

**STATUTES OF ASSOCIATION OF**  
**CLUB SIERRA BERMEJA SOCIO CULTURAL DE ESTEPONA**

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**STATUTES OF ASSOCIATION OF**  
**CLUB SIERRA BERMEJA SOCIO CULTURAL DE ESTEPONA**

**CHAPTER I**

**SECTION I - Definitions, Establishment, Name and Objects of the Club.**

**Article 1** In these Statutes, unless the context otherwise requires, the following expressions shall have the following meanings:-

- (a) "Annual Account" means balance sheet prepared by the Treasurer and submitted to the Annual General Meeting of the receipts and expenses of the Club during the past financial year.
- (b) "Articles" means the Articles contained in and forming these Statutes, and shall include any amendments to or replacement thereof made from time to time.
- (c) "Auditor" means the Club Member or Members referred to in Article 20, appointed at a General Meeting to inspect the Club's financial records, and to subsequently certify the correctness or otherwise of the same.
- (d) "Club" means Club Sierra Bermeja Socio Cultural de Estepona, or any other name by which the Club is commonly known from time to time.
- (e) "Club Magazine" means the regular publication prepared and distributed among club Members.
- (f) "Club premises" means the property referred to in Article 4 and

shall include any other property which the Club may own or occupy at any time within the Municipal District of Estepona at which its business is transacted.

- (g) "General Meeting" means the Annual General Meeting held in March of each year, or any Extraordinary General Meeting held in accordance with the provisions of these Statutes.
- (h) "Rules" means any and all Rules made pursuant to Article 33.

**Article 2** The Club was established on the 3<sup>rd</sup> November 1988 in Estepona in the Province of Málaga as a non-profit making entity under law 191/1964 of the 24<sup>th</sup> December 1964 which regulates all such Associations. The first registration was finalised in 1992 and the current registration in 2006. The Club is bound by Article 22 of the Constitution of the Kingdom of Spain, law 1/2002 of legislation of 22<sup>nd</sup> March 2002 which governs the rights and obligations of all such associations, and all other relevant laws, whether of a primary or secondary nature in force from time to time. These Statutes are made in compliance with the said law 1/2002 which regulates the rights of such Clubs and similar Associations, and were, by a resolution, the terms of which are set out in the attached Certificate, approved by an Extraordinary General Meeting of the Club held on 11<sup>th</sup> March 2010. The Club shall have all rights and be bound to comply with all obligations contained or referred to in any statutory modification or re-enactment of any of the laws referred to in this Article which may be made from time to time.

**Article 3** The objectives of the Club are to promote among its Members the awareness and development of the social and cultural aspects of Spanish customs and traditions.

## **SECTION II - Club premises and Area of Influence**

**Article 4** The Club's premises are located at Urbanisation Bahia Dorada, Entrance 5, Km. 149, A7 Estepona 29680, Málaga. Such premises shall be the principal place for the discharge of all Club business,

but the Club may, on any occasion the Committee deems appropriate, meet and carry out its functions at any other place within the Municipal District of Estepona, which is the area of influence within which the Club carries out its activities.

## **CHAPTER II**

### **SECTION I - Governing Bodies**

**Article 5** The Club's Governing Bodies are:-

- (a) The Committee;
- (b) A General Meeting of its Members.

### **SECTION II - General Meetings of the Club**

**Article 6** The Club's highest authority is a duly constituted General Meeting attended by a quorum of Members who, at the time of call to such meeting, have paid all membership fees due to date.

**Article 7** The President of the Club shall preside at all General Meetings, and the Secretary of the Club (or, in his or her absence, another Member approved by the President) shall record minutes thereof. In the absence for any reason of the President the Vice-President will assume his or her position.

**Article 8** Subject to the provisions of Article 9, all resolutions proposed at a General Meeting will be approved only if a favourable vote is forthcoming from a majority of the Members present or represented. Each Member shall be entitled to one vote only. Any Member unable to attend may personally apply to the Secretary for a postal vote for the published agenda. It will be issued specifically for that Member. Such postal vote will be valid only and exclusively for the meeting specified to which it relates and only for the nominated item or items indicated on the Agenda and verified on the postal voting form, which shall be submitted

to the Secretary not less than 24 hours prior to the time of first call for such meeting. The President may direct that a sealed ballot is taken for the vote on any resolution which, in his or her opinion, is likely to be particularly contentious.

**Article 9** A vote in favour of two-thirds of the Members present or represented at an Extraordinary General Meeting will be required for approval of any of the following purposes:-

- (a) to lease, charge, sell or otherwise dispose of any of the Club's property;
- (b) to apply for declarations of public use;
- (c) to constitute federations and become affiliated to the same;
- (d) to amend or replace any of these Statutes;
- (e) to dissolve the Club;
- (f) to determine appeals against termination of membership pursuant to Article 26.
- (g) to deal with any matter which may arise during the period between Annual General Meetings which the committee cannot resolve.

