

# **KELAB GOLF MIRI (MIRI GOLF CLUB)**

# **CONSTITUTION**

**(Including all amendments up to 20<sup>th</sup> March 2011)**

**1. NAME**

The name of the club shall be known as "KELAB GOLF MIRI" (MIRI GOLF CLUB) and hereinafter referred to as "THE CLUB"

**2. EMBLEM**

- (1) The Emblem of the Club shall consist of a crest with blue outline, separated by the diagonally corner. Drawing of the KGM flag is in the left section with white background and two golf clubs drawn on the right section with red background. Underneath the crest is a white ribbon with "Macam Burong Terbang" inscribed on it.
- (2) The whole Emblem is to reflect that the game of golf shall be played freely as the birds fly.
- (3) The facsimile of the Emblem shall be as Appendix "A".

**3. REGISTERED/POSTAL ADDRESS**

- (1) The Registered Address of the Club shall be  
LOT 297, JALAN PENINSULAR, PULAU MELAYU,  
98000 MIRI, SARAWAK.
- (2) The postal address of the Club shall be  
KELAB GOLF MIRI  
P.O. BOX 101  
98107 LUTONG  
MIRI, SARAWAK.
- (3) The Registered and Postal Address of the Club shall be not changed without the prior approval of the Registrar of Societies.

**4. OBJECTS**

- (1) To promote and carry on social and sporting activities.
- (2) In particular and without derogation from the generality of paragraph (1) to promote the games of golf, tennis, squash, swimming, billiards and snooker, bowls and all such other sports, games and pastimes as may from time to time by the Committee be deemed desirable
- (3) To provide and maintain a golf course, swimming pool, tennis courts, squash court, billiard and snooker tables subjects to two tables only and bowling alleys and activities for all such other sports, games and pastimes as may from time to time be introduced and approved by the Committee.
- (4) To provide the Club House, changing rooms, lavatories, kitchens, and all other appurtenances, facilities, amenities and conveniences in connection therewith, and to furnish and maintain the same and to permit the same and other property of the Club to be used by members and such other persons as may be authorised by the Committee either gratuitously or for payment.
- (5) To purchase, hire, provide and maintain all kinds of equipment, furniture, implements,

tools, utensils, cutlery, glass crockery, linen, books, papers, periodicals, stationery, cards, games, sporting equipments and all other things required or which may conveniently be used in connection with the Club House, grounds and other premises of the Club by members and other persons frequenting the Club with the authority of the Committee and to supply, sell and deal in the same

- (6) To acquire by purchase, take on lease. or in exchange or otherwise occupy or acquire any land or buildings which may be requisite for the purposes of or conveniently used in connection with any objects of the Club and to lease, sell, charge, give in exchange or dispose of the same or any part thereof.
- (7) To promote, carry on, and conduct provident fund, and other propositions of a like nature for the benefit of employees of the Club and to contribute thereto and to alter, vary, amend, discontinue and wind-up any such provident fund, or other proposition.
- (8) To promote and hold either alone or jointly with any association, club, or persons, sporting and athletic meetings, competition, and matches, and to offer, give or contribute towards prizes, medals, etc., and promote, give or support dinners, balls, concerts and other entertainments.
- (9) To establish, promote, or assist in establishing or promoting, and to subscribe to or become a member of any other association or club whose objects are similar to the objects of the Club, or the establishment or promotion of which may be beneficial to the Club: provided that no subscription be paid to any such association or club out of the funds of the Club except bonafide in furtherance of the objects of the Club.
- (10) To acquire by purchase, lease, exchange or otherwise, property of any tenure or description use of any such property for any purpose connected with the foregoing objects of the Club including leasing out or selling on any terms, parts of any such property for any purpose which shall be beneficial to the Club and its Members.
- (11) To buy, prepare, make, supply, sell or contract and deal in all kinds of liquors, provisions, food and refreshments, golf clubs, balls and other equipment and material related to the playing of golf and other sporting activities, for use by members of the Club or other persons frequenting the course, grounds, club house or premises of the Club and to promote, give or support dinners, balls, concerts, fairs or other such like functions.
- (12) To hire and employ secretaries, accountants, clerks, managers, servants, and labourers and to pay to them and to other persons in return for services rendered to the Club, salaries, wages and gratuities.
- (13) To invest and deal with the funds of the Club not immediately required upon such securities and in such manner as may from time to time be determined by the general meeting of voting members.
- (14) To enter into reciprocal arrangements with any other association or club so that members thereof may enjoy the privileges, amenities and facilities of the Club and vice-versa.
- (15) To borrow or raise and give security for money by charge upon all or any part of the

property of the Club or in any other manner whatsoever with the prior sanction of the general meeting of voting members.

- (16) To raise fund with the prior permission of the Registrar of Societies and approval of the Authority concerned and make donations for patriotic or for charitable purposes.
- (17) To accept donations to fund development projects and meet the financial obligations of the club with the prior approval of the Registrar of Societies and the authority concerned.

