

MARSA SPORTS CLUB
Bye-Laws

1. By resolution of the Annual General Meeting held on the 21st June 2001, the GOLF COURSE MANAGEMENT POLICY DOCUMENT was adopted as a bye-law to the constitution.

The contents of the GOLF COURSE MANAGEMENT POLICY DOCUMENT are binding upon the Board of Management and any changes thereto shall require the approval of the membership in General Meeting.

2. Disciplinary Guidelines

By resolution of the Annual General Meeting held on the 26th June 2003 the DISCIPLINARY GUIDELINES DOCUMENT was adopted as a bye-law to the Constitution.

The RMGC Secretary has licence to deal with relatively minor matters without bringing it to the Management Committee, although it is suggested that the matter is discussed with the Club's Chairman or Captain. In more serious cases however, should there be reason for disciplinary actions to be initiated against a member of the RMGC, the following procedure shall be used.

- a) A complaint of behaviour shall be properly documented and those making the complaint shall do so in writing.
- b) A Disciplinary Committee shall deal with the complaint.
- c) The Management Committee shall appoint a Chairman who shall form an ad hoc Disciplinary Committee composed of himself and at least two other impartial and suitable Club members, preferably past Captains of the Club, and who are independent of the Management Committee, and who shall deal with the complaint at hand.
- d) The Disciplinary Committee can ask for the service of a secretary to take down minutes for its meetings. The nominated secretary shall attend and serve the Disciplinary Committee as its clerk but shall not be a member thereof, act in a judicial capacity at any stage or have a vote.
- e) If any of the persons normally on the Committee are involved then they are to stand down both at the Disciplinary Committee and the Management Committee meetings when the matter is discussed.
- f) On receipt of a report, the Chairman of the Disciplinary Committee should notify the member concerned of the full facts of the complaint made against him and shall ask the member to put his case before the Disciplinary Committee.
- g) The member concerned shall be informed that if he wishes he may submit in writing any observations on the complaint. It must be made clear to the member that he is under no obligation to make any statement at this stage but any statement that he wishes to make should be submitted within 7 days.
- h) On the expiration of 7 days from such notification, the Disciplinary Committee will convene to hear the case by serving not less than a further 7 days notice of the date, time and place of the inquiry. There shall be annexed to the notice a copy of the report made by the complainant, a copy of any statement submitted by the member and a statement of any other facts of which the Disciplinary Committee is aware and are likely to assist the Disciplinary Committee and the parties to the inquiry.
- i) At every inquiry, the member shall have the right to be present in person, the right to be represented and the right to furnish evidence. Should a junior member be involved then he shall be allowed to be accompanied by his parent or guardian.
- j) Should the member request on having a legal representative then the Disciplinary Committee should be aware of this so that it will have the opportunity to call its own legal representative to be present (if possible it is better to keep the matter within the Club unless the matter is serious enough to warrant legal advice). Such a legal representative shall not have a vote.

- k)** At the start of the inquiry, the Chairman of the Disciplinary Committee shall advise the member that he may either submit a written statement or make a verbal statement to the Disciplinary Committee or remain silent. The member shall be further advised that if he make a verbal statement to the Disciplinary Committee it will carry more weight, but that he will be liable to be asked questions by the Disciplinary Committee.
- l)** Witnesses may be called, make statements and be questioned.
- m)** The member shall be present when the complainant is making the complaint to the Disciplinary Committee and shall be allowed to question this person and any witnesses that may be called.
- n)** The member shall be allowed to have a fair hearing and if necessary a further hearing if new witnesses or additional evidence emerges.
- o)** The Disciplinary Committee shall consider its decision. Only members of the Disciplinary Committee shall be present when it is considering its decision, but the Disciplinary Committee may be attended by its legal adviser.
- p)** The Chairman may announce the decision immediately or adjourn the inquiry to allow the Disciplinary Committee to consider its decision. In the latter case the Disciplinary Committee shall reach a decision within 7 days of the date of the adjournment.
- q)** The Disciplinary Committee shall report its findings and conclusions to the Management Committee. The Management Committee will then decide as to what action is to be taken. The member shall be informed in writing and within 7 days of the decision taken by the Management Committee.
- r)** The member shall have the right to appeal by written notice against the decision of the Management Committee such notice shall be served to the Management Committee within 14 days of the date of the announcement to the member. If such notice is not forthcoming within the said 14 days, then the right of appeal shall be void.
- s)** Until the determination of the appeal any action decided by the Management Committee shall be suspended.
- t)** The appeal shall be heard by persons who are independent of the Management Committee within the Club. It is recommended that the Appeal Committee to be made from at least three impartial and suitable club members, nominated by the Management Committee, but again none of these persons must have been involved before. The Disciplinary Committee's secretary shall also be the secretary of the Appeal Committee.
- u)** The Appeal Committee shall conclude its inquiry and reach its decision within 21 days from the date of its first session.
- v)** The Appeal Committee's decision shall be final and there shall be no right of appeal by the member or any other person or body against it.

