



CLUB RULES  
AND  
CONDITIONS OF MEMBERSHIP

1. The name of the Club is Cumberwell Park Golf Club (“the Club”). The Club Premises comprise the Golf Course, the Club House and all other buildings located at Bradford on Avon, Wiltshire now or at any future time belonging to the Owners of the Club as part of the Club.
2. The Club belongs to the Owners. The present Owners of the Club are Mr Christopher James, Mr Adrian James, Miss Lucy James, Mr Matthew James, Mr Alistair James and Mr Charles James (“the Owners of the Club”). The management and assets of the Club belong solely to the Owners of the Club or to their nominees and all or any of the functions of managing the Club can be delegated by the Owners of the Club to their nominees.
3. The Owners of the Club form the “Management Board” alongside any additional members at their discretion.
4. The primary object of the Club is to provide facilities for:
  - a. Practising and playing Golf
  - b. Enjoying Social Activities
  - c. Taking Refreshments

and to further this object the Owners of the Club may from time to time amend these Rules and Conditions and introduce Codes of Etiquette as they shall in their absolute opinion deem appropriate.

5. The Owners of the Club agree to:
  - a. Recognise the Royal and Ancient Golf Club of St. Andrews (“the R & A”) as the ruling body of amateur golf and to abide by the Code of Etiquette, Rules of Amateur Status, and rules of Golf as laid down by the R & A.
  - b. Abide by the Rules of England Golf (“EG”) as the National Governing Body
  - c. Abide by the Rules of the Wiltshire Golf Limited (“WGL”) as the County Union.

- d. Comply totally with the Regulations and Rules of the WORLD HANDICAPPING SYSTEM (“WHS”) and any condition imposed within the scheme by EG.
- e. Maintain a Members’ General Committee comprising in the majority playing members of the Club and any sub-committees as agreed with the General Committee.
- f. Maintain a Handicap Committee comprising the Handicap Secretary (who shall act as the Chair), Golf Manager (or representative of the Owners), a Pro Shop representative and a minimum of 2 playing members of the Club (including a Ladies’ and Seniors’ representative).
- g. Maintain a Competitions Committee consisting of the Competitions Secretary (who shall act as the Chair), The Golf Manager (or representative of the Owners), a Proshop representative and a minimum of 2 playing members of the Club.
- h. Pay all annual per capita subscriptions to WGL and EG in respect of all male and female playing members of the Club (including Juniors).
- i. Collect with the Annual Subscription due on 1<sup>st</sup> October in each year from each member of the Club and the Members’ Levy as may be approved from time to time in accordance with Rule 14(a).
- j. Represent (or select a playing member of the Club to represent) the Club as a voting member within WGL, such representative to be an ex officio member of the Members’ General Committee.

6. Terms of Membership:

- a. Membership is conditional upon observation by the member of the Club of the Club’s Rules and Conditions and its Codes of Etiquette.
- b. Any person wishing to become a member of the Club shall complete an official Application Form and submit it to the Club which will issue each member of the Club with a Membership Identification Card.
- c. Absolute discretion is granted to the Owners of the Club to reject any application for membership without any reason being given for doing so. In the case of any such rejection the remittance included with the application will be refunded within 14 days of such rejection.
- d. Every member of the Club shall pay a joining fee upon joining the Club (“the Joining Fee”) unless specifically exempted. The amount of the Joining Fee (and any decision as to specific exemption) shall be determined from time to time by the Owners of the Club.

