

# **RULES & CONSTITUTION**

## **SABAH GOLF & COUNTRY CLUB**

### **NAME AND ADDRESS**

1. The name of the Club shall be the Kelab Golf dan Country, Sabah ("Sabah Golf And Country Club"). Its place of meeting and registered office shall be the Club House, Jalan Kolam, 88100 Kota Kinabalu, Sabah, Malaysia and its postal address shall be P. O. Box 11876, 88820 Kota Kinabalu, Sabah, Malaysia.

**(Approved by R.O.S. on 22.11.91)**

### **OBJECTS**

2. The Objects of the Club shall be:-
  - (1) To foster mutual goodwill, understanding and friendship by providing opportunities for members of communities to share in social, sporting and recreational activities of all kinds;
  - (2) To provide members with facilities for golf, swimming, tennis and other sporting and recreational facilities;
  - (3) To buy, acquire, supply, sell and deal in all kinds of liquors, provisions, food and refreshments required or used by the members of the Club or other persons privileged to make use of the Club;
  - (4) To provide accommodation for the benefit of the members of the Club or other persons privileged to make use of the Club;
  - (5) To accept from the Government, purchase, take on lease or in exchange or otherwise occupy or acquire any land or buildings which may be requisite for purposes of or conveniently in connection with any of the objects of the Club and to lease, sell, charge, give in exchange or dispose of the same or any part thereof;
  - (6) To promote and hold either alone or jointly with any other association, club or persons sporting and athletic meetings, competitions and matches and to offer, give or contribute towards prizes, medal and awards, and to promote, give or support dinners, balls, concerts and the other entertainments;
  - (7) To enter into arrangements for reciprocal privileges and facilities with any other recreational club or association;
  - (8) To invest and deal with the monies of the Club not immediately required upon such securities and in such manner as may from time to time be determined;
  - (9) To borrow or raise and give security for money by the issue of upon bonds, debenture stock, bills of exchange, promissory notes or other securities of the Club or by charge upon all or part of the property of the Club or otherwise howsoever;

- (10) To subscribe or contribute to charitable, religious, patriotic and other serving objects;
- (11) To provide and maintain a club house or club houses; and;
- (12) To do all such other lawful things as are incidental or conducive to the attainment of the above objects.

## **MEMBERSHIP**

- 3. Membership of the Club shall be open to any person, male or female, who has attained the age of eighteen years. But no person who is undergoing education in any university or university college shall be admitted to membership of the Club except with the written permission of the head of the university or college.
- 4. There shall be the following kinds of memberships:-
  - (a) Ordinary Membership;
  - (b) Associate Membership;
  - (c) Absent Membership;
  - (d) Temporary Membership;
  - (e) Honorary Membership;
  - (f) Honorary Life Membership;
  - (g) Block Membership;
  - (h) Corporate Membership; and
  - (i) Junior Membership.
- 4. A.1 Each membership in the Club shall be distinguished by an appropriate number.
- 4.A.2 A membership certificate duly signed by the President and the Secretary of the Club shall be prima facie evidence of the entitlement of the holder to the membership in the Club.

## **ORDINARY MEMBERSHIP**

- 5. An Ordinary Member shall be entitled to use all the Club's facilities, attend and vote at meetings and hold office in the Club.
- 6.1 A Candidate for Ordinary Membership must be proposed and seconded by Ordinary members.
- 6.2 The proposer and seconded shall be responsible for the candidate's accounts and conduct for a period of one year from the date of the candidate's election to membership.
- 7. Application for membership shall be delivered to the Secretary together with the payment for entrance fee and a month subscription. The Secretary shall post the application on the Notice Board of the Club.
- 8. The application for membership shall remain posted on the Notice Board for at least fourteen days before it may be considered by the General Committee during which time any Ordinary Member may object to the application by written notice to the Secretary and giving reasons for the objection.