It is strongly recommended that whilst the case is sub-judice all members of the involved committees should respect the confidentiality of the case in hand.

Furthermore, any minutes recorded by the various committees are solely for the purpose of the committees and may not be forwarded to the members or witnesses involved.

Any notices to be given or served by any person or body shall be served by hand or sent by registered post to the addressee at his or its last address known to the sender. The relevant notice period shall commence with the date of posting or, as the case may be, manual delivery.

3. By resolution of the Annual General Meeting held on the 26th of June 2003, the Competition Rules document was adopted as a bye-law to the constitution. Amended by resolution of the Annual General Meeting held on the 24th June 2004.

4. By resolution of the Annual General Meeting held on the 24th of June 2004 the following text be adopted as a bye law of the Club.

Emergency Fund

The Board of management shall create an Emergency Fund (EF) which shall be managed as follows:-

- The Board of Management shall appoint, from amongst its members, three (EF) managers (the Emergency Fund Committee – EFC) who shall be entrusted with the management the EF
- Unless otherwise decided from time to time the members making up the EFC shall automatically be the incumbent Chairman, Captain and Honorary Treasurer
- The EFC may invest the EF in any manner they deem fit including split investments
- All profits and interest earned from such investments shall remain in the EF
- The Board of Management shall fill any vacant position on the EFC within one month of such vacancy
- Each year commencing 2004, during the first month of the financial year, the Board of Management shall deposit the sum of €9317 in the EF. Larger or additional amounts may be placed in the EF depending on circumstances
- The EF shall be capped when the sum of Lm25,000 is reached. However this sum shall be reviewed upward once every 5 years on the basis of the Index of Inflation published annually by the Government of Malta. The base for such increase shall be the index of inflation for the year 2003 which stood at 646.84 points (*vide LN 90 of 2004*)
- The EF may only be drawn upon the following damages suffered by the Club as a result of extraordinary events such as flooding or lightning strike, and then only in the event that the club is not covered by any of its insurance policies, or cannot afford to rectify the damage from current funds
- Whenever the need arises to draw from the EF following an extraordinary event the management committee must first obtain the approval of the members in general meeting. A simple majority of those present shall suffice to authorise the withdrawal of funds
- The EF may only be wound up with the approval of the members in general meeting. A two thirds majority of those present shall be required for a motion of winding up to be approved

4. Open Competitions Rules

By resolution of the Annual General Meeting held on the 26th June 2003 the COMPETITION RULES DOCUMENT was adopted as a bye-law to the Constitution. (Document amended at the RMGC's AGM of 24 June 2004)

General

1. All fully paid-up members are eligible to play in RMGC competitions, subject to the membership category restrictions imposed by the Constitution.

2a. In order to be eligible to enter and play in RMGC competitions, including scratch, a member must be in possession of a current valid RMGC handicap. A member, who is not in possession of current valid RMGC handicap, may play as a marker on competition days for the purpose of submitting cards for handicapping considerations. In such cases the relative competition fee will be payable.

2b. In order to be deemed to be holding a current RMGC handicap, a member shall have submitted not less than four RMGC qualifying cards since the starting date of the previous golf season. An RMGC qualifying card is any individual (Friday) Saturday gentlemen's competition. A member is entitled to win a competition with his fourth RMGC qualifying card.

3. Members' guests in possession of a current home club handicap will be, space permitting, allowed to play as markers individual and four-ball competitions consisting of one round. They will similarly be allowed to play in team competitions but their team will not be eligible to win. The relative competition/green fee will be payable.

4. In all matters relating to the application of handicaps, the RMGC shall be guided, but not bound, by those rules as published and administered by the Council of National Golf Unions (CONGU). Details of these can be obtained via the Handicaps Secretary.