**Article 10** The approval of the annual accounts of the Club and the proposals for all prospective programmes and activities shall be dealt with at the Club's Annual General Meetings.

**Article 11** The Annual General Meetings shall be held each year during the month of March for the purpose of transacting the business referred to in Article 10, and any other business the President may authorise suitable for discussion at such meetings. An Extraordinary General Meeting shall be held to determine appeals under Article 26 or whenever determined necessary by the Committee, or when at least one-third of Members who have paid all fees due to date so request in writing to the Committee, who will determine the Agenda and the date, time and place at which such meeting shall be held. All Extraordinary General Meetings shall be held not more than forty-five days after the circumstances

necessitating the convening thereof have arisen.

**Article 12** Not less than one month's notice shall be given of all Annual General Meetings. Notice of an Extraordinary General Meeting shall be issued not less than fifteen days in advance. Notices of all General Meetings shall be distributed to all Members in such manner as the Committee may from time to time determine, and also published in such newspaper as the President shall determine which circulates the municipal district of Estepona. The Agenda for all such Meetings shall be published in the Club Magazine and on the Club Website and Notice Board on Club Premises not less than fourteen days before the date of such Meeting. Any Member intending to introduce a proposal at the Annual General Meeting shall submit the proposal in writing to the Club Secretary at least twenty days before the Meeting. The document must be signed by the proposer and countersigned by a member seconding and supporting the proposal.

**Article 13** At all General Meetings, in the event of an equal number of votes for and against any proposal, the President shall have a casting vote. At all Committee Meetings, where the votes for and against any proposal are equal, the President shall determine the issue, but shall not otherwise vote. All General Meetings held shall be properly constituted on first call only if at least one half of Club Members are present or represented, and on second call regardless of the number of Members present or represented. The Notice specified in Article 12 shall state the respective times of first and second calls, with an interval between of not less than thirty minutes.

### **SECTION III - The Governing Committee of the Club**

**Article 14** The Committee shall consist of the President, Vice President, Secretary and Treasurer, who shall collectively be the Principal Officers of the Committee. In addition, not less than two and no more than eight

other Members shall be elected to the Committee, each of whom will be responsible for discharging such functions as the President may respectively assign to them from time to time. The Principal Officers and all other Committee Members shall be elected at the Annual General Meeting. No Member shall be eligible for election to the Committee unless he or she can satisfy the Annual General Meeting of an ability to attend at least eight Committee meetings each year of his or her Committee membership.

**Article 15** As the representative and emissary of the Members of the Club, and for the purposes of giving effect to all resolutions approved at General Meetings, the Committee shall have all such powers and duties specified in these Articles, and in particular the following:-

- (a) to consider all information received relevant to the objectives of the Club, and where it deems appropriate compile and submit reports to Club Members at the General Meetings or in the Club magazine;
- (b) to compile the annual reports of the Principal Officers of the Committee, and, if the President shall so direct, any other Committee Member, and the Club's annual accounts, balance sheet and inventories;
- (c) to ensure compliance with these Statutes and any rules made pursuant to Article 33, and the implementation of all resolutions approved at General meetings;
- (d) to submit to a General Meeting any proposal which, in its opinion, may affect or in any way be relevant to the objectives of the Club;
- (e) to request such professional, technical, or other advice and assistance which it considers necessary in the interests of the Club with regard to any purpose relating to the Club's objectives, and for that purpose to request the attendance at a meeting of the Committee of any Club Member or other person who has expressed a willingness to assist the Committee in that respect;
- (f) to apply, at its discretion, for any official subsidies available from any source to which the Club may be entitled in the pursuance or

- enhancement of its objectives;
- (g) to maintain all necessary books of account, showing the income and expenditure of the Club, stipulating the origin of such and, where applicable, the capital receipt or payment involved;
  - (h) to collect all joining and annual membership fees due, and all donations which may be made to the Club, and to authorise the President or Vice-President and Treasurer jointly to sign all cheques and bank transfers.
  - (i) to act generally on behalf of and to represent the Club in all matters which are not the exclusive provenance of a General Meeting;
  - (j) to reimburse from Club funds the expenses incurred by any Member (whether or not serving currently on the Committee) which, in the Treasurer's opinion, have been properly incurred in promoting the interests of the Club, or the execution of the duties of any Committee Member. A request for reimbursement of any such expenses incurred which, in the opinion of the Committee, confers any personal benefit upon the claimant shall be refused.