9. The application for membership shall be considered by the General Committee as soon as possible after the expiry of fourteen days together with any objections received by the Secretary and provided that the entrance fee and subscriptions up to date have been paid.
10. Pending the consideration of his application by the General Committee, a candidate shall not be allowed to use any of the Club's facilities unless he is introduced as a guest of a member and may then enjoy the Club's facilities as provided under Rule 35.
11. The Secretary shall inform the candidate as soon as possible after the General Committee has considered the application as to whether or not he has been elected an Ordinary Member. If elected, the Secretary will send him a copy of the Rules and Bylaws of the Club. If the application is rejected, the Secretary shall refund the entrance fee to the candidate.
- 11A.1 The Ordinary Membership of the Club except for the Junior Membership under Rule 22B.1 is freely transferable subject to the entrance fee having fully paid for, all monthly subscriptions and other payments due to the Club have been fully settled, the transferee is a party acceptable to the General Committee and the payment of the transfer fee. However, applications for transfer of membership shall not take effect until Ordinary Membership has reached a total of 1,500.  
**(Approved by R.O.S. on 22.11.91)**
- 11A.2 The application for transfer of membership shall be considered by the General Committee in accordance with the procedures enforced by the Club and which may be amended from time to time by the General Committee.
12. Spouse of Ordinary Members shall not be eligible to use the Club's facilities unless they become Associate Members.

#### **ASSOCIATE MEMBERSHIP**

13. Associate Membership is open only to Spouse Members and Temporary Members and it entitles them to use all the Club's facilities subject to the payment of monthly subscriptions. Membership shall be by registration on application to the Secretary.

#### **NON – RESIDENT MEMBERSHIP**

14. This Rule has been deleted as approved by Registrar Of Societies on 22.11.91

#### **ABSENT MEMBERSHIP**

15. "Any Ordinary member or Junior Member who notifies the Secretary in writing of his / her absence from Sabah for more than six (6) months for full time studies, may be allowed by the General Committee on such proof. Absent members shall pay a prescribed rate of as specified in Rule 24 (c), and their voting rights will be suspended for the period of their absence"

**(Approved by R.O.S. on 22.11.91)**

#### **TEMPORARY MEMBERSHIP**

16. Temporary Membership is open to any person for any period or periods not exceeding three months in any one year, and any Temporary Member wishing to continue his membership after that length of time must apply for Ordinary Membership. A

Temporary Member is entitled to use all the Club's facilities but he or she is not entitled to take part in any of the competitions officially organized by the Club or any affiliated Clubs.

17. Application for temporary Membership, its election and notification shall be as that provided for Ordinary Membership but he or she is not entitled to take part in any of the competitions officially organized by the Club or by any affiliated Clubs.

**(Approved by R.O.S. on 05.07.88)**

18. Spouses of Temporary Members shall not be eligible to use the Club's facilities unless they become Associate Members.

#### **HONORARY MEMBERSHIP**

19. The General Committee may confer Honorary Membership on any distinguished person for the period to be determined by the General Committee. Honorary Members and their wives are entitled to use all the Club's facilities, but they are not eligible to vote or hold office.

#### **HONORARY LIFE MEMBERSHIP**

20. A General Meeting of the Club may, on the recommendation of the General Committee, confer Honorary Membership on any person who has rendered valuable service to the Club or to the development of golf in Sabah. Honorary Life Members and their wives shall be entitled to use all the Club's facilities and Honorary Life Members shall also be entitled to attend and vote at meeting and hold office in the Club. In the event of the death of an Honorary Life members, his widow shall continue to be entitled to use the Club's facilities for as long as she remains unmarried.

#### **BLOCK MEMBERSHIP**

21. The General Committee may extend the facilities of the Club to officers and passengers of ships and aircraft and to visitors staying in hotels on payment by the owners of block subscription at such rates as the General Committee may time to time decide and subject to such conditions as it may determine.

