

## Golf Queensland By-Law One – Capitation Fees

1. In accordance with Golf Queensland's Constitution there is a Capitation Fee payment and collection system to ensure the ongoing operation and services of Golf Queensland, Golf Queensland's Member Districts and Golf Australia.
2. For the purposes of this By-Law a **Player** is a person who has been afforded a **Playing Right** by a **Golf Club**. An excerpt of the Golf Queensland Constitution outlining the definition of a Playing Right is at Attachment 1.
3. A **Golf Club** is a golf club that can be reasonably treated as affiliated with a Member or with Golf Queensland<sup>1</sup>.
4. **Capitation Fees**<sup>2</sup> are the fees due for a person with a Playing Right at a Golf Club, for services to the Golf Club by the Member District, Golf Queensland and Golf Australia. That is to say, the Capitation Fee is a fee paid by the Golf Club.
5. The Capitation Fee has three components. These being the fees of the Member District, Golf Queensland and Golf Australia. The Capitation Fees are collected and passed on by the Golf Club to the Member District, who keeps their component, from the Member District to Golf Queensland, who keeps the Golf Queensland component, and finally from Golf Queensland to Golf Australia.
6. Once a person has purchased a Playing Right with a Golf Club they immediately have access to the services afforded by the Member District, Golf Queensland and Golf Australia. Access to services will cease where the Player is no longer afforded a Playing Right by the Golf Club or the Player's Golf Club defaults on passing on the Capitation Fee or other obligations under this By-Law.
7. The component forwarded by Golf Queensland to Golf Australia forms the annual membership fee required by Golf Australia from Golf Queensland<sup>2</sup>.
8. The component kept by the Member District forms the annual membership fee requirement of the Golf Club for their relevant District Golf Association(s). For a Golf Club to be properly affiliated with Golf Queensland all three components must be paid.
9. The Capitation Fees provide for services that are of both direct and indirect benefit to the individuals with a Playing Right. The rationale for charging all players at a club and not just the 'home' club players is that while some of the services provided by the golf associations are directly for the players there is considerable focus on services to the golf club and golf club industry.
10. The amount of Golf Queensland's component of the Capitation Fee will be determined annually by the Golf Queensland Board. The Board will announce to the Member Districts, before the end of December each year, the amount that will be due for the Golf Queensland component from the Member Districts by the 31<sup>st</sup> May i.e. the amount due in 17 months' time.

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<sup>1</sup> Reference: GQ Constitution, Interpretation and Definitions

<sup>2</sup> Reference: GA Constitution Article 10.4

11. In accordance with the Constitution of Golf Queensland, the Member District acts as an agency for Golf Queensland for the purposes of collecting Capitation Fees from Golf Clubs.
12. A **Membership Return** is the number of Players or persons provided with a Playing Right by a Golf Club<sup>3</sup>.
  - a. Each Member District must ensure each of their member Golf Clubs forward a **Membership Return** to the Member District by a date that provides sufficient time for the Member District to collect and make payment of all Capitation Fees to Golf Queensland by the 31<sup>st</sup> of May each year.
  - b. The Membership Return includes all people who have been provided with a Playing Right by the Club for a prescribed 12 month period. This will include those players renewing membership in, or for, that period as well as those players who join during that period.
  - c. The exact end of the 12 month period (the Census Date) will be determined in agreement between each Member District and Golf Queensland. Approved Census Date means:
    - i. The end of the Club's financial year falling in the year prior to the year when the fees are paid to Golf Queensland by the Member District;
    - ii. A common Census Date for all clubs in the District e.g. the 31<sup>st</sup> of December in the year prior to when the Capitation Fee is paid by the Member District to Golf Queensland; that provides sufficient time for the Member District to collect and pay the fees to Golf Queensland; OR
    - iii. Such other date as agreed by Golf Queensland and the Member District.
  - d. Each Member District must forward a **Membership Return** for its Golf Clubs to Golf Queensland's Secretary (Finance Manager) no later than the 31<sup>st</sup> of March of each year unless an alternative arrangement has been made in agreement with Golf Queensland.
13. The timing of fee payments by Clubs will be as determined by the Member District. However, subject to Clause 11c above, Golf Queensland recommends the fee payments by the Club are completed no later than the 31<sup>st</sup> of March in the year the fee is due to be paid to Golf Queensland.
14. Each Member District must remit all Capitation Fees collected from its Golf Clubs to Golf Queensland no later than the 31<sup>st</sup> of May of each year, unless an alternative payment arrangement has been agreed to by the Board of Golf Queensland.
15. The Member District will ensure each of their member Golf Clubs provides a breakdown of the player membership in a format required by Golf Queensland. This will be collected by the Member District and forwarded to Golf Queensland. Member Districts may ask their Affiliated Clubs to provide additional membership information. This standard member return form to be used by all Clubs is at Attachment 2.