## **5. ELECTION OF MEMBERS**

- (1) Subject to the provisions of these Sections the powers of admitting and electing Members shall be vested in the Committee who shall have power at any time to restrict the admission of Members, and from time to time to vary or rescind such restriction upon such terms and conditions as the Committee may think fit. The Committee shall not assign any reason for its decision.
- (2) Every application for election as a member shall be made in a form to be provided for the purpose. Such form shall be completed and signed by the applicant, and by his proposer and seconder who must either be Full or Life Member of the Club for not less than 2 years and presented to the Honorary Secretary along with prescribed Entrance Fee. The application shall be posted on the Club Notice Board for at least 30 days. Within this period any Full member may communicate any objection to the Honorary Secretary in writing.
- (3) The election shall be by vote by the Committee at a Committee Meeting and no election shall be valid unless one-half of the Committee Members present at that meeting vote for the candidate.
- (4) The voting will at the absolute discretion of the Committee, take place after at least 30 days from the date of the posting of the name of the candidate under Section 5(2).
- (5) Upon election, the name and address of the member shall be entered in the "Register of Members" and the fact of his election shall be communicated to him by the Honorary Secretary in writing.
- (6) A candidate who has been excluded from admission may reapply for membership after a period of one year. If he is again excluded, he shall not be eligible again to become a candidate.
- (7) The decision of the Committee on any application for membership is final and conclusive and shall not be questioned or be subject to any appeal or review in any court.

## 6. MEMBERSHIP

There shall be TEN (10) Categories of membership as follows:-

- (1) Honorary Members
- (2) Life Members
- (3) Full Members (Transferable)
- (4) Full Members (Non-transferable)
- (5) Family Members
- (6) Junior Members
- (7) Corporate Members (Transferable)
- (8) Corporate Members (Non-transferable)
- (9) Visiting Members
- (10) Corporate Term Members
- (11) Term Members (Please refer to Clause 16)

### 6A. MEMBERSHIP LIMIT

The maximum number of members of the Club shall not at any one time, exceed 1,100, or such other number as may be determined by the AGM or EGM as the case may be by a simple majority of votes from time to time.

## 7. HONORARY MEMBERS

Honorary Members shall require one of the following qualifications:-

- (1) The Governor of the State and The Chief and Deputy Chief Minister of the State shall by virtue of their offices be Honorary Members.
- (2) Wives of all Honorary Members shall automatically become Honorary Members.
- (3) Such distinguished persons as the Club Committee may designate by unanimous votes of all Members of the Committee.

## 8. LIFE MEMBERS

- (1) The life membership shall be limited to 60 Malaysian individuals only.
- (2) Any person elected by the Committee upon payment of Entrance Fee of **Ringgit Malaysia Fifty Thousand Only (RM50,000.00)** shall be awarded a Life Membership Certificate.
- (3) Life Members shall be entitled to all rights and privileges of Full Members but exempted from subscription and entrance fee payments.
- (4) Life Membership may be transferred to another individual upon election by the Committee and upon payment of transfer fee of **Ringgit Malaysia Two Thousand and Five Hundred Only (RM2,500.00)** or such sum as may be determined by the Committee.

**9. FULL MEMBERS (Transferable and Non-transferable)**

- (1) Membership of the Club shall be open to all Malaysians or other persons residing in the Miri Division above the age of 21 years whom the Committee deems fit to elect.
- (2) A Full Member shall have the right to vote and to hold office in the Club.
- (3) A Full Member shall pay a monthly subscription fee as the Management Committee may from time to time decide to meet the financial obligations of the club.

**10. FAMILY MEMBERS**

- (1) Family Members shall be the lawful husbands, wives and children of Honorary, Life and Full Members provided such children are below 18 years of age. There shall be two categories of Family Members, namely, Golfing and Non-Golfing family members. Golfing family members are those who have applied to the Management Committee to be allowed to play golf in the club.
- (2) Golfing family members shall be divided into two categories:
  - (a) Wives / Husbands of Life and Full Members
  - (b) Children under 18 years of age who are not Junior Members of Life and Full Members.Wives/Husbands of Life and Full Members shall pay a monthly subscription fee of RM60.00 per person, or any amount as determined by the Management Committee from time to time.

Children under 18 years of age who are not Junior Members of Life and Full members shall pay a monthly subscription fee of RM30.00 per person, or any amounts as determined by the Management Committee from time to time.

Non-golfing family members are exempted from payment of any subscription

- (3) Family Members have no voting rights.
- (4) Golfing family members shall be entitled to play in all competitions organised by the Club.

**11. JUNIOR MEMBERS**

- (1) A person below 21 years may be proposed, seconded and elected as a Junior Member in the manner provided for the election of Members, the conditions being:-
  - (a) his parent is an Honorary, Life or Full Member of the Club;
  - (b) his parent guarantees the due payment of all debts and other liabilities to the Club to the satisfaction of the Committee;
  - (c) he shall have no voice or vote in the affairs of management of the Club;
  - (d) he shall not propose or second any person for membership of the Club nor to introduce a visitor/guest;

- (e) he is not eligible to be a member of the Committee, or any sub-committee;
  - (f) he is entitled to play in the monthly medals and normal Club Competitions.
- (2) A Junior Member shall pay a monthly fee equivalent to the subscription that would be applicable to him as if he were a Full Member.
  - (3) A Junior Member, when elected shall pay an entrance fee of Ringgit Malaysia one thousand (RM1,000) and deposit of Ringgit Malaysia five hundred (RM500).
  - (4) A Junior Member on reaching the age of 21 years shall cease to be a Junior Member and shall on application and payment of the balance of the entrance fee and deposit then in force for Full membership, be elected as a Full Member.