#### **CORPORATE MEMBERSHIP**

22. The General Committee may extend Corporate Membership to such Corporation or Bodies and on such term including payment of fee, as the General Committee may from time to time prescribe in the Club's bylaw.

22A.1 A Corporate Member shall be liable for the payment of all subscriptions, nominee fees and monies due on the account of its nominees with the Club.

22A.2 Ever such Corporate Member shall be entitled to designate nominees, who shall be entitled to the use of the facilities and privileges of the Club, as if they were Ordinary Members, except that, as nominees, they shall not have the right to transfer their individual memberships

22A.3 A Corporate Member shall enjoy all the rights and privileges of a member but shall have no voice or vote in the affairs or management of the Club. The Club rules and regulations applicable to members shall apply mutatis mutandis to a corporate member including the right of the Committee to suspend or expel a member.

22A.4 Subject to the approval of the General Committee, a Corporate Member may transfer its membership. However, in addition to the conditions set out in Rules 22A.3 and 11A.1, the General Committee shall not approve the transfer of any membership unless the application for the transferee is also a Corporation so that the class of membership is not effected by the transfer applied for.

### **JUNIOR MEMBERSHIP**

22B The General Committee may admit any person male or female who has attained the age of thirteen (13) and is below the age of eighteen (18) as a Junior Member, on such terms and conditions as the General Committee may from time to time prescribe in the Club's bylaws. However, no person can be admitted as a Junior Member without the written consent of the parent or guardian. The proposer of the application must undertake full responsibility for the debts incurred by the junior Member. The proposer of the Applicant must be a full Member of the Club. The Junior member shall have no voting rights until he / she becomes a full member.

22B.1 "On attaining the age of eighteen (18), the Junior Member shall without prejudice, become an Ordinary Member on paying the appropriate prevailing entrance fees at the time of his/her eligibility, if he / she has not been a Junior Member for more than three (3) years. Junior Members who has been such a member for more than three (3) years shall become an Ordinary Member without paying any additional entrance fee". Ordinary Membership obtaining in the above manner shall not be transferable for a period of 5 years, from the date of obtaining such membership.

**(Approved by R.O.S. ON 22.11.91)**

22C Absent Members taking up or resuming residence in Kota Kinabalu and on completion of their full time studies are required to notify the Honorary Secretary in writing of the date of commencement of such residence. Should any Member fail to comply with this Rule, the General Committee shall have the power, after giving him due warning, to suspend him from membership until the required notification has been received.

### **TRANSFER OF ORDINARY AND CORPORATE MEMBERSHIPS**

23. (a) No transfer of membership shall be registered unless a proper instrument of transfer has been delivered to the General Committee. The instrument of transfer shall be signed both by the transferor and the transferee, and the transferor shall be deemed remain the holder of the membership until the name of transferee is entered in the membership certificate and the register of members.
- (b) The instrument of transfer any membership shall be in the prescribed form available at the office of the Club.
- (c) The General Committee may in their absolute discretion refuse to register any transfer of Membership:-
- i) When the proposed transferee is a person of whom the General Committee do not approve.
  - (ii) When the proposed transferee is an infant or person of unsound mind.
  - (iii) When the registration of such transfer would or might caused a contravention of Rule 33.

- (d) The General Committee shall not be obliged to assign a reason for any such refusal to transfer membership unless they shall see fit to do so. If the General Committee refuse to register transfer of membership, they shall, within one month, after the date on which the transfer was lodged with the Club, send to the transferee and transferor notice of refusal.
- (e) Every instrument of transfer shall be delivered to the office for registration accompanied by the membership certificate to be transferred.
- (f) The instrument of transfer shall be retained by the Club, but any instrument of transfer which the General Committee may decline to register shall, on demand, be returned to the person depositing the same.
- (g) The following fees shall be charged for each transfer and shall, if required by the General Committee, be paid before the registration thereof:-

Transfer fee for:-

- Ordinary Membership 1/5 of entrance fee or nil when the transfer is from a parent of age 55 or above to a child of his or hers.
- Corporate Membership 2/5 of entrance fee. Entrance fee is the entrance fee charged by the Club at the time of transfer for a new member and not the entrance fee paid by the transferor when he became a member in the past.