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<sup>3</sup> Reference: GQ Constitution, Interpretation and Definitions

16. General summary of the annual collection and payment schedule (Subject to Clause 12c):

Golf Clubs forward their Membership Return to the Member District	Date is confirmed to the Golf Club by the Member District
Member Districts forward their Club's Membership Returns to Golf Queensland	31 March
Recommended latest date that Golf Clubs remit all Capitation Fees they have collected to the Member District	31 March
Member Districts remit all Capitation Fees collected to Golf Queensland	31 May

## Golf Queensland By-Law Two – Special Capitation Fee Conditions

Wherever relevant, the District Members will ensure that the following Special Capitation Fee Conditions apply to their member Golf Clubs:

### A. Privately and Corporately Owned Golf Courses

1. Golf courses that are **privately or corporately owned** and have low levels of membership due to their focus on casual or corporate play are required to pay a minimum fee level i.e. the course owner /operator is required to supplement the fee payments of the players where the number of players falls below a certain level.

The following outlines the conditions for such privately or corporately owned courses:

- a. For those privately or corporately owned courses not having (or not wishing to have) a formally constituted and independently run Golf Club at the course, the minimum Member Return remittance to a Member District that is composed of males and females will be 125. For male specific Districts, the minimum Member Return will be 100 and for female specific Districts; the minimum Member Return will be 25. Where the actual numbers of Players provided with a Playing Right exceeds 125 (or 100 and 25 for men and women respectively), the conditions under By Law One will apply.
- b. Note that privately or corporately owned courses with Players less than the minimum membership level will still be required to provide the actual number and breakdown of their Players as requested in the Membership Return supplied by the Member District.
- c. For those privately or corporately owned courses that meet the following conditions the remittance of Player numbers and fees shall be the same as outlined under By-Law One:
  - i. Have a properly constituted and independently run Golf Club for the conduct of the game of golf for members of that club, and
  - ii. Have an appropriate “heads of lease” or similar agreement between the course owner /operator and the members for the golf club that plays on that course.
- d. Where a privately or corporately owned course is sold to a new owner, has a new lease agreement established or change in management, the Membership Return must include all people provided with a Playing Right over the 12 month period that was previously used under the previous owner or lease. Where there is any uncertainty with the records from the previous owner /operator, the Golf Link records and/or previous Membership Returns will be used by Golf Queensland to establish the Membership Return.
- e. Where a golf course is privately or corporately owned, has no formally constituted or independent club using the golf course and there is no membership structures or other provisions to provide a Playing Right, the course owner or operator can elect to pay an annual service fee to Golf Queensland. For details of this fee the course owner or operator should contact Golf Queensland directly.

## **B. Border Clubs – Dual State Affiliation**

1. A golf club located interstate may choose to become affiliated with a Member District and access the services of the Member District and Golf Queensland. In this case, the Golf Club shall pay the District's affiliation fee and the Golf Queensland fee components but not the Golf Australia capitation fee component. The Golf Australia capitation fee is only paid once and to the Golf Club's home State.
2. Where an interstate golf club has an agreement with the Member District to play in its pennants and other competitions, the District may require the club to pay a fee to cover the costs involved. However, an interstate Golf Club cannot be an affiliated member of the Member District without it also paying a Golf Queensland capitation fee.

## **C. Players U18 Without a Handicap**

Players under the age of 18 years without an Australian Golf Handicap at the time of making the fee payment to the Golf Club will have a reduced fee. In this instance, the fee does not include the Golf Queensland and District fee components. Therefore, only the Golf Australia capitation component is paid. Payment of the Golf Australia fee insures these younger players are covered by the GA player liability insurance scheme.

## **D. Remote Golf Clubs**

1. In recognition that Golf Clubs in remote areas have limited access to a broad range of services, including those offered by Golf Queensland, the Capitation Fee at these Golf Clubs is reduced.
2. The remoteness of Golf Clubs will be assessed using the Australian Standard Geographical Classification – Remoteness Areas. The rating has been developed by the Australian Bureau of Statistics to indicate "remoteness" – the physical distance of a location from the nearest Urban Centre (access to goods and services) based on population size. Population size of a centre is also a consideration and while a town may be quite remote from much larger centres it may not be classified as being remote because of services that can be provided locally in a larger population centre.