**12. CORPORATE MEMBERS (Transferable and Non-transferable)**

- (1) Corporate Membership shall be open to any company registered or incorporated under the Law of Malaysia. Any Corporation wishing to become a Corporate Member shall apply on the prescribed form. Such application shall be considered by the Committee who may approve or reject same without giving any reason.
- (2) In these Sections;
  - "Corporate Member" means a body registered in the Register referred to in Section 12(1) above and shall include Transferable as well as Non-transferable Corporate Member.
  - "Corporate Right" means the Corporate Member's right to nominate corporate nominee.
  - "Corporate Nominee" means a person enjoying privileges of the Club.
- (3) Save for such corporate right as allowed a Corporate Member and Corporate Nominee shall have no voice in affairs or management of the Club.
- (4) A Corporate Member shall be entitled to nominate its directors and employees to enjoy corporate membership privileges. Such nomination shall be in writing and shall be subject to the approval of the Committee. The Committee shall further be entitled to reject any such nomination without assigning any reason whatsoever.
- (5) A Corporate Member may at any time by written notice withdraw its nomination in respect of any of its Corporate Nominee. Such withdrawal shall be made in writing and shall only be effective after the Committee has acknowledged it.
- (6) Corporate Nominee shall pay an annual fee to be determined by the Committee and a monthly subscription fee equivalent to the subscription payable by a Full Member.
- (7) If for any reason a Corporate Member cease to be registered by virtue of any existing laws in Malaysia, it shall automatically cease to be registered with the Club and the privileges enjoyed by its nominees shall likewise be withdrawn.
- (8) Corporate Nominee shall not exceed two at any one time.

- (9) A Corporate Member shall be responsible and liable for the due payment of all debts incurred by its nominees.

### **13. VISITING MEMBERS**

- (1) The Committee may on the introduction by a Full or Life Member permit any person temporarily residing in Miri to become a Visiting Member of the Club for any period not exceeding three months at a monthly fee to be determined by the Committee.
- (2) A Visiting Member shall be entitled to all the privileges of a Full Member, except the right to vote and that he shall have no voice in the affairs or management of the Club, shall not enter for any competitions (other than competition expressly declared by the Committee to be open to Visiting Members) or inter-club matches and shall not be entitled to introduce a guest to the Club.

### **14. CORPORATE TERM MEMBERS**

- (1) Corporate Term Membership shall be open to any Company registered or incorporated under the law of Malaysia with not less than 30 nominees per application. Such application shall be considered by the Committee who may approve or reject same without giving any reason.
- (2) In these sections:
- "Corporate Term Member" means a body registered referred to in Section 14(1) above.
- "Corporate Term Right" means the Corporate Term Member right to nominate corporate nominee.
- "Corporate Term Nominee" means a person enjoying privileges of the Club who must be an employee or director or shareholder of the company.
- (3) A Corporate Term Member shall be entitled to nominate its directors and employees to enjoy Corporate Term Membership privileges. Such nomination shall be in writing and shall be subject to the approval of the Committee. The Committee shall further be entitled to reject any such nomination without assigning any reason whatsoever.
- (4) A Corporate Term Member may at any time by written notice withdraw its nomination in respect of any of its corporate term nominee. Such withdrawal shall be made in writing and shall only be effective after the Committee has acknowledged it.
- (5) (a) Entrance fees shall be paid in full upon approval of their application
- (b) A Corporate Term Member shall be entitled to nominate its nominees but shall pay a nomination fee of not less than two thirds of prevailing entrance fees paid by a Full Member for each nominee.



- (6) The Term shall not exceed 10 years effective from date of approval.
- (7) A Corporate Term Nominee shall pay a monthly subscription fee and deposit equivalent to that paid by a Full Member.
- (8) A Corporate Term Member shall be responsible and liable for the due payment of all debts incurred by its nominees.

**15. TRANSFER OF MEMBERSHIP**

- (1) Save as otherwise provided in this Article 15, no member may transfer his membership.
- (2) Subject to the approval of the Committee and upon payment of the conversion fee stipulated herein members belonging to the following categories may convert their membership from non-transferable to transferable. and upon payment of a transfer fee and with the approval of the Committee, may transfer his/its membership to any other person or company as the case may be provided that in the case of a Corporate Member, membership shall only be transferred to a Malaysian Company:-
  - (a) Full Member
  - (b) Corporate Member
- (3) Upon the death of a Full Member (Transferable) the Committee may in its absolute discretion. on payment by the transferee of the transfer fee as stipulated below, transfer the membership of the deceased member to the person nominated by the deceased member prior to his death or to the person nominated by the personal representative(s) of the deceased. If the said nominee who is approved by the Committee to assume membership of the Club, is under 21 years of age the membership shall be held in Trust by a Trustee until he attains the age of 21 years.
- (4) If the nominee of the deceased member is his spouse or child, no transfer fee shall be payable upon transfer of the membership.