5. The use of golf buggies is banned during major competitions (Rule 33-1). Members who need to use golf buggies must seek prior approval from the Committee.

6. The use of mobile telephones is strictly prohibited during any competition. Penalty for breach of rule: Match Play – loss of hole; Stroke Play – two strokes. In Knockout Competitions, players may use their mobile telephone to call (a member of) the Committee for advice on a point of dispute.

Inclement weather

In the event of inclement weather occurring during competitions, the following will apply to both Friday afternoon and Saturday morning sessions:

* Discontinuance of play may only take place in accordance with Rule 6-8a.

* Should the Committee, through its appointed representative, decide to suspend play (Rule 6-8a(i) participants will be notified through the sounding of a horn.

* A player discontinuing play under Rule 6-8a may lift his ball without penalty but must mark its position before doing so (Rule 6-8c).

* The Committee is empowered to order resumption of play (Rule 6-8b). Penalty for breach of rule 6-8b: Disqualification.

* The competition shall be deemed cancelled, should either the Friday afternoon or Saturday morning session of the competition be cancelled.

Open Competitions

1. All competitions are subject to the *Rules of Golf* and the *Rules of Amateur Status* as issued by the Rules of Golf Committee – Royal and Ancient Golf Club of St Andrews and the Local Rules drawn by the RMGC and posted in the clubhouse. Infringement of these rules shall incur the appropriate penalty.

2. A player must enter his name and handicap on the provided start sheet by the posted closing date. Late entries will only be accepted (a) to replace players who cancel, and, (b) to fill vacant slots in flights that are short of one or more players.

3. In stroke play competitions players shall play with partners or fellow competitors at the starting time allocated by the Competitions Secretary. Wherever possible consideration will be given to early/late preferences although in certain circumstances this may not be practical or feasible.

4. Once the draw for the competition has been made, all entrants are obliged to pay the entrance fee even if they subsequently decide to withdraw from the competition.

5a. Friday players have until Thursday mid-day to ask for reinstatement or to withdraw from the competition. Saturday players have until Friday mid-day. After these time limits the player is duty bound to be at his tee at the appointed time. If the player fails to show up then he will be suspended for two consecutive competitions (three if he fails to turn up for a team event). The suspension will start from the second subsequent competition.

5b. If the player is unable to play because of exceptional circumstances, he is still duty bound to make his way to the Club, pay his Competition Fee and then withdraw from the competition. Unless there is a genuine circumstance that prevents the player from complying with the above, the suspension procedure will have to be applied.

5c. It is up to the “no-show” player to approach the Competitions Secretary with a valid reason by the Monday following the missed competition. The Competition Secretary, and if necessary the Disciplinary Committee, will then decide as to whether the circumstances were genuine and exceptional in which case the suspension procedure will not be enforced.

5d. In accordance to the Note under the R&A Rule of Golf 6-3: If a player arrives at his starting point, ready to play, within five minutes after his starting time, in the absence of circumstances which warrant waiving the penalty of disqualification as proved in Rule 33-7, the penalty for failure to start on time is *loss of the first hole in match play or two strokes at the first hole in stroke play* instead of disqualification.

6. Players taking part in official club competitions will have priority on the course. The Committee reserves the right to close the course to all non-competition days.

7. Match play must start on the first hole.

8a. In *match play*, if matches are all-square on reaching the end of the stipulated round:

- (i) Players shall proceed directly from the 18th hole to the 19th and play-off shall be an extension of the stipulated round;
- (ii) Strokes shall be taken as in the stipulated round;
- (iii) If the onset of darkness should make this impossible the match shall be continued as soon as possible from the exact spot at which it was discontinued. Play should recommence as though it had never been interrupted;
- (iv) Play shall continue until one of the players wins a hole.

8b. In *stroke play*, where a handicap allowance is applicable, in the event of a tie, the result shall be decided on the best score of the last nine holes on the card (regardless of the starting hole), then on the last six holes, then on the last three holes, and then on the last hole. Handicap, when applicable, shall be calculated as follows: ½ over 9 holes, 1/3 over 6 holes, 1/6 over 3 holes and 1/18 on the last hole. The application of handicap in this respect will include any fraction of a stroke. In the event of the round still being tied, the result will be decided on the best score of the first nine holes on the card (again, regardless of starting hole), then on the first six holes, then on the first three holes and finally on the first hole. Again, the application of handicap, when applicable, shall be calculated as follows: ½ over 9 holes, 1/3 over 6 holes, 1/6 over 3 holes, 1/18 on the first hole, again to include any fraction of a stroke. In the event of the round still being tied, and in rounds where one competitor must go through the next round, the result will be decided by the spin of a coin. In all other cases joint winners will be declared.