- e. Unless specifically exempted every member of the Club shall pay an annual subscription which shall be due on 1<sup>st</sup> October each year (“the Annual Subscription”). The amount of the Annual Subscription shall be determined each year by the Owners of the Club. Members joining on or after 1<sup>st</sup> December in any year will pay their first year’s Annual Subscription at a reduced rate determined by (and at the absolute discretion of) the Owners of the Club.
- f. Membership Fees are paid for the Membership year from 1<sup>st</sup> October – 30<sup>th</sup> September of the following year, no refunds will be issued on annual membership fees unless agreed by the Owners.
- g. Any Members reaching the age of 80 years and who has been a Member of the Club for 2 Full Membership Years shall be entitled to a 50% reduction on their Annual Subscription Fee. Valid from the next new Membership year at turning 80. This benefit remains at the discretion of the Owners.
- h. Any Member of the Club may at any time be expected to attend a New Members Evening encompassing the Rules of Golf and the Code of Etiquette of Golf.
- i. Members will at all times observe the Code of Etiquette of Golf, the Rules of Amateur Status and the Rules of Golf as laid down by the R & A and also the Rules of EG, Wiltshire Golf Limited and also the World Handicapping System (WHS)
- j. Any member of the Club wishing to change from one category of Membership with a lower Joining Fee to another category of Membership with a higher Joining Fee may be required to pay a supplemental fee. The rate of such supplemental fee will be the difference between the Joining fee paid on joining the Club and the Joining fee of the new category upon the date upon which the change takes effect.
- k. A Direct Debit Scheme is offered to Club Members and is covered by 10 monthly payments dating from 1<sup>st</sup> October – 1<sup>st</sup> July the following year. (Payment are taken on or around 1<sup>st</sup> of each month). The Owners of the club reserve the right to resign any member of the club who defaults on a monthly direct debit payment.

## 7. Conduct and Discipline

All Members of the Club and their Guests are required to conduct themselves at all times in accordance with the accepted standards of playing etiquette and the generally accepted standards of behaviour established by the Club

A Member shall be liable for disciplinary action by the Club if he or she

- a. Is in breach of any of the Club Rules and Terms of Membership

- b. Fails to uphold the traditions and etiquette of golf and which may bring the game or golf or the club into disrepute
- c. Displays conduct which is likely to injure or discredit the reputations of the Club or any of its members
- d. Commits a serious breach of the Rules of Golf as laid down by R&A Rules Ltd, a serious or persistent breach of the Club Terms or Competition and/or Local Rules.
- e. Conducts themselves in a violent, abusive, bullying, harassing or intimidating manner
- f. Has falsified any handicap, membership or entry forms.

#### 8. Complaints:

- a. Any complaint relating to the behaviour of a member of the Club can be made to the Golf Manager, or relevant committee be it the General, Competitions or Handicap Committee depending on the nature of the Complaint.
- b. An Investigation of the complaint will take place to gather information and evidence and the relevant parties consulted.
- c. The investigation may dismiss the Complaint against the Respondent or where a disciplinary matter is found proven impose such sanctions upon the Respondent as it thinks fit including without limitation:
  - i. dismiss the case where the Charge is not proven
  - ii. a warning or reprimand in respect of the misconduct or rule breach committed
  - iii. suspension or exclusion from Club activities including Club Tournaments, teams, meetings or otherwise
  - iv. suspension of the Member's membership of the Club for a specified period
  - v. expulsion from the Club
  - vi. a combination of any of the above or any other disciplinary action as considered appropriate by the Committee as appropriate.
- d. Any member of the Club the subject of disciplinary action pursuant to this Rule may appeal in writing to the Owners of the Club against any such disciplinary action taken against him or her and the decision of the Owners of the Club in respect of that appeal shall be final and binding on the member of the Club making the appeal.

#### 9. Termination of Membership

The membership of a member of the Club shall be terminated:

- a. By the death of that Member.
- b. By that Member giving notice in writing to the Golf Manager of his or her intention to resign
- c. By the Owners of the Club (either with or without prior notice to that Member) on the grounds that they deem the behaviour or conduct of that Member to be prejudicial to the interests of the Club, but termination of membership in such circumstances shall only occur after prior consultation with the Club Captain.
- d. By Non-Payment of the Membership Renewal Bill issued due for payment on 1<sup>st</sup> October each year.

The Owners of the Club reserve the right to decline to renew the membership of any member of the Club whose Annual Subscription is more than 30 days overdue, or for any other good reason.

#### 10. Annual General and Extraordinary Meetings:

- a. The Annual General Meeting of the Members' General Committee ("the AGM") will be held in November of each year. Formal notice of the AGM ("the AGM Notice") shall be posted on the Club House Notice Board not less than 30 days prior to the AGM.

All officers of the Members' General Committee and any other members of the Club elected at the AGM to serve on the Members' General Committee will take office with immediate effect following the AGM.

- b. The names of those appointed to the Members' General Committee together with the names of those nominated to serve as officers together with the names of all other members of the Members' General Committee (together with in the case of those nominated to serve as elected officers of the Members' General Committee the names of their proposer and seconder) shall be posted on the Club House Notice Board not less than 14 days prior to the AGM.
- c. As and when vacancies for those offices arise the post of Treasurer and the post of Secretary of the Members' General Committee shall be elected at the AGM and the appointment of members previously co-opted to the Members' General Committee in accordance with Rule 9 (f) shall be approved at the AGM.
- d. Each member of the Club, with the exception of Junior Members, shall be entitled to vote at the AGM but must be present in order to do so.

