOUNTS.

The Club's Bankers shall be such bank as the Committee determines from time to time.

Each cheque shall be jointly signed by the Treasurer and President, or in their absence Members appointed by the Committee.

25. PROPERTY OF MEMBERS.

All property left at the Clubhouse by a Member shall be at such Members own risk, and the Club will accept no responsibility.

26. LOCKER/BUGGY BAY FEES.

An annual rent as determined by the Committee will be charged for locker/buggy bays. Members requiring lockers/buggy bays must send their names to the Secretary, and in the event of all being occupied they shall be allocated in order of application.

27. GREEN FEES.

The Committee shall have the power to modify or increase Green Fee charges from time to time as may appear to be both necessary and expedient.

28. CLUBHOUSE.

No liquor shall be sold or supplied for consumption elsewhere than the Club premises, unless such liquor is removed from the premises of the Club by the Member purchasing the same. No liquor shall be sold or supplied to any person under the age of eighteen (18) years, and no Member under the age of eighteen (18) years shall be admitted to any portion of the Club premises where liquor is sold or consumed, except as defined by the Liquor Licensing Act (1988). All Members and Guests shall dress in the manner prescribed by the Committee from time to time, and such directions apply on the Course as well as in the Clubhouse. No illegal gambling or betting shall be allowed on the premises of the Club.

29. GUESTS.

Pursuant to section 48(4) (b) of the Liquor Licensing Act 1988 the authority to sell liquor for consumption by the guests of a member, otherwise than ancillary to a meal or at a function under subsection (2) (b), extends only to such person as may be permitted by the rules approved by the Director, as are introduced as the guest of that member on that day.

The maximum number of guests per member per day for the purposes of section 48(4) (B) of the Act is three (3)...

Members may subject to the approval of the respective Captains, President or the Secretary, introduce guests to the privilege of playing on the course.

No Guest shall in any event be permitted to play on more than six (6) days during any playing year exclusive of open Competitions. The Member introducing the guest shall be responsible for their green fees.

30. COMPLAINTS.

All complaints by Members shall be made in writing to the Secretary who shall submit them to the next available Committee meeting, if he himself is unable to satisfy the complaint.

In no instance shall a servant of the Club be reprimanded directly by a Member.

31. MISDEMEANOURS.

Any misdemeanour by a Member will be dealt with by Committee.

32. EXPULSION AND SUSPENSION OF MEMBERS.

It shall be the duty of the Committee, if at any time they are of the opinion that the interests of the Club so require, to notify by letter any Member of the Club of the suspension of all their rights and privileges of the Club until the next Committee Meeting. As an alternative or in addition to suspension of rights and privileges the Committee shall submit the question of expulsion of such Member to the next Committee meeting held within one month after the issuance of such letter. At such Committee meeting the Member whose expulsion is under consideration shall be allowed to offer an explanation verbally or in writing. If there-upon two thirds of the Committee Members then present shall vote for the expulsion such Member shall immediately be expelled and shall forfeit all privileges. Such decision of expulsion is to be advised to that Member in writing within seven (7) days of that meeting. Voting at any such meeting shall be by secret ballot. The Committee shall have power in its discretion to exclude such Member from the Clubhouse and Course until such Committee meeting shall be held. Any Member excluded under this clause shall not be entitled to a refund of their subscriptions.

33. COMMISSIONS.

No payment or part payment to a Servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor supplied.

34. INCOME AND PROPERTY.

The assets and income of the organisation shall be applied exclusively to the promotion of the objects of the club and no portion shall be paid or distributed directly or indirectly to the members of the club except as bona fide remuneration for services rendered or expenses incurred on behalf of the club.

All property of the Club shall belong to the General Body of Members and no person who resigns or is expelled or is suspended from their Club Membership shall have any claim whatsoever on the property or assets of the Club.

35. DISSOLUTION.

The Club may be dissolved or wound up by a resolution at any General Meeting called for such purpose provided that the resolution is carried by no less than seventy five percent (75%) of the votes cast of the Members present, who are entitled to vote. In the event of such a resolution being passed, steps shall be taken forthwith to satisfy all debts and other liabilities of the Club. The Club may at the Special Meeting at which the foregoing resolution is passed or at any subsequent meeting, resolve that the balance of its monies and property remaining after satisfaction of all its liabilities, shall be paid or transferred to any one or more of the

following objects, and if more than one, in such shares or proportions as are specified in the resolution:-

- The Western Australian Golf Association (Inc).
- Any other body whether corporate or incorporated formed for promoting objects similar to those of this Club.
- Any charitable object or objects.

36. TRUSTEES.

The Committee shall appoint three (3) Members to be Trustees and such appointment shall continue until resignation or cancellation by the Committee.

The trustees as appointed may be authorised by the Committee to deal with or carry out an Act or Regulation when by law or design the intervention of Trustees is rendered necessary or to act in an advisory capacity.

37. LIQUOR LICENSING ACT 1988.

The Rules and Constitution of the Club shall always conform to the requirements of the Act and its amendments and the running and conduct of the Club shall always give effect to those requirements. Members may, with the approval of the Committee, hold private family, or business functions, with or without a meal, with no limitation as to the number of guests. Members wishing to avail themselves of this opportunity must give fourteen (14) days prior notification to the Secretary.