The Applicable Transfer fee payable by a Full Member (Transferable) or Corporate Member (Transferable), unless otherwise determined by the Committee from time to time, shall be as follows:-

	<u>Transfer</u>
	<u>Fee</u>
a. Full Member (Transferable)	RM3,500.00
b. Corporate Member (Transferable)	RM5,000.00

## **16. TERM MEMBERS**

- (1) Term Membership shall be open to all individuals at a yearly fee to be determined by the Committee and it is inclusive of monthly subscription fee. Such application shall be considered by the Committee who may approve or reject without giving any reason.
- (2) The Term shall be for a period of 1 year.
- (3) A Term Member shall be entitled to enjoy all the club's facilities, except for credit signing facilities and the right to vote. He shall have no voice in the affairs of the management or the Club, shall not enter for any competitions (other than competition expressly declared by the Committee to be open to Term Members) or inter-club matches and shall not be entitled to introduce a guest to the Club.

## **17. GUESTS**

- (1) Non-members of the Club, when invited by the Committee or individual members to participate in the Club functions or sporting activity, shall be permitted to use the Club facilities, subject to sub-sections (2) and (3) of this section and upon payment of the relevant fees imposed.
- (2) Individual Members except Visiting Members shall have the privilege to introduce guests on isolated occasions subject to sub-sections (3) and (4) of this section and the By-laws. Any member introducing a guest into the Club shall on each day on which such guest is in the Club enter the name and address of the guest in a book provided for the purpose.
- (3) All guests must pay for drinks etc. by mean of cash coupons.
- (4) The Member who introduces the guest(s) to the Club shall always accompany such guest(s) and will be held responsible for the good conduct and all outstanding accounts of the guest(s).
- (5) The Club Committee may at any time in its discretion extend, suspend or curtail the privileges granted by this Section.

## **18. MEMBERSHIP CARDS AND MEMBERSHIP REGISTER**

- (1) Full Members, Family Members, Life Members, Corporate Nominees, Corporate Term Nominees, Junior Members and Term Members shall be issued with respective membership cards on election. Such card shall be produced on demand for inspection by any Committee Member or the Club Manager or by any attendant, authorised on his behalf in writing by the Honorary Secretary.
- (2) The Honorary Secretary shall keep a membership register containing the following particulars:-
  - (a) Serial Number/Membership Card Number.
  - (b) Date of Admission.
  - (c) Name.
  - (d) Date and Place of Birth.

- (e) Identity Card Number/Passport Number.
- (f) Nationality.
- (g) Occupation and Office Address.
- (h) Home Address.
- (i) Sex.
- (j) Category of Membership
- (k) Personal Representative or Nominee of the Member and Trustee.

**19. RESIGNATION, EXPULSION AND SUSPENSION OF MEMBERS**

- (1) Any member may resign his membership by giving to the Honorary Secretary notice in writing to that effect. Every such notice unless otherwise expressed shall be deemed to take effect as from the first day of the next month following the receipt thereof.
- (2) Any member who fails to settle his account in accordance with Section 25(1) for a period of THREE (3) MONTHS shall cease to be a member and may have his name struck off from the membership register of the Club, without prejudice to the right of the Club to recover all monies due by him to the Club but may be reinstated by the Committee upon his furnishing a satisfactory explanation to the Committee and repayment of all arrears.
- (2) If any member in the opinion of the Committee acts in any way prejudicial to the interest of the Club or its members or shall break any Section or By-laws of the Club the Committee shall consider the conduct of such member at a meeting of the committee. If at such meeting it is considered that there is sufficient evidence to justify calling him, a notice in writing shall be given to such member calling him to attend the meeting for the purpose of answering such charges. Such notice shall not be less than seven days. At such meeting the member concerned shall be informed of the charges made against him and shall after hearing such member the Committee may expel him or impose any lesser penalty. In the event of him being expelled he shall cease to be a member of the Club. The member shall be informed of the findings of the Committee and the findings shall be final and conclusive and shall not be questioned or be subject to any appeal or review in any court. If such a member refuses to attend the meeting in answer to the notice calling upon him to do so, the Committee may nevertheless proceed with the inquiry and decide in his absence.
- (4) Notwithstanding what has been stated in this Section, the Committee may delegate its powers under this Section to a sub-committee to be called the Disciplinary Committee consisting of three Full Members or by such greater odd number of Full Members as the Committee may appoint. To expel a member, the decision of the majority of the members of the Disciplinary Committee present by way of voting shall be sufficient.

- (5) The decision of the Disciplinary Committee to expel a member shall be subject to confirmation by the main Committee at its meeting. To confirm the expulsion, a simple majority vote of the Committee Members present by voting shall be sufficient.
- (6) A person expelled under this Section shall not thereafter be eligible as a candidate for membership of the Club.
- (7) The provisions of this Section shall be applicable to Corporate and Corporate Term Nominees.

## 20. CESSATION OF MEMBERSHIP

Any Member:-

- (1) who has resigned or is dead;
- (2) who has been adjudicated bankrupt as from the date of such adjudication;
- (3) or who has been expelled;

shall cease to be a member.