**Article 16** The Committee shall meet at such intervals as the President may determine, and shall meet within fourteen days if three or more Members of the Committee request such a meeting by giving written notice to the Secretary.

**Article 17** The President shall notify the Secretary of his or her intention to hold all Committee meetings by giving not less than ten days notice of the date such meeting is to be held. Copies of the Agenda and any proposal to be considered shall accompany such notice. The Committee shall be properly constituted at such meetings by the attendance of a majority of its serving Members.

**Article 18** The Committee may establish sub-Committees for any purpose affecting the exercise of its powers or the discharge of its duties, and may appoint any Club Member to serve on such a sub-Committee if



such Member consents. The sub-Committee will complete the task assigned to it by the Committee as soon as is reasonably practicable and report (in writing if so requested) to the Committee with its findings and recommendations. The Committee shall then determine what action (if any) it is appropriate to take, including deciding whether or not to refer such findings and any recommendations to a General Meeting.

**Article 19** All Members of the Committee shall, in the first instance, be elected for one period of three years, and may be re-elected for a similar period or periods. Any Committee Member seeking re-election shall be automatically re-elected at General Meeting, if no other Member has expressed a desire to seek such election. Any other Member seeking election to the Committee, whether as one of the Principal Officers or otherwise, shall submit written notice of his or her intention to the Secretary, countersigned by ten other Club Members supporting such nomination, not less than twenty days prior to the next General Meeting. Candidates for the position of President or Vice-President must be a member of the Club for the preceding two years.

**Article 20** Without prejudice to their general powers of governing of the Club as Committee Members, the Principal Officers of the Committee shall have the following respective powers and duties:-

**The President shall:**

- (a) represent the Club before any person or body whether public or private, and sign all necessary documents on behalf of the Club to give the same effect;
- (b) summon all General Meetings and meetings of the Committee;
- (c) with the approval of two Committee Members authorize appropriate steps to be taken to rectify any matter arising which in his or her opinion is of extreme urgency. The President shall give a full account of such action and (where appropriate) expenditure incurred, to the Committee at its next meeting held;

- (d) preside over all General and Committee meetings.

**The Vice-President shall:**

- (a) assume all functions of the President in the event of his or her absence;
- (b) carry out such duties delegated by the President from time to time.

**The Secretary shall:**

- (a) attend the General and Committee meetings and prepare minutes of the same containing details of all resolutions approved, and such other information as the Committee may request;
- (b) deal with all correspondence sent or received by the Club;
- (c) issue any certificates required and approved by the President;
- (d) maintain the Club's books and other records and documents of a non-financial nature, and produce the same on request from the Committee or the President;
- (e) receive from the Membership Secretary applications for Club membership and deal with the same in accordance with the provisions of Article 21;
- (f) in consultation with the Membership Secretary maintain an up to date list of all Club Members.

**The Treasurer shall:**

- (a) collect all joining and membership fees, debts due and donations made to the Club, and pay all debts of the Club properly incurred in the discharge of its functions;
- (b) supervise the Club's income and expenditure, and immediately notify the President of any expenditure which in his or her opinion has been improperly incurred;
- (c) maintain the Club's financial records and all books, correspondence and other documents necessary for that purpose;
- (d) compile and produce the Club's annual financial reports and accounts;

(e) submit to the Auditor approved in General Meeting all such financial documents at monthly intervals, and give all reasonable assistance the Auditor may request in the performance of his or her duties.

## **CHAPTER III**

### **SECTION I - Members**

**Article 21** Any person of at least eighteen years of age may apply to the Membership Secretary for membership of the Club. No application shall be refused without the consent of the Committee. There shall be no appeal against any decision to refuse any such application.

**Article 22** The following shall constitute the membership of the Club:

- (a) Founder Members, namely those persons who promoted the Club's objectives and established the Club in 1988;
- (b) Other Members, namely all persons on the list of Members who have joined the Club on dates subsequent to its establishment;
- (c) Honorary Members, namely persons whose exemplary and unquestionable dedication to the interests of the Club and the furtherance of its objectives has, in the opinion of the Committee, conferred material benefit to the Club.

### **SECTION II - Members' Rights and Responsibilities**

**Article 23** All Members shall have the following rights:

- (a) subject to Article 8 to participate in person or by postal vote at all General Meetings and to make proposals thereat, subject to Article 3.
- (b) to vote on all resolutions submitted to General Meetings;
- (c) to seek election to the Committee, as a Principal Officer or otherwise, in the manner provided for in these Statutes or any

Rules made pursuant to Article 33;

- (d) to have access to any book or other record maintained by the Committee subject to a prior written request to the Secretary;
- (e) to enjoy all advantages available from Club membership.