The 5 categories are RA1 (major cities), RA2 (inner regional), RA3 (outer regional), RA4 (remote) and RA5 (very remote).

3. Players with a Playing Right at Golf Clubs in RA4 and RA5 areas will pay 70% of the Golf Queensland component of the Capitation Fee in recognition of their remoteness.
4. Golf Clubs affiliated with Golf Queensland's District Members located in RA4 and RA5 Areas are listed in Attachment 3.

#### **E. Golf Clubs Providing Access Across Two Courses**

1. Where a Golf Club has ownership or lease of two courses, and offers a Playing Right to both courses for the one payment, the Players with such a Playing Right will pay the Capitation Fee only once.
2. Where such Golf Clubs are in two separate Member Districts, the Capitation Fee will be estimated and collected on the basis of where the Player is a home club member for the purposes of handicap.

#### **F. Position on Late Payment or Waiving of Capitation Fee Payments**

1. It is emphasized that a Capitation Fee is a payment due for a person with a Playing Right at a Golf Club for services from the relevant golf associations. This Capitation Fee payment is collected from these persons by Golf Clubs and is separate to club membership subscriptions or other payments for a Playing Right.
2. Neither Golf Queensland nor Golf Australia support the waiving of Capitation Fees.
3. As a principle, late payments by a Golf Club are not supported by Golf Queensland or Golf Australia.
4. Failure of a Golf Club to forward the Capitation Fees for all people with a Playing Right at the Club, or provide any of the requirements of this By Law, including late payment or not properly remitting player numbers, may lead to a suspension of the Golf Club's access to the Australian Golf Handicapping System.
5. A Golf Club that has not made payment of their Capitation Fees by the 31<sup>st</sup> of July, and has submitted no reason for this late payment through the District to Golf Queensland, will automatically have their access to the Australian Golf Handicap System suspended.
6. Depending on the Member District's constitution the Golf Club may also lose voting rights, competition access and ultimately may be disaffiliated from the Member District.

#### **G. New Golf Clubs – Payment of Capitation Fees in the First Year of Operation**

1. Where a new or unaffiliated Golf Club applies to become affiliated with the Member District(s) the Golf Club may be required to make a start-up Capitation Fee payment.
2. The amount and the timing of the payment will be established through consultation between Golf Queensland and the Member District. A key principle in determining the fee amount will be the time remaining in the service year of Golf Queensland and Golf Australia (This service period being 1 July to 30 June). Other factors will be the existing and projected membership of the club i.e. the fee in the first year may be indicative of a Golf Club's Players for the service period year rather than the actual Players at the time of affiliation.
3. Within reason, a new Golf Club and its Players will receive full service from all relevant Golf Associations once an agreement for the Golf Club's start-up and ongoing payment capitation fees has been reached and signed by the Golf Club, the District(s) and Golf Queensland.

## Definition of a Playing Right – Excerpt of the Golf Queensland Constitution

**Playing Right** is where an individual is provided any of the following by a Golf Club under a membership offering or a package of benefits to a player:-

- (i) Access to play on the Golf Club's course.
- (ii) Access to an Australian Handicap, or any other type of handicap, managed or administered by a Golf Club.
- (iii) Provision of a handicap without access to the Golf Club's course and/or through a third party connected to the Golf Club, such as a social club or a commercial enterprise.

Conditions relating to what is considered 'access to play on a Golf Club's course' and is therefore deemed to be a "playing right" includes:

- (a) All categories of club membership at a Golf Club except for 'non-playing' members. The following club membership categories or similar variations are deemed to have a playing right:

- Full or Ordinary members.
- Associate members.
- Non-competition members.
- Life members.
- Pensioners or Senior members.
- Mid-week, five day, six day or other similar members.
- Country members.
- Provisional members.
- Intermediate members.
- Junior members.

