



ENGLANDGOLF

## **Policy on the Use of Golf Buggies (Buggy Use Policy)**

### **1. Aim of Policy**

- 1.1. This Policy is the Buggy Use Policy referred to in the General Conditions and the Conditions of Competition (Section B of the England Golf Hard Card) for all England Golf Championships. It sets out the circumstances in which golf buggies may be used in events organised and managed by England Golf.
- 1.2. England Golf wishes to encourage the participation in golf of all players regardless of disabilities. This Policy is in accordance with the England Golf's obligations under the Equality Act October 2010.
- 1.3. Other associations and golf clubs should take separate legal advice in the event that they wish to put in place a Buggy Use Policy different to this policy or appropriate for their specific needs.

### **2. Definitions**

- 2.1. "Disability" shall have the same meaning as section 6 of the Equality Act 2010. A person has a disability if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities.
- 2.2. Any reference to "golf buggy" shall include any vehicle deemed to be a golf buggy by the England Golf Championship Department.
- 2.3. Any reference to "Championship Department" shall refer to the England Golf Championship Department which has responsibility for taking a decision on the use of a golf buggy and "member of the Championship Department" shall be construed accordingly.
- 2.4. "Valid medical confirmation of disability" shall mean a valid medical certificate from a registered general practitioner or consultant registered with the Health Professions Council that the player, caddie or spectator or other person seeking to use a golf buggy under this policy, is suffering from a disability, as defined in Section 6 of the Equality Act 2010.

### **3. Persons who may use a golf buggy**

- 3.1. It shall be a condition of any competition organised by England Golf that players must walk at all times during a stipulated round, unless permitted to use a golf buggy by a member of the Championship Department, in accordance with this policy. The penalty for a breach of this condition is detailed under Appendix 1 of the Rules of Golf published by the R&A Rules Ltd.
- 3.2. A golf buggy may be used by a player or caddie who can provide a valid current medical certificate of disability (as defined in 2.4 above) in accordance with this policy and has requested permission to use a golf buggy by 7 days prior to the first day of the Championship in which they are to compete or in which they seek to caddie or attend. Where the disability prevents the player from driving the buggy, he/she may nominate a third party to drive the buggy for them who must be approved by the Championship Department in the event that permission is granted.
- 3.3. A template Medical Certificate which highlights the information which is needed for consideration of any request is available on request from the Championship Department.
- 3.4. The Championship Department may not without good reasons refuse a request for permission to use a golf buggy if the criteria in paragraph 3.2, above, are met.
- 3.5. The Championship Department may provide permission for a player to use a buggy during any Championship they are entitled to play in during the Championship season provided that the player's Medical Certificate clearly states that player's will suffer from the disability during the relevant period.
- 3.6. Where a player is under the age of 18 years and has met the criteria in paragraph 3.2, above, a member of the Championship Department shall reserve the right to specify that the golf buggy is driven by another person of that Championship Department member's choice, in the event that a person having parental responsibility for the player is unable or not competent or qualified to do so.
- 3.7. In cases where a member of the Championship Department refuses to permit the use of a golf buggy then they shall inform the player of the decision, the reasons for it, and the right to appeal this refusal to the England Golf Governance Department in accordance with this Policy.
- 3.8. Any deviation from the conditions set out in this policy shall be entirely at the discretion of the Championship Department.

#### **4. Conditions in which use of a golf buggy may be permitted**

- 4.1. Where a determination is made that the use of a buggy may be permitted by a player or where appropriate a caddie or other person to use a golf buggy, a member of the Championship Department shall have regard to the following additional health and safety considerations before granting approval:
  - a) Any relevant weather conditions;
  - b) The topography and ground conditions;

- c) The condition of and suitability of the golf buggy; and
  - d) Any other relevant considerations which could impede the safe use of a golf buggy or impact on the safety of others.
- 4.2. In the event that a member of the Championship Department believes that for reasons of health and safety a golf buggy should not be used by players, caddies or third parties at a particular time he/they may:
- a) Refuse to grant permission for the use of a golf buggy, and shall inform the player, caddie or third party of this decision; or
  - b) Revoke any such permission in the event of new health and safety considerations having come to light since the granting of the initial permission to use a golf buggy;
- 4.3. It will in any event be a requirement of any player, caddie or other third party granted permission to use a buggy to complete and sign a Buggy Use Acknowledgment Form prior to use.

## **5. Conditions for use of golf buggies**

- 5.1. A player, caddie or other third party permitted to use a golf buggy must agree to the following terms and conditions of use:
- a) Any person operating a golf buggy must do so with the utmost courtesy, care and consideration for the safety and convenience of others and in accordance with any relevant golf buggy operating guidelines;
  - b) The Championship Department may require that a golf buggy must not exceed walking pace;
  - c) A golf buggy shall be for the sole use of the player and his/her equipment (or any caddie or other third party who has been permitted to drive the golf buggy) unless a member of the Championship Department has deemed that for reason of age or disability a third party is required to drive the golf buggy;
  - d) A golf buggy must not impede or interfere with normal pedestrians or vehicular traffic flow on roadways, ramps and pavements;
  - e) A player who has been granted permission to use a golf buggy (or any caddie or other third party who has been permitted to drive the golf buggy) must remain seated in the golf buggy at all times while the vehicle is in motion;
  - f) Drivers of golf buggies must comply with directional signs and not use prohibited areas including public highways and pavements;
  - g) A player who has been granted permission to use a golf buggy (or any caddie or other third party who has been permitted to drive the golf buggy) must accept responsibility for any losses or injury sustained as a result of his or her fault whilst using a golf buggy; and

- h) A player who has been granted permission to use a golf buggy (or any caddie or other third person who has been permitted to drive the golf buggy) must have adequate personal and third-party insurance and must provide a copy of the certificate of insurance to England Golf prior to use.

5.2. Failure to agree to the terms and conditions contained in clause 5.1 by signing a Buggy Use Policy Consent Form may result in the player, caddie or other third party being denied permission to use a golf buggy.

## **6. Appeals Procedure**

6.1. Any decision by a Championship Department Member refusing a player or caddie permission to use a golf buggy may be appealed by the player or caddie to the England Golf Governance Department.

6.2. An appeal shall be made in writing to the England Golf Governance Department within 5 working days of the date of the initial decision. Any written appeal request shall also include a statement by the player or caddie of the reasons why he/she is seeking to appeal the decision.

6.3. The England Golf Governance Department shall make a decision on an appeal and communicate it to the player or caddie within 10 working days of the initial appeal.

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## Buggy Use Acknowledgement Form

Any person who uses a buggy in accordance with the England Golf Buggy Use Policy is deemed, by so doing, to have the knowledge, training and skill to safely operate the buggy and shall be fully accountable for their actions and consequences thereof.

The safe operation of buggies requires careful application and adherence to the minimum standard of care prescribed by this policy.

Name of User:

Address:

By signing below I acknowledge that:

- I understand the terms and conditions of the England Golf Buggy Use Policy
- I am aware of any guidance provided by England Golf around the use of the buggy, including any areas where I am unable ride
- (Tick when using your own buggy) I have ensured that the golf buggy is adequately maintained fit for purpose and that I have a valid personal and third party insurance and can provide this to England Golf on request.
- I possess and have produced a copy of certified evidence that I have a disability within the meaning of section 6 of the Equality Act 2010 which disables me from playing golf without the use of a buggy
- I agree to indemnify England Golf against all claims costs and demands arising out of or in connection with my buggy use.

Signature of User ..... Date.....

Signature of England Golf Representative ..... Date.....