**Article 24** All Members shall have a duty to:

- (a) assist in accomplishing the Club's objectives;
- (b) comply with these Statutes and all Rules made thereunder and all resolutions approved in General Meeting;
- (c) pay all membership fees and dues approved in General meeting;
- (d) comply with all reasonable requests made by any Committee Member while on Club premises.

### **SECTION III - Applications for and Termination of Membership**

**Article 25** All applications for membership shall be made in accordance with Article 21 in writing, in such form as the Committee (or any Rules made under Article 33) may from time to time prescribe. The Membership Secretary shall record details of the name and address of all successful applicants in the register of Members, and shall supply to such applicants a membership card valid until the end of the current year.

**Article 26** Any Member of the Club may terminate his or her membership at any time by giving notice to any Member of the Committee but shall not be entitled to any refund of fees paid. In addition, the Committee shall be empowered to terminate forthwith the membership of any Member, including any Member of the Committee, who, in its opinion, is guilty of serious misconduct contrary to the best interests and objectives of the Club, and shall give immediate written

notice to that effect to such Member. Any Member receiving such notice may appeal against such decision to an Extraordinary General Meeting by notifying the Secretary not more than seven days after receipt of such notice of his or her intention to do so, and requiring such a meeting to be arranged as soon as practicable for that purpose. The decision of such Meeting on the appeal shall be final, and no fees or proportion thereof paid by such Member shall be refunded. Any person whose membership is terminated under this Article shall not be entitled to attend Club premises or any Club function, or to enjoy any of the rights specified in Article 23 pending the determination of an appeal under these provisions.

## **CHAPTER IV**

### **Administration of Club Funds**

**Article 27** The Club, on establishment in 1988, had no initial capital. The Club's financial resources shall consist of:

- (a) joining and annual membership fees;
- (b) subsidies, donations, bequests and all other contributions received;
- (c) the proceeds of sale of any movable or fixed asset owned by the Club;
- (d) loans made by Club Members to assist in the purchase of Club premises, or for any other purpose connected with the Club's objectives.

**Article 28** All joining, annual membership and other fees (if any) to be charged to Members will be determined at the Annual General Meeting, and may, on the proposal of the Treasurer, be varied from time to time.

**Article 29** The Committee shall be responsible for the administration of the Club's funds, including capital, and the Treasurer, with the President's approval, shall be the Paymaster.

## **CHAPTER V**

### **Interpretation of Statutes, Dissolution of the Club and Distribution of Assets and Power to make Rules.**

**Article 30** Any ambiguity which may arise regarding interpretation of these Statutes and any Rules made pursuant to Article 33 shall be resolved by the Committee.

**Article 31** The Club may be dissolved:

- (a) by a resolution duly approved by an Extraordinary General Meeting;
- or
- (b) by reason of the occurrence of any of the matters specified in Article 39 of the Civil Code of the Kingdom of Spain, or any statutory modification or re-enactment thereof for the time being in force; or
- (c) by order of a competent Court.

**Article 32** In the event of the Club's dissolution by reason of any of the matters specified in Article 31, the Club shall continue to exist as a legal entity until such time as its affairs are fully wound up. The Committee will appoint a Board of Receivers from Club Members willing to act as such. In winding up the Club's affairs the Treasurer shall cause all outstanding Members loans and other debts to be paid in full, subject to availability of funds, including all monies derived from the sale of Club assets. Any surplus existing thereafter shall be paid to such registered local club or other organisation with similar objectives operating in the Municipal District of Estepona as the Committee may determine, or if none shall then exist to such Charity or Charities as the Committee shall think fit.

**Article 33** The President, with the agreement of the Committee, may from time to time make Rules for the better performance of its duties and obligations under these Statutes, and the furtherance or enhancement of the Club's objectives. Without prejudice to the generality of this power,

such Rules may be made for all or any of the following purposes:

- (a) The delegation of any duties normally performed by the Principal Officers to any other Member, whether or not currently serving on the Committee.
- (b) The use of Club premises by non-Members.
- (c) The attendance of non-Members at Club functions, both on and away from Club premises.
- (d) The control of domestic pets brought onto Club premises.
- (e) The opening days and hours of the Club Bar, and the general operation of the same.
- (f) The submission of material for inclusion in the Club Magazine, and the fees to be charged for advertisements.
- (g) Repairs, maintenance and cleaning of the Club premises.
- (h) The conduct of Members and their guests while on Club premises.
- (I) Provision for formal warnings concerning misconduct of Members or their guests while on Club premises or while participating in any Club function elsewhere.
- (j) Restrictions on credit or other benefits to Members, guests, and entertainers performing on Club premises.
- (k) Dress codes for Members and other persons while on Club premises.
- (l) The collection of deposits and arrangements for payment generally from Members and guests attending Club functions, both at and away from Club premises.
- (m) Welfare arrangements generally for Members, and expenditure to be incurred without prior Committee authorization.
- (n) The safe custody of the Club's financial records and other documents.
- (o) The formulae for the costing of Club activities and events.
- (p) To co-opt Members onto the Committee on a temporary basis.
- (q) To prescribe the contents of membership application forms, and any other forms or certificates required in connection with Club business.