**(Approved by R.O.S. on 03.11.94)**

- (h) The relevant parties involved shall be responsible for the payment of any other statutory fees, which may be imposed from time to time.

**ENTRANCE FEES**

24. Entrance fees and subscriptions shall be paid at the following rates:-

	Entrance Fee	Monthly Subscription
	_____	_____
(a) Ordinary Members	RM15,000.00	RM 60.00
(b) Associate Members	N / A	RM 20.00
(c) Absent Members	RM15,000.00	RM 5.00
(d) Temporary Members	Exempted	RM500.00
(e) That the entrance fee for Corporate Members per nominee will be at the Discretion of the General Committee But not less than RM5,000.00		RM 60.00
Nominee Substitution Fee	RM1,000.00	
(f) A member who has been an Ordinary Member continuously for 25 years and of a minimum age of 70 shall be exempted from payment of monthly subscription. The exemption shall commence the first calendar month of attaining the said minimum age of 70 or upon completion of 25 years of membership after the age of 70.		

**(Approved by R.O.S. on 25.3.02)**

25. The General Committee shall have power to prescribe fees for the use of the golf course, tennis courts and other Club's facilities to be paid by guests, casual visitors and other persons not otherwise entitled to use the Club's facilities.
26. All subscriptions shall be payable in advance on the first day of each month by banker's Orders.

#### **ACCOUNTS OF MEMBERS**

27. Accounts of Members shall be rendered as soon as practicable at the beginning of each month and the accounts of Non – resident Members at the beginning of taking up residence outside Kota Kinabalu. Accounts of Members about to leave Sabah must be settled before departure.

#### **DEFAULTING MEMBERS**

28. If any Members fail to settle his account by the end of the month following its dispatch the Treasurer shall give two weeks' notice to the Member to pay and if the account remains unpaid at the expiration of the Notice he shall give a further two weeks' notice by registered post and shall also post the name of the Member on the Notice Board. Any member whose account remains unpaid after the expiry of the second notice shall, if the General Committee do decide, cease to be a Member of the Club. Provided that the Committee may reinstate him as a Member if:
  - a) An appeal for reinstatement of Membership is made by such Member within three (3) months of cessation of Membership;
  - b) Such Member pays a reinstatement fee in a sum equivalent to one quarter (1/4) of the entrance fee at the date of reinstatement;
  - c) Such Member settles his arrears up to the date of reinstatement;
  - d) Such Member gives a satisfactory explanation of his default.

**(Approved by R.O.S. on 5/11/97)**

29. A Member whose name is posted as a defaulter under Rule 28 shall so long as he has not made payment lose all his rights and privileges as a Member of the Club.

#### **RESIGNATION**

30. Any Member wishing to resign from the Club shall send a written notice of his intention to do so to the Secretary and shall state the date on which he wishes his resignation to take effect after which he shall cease to be a Member of the Club provided such resignation shall not take effect earlier than the date of receipt of the letter by the Club.
31. Any Member other than an Honorary Life Member who has been absent from Sabah for more than six (6) months shall, unless he satisfies the General Committee of his intention to return, be deemed to have resigned from the Club, and shall cease to be a Member.
32. The General Committee shall have power to waive or reduce the entrance fee of a Member re-joining the Club at any time after he cease to be a Member.

## **TERMINATION OF MEMBERSHIP**

33. Where the conduct of any Member either in or out of the Club premises is, in the opinion of the General Committee, injurious to the character or interests of the Club, the Committee may, after such enquiry into the facts of the case as it thinks fit, request the Member to resign. If the Member so request does not resign within fourteen days of the request the General Committee may proceed to terminate his Membership unless the Member has been informed of the allegations against him and he has been given a reasonable opportunity to answer those allegations. A Member whose Membership has been terminated under this Rule shall not be eligible for re-election.

