

LEEDERVILLE TENNIS CLUB (INC)

CONSTITUTION

INTERPRETATION

1. In this Constitution:

“Board” means the Board of Management established under clause 7;

“Club means the Leederville Tennis Club (Inc);

“financial member” means a member whose nomination and membership fees have been paid in accordance with clause 15;

“financial year” has the meaning given in clause 18;

“member” means a member of the club;

“officer” means a person referred to in clause 15;

“the Act” means the Associations Incorporation Act 1987.

NAME

2. The name of the club shall be “The Leederville Tennis Club (Inc)”.

OBJECTS

3. The objects of the Club shall be:

- (1) To promote and encourage and to assist the promotion and encouragement of, the game of tennis;
- (2) To provide, control and maintain suitable grounds and premises for the playing and practice of the game of tennis;
- (3) To remain an incorporated association under the provisions of the act; and
- (4) To apply the property and income of the Club solely towards toward the promotion of the objects of the Club so that no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members of the Club except in good faith in the promotion of those objects and purposes.

POWERS

4. The Club has the following powers:

- (1) To acquire, hold, deal with, and dispose of any real or personal property;
- (2) To open and operate bank accounts;
- (3) To invest and deal with moneys of the Club not immediately required in such a manner as may from time to time be determined by the Board;
- (4) To borrow money on such terms and conditions as the Board sees fit;
- (5) To give security for the discharge of liabilities incurred by the Club as the Board sees fit;
- (6) To appoint agents to transact any business of the Club on its behalf;
- (7) To employ servants to carry out, or assist in carrying out, any of the Club’s objects;
- (8) To amalgamate with any other tennis club or clubs and to become affiliated with any tennis association or associations;
- (9) To arrange tournaments and matches, to award prizes and trophies and to expend money in the purchase of prizes and trophies; and
- (10) To do any other act, matter or thing which may be deemed conducive to the interests of the Club or in the interests of the game of tennis.

OFFICERS

5. The officers of the Club shall consist of the following:

Patron, Vice- Patrons (2 or more), President, Retiring President, Vice-President, Mens' Captain and Vice-Captain, Ladies' Captain and Vice-Captain, Secretary, Assistant Secretary if required, Treasurer and Assistant Treasurer if required, Social Secretary, such delegates as the Club is permitted to send to the Tennis West (Inc), and 3 ordinary members of the Board of Management.

ELECTION OF OFFICERS

6. (1) All the officers shall be elected by ballot at the Annual General Meeting of the Club. Nominations may be made either in writing or by verbal proposal at the meeting, but the nomination of any absent member, except the Patron or Vice-Patron, must be accompanied by the member's consent in writing. Newly elected officers shall take office as of the first day of May immediately following the Annual general Meeting at which they are elected.
- (2) If there are more nominations than there are vacancies to be filled, a preferential ballot shall be held at the Annual General Meeting.
- (3) The manner of election shall be: Each member eligible to vote shall vote on a ballot paper by placing a numeral opposite the name of every candidate in order of preference. The numbers opposite the name of each candidate shall be added together and the candidate or candidates receiving the lowest total or totals shall be deemed elected.
- (4) At the first Annual General Meeting held after this constitution comes into effect, the following officers shall be elected for a term of 1 year:

President, Secretary, Mens' Captain, Ladies' Vice-Captain, Assistant Treasurer, Social Secretary, Delegates to the Tennis West (Inc), and 1 ordinary Board member.

All remaining officers shall be elected for a term of 2 years. At all subsequent Annual General Meetings each officer shall be elected for a 2 year term.

- (5) All officers shall be eligible for re-election on the expiry of their term of office.
- (6) A vote of no confidence in a particular officer, passed at the Annual General Meeting by a two-thirds majority of those attending and entitled to vote, shall automatically result in that officers position being declared vacant.
- (7) An officer's position shall be declared vacant if that officer:
- (a) Dies;
 - (b) Resigns by notice in writing;
 - (c) Is convicted of any offence under the Act;
 - (d) Is in the opinion of the Board, permanently incapacitated by mental, or physical health;
 - (e) Is absent from more than 3 consecutive Board meetings without tendering an apology; or
 - (f) Ceases to be a financial member of the Club.
- (8) Where an officers position becomes vacant before that position is due to be filled by election at an Annual General Meeting, the Board may appoint a member to fill that position until the next Annual General Meeting.