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**EXTRAORDINARY GENERAL MEETING OF  
THE INTERNATIONAL CLUB OF ESTEPONA HELD IN THE  
CLUBHOUSE ON  
THURSDAY 11th MARCH 2010 AT 1000 HOURS.**

Members present 130

Proxies 23

Membership 418

A special sub-committee was set up to amend and bring up to date the existing Statutes and Rules consisting of Ken Harris (chairman) Brian Woodward, Doug Mitchell and Yvonne Harrison.

Ken Harris being a retired solicitor held many legal positions and was Attorney General of Gibraltar previously but has now fully retired. The other three members of the sub-committee were either members of the main committee or interested and committed members of the Ice Club.

Anne Hardwick – membership number 90010 addressed the meeting stating that she headed a committee which amended the Statutes and Rules in her capacity of President of the Club and subsequently submitted them to the Spanish authorities for registration and did not feel the need for any amendments to the Statutes as in their present state they conformed to Spanish Law. In these amendments Anne changed the length of the term on the committee from four years to three.

Ray Oldfield – membership number 88016 stated he believed the term



spent on a committee could now be two years if we so wished.

Cindy Holmes – membership number 98074 was of the opinion that article 15 was sufficient and article 33 superfluous.

Rosemary Ferguson – membership number 97019 – offered her sincere thanks to Ken for all his work on the Club's behalf and the Club should feel privileged to have a club member with such a legal mind willing to work for the Club.

Jo-Anne Van Tuijl – membership number 26138 – stated she was not sure who succeeds the President and who would represent the Club in her absence – The Vice President would assume all functions of the President in the event of his or her absence and formally stand for election to that position at the next Annual General Meeting.

Freddie Thomas – membership number 22051 – thought the dress code was directly aimed at Jon Coverdale.

Sue Potter – membership number 23012 – stated that she felt that Freddie was too sensitive about Jon Coverdale and said complaints about 'dress' were aimed at Peter Brown who cleaned the club windows bare chested.

Anthea McWatt – membership number 20141 – expressed her approval of the changes but was unhappy with the word 'secret' in relation to the ballot and thought 'sealed' would be more appropriate. This was accepted. Anthea raised the question of changing the time of service on the Committee to two years. Many members thought that two years was insufficient. A vote was taken: in favour of a three year term 88 votes and for a two year term 60 votes. The term stays at three years.

Barry Riley – membership number 28006 – asked the question – how

many members had to be present at a Committee meeting to form a quorum – The Committee shall be properly constituted at such meetings by the attendance of a majority of its serving Members.

Alan Myers membership number 24087 – asked the question – how many members had to be present to form a quorum for an Extraordinary General Meeting – the meeting shall be properly constituted on first call only if at least one half of Club Members are present or represented, and on second call regardless of the number of Members present or represented. An Extraordinary General Meeting shall be held when at least one-third of Members who have paid all fees due to date so request in writing to the Committee,

George Woodward – membership number 98027 – asked who decided on the number of the committee – the Statutes.

Ken Harris – membership number 93013 – praised the Club and the Committee and emphasised that the Committee were voted by the members to make decisions on their behalf and that the membership should have trust and give full support.

It was put to the meeting to vote on the changes to the Statutes and Rules and by a majority vote with three against, the new Statutes were accepted.

Thanks were extended to the Sub-committee for their hard work.

Signed by Christina Woodward 99114 President

Tuesday 16<sup>th</sup> March 2010

**RULES OF CLUB SIERRA BERMEJA**  
**SOCIO CULTURAL DE ESTEPONA, 2010**

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**RULES OF CLUB SIERRA BERMEJA**  
**SOCIO CULTURAL DE ESTEPONA, 2010**

Pursuant to the powers contained in Article 33 of the Statutes of Association of Club Sierra Bermeja Socio Cultural de Estepona, the President, with the consent of the Committee, has made the following Rules:-

**Rule 1 - Title and Commencement**

These Rules shall be known as the Rules of the Club Sierra Bermeja Socio Cultural de Estepona 2009, and shall come into operation on the 11th day of March 2010

**Rule 2 - Delegation of Duties of Principal Officers of Committee**

On any occasion when the President is unable to perform his or her duties, the Vice President will be responsible for the performance of such duties. The Treasurer and the Secretary may delegate any of their respective duties, with the consent of the President, but shall remain responsible for ensuring the proper performance thereof. The Member to whom any such duties are delegated need not be another Committee Member, and must agree to perform such duties for the period requested.