**(Approved by R.O.S. on 26.08.92)**

- 33A(i)“Where a Member misbehaves himself in or outside the Club premises or infringes any of the By- Laws of the Club and such misbehavior or infringement is, in the opinion of the General Committee, not of a serious nature as to warrant the punishment prescribed in Rule 33, the Committee may, after giving the Member concerned an opportunity to be heard, suspend his Membership for such period as it deems fit or issue him a reprimand or warning letter and the Committee shall be entitled to publish in the Club’s Notice Board the Member’s suspension, provided that if the suspension of Membership is more than twelve (12) months, the General Committee shall call for an Extraordinary General Meeting to seek the approval of the Members.”

**(Approved by R.O.S. on 13/08/99)**

- 33A(ii)During the period of suspension, the Member concerned shall be denied entry to the Club Premises and he together with his spouse as an Associate Member and Children shall lost all rights and privileges as accorded to each of them under these Rules and shall not use the Club’s facilities and amenities.

- 33A(iii)If during the period of suspension the Member concerned shall be found in any part of the Club Premises, the Committee will issue him a warning letter and may invoke Rule 33 against such Member if he continues to infringe Rule 33A(ii).

- 33A(iv)During the period of his suspension the Member and the spouse as an associate need not pay the monthly subscription.

**(Approved by R.O.S. on 26.08.92)**

- 33B(i) Any elected or appointed member of the General Committee or Sub-Committee shall not engage in or enter into any business. Financial or contractual arrangement, which he has a direct or indirect interest, with the Club.

**(Approved by R.O.S. on 24.7.98)**

## **CESSATION OF MEMBERSHIP – CONSEQUENCE**

34. Any Member Ceasing to be a Member of the Club, whether by default, resignation, termination or otherwise, shall forfeit all claims upon the Club, its property and funds but shall remain liable for subscriptions and other debts due to the Club and unpaid at the date of cessation.

- 34A(i) On the death of an Ordinary Member, the General Committee shall upon the production of a letter of administration or a grant of probate as the case may be transfer the Membership of the deceased Member to his administrator or executor as the case may be.

34A(ii) Until the Membership of the deceased Member is transferred in accordance with Rule 34A.1 above, the first legal spouse of the deceased Member who was enjoying the privileges provided by Rule 5.0 may continue to use the Club's facilities and amenities if the living spouse agrees to be liable for the monthly subscription and other dues payable to the Club.

34A(iii) Upon the transfer of the Membership in accordance with Rule 34A.1, the transferee shall thereafter be liable for all monthly subscriptions and other dues payable to the Club.

#### **USE OF THE FACILITIES OF THE CLUB**

35. The Club's facilities shall be available to:-

- (1) Members' children under the age of eighteen years;
- (2) Members' children over the age of eighteen years if attending full time in any recognized educational institution subject to application by Members and approved by the General Committee;
- (3) Members of other Clubs with which reciprocal arrangements exist; and
- (4) Guests introduced by Members in accordance with these rules: Provided that:-
  - (a) The prescribed fees are paid.
  - (b) The number of guests is limited to that as laid down by the General Committee.
  - (c) The number of visits a person may be introduced as a guest of a member is limited to that laid down by the General Committee.

**(Approved by R.O.S. on 25.3.02)**

36. Members shall be responsible for their children's and their guests' expenses and for their behaviour and compliance with the Rules and By-Laws of the Club.

37. Deleted

**(Approved by R.O.S. on 25.3.02)**

#### **FINANCIAL YEAR**

38. The financial year of the Club shall end on the 31<sup>st</sup> day of December in each year.

#### **ANNUAL GENERAL MEETING**

39. An Annual General Meeting shall be held as soon as possible but not later than the month of May after the close of each financial year at a date, time, place to be fixed by the General Committee, for the following purposes:-

- (1) To receive the General Committee's report, an audited Statement of Income and Expenditure and Balance Sheet for the preceding financial year;
- (2) To elect a General Committee for the ensuing year;

(3) To appoint an Auditor, who shall not be a Member of the General Committee, for the ensuing year and fix his remuneration;

(4) To transact any other business of which due notice has been given.

