

**BLACKWOOD TENNIS CLUB  
INCORPORATED**

**CONSTITUTION AND RULES**

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# **BLACKWOOD TENNIS CLUB INCORPORATED**

## **CONSTITUTION AND RULES**

### **1. NAME**

- 1.1 The name of the incorporated association is “Blackwood Tennis Club Incorporated” referred to herein as ‘the Club’.

### **2. MEANINGS**

- 2.1 In this Constitution and rules, unless the contrary intention appears -
- 2.1.1 the club means Blackwood Tennis Club Incorporated,
  - 2.1.2 Committee means the Management Committee of the Club,
  - 2.1.3 Member means a member of the Club with voting rights,
  - 2.1.4 the Act means the Associations Incorporation Act 1985 as amended.

### **3. OBJECTS AND PURPOSES**

- 3.1 The objects and purposes of the Club shall be to –
- 3.1.1 promote, encourage and control the game of tennis,
  - 3.1.2 promote the success of the Club,
  - 3.1.3 provide and maintain tennis courts and associated facilities,
  - 3.1.4 promote and foster the sporting and social interests of members,
  - 3.1.5 affiliate with such bodies and associations as may be determined appropriate from time to time.

### **4. POWERS**

- 4.1 For the purposes of carrying out it’s objects and purposes the Club may, subject to the Act and Regulations –
- 4.1.1 acquire, hold, deal with, and dispose of any real or personal property,
  - 4.1.2 administer any property on trust,
  - 4.1.3 open and operate financial accounts,
  - 4.1.4 invest money in any security in which trust money may be invested,
  - 4.1.5 borrow money upon terms and conditions as the Committee from time to time thinks fit.

## **5. OFFICE BEARERS**

- 5.1 The officer bearers of the Club shall be as follows –
- 5.1.1 President;
  - 5.1.2 Vice President,
  - 5.1.3 Secretary, who shall be the Public Officer,
  - 5.1.4 Treasurer, and
  - 5.1.5 Minute Secretary.
- 5.2 Office Bearers shall be elected at the AGM. The President and Vice President shall be elected at alternate Annual General Meetings for a two year term. All other Office Bearers are elected annually at the AGM. All office bearers shall be eligible for re-election.

## **6. COMPOSITION OF THE CLUB**

The Club shall consist of an unlimited number of members, junior players and special circumstance players.

- 6.1 Membership of the Club shall consist of the following categories –
- 6.1.1 senior playing members,
  - 6.1.2 honorary Life Members,
  - 6.1.3 a parent or guardian of a junior player,
  - 6.1.4 social members.
- 6.2 Junior players are Club members under 18 years of age. Such members shall not have voting rights at any Club meeting but may participate and debate at meetings, at the discretion of the Chair and may be co-opted to any subcommittee in an ex officio capacity.
- 6.3 The Committee may provide for a limited number of Special Circumstance Players as non or reduced fee paying participants in Club activities.
- 6.4 The Secretary shall keep an up-to-date register of all persons in the various categories of membership.

## **7. SUBSCRIPTIONS**

Subscriptions and fees for categories under Rule 6.1 shall be determined by the Committee from time to time. Such sums shall be paid on or before dates determined by the Committee for members to be considered financial.

## **8. RESIGNATION FROM MEMBERSHIP**

A member may resign from membership of the Club prior to the cessation of the member's term. Any member so resigning shall be liable for any outstanding subscriptions due to the Club.

## **9. EXPULSION OF A MEMBER**

- 9.1 A member may be expelled from membership of the Club if it is established by the Committee that the member has acted in any manner detrimental to the interests of the Club. Where a member is expelled the Club shall notify the member in writing.
- 9.2 Review of decision to expel a member. The process for review shall be –
- 9.2.1 The member, so expelled, shall have the right to request a review of the expulsion by the Committee provided that such request is made within 14 days of notification of the expulsion. During any review period the member is not entitled to any benefits of club membership.
- 9.2.2 The Committee shall review the expulsion within 28 days from the receipt of the request for a review.
- 9.2.3 The member may provide written argument or attend the review hearing to present a case as to why the expulsion should be rescinded.
- 9.2.4 The Committee may receive written information pertinent to their determination from other members or parties.
- 9.2.5 The Committee's review determination shall be made within 14 days of the review date and the member shall be advised of the determination in writing.