- e. No business other than the election of the Secretary and the Treasurer (if applicable), the approval of members previously co-opted, or matters stated in the AGM Notice shall be transacted at the AGM unless notice to raise such other business is given in writing to the Club Captain or the Secretary of the Members' General Committee not less than 7 days prior to the AGM or unless the chairman presiding at the AGM in his absolute discretion permits it to be transacted.
- f. An Extraordinary Meeting of the Members of the Club ("an EGM") may be requested by notice signed by no fewer than 25 Members of the Club ("the EGM Notice") indicating the reason for the request and served on the Club Captain or the Secretary of the Members' General Committee.

Formal notice of an EGM so requested shall be posted on the Club House Notice Board within 10 days of receiving the EGM Notice and no fewer than 20 days prior to the EGM.

The EGM shall take place no later than 40 days after receipt of the EGM Notice. No business other than that stated in the EGM Notice shall be conducted at the EGM unless the chairman presiding at the EGM in his absolute discretion permits it to be transacted.

#### 11. Members General Committee

- a. The Club Captain will be appointed as follows:

Prior to the AGM in each year the incoming Club Captain will, after consultation with the Immediate Past Club Captains and the Golf Manager (on behalf of the Owners of the Club), submit to the Members' General Committee the name of his proposed Captain Elect. If at least two thirds of the members on the Members' General Committee attending and voting object to a proposed candidate they may request that the incoming Club Captain submits the name of an alternative candidate.

If, after three candidates have been proposed by the incoming Club Captain no candidate has been approved by the members of the Members' General Committee the Owners of the Club will select the Captain Elect.

The Club Captain will serve for a period of one year commencing immediately following the AGM in the year of his appointment and his term of office will expire immediately following the AGM in the next year, following.

- b. The Club Captain will act as chairman of the Members' General Committee which shall be made up as follows:

Club Captain  
Ladies' Captain  
Seniors' Captain

Club Captain Elect  
Ladies' Captain Elect  
Seniors' Captain Elect  
Junior Organiser  
Secretary  
Treasurer  
Competitions Secretary  
Immediate Past Club Captain  
A representative of the Owners of the Club  
A representative of the Club on the WCGU Council appointed in accordance with rule 4(i)  
Any member or members co-opted in accordance with rule 9(f)

- c. On completion of the year in office respectively of the Club Captain, the Ladies' Captain and the Seniors' Captain, the Club Captain Elect, the Ladies' Captain Elect and the Seniors' Captain Elect will automatically succeed to the respective posts of Club Captain, Ladies' Captain and Seniors' Captain respectively.
- d. If the Club Captain Elect is unwilling or unable to succeed to the post of Club Captain (or subsequently retires during his term of office) the Members' General Committee will select by majority vote a replacement whose selection shall be subject to the approval of the Owners of the Club. The person selected shall succeed to the post of Club Captain on the retirement of the previous Club Captain or (if later) upon receipt of the approval of the Owners of the Club.
- e. The Secretary and the Treasurer of the Members' General Committee shall each serve for a period of two years and will be elected or re-elected (by ballot if necessary) by the members of the Club present at the AGM. Any member of the Club acting as Secretary or Treasurer may stand for re-election at the end of the two year term. If either the Secretary or the Treasurer becomes unwilling or incapable of carrying out his or her duties during his or her term of office, the members of the Members' General Committee may select by majority vote a replacement who shall serve in that office until the elected officer is able to resume his or her duties or (if later) until the next AGM.
- f. Other members of the Club may be co-opted onto the Members' General Committee from time to time by the members of the Members' General Committee. No such co-opted member may stand beyond the date of AGM next following his or her co-option without the approval of the members attending and voting at the AGM next following his or her co-option.
- g. The Ladies' Captain Elect will be appointed annually by the Ladies' Section of the Club after consultation with the Golf Manager (on behalf of the Owners of the Club).