## 21. ENTRANCE FEES, SUBSCRIPTIONS, NOMINATION FEES AND DEPOSITS.

(1)(a) The entrance fees, subscriptions, nomination fees and deposits payable by members shall be as follows:-

	<b>Membership</b>	<b>Entrance Fee</b>	<b>Deposit</b>	<b>Monthly Subscription</b>	<b>Annual Fee</b>	<b>Nomination Fee</b>
1	Honorary Member	N/A	N/A	N/A	N/A	N/A
2	Life Member	RM50,000	RM1,000	N/A	N/A	N/A
3	Full Member (Transferable)	RM18,000	RM1,000	RM110	N/A	N/A
4	Full Member (Non-transferable)	RM15,000	RM1,000	RM110	N/A	N/A
5	Junior Member	RM1,000	RM500	RM110	N/A	N/A
6	Visiting Member	N/A	N/A	C	N/A	N/A
7	Corporate Member (Transferable)	RM20,000	N/A	N/A	N/A	N/A
8	Corporate Member (Non-transferable)	RM15,000	N/A	N/A	N/A	N/A
9	Corporate Nominee	N/A	RM1,000	RM110	B	N/A
10	Corporate Term Member	A	N/A	N/A	N/A	N/A

11	Corporate Term Nominee	N/A	RM1,000	RM110	N/A	A
12	Term Member	N/A	Rm1,000	N/A	E	N/A
13	Golfing Family Member	N/A	N/A	RM30	N/A	N/A
14	Non-golfing Family Member	N/A	N/A	N/A	N/A	N/A

N/A = Not Applicable,

A = Applicable as per Section 14

B = Applicable as per Section 12(6)

C = Applicable as per Section 13(1).

D = Applicable as per Section 16(1)

- (a) Corporate Member shall pay a non-refundable Corporate membership registration fee of Ringgit Malaysia Fifteen Thousand Only (RM15,000.00)
  - (b) For each Corporate Nominee, the Corporate Member shall also pay an annual fee to be determined by the Management Committee payable in advance on the 1st day of the year or prorated for Corporate Nominee accepted after that date.
  - (c) The Corporate Nominee and Corporate Term Nominee shall pay a refundable deposit and a monthly subscription as payable by a Full Member.
- (3) Notwithstanding Section 20(1) above, civil servants and government officers, when elected to be Full Members shall pay an entrance fee and deposit equal to half the entrance fee and deposit payable by a Full Member.
- (3)A "Notwithstanding Section 20(3) above, Civil Servants and Government Officers who wish to convert their Full Membership from Non-Transferable status to Transferable status, shall pay the same entrance fee and deposit as that paid by other non civil servant or government officers Full Members at the time of their joining the Club"
- (4) Monthly subscription of RM110.00 shall be charged and shall thereafter be payable in advance on the 1st day of each month.
  - (5) The Club accounting month shall be considered as the period from the 1st day of a Calendar month to the last day of the same month.
  - (6) The committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.

## 22. GENERAL MEETING

- (1) The Annual General Meeting of the Club shall be held as soon as possible after the close of each financial year on a date and at a time and place to be decided by the Committee but not later than March each year for the following purposes:-
  - (a) To receive the Committee's report on the working of the Club during the preceding year.
  - (b) To receive, and approve a balance sheet and statement of accounts for the past year and twelve (12) months (January – December) budget by majority vote. Since the Annual General Meeting is held in March, for the ease of club routine operation, with the exception of capital expenditure budget, it is deemed acceptable to adopt the budget equivalent to  $\frac{1}{4}$  of the preceding yearly budget as approved budgets for the three (03) months (January – March) in the succeeding year.
  - (c) To elect new Committee and to appoint auditor for the forthcoming year by majority vote.
  - (d) To decide upon and pass any resolution which shall be duly submitted as hereinafter provided.
- (2) The Honorary Secretary shall display the time and date fixed for the meeting on the Club notice board at least 21 days in advance and shall send by post to all voting members.
- (3) The Committee will issue accounts/budget to the Members 14 days before the Annual General Meeting.
- (4) One hundred (100) voting Members shall form the quorum for a General Meeting.
- (5) If within half an hour of the appointed time at a General Meeting a quorum is not present the meeting shall be postponed to a later date to be decided by the Committee within 7 days after the aborted meeting and notice for such meeting shall be placed conspicuously on the Club notice board. If at the adjourned meeting quorum is not present, those Life and Full Members present shall be the quorum and the meeting shall proceed to business provided that such meeting shall not amend these Sections or make decisions affecting the whole membership.