## **10. THE MANAGEMENT COMMITTEE**

- 10.1 The affairs of the Club shall be managed by the Committee. The Committee shall exercise the responsibilities and authorities conferred by this Constitution and Rules. The Committee shall also carry out all those things that are considered necessary to achieve the object of the Club, provided that they are not required by any Act or these rules to be carried out by the Club in general meeting.
- 10.2 The Committee shall be comprised of the office bearers as identified in rule 5.1 plus no more than five other members (who are members of the Club, who shall be elected at the AGM and be eligible for re-election).
- 10.3 The office of a Committee member shall become vacant if any one of the following applies –
- 10.3.1 the member resigns,
- 10.3.2 the member is expelled under these rules,
- 10.3.3 the member is disqualified under the Act,
- 10.3.4 the member is absent from three consecutive meetings without prior apology.
- 10.4 The Committee may fill any casual vacancy.

- 10.5 The Committee may appoint and dissolve subcommittees and co-opt any other member or junior member to act upon such subcommittee to deal with any particular matter or matters as the Committee may think appropriate.
- 10.6 The Committee shall appoint any delegates required to represent the Club as a result of any affiliations with other bodies or associations.
- 10.7 The Committee is empowered to confirm at its first meeting after an Annual General Meeting or Special General Meeting the minutes of that meeting.
- 10.8 The Committee shall interpret and rule upon any question of interpretation of this Constitution and Rules. Any such interpretation by the Committee shall be final.
- 10.9 Only members present in person shall be entitled to vote.

## **11. SUBCOMMITTEES**

- 11.1 **Junior Activities Subcommittee**  
The Junior Activities Subcommittee shall consist of up to seven persons who shall be elected annually by the parents or guardians of Junior players at the Club.
- 11.2 Other subcommittees appointed under rule 10.5 shall operate under the following guidelines –
  - 11.2.1 shall operate only in matters as determined by the Committee and prepare a report for the Committee,
  - 11.2.2 shall not commit the Club to any expenses or course of action,
  - 11.2.3 shall conduct the subcommittee as the members of the subcommittee deem appropriate but not in contradiction to any Rule of the Club,
  - 11.2.4 the quorum for any subcommittee meeting shall be not less than half the number of subcommittee members,
  - 11.2.5 The President and Secretary, or their nominees, are ex officio members of all subcommittees and may attend and participate in meetings.

## **12. FINANCE**

- 12.1 The financial year of the Club shall commence on 1 January in each year.
- 12.2 All payments by or on behalf of the Club shall be submitted to the Committee for authorisation or ratification.
- 12.3 All cheques drawn in the name of the Club shall be signed by any two of the President, Vice President, Secretary or Treasurer.

- 12.4 Treasurer shall receive all moneys payable to the Club and give receipts for same where applicable. All moneys received shall be paid into the banking account of the Club.
- 12.6 The Treasurer shall submit a financial report in a form acceptable to the committee at each monthly committee meeting.
- 12.5 The accounts shall be audited each year at the end of the Club's financial year, by the appointed Auditor. These accounts shall be presented by the Treasurer at the Annual General Meeting.

### **13. ANNUAL GENERAL MEETINGS**

- 13.1 The Annual General Meeting of the Club shall be held between 1 January and 31 March in each year. Notice of the Annual General Meeting shall be posted on the Club noticeboard and delivered to all members at least 14 days prior to the meeting.
- 13.2 All persons who are members under rule 6.1 and 6.3.1 and who attend the Annual General Meeting shall have the right to exercise one vote each on any matter dealt with at the meeting. In the event of equality of votes the Chairperson shall have a casting vote in addition to a deliberative vote.
- 13.3 The business at Annual General Meetings shall be –
  - 13.3.1 minutes of previous Annual General Meeting read if requested,
  - 13.3.2 President's report considered and adopted,
  - 13.3.3 Secretary's report considered and adopted,
  - 13.3.4 Treasurer's report considered and adopted,
  - 13.3.5 election of office bearers (Rule 5) plus other members of Management Committee,
  - 13.3.6 general business of which due notice given;
  - 13.3.7 life member.
- 13.4 Quorum
  - 13.4.1 At any Annual General Meeting the quorum shall be 15 members.
  - 13.4.2 If a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting shall be adjourned to such time as the Committee shall determine being soon after the scheduled time of the AGM.
  - 13.4.3 If a quorum is not then present within 30 minutes after the appointed time to reconvene the adjourned meeting the members present shall form a quorum.