- h. The Seniors' Captain Elect will be appointed annually by the Seniors' Section of the Club after consultation with the Golf Manager (on behalf of the Owners of the Club).
- i. The Juniors Organiser will be appointed by the Owners of the Club after consultation with representatives of the Juniors' Section.
- j. The Competitions Secretary will be appointed by the Golf Manager (on behalf of the Owners of the Club) after consultation with the Club Captain.

#### Functions of the Members' General Committee:

The General Members' Committee will meet as required but on no fewer than six times per year and its general functions will be:

- a. To represent the members of the Club in discussion with a representative of the Owners of the Club on the Club's affairs along with all other matters appertaining to the running of the Club within the confines of the members' involvement.
- b. The organisation and operation of matches, competitions and social events for all members of the Club. The General Members' Committee may wish to form a sub-committee for this function and will be aided by the Golf Manager and the Pro Shop in carrying out these functions.
- c. The encouragement, by the successful operation of the competitions calendar, of all members of the Club to attain and improve their handicaps; to participate in competition play; to foster social relations with other members of the Club and to develop the Club's links with other Golf Clubs.

## 12. Handicap Committee

### Responsibilities of the Handicap Committee

- a. To ensure the WHS is properly administered
- b. To educate players on their responsibilities under WHS....see Appendix A
- c. To establish a procedure to follow when players do not fulfil their responsibilities eg in the application of penalty scores
- d. To keep up-to-date player scoring records in order to establish and maintain the accurate calculation of a player's handicap index
- e. Communicate procedures to follow for handicap purposes when players play in an authorised format of play

- f. Conduct a review of all players' handicap indices at least once a year
- g. Adjust or withdraw the handicap index of a player
  - whose handicap index no longer reflects their demonstrated ability
  - fails to meet their responsibilities under the Rules of Handicapping
  - whose actions are determined to be for the purpose of gaining an unfair advantage
  - inform a player of any adjustments to, or withdrawal of, their handicap index and how long such adjustments or withdrawal apply
- h. Establish recommended playing allowances
- i. Determine stroke index allocation

### 13. Competition Committee

#### Responsibilities of the Handicap Committee

- a. Setting the Terms of Competition for all main Club Competitions
- b. Adopting a Calendar of Events for all main Club Competitions
- c. Promoting all main Club Competitions
- d. Receiving entries for all main Club Competitions and establishing eligibility of entrants
- e. Receiving and holding secure all entry fees paid and pursuing payment of unpaid entry fees
- f. Preparing and publishing the draw or order of play for all main Club Competition, other than Medals or Proshop Stableford
- g. Establishing and keeping under review the paly-by dates in all main Club Knockout competitions.
- h. Resolving any issues which arise during the progress of main Club Competitions
- i. Confirming the final results of all main Club Competitions an closing each competition
- j. Determining the allocation of prize money and its distribution to winners
- k. Dealing with any issues which arise after a competition is closed
- l. Maintaining Trophies and arranging engraving (and medals) annually.

### 14. Finance:

- a. An annual levy will be made of all members of the Club ("the Members' Levy") to be used by the Members' General Committee in carrying out its functions
- b. Any change in the level of the Members' Levy shall be proposed by the Members' General Committee and approved at the AGM. Any change will be subject also to approval by the Owners of the Club and will apply on the 1<sup>st</sup> October in the year following the date of the AGM approving such change. The Members' Levy will be collected with the Annual Subscription and paid by the Owners of the Club to the Treasurer of the Members' General Committee in January each year.

- c. The Treasurer will keep Accounts relating to the Members' Levy and any other funds or assets held by the Members' General Committee. Withdrawals (by cheque or otherwise) will require the signature of the Treasurer of the Members' General Committee and any one other nominated member of the Members' General Committee.
- d. The Treasurer of the Members' General Committee will provide at the AGM a Statement of Accounts as at the 31st October of that year, such Statement of Accounts to have been first audited by a suitably qualified individual and a copy supplied to the Owners of the Club .

15. Parents' Responsibility for Junior Members:

The responsibility for any damage or injury caused by a Junior Member shall lie with the parents or other person in loco parentis for that Junior Member. Parents of Junior Members shall also be responsible for ensuring that any child in their charge shall notify the Club's appointed member of staff as and when they are on Club Premises and are not accompanied by a parent or person in loco parentis.

16. Consumption of Food and Drink

No member of the Club (or his or her guest) shall consume any food or drink (or other beverage) in the Club House other than food and drink (or other beverage) purchased from the Club.

Updated: September 2021 - AliJ