- (6)(a) The Committee may call an Extraordinary General Meeting when any matter of urgent importance shall arise, or on receiving a requisition signed by not less than fifty (50) Life or Full Members stating the purpose for which they desire the meeting to be called.
- (b) The Honorary Secretary shall convene the Extraordinary General Meeting within twenty one days from the date of receipt of a requisition under Section 21(6)(a).
- (7) The President of the Cub shall be the Chairman at General Meeting. In his absence, the Captain shall preside. In the absence of both of them, a member of the Committee elected by the members present at the General Meeting shall preside. Except for the election of the Committee, the Chairman shall not vote as a Full member but in the case of equality of votes, he shall have a casting vote.
- (8) If within half an hour the quorum is not present the Extraordinary General Meeting shall be postponed to a later date to be decided by the Committee. Where no quorum is present at the subsequent date the meeting requisitioned by members shall be cancelled and no such meeting shall be requisitioned for the same purpose until after a lapse of six months from the date thereof.
- (9) Full and Life Members only shall be qualified to vote at General Meeting.

### **23. ELECTION OF THE COMMITTEE**

- (1) The election shall be carried out during the Annual General Meeting of the Club. Full and Life Members desiring to propose and second any Member for election to the Club Committee shall, having ascertained in writing that the Member is willing to serve on the committee, send the candidate's name in writing to the Honorary Secretary not later than fourteen days before the date fixed for the Annual General Meeting and the names of the candidates proposed and seconded shall be exhibited in the Club for that period and no others can be afterward proposed. Candidates must be Full and Life Members of the Club. The election shall be carried out by secret ballot. In the event of equality of votes a further ballot shall be held.
- (2) Any member of the Committee who fails to attend three consecutive meetings of the Committee without satisfactory explanation shall be deemed to have resigned from the Committee PROVIDED ALWAYS that this shall not apply to the President of the Club whose attendance shall be discretionary.
- (3) Subject to Section 29(5), in the event of death or resignation of a Committee Member, the Committee shall have the power to co-opt any other Full and Life Member of the Club to fill the vacancy until the next Annual General Meeting.

## 24. THE COMMITTEE, ITS POWER AND DUTY

- (1) The Committee shall consist of the eleven (11) elected Members as follows:
  - (a) The President
  - (b) The Captain
  - (c) The Honorary Secretary
  - (d) The Honorary Treasurer
  - (e) The Honorary House Member
  - (f) The Honorary Course & Greens Member
  - (g) The Honorary Competition Secretary
  - (h) The Honorary Handicap Secretary
  - (i) Three (3) Committee Member
- (2) The Committee shall meet at least once a month or more frequently should urgent business arise for discussion. At least three (3) days notice of each meeting shall be given to all Members of the Committee. The Captain acting alone, or not less than three of its members acting together may call for a meeting of the Committee to be held at any time.
- (3) A simple majority of the Committee shall form the quorum for the meeting of the Committee. The Captain shall preside at all meetings of the Committee. In his absence the Honorary Secretary or Honorary Treasurer shall preside. In the absence of the above a Member of the Committee elected by the members present shall preside.
- (5) In case of any equality of votes the President if he is present may exercise the right of giving a second or casting vote, otherwise the Captain or Chairman of the meeting shall have the casting vote.
- (6) All elected Members of the Committee shall retire each year, but may be re-elected at the Annual General Meeting for the succeeding year.
- (7) The Committee in addition to the powers hereinafter specially conferred upon them, shall have the control of the Club, power to engage, control and dismiss any of the Club servant, and all such administrative powers as may be necessary for properly carrying out the objects of the Club in accordance with these Sections and By-laws.
- (7) The Club Committee shall have power to fix the subscription of all Members in line with the Club's financial position and obligations.
- (8) Subject to Section 32 below, the Committee shall have full powers to make, alter, add to or repeal By-laws which are not consistent with these Sections.



- (9) The Committee shall further have full power to decide all questions relating to the management of the Club and all questions arising out of or not covered by any Section or By-laws and such decision shall be final.
- (10). The Committee may appoint Sub-committees for special projects and to delegate to such Sub-committee such powers relating to such objects and to withdraw all or any of the powers so delegated and to revoke such appointments. My sub-committee so appointed shall in exercising the powers so delegated conform to any of the regulations that may from time to time be imposed upon it by the Committee.
- (11) The Committee shall have power to refuse the privileges of membership as defined under Section 7-15 to any person where considered desirable or necessary without giving any reason whatsoever.
- (12) The Committee shall have power to make use of the deposit of a Member to settle the Member's unpaid account. Notwithstanding Section 20 when deemed necessary the Committee may request for additional deposit from any Member.
- (13)
  - (a) The Captain shall have overall responsibility for all Club activities and shall ensure that the Club shall be run in the best interests of its Members. He shall during his term of office preside at all General Meetings and all meetings of the Committee and shall be responsible for the proper conduct of all such meetings.
  - (b) In the absence of the Captain, the Honorary Secretary shall act in place of the Captain
  - (c) In the absence of both Captain and the Honorary Secretary, the Honorary Treasurer shall be the Acting Captain.
  - (d) The Honorary Secretary shall be responsible for conducting all Club business matters other than those specially designated to other Committee Members. He shall be responsible for giving Members due notice of all business and social meetings of the Club. He shall take minutes of all General Meetings and Committee meetings and at the Annual General Meeting shall present minutes of the previous year's meeting for the approval of Members.
  - (e) The Honorary Treasurer shall be responsible to oversee the performance of an employee, employed by the Club for the keeping of books of accounts and the correct recording of all financial transaction. He shall also prepare financial statements for submission to the Club Committee from time to time as required,

and an audited statement shall be submitted for approval to the Annual General Meeting and otherwise as directed by the Club Committee and posted on the Club notice board at least fourteen (14) days before the date of that meeting.