#### **EXTRAORDINARY GENERAL MEETING**

40. The General Committee may at any time call for an Extraordinary General Meeting, and it shall do so upon the requisition in writing of not less than twenty four Ordinary and Honorary Life Members stating the reasons for which the meeting is required.

#### **NOTICE OF ANNUAL GENERAL MEETING**

41. Notice of the Annual General Meeting and of any Extraordinary General Meeting shall be given to all Ordinary and Honorary Life Members not later than twenty – eight days before the Meeting and shall include the Agenda. Such notice shall whenever possible be given by post but it shall also be deemed to have been given if published on the Club’s Notice Board and in at least one daily newspaper circulating in Sabah. The accounts for the preceding financial year and the Agenda shall be posted on the Club’s Notice Board for at least fourteen days prior to the Annual General Meeting and shall be sent also to all Members. The accidental omission to give notice to any Member shall not invalidate the proceedings of the Meeting.

41A Any adjournment of general meeting, except for reason provided under Rule 49, shall be deemed as adjourned sine die. Fresh notice as per Rule 41 must be given.

No new business shall be introduced unless notice of such new business is given as per Rule 42

**(Approved by R.O.S. on 04.06.98)**

#### **NOTICE OF BUSINESS**

42. Any Ordinary or Honorary Life Member desirous of moving any resolution at a General Meeting shall give not less than fifteen days’ notice in writing to the Secretary. Any Ordinary or Honorary Life Member desirous of moving any amendment to such resolution shall give written notice to reach the Secretary not less than seven days before the date of Meeting.

The mover of such a resolution and any amendments thereto must have a seconder who shall be an Ordinary or Honorary Life Member and both must be present in person at the General Meeting to propose and second those resolutions.

**(Approved by R.O.S. on 25.3.02)**

#### **NOMINATION LIST**

42A Nomination list of office bearers should be displayed on the Notice Board at least 7 days before the date of the General Meeting. No nomination will be accepted thereafter.

#### **GENERAL MEETING – SUPREME AUTHORITY**

43. The supreme authority of the Club is vested in a General Meeting of Ordinary and Honorary Life Members properly convened under these Rules.

## **PROCEEDINGS AT GENERAL MEETING**

44. The President, or in the absence the Deputy President, shall be the Chairman at all Meetings. If at any such Meeting the President or Deputy President is not present within fifteen minutes after the time appointed for holding the Meeting, the Members present shall choose one of their numbers to be Chairman.
45. The right to vote at General Meeting of the Club shall be limited to Ordinary and Honorary Life Members being present in person who shall be entitled to one vote only.
46. In a case of equality of votes the Chairman shall have a second or casting vote.
47. A declaration by the Chairman that a resolution has been carried or carried unanimously or by a particular majority or lost and an entry made to that effect in the book of the proceedings of the Club shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
48. Save with the consent of two – thirds of the ordinary and Honorary Life Members present at a General Meeting no item of which written notice has not been given shall be discussed at the Meeting.

## **QUORUM**

49. A minimum of fifty-four (54) Ordinary and Honorary Life Members present in person or one-fourth of the total of such Membership, whichever is the less, shall form a quorum at all General Meetings. In the absence of a quorum the Meeting shall be adjourned for one week to the following week at a date, time and place to be agreed at the Meeting with due notice published in the local newspaper and placed at the notice board and number of Ordinary and Honorary Life Members present at the adjourned Meeting, which being not less than forty-five (45) shall constitute a quorum.