**Rule 3 - The Use of Club premises by non-Members**

With the exception of events listed in the Club magazine for Members only, non-Members may attend the Club premises and use all available membership facilities, after being signed in the Attendance Book by a Member, who will be responsible for the proper behaviour of his or her guest while on Club premises. Such guest shall not be allowed more than three visits to Club premises.

**Rule 4 - The Attendance of non-Members at Club Functions**

Non-Members may reserve their attendance at Club functions at and away from Club premises, but must pay an additional charge of not less

than two Euros.

**Rule 5 - Use of Club premises for private purposes**

(a) Any Member of the Club may be permitted to use the Club premises free of charge for celebration or funeral parties. Application therefore shall be made to the Events Co-ordinator who will supply a booking form and request the Bar Manager to arrange bar volunteers. All drinks, whether alcoholic or otherwise, to be consumed on the premises shall be purchased from the Club Bar. The fees to be paid for the purpose of holding any general meeting shall be in accordance with the tariff determined from time to time by the Committee, and paid in advance when the booking form is submitted. Such reservation shall be confirmed by the Events Co-ordinator only when the booking form, properly completed, and the appropriate fee have been received.

(b) Non-members shall be permitted use of the Club premises only for the purpose of holding an Annual General or an Extraordinary General Meeting of a residential urbanisation or of a duly registered Club or other organisation of which the Applicant is a current member. Application for such use shall be made in the manner provided for by sub-rule (a) of this Rule, and shall be granted on condition that the Club's kitchen facilities shall not be made available

**Rule 6 - Control of domestic pets on Club premises**

Any Member or guest thereof may bring a docile domestic pet onto Club premises, subject to him or her being solely responsible for such animal's proper control. Dogs shall at all such times be tethered, and kept in the toldo area only. Any Member or guest who fails to comply with this Rule, or whose pet, in the opinion of any Committee Member, behaves in a non-docile manner, shall be requested forthwith to leave the premises with such animal. Any Member who refuses to leave immediately shall be deemed guilty of misconduct, and liable to receive a formal warning therefore.

### **Rule 7 - Operation of the Club Bar**

The Club Bar shall be under the control of the Bar Manager, and shall be open for the purchase of available food, alcoholic and other drinks on such days and during such hours as the Committee from time to time shall determine. The Bar Manager shall maintain a record of all expenditure and receipts and submit the same to the Treasurer for approval at monthly intervals, together with his or her recommendations for the charges to be paid for the provision of such drinks. The Catering Manager shall have similar responsibilities with respect to food provided for consumption on Club premises on a weekly basis.

### **Rule 8 - Prohibition against giving of Credit**

Except as otherwise specifically provided for in these Rules, no free drinks or food or any form of credit shall be permitted to Members, guests, or entertainers. All such drinks and food provided must be accounted for in the overall costing of events held and paid for by the Event Organiser at the time of purchase, and a receipt obtained for subsequent production to the Treasurer.

### **Rule 9 - Expenses incurred for Events and Activities**

(a) All expenses incurred in respect of any event or activity on or away from Club premises shall be fully detailed and set off against monies received from Members and guests, and the Event Organiser shall produce to the Treasurer the receipts, accounts and all other relevant documents.

(b) The President, after consultation with the Committee, shall from time to time stipulate the maximum amount above which all claims for expenses must have prior authorization of the President or Vice-President

### **Rule 10 - Material for publication in Club Magazine**

Where the Committee determines that an event or activity to be held should be published in the Club Magazine, the Organiser thereof shall send to the Editor full details. Such shall be submitted before the fifteenth

day of the previous month, and shall include details of the cost and (where appropriate) menu, itinerary, date or dates, pick-up times, and all other relevant information. The Editor shall be responsible for the publication thereof in the Magazine's next issue. Any Member or non-Member may submit to the Editor for publication an advertisement, article, photograph, or other information, subject to paying, on submission of the same, such fees as the Committee shall determine from time to time. The Editor shall determine the suitability or otherwise of such material for publication.