BOARD OF MANAGEMENT AND COMMITTEES

7. (1) The management of the Club shall be vested in a Board of Management. The Board shall consist of the President, Vice-President, Mens' Captain, Ladies' Captain, Secretary, Treasurer, Social Secretary, 1 delegate to the Western Australian Lawn Tennis Association (Inc) and 3 ordinary Board members.
- (2) The following committees may be appointed by the Board:
- (a) Social Committee: consisting of the Social Secretary and other members as required.

- (b) Selection Committee: consisting of a chairman appointed by the Board, both Captains and Vice-Captains.
- (c) Grounds Committee: consisting of 3 or more members.
- (d) House Committee: consisting of 3 or more members.
- (e) Such other committees as from time to time may be deemed necessary.

DUTIES OF OFFICERS

8. (1) President

- (a) The President shall preside at all meetings of the Club and the Board and in the event of an equality of votes shall have a casting vote.
- (b) The President shall be an ex-officio member of all committees.
- (c) Where immediate action is required in any matter affecting the policy of, or the interest of the Club, and it is impractical to refer the matter to the Board, the President shall seek the advice of as many members of the Board as is practicable and shall act in such a manner as the majority of those members approve.

(2) Vice-President

The Vice-President shall deputize for the President when the President is absent.

(3) Secretary

Subject to direction from the Board, the Secretary shall:

- (a) Conduct the correspondence of the Club;
- (b) Keep a Minutes Book containing a record of all business transacted at meetings;
- (c) Maintain a registry of members;
- (d) Maintain a register of office bearers;
- (e) Make available on demand for inspection by members an up to date copy of the Constitution, any rules made under the Constitution, the registry of members, and the registry of office bearers;
- (f) Have the right to speak and vote at all meetings except in the appointment of the Honorary Auditors; and
- (g) Carry out such duties as the Board may direct.

(4) Assistant Secretary

The Assistant Secretary shall assist the Secretary and shall perform all the duties of the Secretary during the Secretary's absence.

(5) Treasurer

Subject to direction by the Board, the Treasurer shall:

- (a) Receive and acknowledge all monies on behalf of the Club;
- (b) Examine and report to the Board at each meeting on all outstanding accounts and tender recommendations as to payments of the accounts;
- (c) Have the right to speak and vote at all meetings except in the appointment of the Honorary Auditors; and
- (d) Keep correct accounts and books showing the financial affairs of the Club and particulars usually shown in the books of account like nature, and shall make up the annual statement of accounts and balance sheet in each year.

(6) Assistant Treasurer

The Assistant Treasurer shall assist the Treasurer and shall perform all the duties of the Treasurer during the Treasurer's absence.

(7) Captains and Vice-Captains

The Captains and Vice-Captains shall arrange and control play on the Club's courts, and perform such other duties as assigned to them by the Board.

(8) Delegates

- (a) The delegates shall attend all meetings of the Tennis West (Inc) and report to the Board.
- (b) Any delegates attending meetings of the Tennis West (Inc) shall act and vote as directed by the Board in any case where they shall have received such a direction.

(9) Social Secretary

The Social Secretary shall chair the Social Committee.

(10) Ordinary Board Members

The ordinary Board members shall perform such functions as are determined from time to time by the Board.

DUTIES OF BOARD AND COMMITTEES

9. (1) Board

- (a) The Board shall be responsible for the general conduct and management of the Club's affairs. Without limiting its general powers, but subject as otherwise provided in this Constitution, the Board may:
 - (i) Make arrangements and set conditions for the carrying out of Club tournaments and matches;
 - (ii) Conduct the election of all members except Life Members;
 - (iii) Interpret the Constitution and any rules made under the Constitution and such interpretation shall be final unless revoked by a resolution passed at an Annual General Meeting or by any court of competent jurisdiction;
 - (iv) Delegate to a committee any matter for investigation and report;
 - (v) Engage and dismiss the servants and agents of the Club; and
 - (vi) Make such rules as may be necessary for the management of the Club. A copy of all rules shall be posted on the general notice board of the Club.
- (b) The Board shall comply with all orders, directions and references given to it by the members in General Meeting.