APPENDIX (1) - REGULATIONS AND GUIDELINES FOR THE ELECTION OF LIFE MEMBERS.

For the purpose of considering Life Membership there shall be a Sub-Committee formed by the Management Committee consisting of five (5) persons. Three (3) shall be serving Members of the Management Committee, the President, the Secretary and either the Men's or Women's Captain. Two (2) others shall be appointed by the Management Committee who shall be Full Members or Life Members of long standing in the Club and who have occupied or occupy Committee positions.

The composition of the Sub-Committee may be varied by the Management Committee in the event of ineligibility or vested interest of any of its members.

The Sub-Committee will meet to consider any nominations and will make their recommendation to the Management Committee in accordance with the Constitution and the guidelines here under.

Any Full Member or Life Member may nominate a Member for Life Membership.

Any Member nominating a Member for Life Membership shall submit in confidence a written submission to the Secretary. This submission must outline in full detail the particulars of service and contribution to the Club and to the Game of Golf by the potential candidate.

Once a submission has been received the membership of the sub-committee will be determined.

The Sub-Committee shall not discuss or consider a nominee with any person outside of the Sub-Committee except to request additional information from the Member making the Nomination.

In determining Life Membership Nominations the following criteria shall be applied:-

- (a) Life Membership is to be considered a rare honour and a privilege.
- (b) It shall only be considered on the basis of sustained and substantial service and sacrifice to the Club and to the Game of Golf over a prolonged period.
- (c) Paid service to the Club should be considered in assessing Life Membership.
- (d) Life Membership is not given to active participating Members of the Club other than for extremely meritorious service and sacrifice or some outstanding or extraordinary circumstances.
- (e) Members nominating a Member should give careful consideration and be absolutely sure on the merit of a case before presentation.

If after full consideration of a Nominee the Sub-Committee decides that an award is merited, the Sub-Committee shall furnish a report to the Management Committee with their recommendation. Such recommendation shall be made on the basis of a unanimous decision.

The Management Committee will consider the recommendation of the Sub-Committee at its monthly meeting behind closed doors. A resolution endorsing the

recommendation of the Sub-Committee requires to be passed with no more than two (2) dissenting votes of the Management Committee.

The President of the Club will announce the Life Membership award at the Annual General Meeting, or at a specially convened general meeting throughout the current year, together with a citation of the members service.

BY - LAWS RELATING TO THE HARVEY GOLF CLUB INCORPORATED

1. SMOKING

As of November 1999 the Harvey Golf Club to enforce no smoking regulations in the clubhouse.

2. ENTRANCE FEE

No Entrance Fee

3. SUBSCRIPTIONS

Should a prospective member join the Club at any time throughout the year, the following proportional subscriptions will be applicable:-

1st Apr. to 30th. Jun.	100%
1st Jul. to 30th Sep.	75%
1st Oct to 31st Dec.	50%
1st Jan. to 31st Mar.	25%

To have a quarterly payment system that applies to Full Membership to 25% of the subscription fee plus a \$5.00 bookkeeping fee with each instalment to be paid before the following dates: 1st April, 1st July, 1st October and 1st January.

Subscriptions due and payable for Full Senior Members shall be 75 % of the subscriptions applicable to that of a Full membership

Subscriptions due and payable for CASUAL MEMBERSHIP shall be 75% of Full Membership subscription

Subscriptions due and payable for INTRODUCTORY MEMBERSHIP shall be 25% of Full Membership subscriptions and be deducted from Full Membership fee if proceeded with in that year.

4. JUNIOR MEMBERS

Junior members shall have the following categories:-

- Class 1 - Under eighteen (18) years of age as at first (1st) April, of any calendar year
- Class 2 - Over eighteen (18) but under nineteen (19) years of age as at first (1st) April, of any calendar year
- Class 3 - Over nineteen (19) but under twenty (20) years of age as at first (1st) April, of any calendar year
- Class 4 - Over twenty (20) but under twenty one (21) years of age as at first (1st) April, of any calendar year

5. UNFINANCIAL MEMBERS

This By-law to be read in conjunction with Rule 10 of the Constitution of the Club Members are deemed not to be financial if:-

- (a) Their full subscription is not paid by the 30th April in each year, or;-

- (b) If elected to pay quarterly, by payments of 25% of the appropriate membership fee, plus \$5.00 in advance by has not been paid by 1st April, 1st July, 1st October, and 1st January each year.

New members having not made payment of the appropriate subscription one month after acceptance of membership by Management Committee shall be subject to the same penalty conditions outlined below.

UNFINANCIAL MEMBERS cannot win any trophies, prizes or novelties, or share in any trophies, prizes or novelties, or represent this Golf Club at any event or function.

UNFINANCIAL MEMBERS are required to pay the regular green fee on every occasion they use any of the course facilities i.e. Practice fairway, practice green or course generally.

Handicap scoring shall not be recorded for any member deemed not to be financial.

6. GOLF DAYS

It shall be recognised by the Club that the following days be set aside for those specific events as detailed hereunder:

- **Thursday** - Ladies competition day.
- **Saturday** - Men's competition day.