### **Rule 11 - Repairs, maintenance and cleaning of Club premises**

The House Manager shall be responsible for ensuring that the Club premises are maintained in a reasonably safe and clean condition, and shall procure all necessary repairs and maintenance appropriate. A cleaner or cleaners shall be engaged for such weekly hours and at such remuneration as the Committee shall determine, which shall be reviewed at intervals of not less than twelve months. The House Manager may approach any Club Member willing to offer his or her services gratuitously for the purpose of carrying out any item of repair or maintenance needed. Where such free assistance is not available, the House Manager will obtain an estimate from a suitable local Contractor, and submit the same to the Committee for approval. This requirement shall not apply where the House Manager encounters an emergency which, in his or her opinion, requires immediate remedial action.

### **Rule 12 - Conduct of Members and guests on Club premises**

All Club Members and their guests shall behave in a responsible manner while on Club premises, maintain sobriety, and comply with all reasonable instructions given by any Committee Member. There shall at all times be a strict compliance by all such persons with the Club's Statutes and these Rules. Any Member or guest who, in the opinion of any Committee Member, fails to so comply shall be deemed guilty of misconduct and may be requested to leave Club premises forthwith. Any

Club Member deemed guilty of serious misconduct shall be liable to termination of his or her membership pursuant to Article 26 of the Club's Statutes.

### **Rule 13 - Formal warnings to Members for misconduct**

Any Member deemed guilty of misconduct, either while on Club premises or while attending any event or activity of the Club away from its premises, shall receive as soon as practicable thereafter a letter of formal warning from the Secretary in such format as he or she deems appropriate in each individual case. Any Member receiving a second formal warning not more than six months after the first such warning shall be deemed guilty of serious misconduct and liable to termination of membership pursuant to Article 26 of the Club's Statutes.

### **Rule 14 - Dress Code for Members and guests**

Members and guests, while on Club premises, shall at all times be respectably dressed. Bare chests and bare feet are expressly prohibited.

### **Rule 15 - Prohibition against Smoking**

In accordance with a resolution approved at the Annual General Meeting of the Club, held on 5<sup>th</sup> March 2009, the smoking of cigarettes, cigars, pipe tobacco, or any other substance is expressly prohibited by all persons anywhere on the Club premises.

### **Rule 16 - Payment of fees for Club Functions**

The Member organising any function or event, whether on or away from Club premises, shall consult with the Treasurer and determine the amount of any deposit required. This may be collected at any time after publication of such function or event, irrespective of when the same is to be held. The Organiser shall determine when the balance must be paid.

### **Rule 17 - Coach seating of Members and guests**

Seating on all coaches reserved by or on behalf of the Club shall be



allocated for the whole trip on full payment by Members and guests attending events away from Club premises. Except for the Organiser, and any translator deemed by the Organiser to be necessary, no Member or guest shall be entitled to preference of seating.

### **Rule 18 - Welfare arrangements**

The Welfare Officer of the Club shall carry out all instructions given by the Committee for the welfare generally of Members, and incur such expenses as the Committee may authorise from time to time. Such arrangements may include the provision to Members of cards, flowers, plants, fruit and Cava on the occasions of a Member's hospitalisation, illness, birthday, or wedding anniversary. In the event of the death of a Club Member, flowers and a bereavement card shall be sent to his or her spouse or (if known) other next of kin. The Treasurer shall, on request, immediately reimburse to the Welfare Officer all telephone, postage, traveling and other expenses reasonably incurred in the provision of such items and the performance of such duties.

### **Rule 19 - Safe Custody of Documents**

All financial records, books and other documents relevant to the affairs of the Club shall be kept in safe custody by the Club. Where practicable, copies of such documents shall be made and kept in a filing cabinet on Club premises. Copies of the Statutes of the Club, both in Spanish and English, and all Rules made pursuant to Article 33 thereof, shall be kept on Club premises and produced for inspection to any Member on request.

### **Rule 20 - Storage of Information of Activities and Events.**

For the purpose of encouraging Members to promote and organise events and activities, both on and away from Club premises, all available information relating to both past and future events shall be retained for reference. To achieve such objects, the Treasurer shall establish and maintain a satisfactory filing system, with records of such events and

activities divided into separate sections, with sub-sections where considered appropriate.

### **Rule 21 - Costing of Club Events and Activities**

No proposed activity or event shall be announced to Members, or tickets printed, without prior consideration by the Committee. The Organiser thereof, in consultation with the Treasurer, shall compile a Costing Sheet for the Committee's consideration. Upon completion of all activities and events, the Organiser shall compile and submit to the Treasurer, for approval and signature, a Completion Form showing all relevant details, together with receipts for all expenditure. The Treasurer shall also obtain from the Organiser a Booking Sheet containing names and membership numbers of ticket purchasers, prices charged by, and names, telephone numbers and addresses of suppliers, and any brochures and quotations not utilised. Such documents shall be retained in safe custody in compliance with Rule 20 of these Rules.