(2) Social Committee

The Social Committee shall organize and conduct any entertainment and other social functions which shall from time to time be decided upon by the Board.

(3) Selection Committee

The Selection Committee shall select all players and teams to play in matches in which the Club is a competitor, and shall deal with any matter referred to it by the Board relating to applications for membership in the Club.

(4) Grounds Committee

The Grounds Committee shall be responsible for the care, management and maintenance of the courts and the Club property under its control, and shall make such reports and recommendations to the Board as it may think necessary.

(5) House Committee

The House Committee shall be responsible for the care, management and maintenance of the Clubhouse, furniture and fittings and shall make such reports and recommendations to the Board as it may think necessary.

HONORARY AUDITORS

10. At the Annual General Meetings one or more Honorary Auditor(s) shall be elected, whose duties shall be to inspect the membership role, and to audit the annual statement of accounts and balance sheet. They shall have power at any time to call for any documents relating to the affairs of the Club. Neither of the Honorary Auditors shall be an officer of the Club.

COMMON SEAL

11. (1) The Club shall have a common seal on which the name of the Club shall appear in legible letters.
- (2) The common seal shall not be used without the express authority of the Board and every use of the common seal shall be recorded in the minute book.
- (3) The affixing of the common seal of the Club shall be witnessed by any two of the President, Treasurer and Secretary.
- (4) The common seal of the Club shall be kept in the custody of the Secretary or of such other person as the Board from time to time decides.

MEMBERSHIP

12. (1) Members of the Club shall be classified as follows:

- (a) Unrestricted Members.
- (b) Life Members, being persons elected by the Club on the recommendation of the Board as a recognition of services rendered to the Club, and who are entitled to enjoy all the privileges of membership in the Club without payment of any fees; Providing always that not more than 1 Life Member shall be elected in any Club year.
- (c) Restricted Members.
- (d) Country Members, being persons whose normal place of residence is more than 100 kilometres from the General post Office, Perth.
- (e) Junior Members, being persons under the age of 19 years.
- (f) Provisional Junior Members, being persons under the age of 19 years whose standard of play is, in the opinion of the Board, less than that required of a Junior Member.
- (g) Mid Week Members.
- (h) Corporate Members.

- (2) The number of members in each classification shall be as determined by the Board.
- (3) At the discretion of the Board, an existing member may, on written application, change his or her membership classification.

PRIVILEGES

13. The privileges of membership in the Club shall be as follows:

(1) Unrestricted Members and Life Members:

- (a) May attend, speak and vote at all General Meetings;
- (b) May play on the Club courts on all days when the courts are open for play;
- (c) May attend all entertainments and social functions;
- (d) May bring visitors to the Club in accordance with the provisions of this Constitution; and
- (e) Shall be eligible for all Club competitions and tournaments.

(2) Restricted Members:

- (a) May attend, speak and vote at all General Meetings;
- (b) May play on Club courts on any playing day except Saturdays;
- (c) May attend all entertainments and social functions; and
- (d) Shall not be eligible for Club competitions or tournaments.

(3) Country Members:

- (a) May attend, speak and vote at all General Meetings;
- (b) May play on the Club courts on not more than 12 occasions during a calendar year when the courts are open for play;
- (c) May attend all entertainments and social functions; and
- (d) Shall not be eligible for Club competitions or tournaments.

(4) Junior Members:

- (a) May attend and speak at all General Meetings and such members over the age of 15 years shall have the right to vote at all General Meetings;
- (b) May play on the Club courts on all days when the courts are open for play;
- (c) May attend all entertainments and social functions except those specifically arranged for Non-Junior Members;
- (d) May bring visitors to the Club in accordance with the provisions of this Constitution; and
- (e) Shall be eligible for all Club competitions and tournaments.