**(Approved by R.O.S. on 25.3.02)**

## **GENERAL COMMITTEE**

50. The General Committee shall consist of fifteen elected and three appointed Members as follows:-

- (1) President
- (2) Deputy President
- (3) Captain
- (4) Secretary **(Approved by R.O.S. on 05.07.88)**
- (5) Treasurer
- (6) Thirteen Members (three of whom shall be appointed by the president),

All Members of the General Committee and every officer performing executive functions in the Club shall as far as possible be Malaysian citizens.

- 50A No member shall hold the same post enumerated in Rule 50 (1), (2), (3), (4) and (5) for more than three consecutive years.

**(Approved by R.O.S. on 24.7.98)**

51. Members eligible for election or appointment to the General Committee must be Ordinary or Honorary Life Members, and only Ordinary and Honorary Life Members may vote on the election.
- 51A. A member who has commenced legal proceedings in which legal proceedings the Club is made a party or is joined or joins as a party thereto or against whom the Club has commenced legal proceedings and where such legal proceedings are still pending shall be disqualified from contesting in any election for a post in the General Committee or from being appointed as a member of the General Committee and if any such member if already holding any elected or appointed post in the General Committee, he/she shall be suspended from all such posts from the date of commencement proceedings. For purposes of this Rule legal proceedings shall include proceedings commenced by the member either in his personal capacity or through a body corporate in which he is a majority shareholder or is a member of its board of directors.

**(Approved by R.O.S. on 30.7.03)**

52. The General Committee shall be empowered to appoint Members who shall be Ordinary or Honorary Life Members to fill vacancies occurring between Annual General Meetings.
53. The General Committee shall meet at least once in three months, *nine* Members making a quorum. Minutes will be recorded and circulated to Members of the Committee. The President, or in his absence the Deputy President, or in their absence any Member of the General Committee shall take the chair and the Chairman shall have a casting vote.

**(Approved by AGM on 12.5.00 and R.O.S. on 19<sup>th</sup> April 02)**

54. If any Member of the General Committee, other than the President or Deputy President, leaves the country or fails to attend three consecutive meetings without satisfactory explanation, the Committee shall be empowered to declare that such Member has vacated his office.

#### **DUTIES OF PRINCIPAL OFFICE – BEARERS**

55. The President shall during the terms of office preside at all General Meetings and meetings of the General Committee and shall be responsible for the proper conduct of all such Meetings. He shall have a casting vote and shall sign the minutes of each Meeting at the time they are approved.
56. The Deputy President shall deputize for the President during the latter's absence.
- 56A. The Captain shall be responsible under the General Committee for all matters concerning Golf, including the superintendence of the Golf Course, the organization of competitions and team matches, the allotting of handicaps, and for decisions of the Local Rules. He shall arrange for the keeping and custody of golf records.
57. The Secretary shall conduct the business of the Club in accordance with these Rules and shall carry out instructions of the General Meetings, General Committee and the President. He shall be responsible for conducting all correspondence and keeping all books, documents and papers except the accounts and financial records. He shall attend all Meetings and record the proceedings.

58. Treasurer shall be responsible for the financial transactions and shall be responsible for their correctness

#### **DUTIES AND POWERS OF THE GENERAL COMMITTEE**

59. General Committee shall be collectively responsible to the General Meeting of the Club for the management of its affairs and shall have full powers, subject to these rules, to do all things which it may consider desirable for the carrying out of its objects and in its interests generally, including making reciprocal arrangements with other clubs.
60. The General Committee shall engage a full – time Manager to assist in the day to day management of the Club and may engage such other employees as may be necessary from time to time. Any person engaged by the General Committee may be dismissed or his engagement terminated by the General Committee.
61. Any Member of the General Committee or any Committee or Sub – Committee or other person acting in any official capacity shall be indemnified by the Club for acts properly done on behalf of the Club provided that such acts were done in good faith and without negligence.