- (f) The Honorary House Member shall be in charge of the upkeep of the club premises and to ensure that the bar and restaurant are run efficiently and shall take charge of all social activities organized by the Club.
- (g) The Honorary Course & Greens Member shall be responsible for supervising the ground maintenance so that the golf course is kept in good conditions. He shall make recommendations to the Committee as to any desirable improvements or alterations to the course.
- (h) The Honorary competition Secretary shall be responsible for arranging and supervising various competitions both at the Club and inter-club levels. He shall inter alia arrange for trophies and prizes, competition fees to be charged, and all other activities related to the Competitions.
- (i) The Honorary Handicap Secretary shall be responsible for arranging an appointment for assessment and allotment of handicap upon an application by any non-handicapper and shall; as soon as is practicable make known his decision to the applicant and shall maintain and review a record of the Member's handicap in accordance with the handicap system enforced at the time
- (j) The three (3) Committee Members shall be responsible for duties assigned by the Captain.

## **25. INCOME AND PROPERTY**

Notwithstanding the objects of the Club, the Club shall have power to purchase, receive, inherit or by any other means to hold land and buildings whether such be acquired by way of donation or alteration or lease to the Club or otherwise for the furtherance of the objectives of the Club.

## **26. PAYMENT OF ACCOUNTS**

- (1) Member's accounts are payable within one (1) month from the date of presentation.
- (2) Failing to pay within the stipulated period, members will be served with a reminder advising them to pay up within one (1) month.
- (3) After the grace period of one (1) month the names of those members who failed to pay will appear in the CREDIT STOPPED LIST (DEFAULTERS' LIST) on the Notice Board of the Club for one (1) month and at the same time suspended from enjoying all facilities of the Club.
- (4) On the expiry of the said period of ONE (1) MONTH on the Defaulters' List, persistent defaulters may be served with a Notice to Show Cause as to why they should not be expelled from the Club under Section 18(3).

- (5) The Committee has the right from time to time to impose a levy against defaulting members to help defray the extra administration costs involved in dealing with such defaulters.

## **27. FINANCE OF THE CLUB**

- (1) Financially the Club shall be self-supporting and is fully responsible for all expenses relating to the operation of the Club including but not limited to maintenance of the buildings, grounds, furniture, equipment, operation of the bars personnel costs, etc. Profit made in running the Club shall be used to provide a reserve fund for the future development of the Club; for the provision of building renovation and depreciation; for replacement of equipment; and with surplus being devoted as required from such other Club purposes as the Committee may determine.
- (2) (a) Any expenditure at any one time and within the budget approved by the General Meeting:
- (i) not exceeding RM2,000 may be authorized by the Honorary Treasurer;
  - (ii) between RM2,001 and RM5,000 may be authorized by the Honorary Treasurer jointly with the Captain or in his absence the Honorary Secretary.
  - (iii) exceeding RM5,000 shall be approved by the Committee and;
- (b) The Committee shall have the power to exceed up to a maximum of 10% of the budget approved by the General Meeting for urgent and critical expenditure.
- (c) No expenditure exceeding 10% of the budget approved by the General Meeting shall be incurred at any one time for a particular project/activity without the prior approval of the General Meeting.
- (3) The financial year of the Club shall commence on 1<sup>st</sup> January and shall end on 31<sup>st</sup> December of each year.
- (4) The Honorary treasurer may hold a petty cash not exceeding one thousand ringgit only. All money in excess of this sum shall within 7 days of receipt be deposited in a bank approved by the Committee. The bank account shall be in the name of the Club.

## **28. CLUB FUNDS**

The funds of the Club shall be held in the name of the Club by a bank or Financial Institution approved by the Committee. All cheques drawn or withdrawal notices on Club's account shall be signed by either the President, the captain or Honorary Secretary in addition to the Honorary Treasurer.

**29. AUDIT**

- (1) An Auditor or auditing firm shall be appointed at the Annual General Meeting and fees shall be approved for the audit of accounts of the Club.
- (2) He shall be required to audit the accounts of the Club at the end of each financial year, and to prepare a report or certificate for the Annual General Meeting. He may also be required to audit the accounts of the Club for any date, and to make the accounts of the club for any date, and to make a report to the Committee.
- (3) An Audit Committee consisting of 3 suitably qualified full member of the Club shall be appointed to oversee and streamline the Club accounting procedure including carrying out minor internal audit when they deem necessary. Their findings and recommendation for change shall be submitted to the Management Committee for approval.