(5) Provisional Junior Members:

- (a) May attend and speak at all General Meetings but shall not have the right to vote at General Meetings and shall not accept or hold office in the Club;
- (b) May play on the Club courts at times decided on by the Board;
- (c) May attend all entertainments and social functions except those specifically arranged for Non-Junior Members; and
- (d) Shall be eligible for Junior Club competitions and tournaments.

(6) Mid-Week Members:

- (a) May attend and speak and vote at all General Meetings;
- (b) May play on the Club courts at times decided by the Board;
- (c) May attend all entertainments and social functions;

- (d) May bring visitors to the Club in accordance with the provisions of this Constitution; and
- (e) Shall be eligible for Mid-Week Club competitions but shall not be eligible for Club tournaments.

(7) Corporate Members:

- (a) Shall have such privileges as the Board may from time to time determine.

VISITORS

14. (1) Members who are entitled to bring visitors to the Club may do so on all days upon which that member is entitled to play.
- (2) The Board may restrict the number of visits to which any person is entitled.
 - (3) The Board may invite visitors to use the Club courts at any time.
 - (4) Members bringing visitors to the Club shall pay the fees as determined by the Board, and that fee shall be paid before commencement of play.

MEMBERSHIP FEES

15. (1) The Board holding office as at 1 August each year shall set the nomination and membership fees for the next financial year.
- (2) Nomination and membership fees shall be paid in advance.
 - (3) Subject to Clause 15(4) and (5), if any member has not paid their nomination or membership fees by the 15th November that member's privileges shall be suspended until all outstanding fees have been paid. All League players must be financial at the start of their League season.
 - (4) Where the Board is satisfied that payment of any fees would cause undue hardship, the Board may extend the time for payment of those fees or waive all or any part of those fees.
 - (5) The Board may waive or refund all or any part of any fees owing or paid by a member for services rendered generally to the game of tennis.

RESIGNATION

16. A member may at any time, by giving notice in writing to the Secretary, resign his or her membership of the Club, but shall continue to be liable for any annual subscription due and unpaid at the date of resignation.

EXPULSION OF MEMBERS

17. (1) If the Board considers that a member should be expelled from membership of the Club because of conduct detrimental to the interests of the Club, the Board shall communicate, either orally or in writing, to the member:
- (a) Notice of the proposed expulsion and of the time date and place of the Board meeting at which the question of expulsion will be decided; and
 - (b) Particulars of that conduct, not less than 30 days before the date of the Board meeting at which the question of expulsion will be decided.
- (2) At the Board meeting referred to in a notice communicated under Clause 17(1), the Board may, having afforded the member concerned a reasonable opportunity to be heard by, or make representation in writing to the Board, expel or decline to expel that member from membership of the Club and shall forthwith communicate that decision to the member.
- (3) Subject to Clause 17(5), a member who is expelled from membership of the Club ceases to be a member 14 days after the day on which the decision to expel is communicated to him or her.

- (4) A member who is expelled from membership of the Club by the Board shall, if he or she wishes to appeal against that expulsion, give notice to the Secretary of his or her intention to do so within 14 days of the Board's decision being communicated to him or her.
- (5) When notice of appeal against a decision to expel is given:
 - (a) The Club in a General Meeting may, after having afforded the member who gave notice of appeal a reasonable opportunity to be heard by, or make representations in writing to, the Club in the General Meeting, confirm or set aside the decision of the Board to expel the member; and
 - (b) The member who gave notice of appeal does not cease to be a member unless and until the decision of the Board to expel him or her is confirmed in General Meeting.

FINANCE

18. (1) The Club's financial year shall commence on the 1st day of October in each year.
- (2) The bankers of the Club shall be such bank or banks as the Board may determine.
- (3) All cheques drawn in the name of the Club shall be signed by any 2 of the President, Treasurer and Secretary.
- (4) All payments by or on behalf of the Club shall be passed for payment by the Board. Where immediate payment is required, the Treasurer shall seek the sanction of the President.

COLOURS AND BADGE

19. The colours and badge of the Club shall be as determined from time to time at a General Meeting of the Club.

MEETINGS OF THE BOARD AND COMMITTEES

20. The Board may meet as often as it shall determine but, in any case, shall meet at least once in each calendar month. Subject to directions to the contrary by the Board, all committees shall meet when they determine, and on any occasion when summoned by the President or Secretary.