8c. In a *stroke play* competition, *played over two or more days* and where a handicap allowance is applicable, in the event of a tie, the result shall be decided on the best score of the last day. In the event of the round still being tied the procedure under 8c will come into effect.

8d. In scratch competitions, in the event of a tie, the result shall be decided by a play-off over three holes. In the event that this does not resolve the tie a sudden death play-off hole is played until one player leads by a stroke. The Committee shall decide the play-off holes (the established holes are 1, 17 and 18 in the absence of any prior decision from the Committee).

Knockout Competition Rules

1. All competitions are subject to the *Rules of Golf* and the *Rules of Amateur Status* as issued by the Rules of Golf Committee – Royal and Ancient Golf Club of St Andrews and the Local Rules drawn by the RMGC and posted in the clubhouse. Infringement of these rules shall incur the appropriate penalty.

2a. According to Rule 33-3, in knockout competitions played over an extended period, the Committee shall lay down the limit of time within which each round shall be completed. Players are allowed to arrange the date of their match within these limits. If agreement cannot be reached, the match must be played at the stated time on the last day (should be a Sunday) of the period as laid down by the Committee. In case of further difficulties reference must be made to the Competitions Secretary as soon as possible before the concluding date of the round; otherwise both sides may be disqualified.

2b. Competitors must conform to play by dates as decided by the committee – otherwise they will be automatically eliminated from the competition. Extensions may only be decided upon by the full RMGC Committee in extraordinary circumstances, such as part closure of the course due to bad weather. No individual requests may be considered.

2c. In knock-out competitions it is the custom that top player(s) on the competition sheet fix the challenge on a date within the dates specified by the Committee. Competitors are urged to insert their telephone number on the competition sheet to make this arrangement effective. If no agreement can be reached then the top player(s) will forward three option dates one of which must be a Sunday or public holiday.

3. In match play the result shall be notified by entering of the name(s) of the winner(s) on the appropriate competition sheet in the clubhouse.

4. In competitions where members are invited to enter as partners any member unable to find a partner may enter his name on the competition sheet. The committee will do its best to find a partner for the competitor.

5. In order to qualify for entrance to all knock-out competitions, members must hold a current club handicap. In order to be deemed to be holding a current club handicap, a member shall have submitted not less than four qualifying cards since the starting date of the previous golf season. A qualifying card is any individual (Friday) Saturday gentlemen's competition.

6. All finals should, wherever possible, appoint a referee. The semi-finals and final of the Creasy Cup knockout competition must be refereed.

7. In the event of a partner falling ill or being unable to play in doubles competition, a substitute can be entered only before the partners play their first round of the competition.

8. Creasy Cup bidders must settle their dues before the play-by date of the first round of this knockout competition. Failure to honour such a commitment will mean that the bidder has to be considered as a defaulter and until such time that the dues are paid by the members may not use the club facilities or the golf course.

Etiquette and Dress Code

1. Tee Reservations

The use of the golf course by members and their guests is subject to the said members or guests having made a prior booking with the Golf Shop and collected a Reservation Confirmation Ticket prior to going on the course.

Only one ticket per flight will be required and this is to be prominently displayed by one member during play. Failure to comply will cause the whole flight being asked to leave the course.

2. Priority on the Course

Generally a two-ball has precedence over three- or four-ball matches and should be invited through. However, this does not apply when the course is busy and all holes are occupied. In such instances members should endeavour to play in threes or fours.

Players carrying a red flag are in an official club knock-out competition and must be let through immediately.

3. Not Allowed

Sharing of clubs

Five-ball or more

Practicing on the course.

4. Dress code

Ladies: Skirts, slacks, tailored shorts, polo shirt/smart sleeveless tops, socks.

Gentlemen: Trousers, tailored shorts, polo shirt, socks.

Not allowed: Denim jeans, short shorts, singlets, sleeveless tops (gentlemen), swimming shorts, track suits. Only soft spikes are allowed on the course.