#### **14. SPECIAL OR EXTRAORDINARY GENERAL MEETINGS**

- 14.1 A Special or Extraordinary General Meeting shall be called by the Secretary within 14 days of being directed by the Committee or on a written requisition signed by not less than 15 members of the Club.
- 14.2 Notice in writing of all such General Meetings shall be posted on the Club noticeboard and delivered to all members at least seven days prior to the meeting.
- 14.3 This notice shall set out the matters to be discussed and the business to be transacted at the meeting.
- 14.4 Discussion at the meeting shall be restricted to the matters set out in the notice of the meeting.
- 14.5 Questions arising at any meeting shall be decided by a majority of votes. In the event of an equality of votes the Chairperson shall have a casting vote, in addition to a deliberative vote.
- 14.6 At any meeting 15 members shall form a quorum.

#### **15. MANAGEMENT COMMITTEE MEETINGS**

- 15.1 Committee meetings shall be held monthly on a day decided by the Committee.
- 15.2 Committee meetings shall be chaired by the President, or failing the President the Vice-President, or failing the Vice-President, by any other committee member appointed by a majority of the members in attendance.
- 15.3 Special Committee meetings may be convened at any time by the President, the Secretary or any three members of the Committee by giving written notice to the Secretary. The Secretary shall call a meeting within seven days of receipt of the written notice.
- 15.4 Questions arising at any meeting shall be decided by a majority of votes. In the event of an equality of votes the Chairperson shall have a casting vote in addition to a deliberative vote.
- 15.5 At any Committee meeting five members shall form a quorum.

## 16. DUTIES OF ELECTED OFFICERS

- 16.1 **The President** shall preside at all meetings of the Club provided however that if the President is unable to attend a meeting of the Club, the Vice President shall preside instead. The President will have a deliberative vote and if necessary a casting vote.
- 16.2 **The Vice President** shall preside at the meeting of the Club at the direction of the President as provided in paragraph 16.1
- 16.3 **The Secretary** shall carry out his/her duties under the direction of the Committee, attend to correspondence issue notices of meetings keep records and carry out such duties as the Committee may from time to time direct.
- 16.4 **The Treasurer** shall carry out his/her duties as detailed in Section 12 of this Constitution.
- 16.5 **The Minute Secretary** shall take proper minutes of all proceedings of meetings of the Club and the Committee and within one month of the relevant meeting, they shall be entered in the Minute records that shall be maintained for that purpose.

The minutes of the previous meeting shall be signed at the succeeding meeting by the Chairperson of that meeting. The signed minutes shall, until the contrary is proved, be considered to be a true record of the meeting concerned and all decisions made at that meeting shall be deemed to be valid.

## 17. COMMON SEAL

- 17.1 The Club shall have a Common Seal upon which its corporate name shall appear in legible characters. The form of the Common Seal shall be approved by the Committee.
- 17.2 The Common Seal shall not be affixed to any document without authorisation of the Committee. Any such authorisation shall be recorded in the Minute Book of the Club.
- 17.3 The affixing of the Seal shall be witnessed by any two of the President, Vice President, Secretary or Treasurer.
- 17.4 The Seal shall be kept in the custody of the Public Officer.

## **18. ALTERATION OF CONSTITUTION AND RULES**

- 18.1 No new rules shall be adopted and no existing rules shall be repealed or amended except by resolution of a two-thirds majority of members present and entitled to vote at an Annual General Meeting or Special General Meeting called for that purpose.
- 18.2 Particulars shall be given of any proposed changes to the Constitution and Rules in the notice convening the meeting.
- 18.3 Any amendment to the Constitution and Rules of the Club shall be registered with the Corporate Affairs Commission as required by the Act.
- 18.5 The registered Constitution and Rule shall bind the Club and every member of the Club to the same extent as if they had respectively signed and sealed them and agreed to be bound by the provisions thereof.

## **19. LIFE MEMBERS**

- 19.1 The Club may, at any Annual General Meeting, confer Honorary Life Membership upon any person who has given long and outstanding service to the Club.
- 19.2 A motion seeking to confer life membership upon a member or former member must be proposed by way of notice of a motion signed by two members lodged with the Secretary thirty days prior to the Annual General Meeting.
- 19.3 The notice of motion shall be considered by the Committee and if approved shall be introduced to the AGM. Election at the AGM shall be by secret ballot by a two-thirds majority of members present and entitled to vote. If not approved, the proposer shall be advised accordingly. The nominee's name shall not be disclosed at the AGM.
- 19.4 All Honorary Life Members shall have all the rights and privileges of membership. In addition they may attend all Management Committee meetings wherein they shall have voice but not vote.
- 19.5 No fee or subscription of any kind shall be payable by an Honorary Life Member.

## **20. HONORARIA**

An honoraria shall be paid to such officer or officers as the Committee deems warranted. Such honoraria shall be decided and paid at the last Committee meeting prior to the Annual General Meeting.