**30. APPOINTMENT OF OFFICERS UNDER SECTION 9(b) OF SOCIETIES ACT, 1966**

- (1) The President, the Captain and the Honorary Secretary shall be the Officers for the purpose of Section 9(b) of the Societies Act, 1966.
- (2) They shall hold office until their term expires at the next Annual General Meeting and shall be eligible for re-election.
- (3) The officers appointed under these rules shall deal with the immovable property of the Club in such manner as the General Meeting may direct provided that all immovable properties shall be registered in the name of the Club.
- (4) The officers shall not sell, withdraw or transfer any of the property of the Club without the consent and authority of 2/3 of the members present at a General Meeting.
- (5) An officer may be removed from office by a General Meeting on the ground that, owing to ill health, unsoundness of mind, absence from the country or for any other reason, he is unable to perform his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of an officer before the Annual General Meeting, the vacancy shall be filled by an Extraordinary General Meeting convened for the purpose.

**31. RECIPROCAL ARRANGEMENTS**

The Committee shall have power to enter into reciprocal arrangements with other suitable clubs. Members wishing to take advantage of reciprocal arrangements must obtain from the Honorary Secretary an appropriate Introduction Card beforehand.

**32. AFFILIATION**

The Club may have affiliation or connection with any society established within and outside Malaysia.

**33. BY-LAWS OF THE CLUB**

The Committee is empowered to make, repeal and alter By-laws which are not consistent with these Sections. All By-laws or rescissions and alterations thereof shall be posted on the notice board in the Club's premises for a fortnight, during which any 50 Full Members may by notice in writing to the Honorary Secretary, require the opinion of an Extraordinary General Meeting to be taken thereof. If no such notice be given, the By-laws or rescissions or alterations thereof shall become binding on all members.

**34. INTERPRETATION OF RULES**

Between annual general meetings the Committee shall interpret the rules of the Club and when necessary, determine any point on which the rules are silent.

**35. AMENDMENT OF THE CONSTITUTION**

No amendment shall be made to the Constitution unless the proposed alteration is recommended by two thirds of all the Committee Members present and is subsequently approved by two-third of the total number of voting members present at a general meeting specially called for this purpose. Such alterations or amendments shall take effect from the date of approval by the Registrar of Societies.

**36. ANNUAL RETURN**

The Honorary Secretary shall, within 60 days after the holding of the Annual General Meeting of the Club, forward to the Registrar of Societies an annual return in the prescribed forms.

**37. SPECIAL PROVISIONS**

- (1) No benefits as defined under Section 2 of the Societies Act, 1966 shall be given by the Club to any of its members.
- (2) No person shall hold office in the Club or become an adviser or employee of the Club if he is disqualified under Section 9A of the Societies Act, 1966.
- (3) None of the following games shall be played in the premises of the Club:-'Roulette', 'Lotto', 'Fan Tan', 'Pob', 'Peh Bin'; 'Belangkai', 'Pai Kow', 'Tau-Ngau', 'Tien Kow', 'Chap-Ji-Kee', 'San-Cheong', 'Twenty-One', 'Thirty-One', 'Ten and a half, all games of dice, bankers' games and all games of mere chance.

- (4) The Club shall not hold any Lottery, whether confined to its members or not, in the name of its Club or its Committee or members, without the approval of the appropriate authority concerned.
- (5) All members of the Committee and every officer performing executive functions in the Club as far as possible be Malaysian citizens. Non-citizens may be allowed to hold office in the Club with the prior written approval of the Registrar of Societies.
- (6) The Club shall not engage or attempt to engage in any trade union activities as defined under the Trade Unions Act 1959.
- (7) All money and profit accruing to the Club from participation in any business or investment shall be applied solely towards the furtherance, promotion and execution of the objects of the Club and no portion thereof shall be paid by way of dividend, bonus or profit to any member of the Club; provided that nothing herein contained or expressed shall prevent the payment in good faith any remuneration, expenses or both, to any officer or servant of the Club or to any member of the Club or other person for services actually rendered by him or them to the Club.
- (8) Any student of University or University College shall not be admitted as a member of the Club unless he has obtained prior written permission from the vice-chancellor of the University concerned.

### **38. CLUB DISSOLUTION**

- (1) The Club shall not be dissolved unless the proposed resolution to dissolve the Club is unanimously recommended by all Committee Members and is subsequently approved at a General Meeting, by two-third majority of the total number of Full and Life Members present.
- (2) Should the dissolution of the Club be approved at this General Meeting, all debts and liabilities legally incurred on its behalf shall be fully discharged and the remaining fund of the Club shall be disposed off in such manner as may be decided upon by the General Meeting.
- (3) Notice of dissolution shall be given within 14 days of the dissolution to the Registrar of Societies.

Re: Increase In Transfer Fee

Please be informed that the Management Committee at its meeting held on 9<sup>th</sup> January 2001 has decided and resolved that the applicable transfer fee payable by a Full Member (Transferable) and Outstation Member (Transferable) shall be increased from the present RM2,500.00 to RM3,500.00 as from 1<sup>st</sup> day March, 2001 in accordance with Clause 15A(5) of the Club Constitution.

The transfer fee for Corporate Member shall remain at RM5,000.00.

KGMMC

Dated: 15<sup>th</sup> January 2001

Re: Conversion of Membership

The existing Non-Transferable Members shall be allowed to convert their membership to Transferable Membership at a conversion fee of RM3,500 until 31<sup>st</sup> December 2012 and thereafter the conversion fee shall be RM 4,500.

KGMMC

Dated: 4<sup>th</sup> November 2009