#### **BORROWING POWERS**

62. The General Committee with the approval of a resolution passed at a General Meeting may from time to time raise or borrow money for the purposes of the Club and may charge any property of the club and issue bonds or debentures or give other securities to secure such money being raised or borrowed

**(Approved by R.O.S. on 18.01.96)**

#### **COMMITTEES AND SUB – COMMITTEES**

63. The General Committee may appoint such Committees or Sub – Committees and may delegate such powers to them, as it thinks fit for carrying out objects of the Club. Members appointed to the Committees or Sub – Committees need not be limited to Members of the General Committee.

#### **BY – LAWS**

64. The General Committee may from time to time, make vary and revoke By – Laws not inconsistent with these rules for the regulation of the internal affairs of the Club and the conduct of the Members. All By – Laws shall, until revoked by the General Committee, be binding on the Members.

#### **FINANCIAL PROVISIONS**

65. All monies belonging to the Club shall be deposited in an account in the name of the Club at a Bank approved by the General Committee. All cheques or withdrawal notices on the Club’s account shall be signed by the Treasurer or other officer appointed by the General Committee for the purpose.
66. That no expenditure exceeding the sum of RM100, 000.00 for the purchase of furniture, equipment, upkeep and improvement to the property, golf course and club – house shall be incurred at any one time unless approved by the resolution of a General Meeting.

**(Approved by R.O.S. on 18.01.96)**

67. The Treasurer or other officer appointed by the General Committee may hold petty cash advance not exceeding RM2, 000.00 at any one time.
68. At the end of each financial year, the Treasurer shall prepare a Statement of Income and Expenditure and Balance Sheet for that year and shall as soon as possible arrange for its auditing.
- 68 A. The Treasurer shall prepare within two (2) months of the General Committee being elected to office a Revenue and Capital budget for the ensuing twelve (12) months for the members' approval at an Extraordinary General Meeting for that purpose.  
**(Approved by AGM on 12<sup>th</sup> May, 2000 and R.O.S. on 19<sup>th</sup> April, 02)**

## **TRUSTEES**

69. (1) The Trustees of the Club shall be a Trust Company duly registered under the Trust Companies Act.
- (2) The Trustees shall be paid such remuneration of fees as may mutually agreed upon between the Trustees and the Club.  
**(Approved by R.O.S. on 09.04.87)**
70. (1) All immovable properties of the Club shall be registered in the name of the trustees to be held in trust for the use and benefit of the members of the Club.
- (2) The Trustees of the Club shall not sell, transfer, assign or otherwise dispose of any of the properties of the Club other than as directed by resolution of the General Meeting duly certified by the President and the Secretary for the time being in the Club.  
**(Approved by R.O.S. on 09.04.87)**

## **AFFILIATION**

71. The Club may, for the benefit of Members, establish affiliation or connection with any golf clubs in and outside Malaysia subject to such conditions as the General Committee may decide.

**(Approved by R.O.S. on 13.8.99)**

## **72. AMENDMENTS OF RULES**

These Rules may not be amended except by resolution of a General Meeting passed by not less than two-thirds of the Members present and voting in favour of the amendment, provided the number of members present at that particular point of time is not less than the quorum required as per Rule No.49.

**(Approved by R.O.S. on 25.3.02)**

73. No resolution for the amendment of the rules shall take effect until the amendment has been approved by Registrar of Societies.

## **DISSOLUTION**

74. The Club may voluntarily dissolved by a resolution of not less than three – fourths of the total membership testified either at a General Meeting specially called for the purpose or

by signatures of the Members testified on an Instrument of Dissolution in accordance with Section 36 of the Societies Act, 1966. In the event of dissolution, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such a manner as may be decided upon by the General Meeting or the Instrument of Dissolution.

#### **INTERPRETATION**

75. The General Committee shall be the sole authority for the interpretation of these Rules and By – Laws and for determining any point on which the Rules and By – Laws are silent. Except where it is contrary to or inconsistent with any ruling made by a General Meeting, the decision of the General Committee shall be binding on all Members subject only to it being reversed by a General Meeting.