- (b) In regard to a Golf Club's corporate and green fee membership packages, the full number of persons entitled to play under **a corporate membership package** are all deemed to have a playing right, and/or the full number of players who have **a green fee package** that extends over a period greater than 3 months or 10 games or involves more than 20% discount are all deemed to have a playing right.
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## CLUB MEMBERSHIP RETURN FORM- Female District

### AFFILIATED GOLF CLUB CAPITATION FEE ESTIMATE

DISTRICT:
DISTRICT ABN:
DISTRICT ADDRESS:
DISTRICT SECRETARY: Name: Email:

CLUB:
CLUB ABN:
CLUB MAIL ADDRESS:
CLUB CONTACT FOR ENQUIRIES RE. FEES: Name: Email:

It is requested this form is completed and returned to the District by **DD Month YYYY**. It is recommended the Club keep a copy of the completed form for its records. Please contact the District Secretary if you have any queries.

The estimate of the return includes all people provided with a Playing Right by the club during the 12 month period the District has advised to the club.

The definition of a Playing Right is outlined in the Golf Queensland Constitution and is available at <http://www.golfqueensland.org.au/about/constitution>

	Membership Return	YYYY Fee Rate Per Player (\$ inc GST)	YYYY Fee Estimate Subtotal (\$ inc GST)
	Female		
<b>Adult</b>		\$	\$
<b>Junior with HCP *</b>		\$	\$
<b>Junior without HCP</b>		\$	\$

**ESTIMATED TOTAL amount payable to the District Golf Association:**

\$  Inc GST

#### YYYY Capitation Fee Break Down:

Golf Australia:	\$	Inc GST
Golf Queensland:	\$	Inc GST
District Association:	\$	Inc GST
<b>TOTAL:</b>	<b>\$</b>	<b>Inc GST</b>

#### Club Membership Attraction and Retention Survey:

To assist with the survey of the state-wide attraction and attrition rates of golf club membership it is requested the club also provides the number of new players that joined the club in the same 12 month period used for the above Membership Return.

	Male	Female	Total
<b>New Players:</b>			

#### Annual Reports:

To assist the work of the Golf Queensland Club Support and Development Program please send your Club's last Annual Report to the District Secretary at the time of completing the Membership Return.

## CLUB MEMBERSHIP RETURN FORM- Men's District

### AFFILIATED GOLF CLUB CAPITATION FEE ESTIMATE

DISTRICT:
DISTRICT ABN:
DISTRICT ADDRESS:
DISTRICT SECRETARY:
Name:
Email:

CLUB:
CLUB ABN:
CLUB MAIL ADDRESS:
CLUB CONTACT FOR ENQUIRIES RE. FEES:
Name:
Email:

It is requested this form is completed and returned to the District by **DD Month** YYYY. It is recommended the Club keep a copy of the completed form for its records. Please contact the District Secretary if you have any queries.

The estimate of the return includes all people provided with a Playing Right by the club during the 12 month period the District has advised to the club.

The definition of a Playing Right is outlined in the Golf Queensland Constitution and is available at <http://www.golfqueensland.org.au/about/constitution>

	Membership Return	YYYY Fee Rate Per Player (\$ inc GST)	YYYY Fee Estimate Subtotal (\$ inc GST)
	Male		
<b>Adult</b>		\$	\$
<b>Junior with HCP *</b>		\$	\$
<b>Junior without HCP</b>		\$	\$

**ESTIMATED TOTAL amount payable to the District Golf Association:**

\$  Inc GST

#### YYYY Capitation Fee Break Down:

Golf Australia:	\$	Inc GST
Golf Queensland:	\$	Inc GST
District Association:	\$	Inc GST
<b>TOTAL:</b>	<b>\$</b>	<b>Inc GST</b>

#### Club Membership Attraction and Retention Survey:

To assist with the survey of the state-wide attraction and attrition rates of golf club membership it is requested the club also provides the number of new players that joined the club in the same 12 month period used for the above Membership Return.

	Male	Female	Total
<b>New Players:</b>			

#### Annual Reports:

To assist the work of the Golf Queensland Club Support and Development Program please send your Club's last Annual Report to the District Secretary at the time of completing the Membership Return.

## CLUB MEMBERSHIP RETURN FORM- Amalgamated District AFFILIATED GOLF CLUB CAPITATION FEE ESTIMATE

DISTRICT:	CLUB:
DISTRICT ABN:	CLUB ABN:
DISTRICT ADDRESS:	CLUB MAIL ADDRESS:
DISTRICT SECRETARY: Name: Email:	CLUB CONTACT FOR ENQUIRIES RE. FEES: Name: Email:

It is requested this form is completed and returned to the District by **DD Month** YYYY. It is recommended the Club keep a copy of the completed form for its records. Please contact the District Secretary if you have any queries.

The estimate of the return includes all people provided with a Playing Right by the club during the 12 month period the District has advised to the club.