### **Rule 22 - Calculation of Ticket Prices**

In calculating the price of tickets for all events and activities, the Organiser and Treasurer shall endeavour to produce a surplus for payment into Club funds. Where it becomes apparent this cannot be achieved, and in particular where a loss appears likely, cancellation of the event must be considered by the Treasurer, who may refer the question to the Committee. The formulae used for arriving at ticket prices shall be:-

- (a) for events and activities in the Clubhouse, the cost or value of:-
  - (i) Food to be provided;
  - (ii) Entertainers to be engaged;
  - (iii) Prizes to be provided;
  - (iv) Food free of charge for bar and kitchen volunteers;
  - (v) A reasonable addition to produce a surplus.
- (b) for events and activities away from Club premises, the cost or value of:-

- (i) Seventy-five per centum usage of the maximum coach capacity;
  - (ii) All meals to be provided;
  - (iii) All hotel rooms to be reserved;
  - (iv) All entrance fees to places to be visited;
  - (v) All gratuities;
  - (vi) A reasonable addition to produce a surplus.
- (c) No drinks of any description shall be included in the ticket price for any event either in or away from Club premises.

### **Rule 23 - Purchase of tickets**

Club members may purchase tickets for themselves and any other Club member or members. Tickets may be purchased for guests only with respect to functions not restricted to Members only.

### **Rule 24 - Refund of Cost of Tickets**

No Member or guest who has purchased a ticket shall be entitled to any refund in the event of his or her own cancellation, or failing to board any coach hired for such purpose by reason of late arrival. The Treasurer may refund such cost if a replacement Member or guest is forthcoming in time. Members and guests who cancel shall return all tickets purchased to the Organiser for sale to any other Members whose names have been placed on a Reserve or Waiting List. No ticket purchased shall be sold on direct by one Member to another.

### **Rule 25 - Reports on Events and Activities**

The Organiser of every event and activity held shall request a participating Member to compile a short report for publication in the next convenient issue of the Club Magazine. Such shall be submitted to the Editor, who may refer its suitability for publication or otherwise to the Committee for consideration.

### **Rule 26 - Co-opting of Temporary Committee Members**

If at any time a vacancy on the Committee shall arise by reason of the death or resignation of any Committee Member, or by reason of his or her membership being terminated pursuant to Article 26 of the Club's Statutes, the President, with the Committee's approval, may co-opt on to the Committee any Member willing to discharge the duties of such former Committee Member. Co-opted Members shall not be entitled to vote on any resolution proposed at any Committee Meeting. Such Committee membership shall endure only until the next General Meeting at which the Member so co-opted may offer himself or herself for formal election.

### **Rule 27 - Prescribed Forms and Certificates**

The Committee may determine the format and contents of all necessary forms to be completed and certificates to be issued in compliance with the Club's Statutes and these Rules, and may amend the same from time to time in whatever manner it shall deem appropriate. All such forms and certificates shall be kept at Club premises and shall be available for inspection by any Member upon request.

Signed by Christina Woodward 99114 President

Tuesday 16<sup>th</sup> March 2010

## **ADDENDUM**

**ADDENDUM** - Minuted May 2014

**Rule 22 (c)** - It was agreed that in the formula for ticket prices, drinks e.g. tea can be served when the bar is closed.

**ADDENDUM** - Minuted November 2014

**Rules 22 (a) (iv)** - Discussion took place regarding meals for volunteers on a Thursday. It was agreed that allowance would be made for 5 unpaid meals and offered to the two bar staff (if completing a full shift) two kitchen staff (Chef and one assistant) and Isabella.

**ADDENDUM** - Minuted 8 December 2015

It was agreed that under **Rule 5** in the Rules and Guidelines, Bahia Dorada would be the only urbanisation allowed to hold their AGM/EGM at the Club and that this should continue without any charge to them.

**ADDENDUM** - Minuted on 12 March 2018

**RULE 16** - All ticket sales for events which are income generating for the Club must be sold via the Ticket Ladies on a Thursday and monies paid into the Treasurer on a weekly basis. Folders containing tickets and money must not be removed from the Club.

**ADDENDUM** - Minuted on 10 September 2018

**RULE 7** - All drinks consumed on the Club premises **must** be purchased from the Bar.

**ADDENDUM** - Minuted 10 May 2022

**RULE 3** - Ex-members who no longer live in Spain but holiday here may visit the Club for a maximum of four weeks but must be signed in as guests by a current member.

**ADDENDUM** - Minuted December 2013

**Rule 5** in the rules and guidelines should revert to 2010 and not 2009 as previously stated. This means that members who have private parties in the Clubhouse, do not have to open the Club to everyone. There was unanimous agreement on this matter.