The definition of a Playing Right is outlined in the Golf Queensland Constitution and is available at <http://www.golfqueensland.org.au/about/constitution>

	Membership Return			YYYY Fee Rate Per Player (\$ inc GST)	YYYY Fee Estimate Subtotal (\$ inc GST)
	Male	Female	Total		
<b>Adult</b>				\$	\$
<b>Junior with HCP *</b>				\$	\$
<b>Junior without HCP</b>				\$	\$

\* A junior is under 18 at the time of making the fee payment to the club

**ESTIMATED TOTAL amount payable to the District Golf Association:**

\$

 Inc GST

### YYYY Capitation Fee Break Down:

Golf Australia:	\$	Inc GST
Golf Queensland:	\$	Inc GST
District Association:	\$	Inc GST
<b>TOTAL:</b>	<b>\$</b>	Inc GST

### Club Membership Attraction and Retention Survey:

To assist with the survey of the state-wide attraction and attrition rates of golf club membership it is requested the club also provides the number of new players that joined the club in the same 12 month period used for the above Membership Return.

	Male	Female	Total
<b>New Players:</b>			

### Annual Reports:

To assist the work of the Golf Queensland Club Support and Development Program please send your Club's last Annual Report to the District Secretary at the time of completing the Membership Return.

**Attachment 3.**

<b>Club Id</b>	<b>District</b>	<b>District</b>	<b>CLUB NAME</b>	<b>RA Number</b>
40202	CHGA		Capella Golf Club	RA4
40203	CHGA		Clermont Golf Club	RA4
40206	CHGA		Middlemount Golf Club	RA4
40208	CHGA		Springsure Golf Club	RA4
40209	CHGA		Tieri Golf Club	RA4
40204	CHGA		Dysart Golf Club	RA4
40517	DDGA	D&SW	Texas Golf Club	RA4
40604	FNQ	FNQL	Cardwell Golf Club	RA4
40606	FNQ	FNQL	Cooktown Golf Club	RA4
40615	FNQ	FNQL	Mt. Garnet Golf Club	RA4
41004	GNQ		Mt Isa Golf Club	RA4
40904	GNQ		Collinsville Golf Club	RA4
41112	SEQ	B&D	North Stradbroke Is Golf Club	RA4
41202	SWQ	D&SW	Charleville Golf Club	RA4
41206	SWQ	D&SW	Dirranbandi Golf Club	RA4
41208	SWQ	D&SW	Dunkeld Golf Club	RA4
41210	SWQ	D&SW	Inglestone Golf Club	RA4
41211	SWQ	D&SW	Injune Golf Club	RA4
41213	SWQ	D&SW	Mitchell Golf Club	RA4
41217	SWQ	D&SW	St George Golf Club	RA4
41218	SWQ	D&SW	Surat Golf Club	RA4
41220	SWQ	D&SW	Taroom Golf Club	RA4
41223	SWQ	D&SW	Wandoan Golf Club	RA4
41225	SWQ	D&SW	Yuleba Golf Club	RA4
41007	GNQ		Torrens Creek Golf Club	RA4/5
40401	CWQ		Alpha Golf Club	RA5
40402	CWQ		Barcaldine Golf Club	RA5
40403	CWQ		Blackall Golf Club	RA5
40404	CWQ		Ilfracombe Golf Club	RA5
40405	CWQ		Isisford Golf Club	RA5
40406	CWQ		Longreach Golf Club	RA5
40407	CWQ		Muttaburra Golf Club	RA5
40408	CWQ		Tambo Golf Club	RA5
40605	FNQ	FNQL	Carpentaria Golf Club	RA5
40608	FNQ	FNQL	Georgetown Golf Club	RA5
41001	GNQ		Boulia Golf Club	RA5
41003	GNQ		Hughenden Golf Club	RA5
41008	GNQ		Karumba Golf Club	RA5
41005	GNQ		Richmond Golf Club	RA5
41006	GNQ		Winton Golf Club	RA5
40920	GNQ		Greenvale Golf Club	RA5
41201	SWQ	D&SW	Augathella Golf Club	RA5
41205	SWQ	D&SW	Cunnamulla Golf Club	RA5
41214	SWQ	D&SW	Morven Golf Club	RA5
41215	SWQ	D&SW	Quilpie Golf Club	RA5
41226	SWQ	D&SW	Yowah Golf Club	RA5
41222	SWQ		Toompine Golf Club	RA5