ANNUAL GENERAL MEETING

21. The Annual General Meeting shall be held within 4 months of the end of the preceding financial year. A report shall be submitted by the President and the Statements and Balance Sheet for the past year as provided in this Constitution shall be submitted by the Treasurer, and such business shall be transacted as shall be required or authorized by this Constitution.

SPECIAL GENERAL MEETING

22. The President or the Board may at any time, and within 21 days of a written request by 10% of the members entitled to vote, summon a Special General Meeting of the Club, to deal with any business for which such a meeting has been summoned but for no other business. Any requisition for a Special General Meeting shall state specifically the purpose for which the Special General Meeting is requested, and the notice of the Meeting to members shall state specifically the business to be transacted at the Meeting.

NOTICE OF MEETINGS

23. (1) At least 7 days notice of the Annual General Meeting and any Special General Meeting, shall be given by the Secretary to each member entitled to vote and a copy posted on the Notice Board of the Club.
- (2) At least 3 days written notice of meetings of the Board shall be given in writing by the secretary to each member of the Board.

- (3) Notice of meetings of any committee shall be determined by the Chairman of such committee.

QUORUM

24. (1) At all General Meetings 12 members entitled to vote, shall form a quorum. At meetings of the Board, 5 members shall form a quorum. At meetings of Committees a majority of the members entitled to be present, or 5 such members, whichever shall be less, shall form a quorum.
- (2) If there shall not be a quorum present within 10 minutes after the time affixed for the meeting, the meeting shall be adjourned to a date and time to be fixed by those present, and notice of the adjournment shall be sent to the members in accordance with this Constitution. If at the adjourned meeting there shall not be a quorum present the members present shall hold the meeting as if a quorum were present.

VOTING

25. All the officers and members of the Club not specifically debarred by this Constitution shall be entitled to speak and vote at all meetings at which they are entitled to be present. Voting may be taken on the voices, or a show of hands, but if so required by 5 members, the vote shall be taken by ballot.

ORDER OF BUSINESS

26. (1) At the Annual General Meeting the order of business unless otherwise determined by the Board, shall be as follows:
- (a) Apologies.
 - (b) Confirmation of Minutes.
 - (c) Business arising out of Minutes.
 - (d) Correspondence.
 - (e) Presidents Report.
 - (f) Auditors Report.
 - (g) Treasurer's Report.
 - (h) Coach's Report.
 - (i) Social Secretary's Report.
 - (j) Junior Development Report.
 - (k) Election of Officers.
 - (l) Motions.
 - (m) General Business.
- (2) At the meetings of the Board the order of business unless otherwise determined by the Board, shall be as follows:
- (a) Apologies.
 - (b) Confirmation of Minutes.
 - (c) Business arising out of Minutes.
 - (d) Correspondence.
 - (e) Reports.
 - (f) Accounts.
 - (g) Election of members.
 - (h) Election of officers to vacant offices.
 - (i) General Business.
- (3) At meetings of other committees the Chairman may determine the order of business.

ABSENCE FROM MEETINGS OF COMMITTEES

27. Any member of any committee absenting him or herself from 3 consecutive meetings without leave from the Board or committee shall be deemed to have resigned from the committee.

STANDING ORDERS

28. (1) Where notice of motion is required, that notice shall be given by a member giving a copy to of motion in writing to the Secretary, together with the member's name, at least 14 days before the meeting at which it is intended to put he motion.
- (2) Where notice of motion has been given, that motion shall only be proceeded with at a meeting if the member giving notice, or another member authorized in writing by the member giving notice, is present at that meeting.
- (3) Any motion, which is not seconded, shall not be further debated and shall lapse.
- (4) As soon as a debate on the question is concluded the Chairman shall put the question to the meeting in a distinct and audible manner.
- (5) The question on being put shall be resolved in the affirmative or negative on the voices or when a show of hands or ballot is called for under Clause 25, by a simple majority of the members present and entitled to vote.
- (6) Any question which has been proposed may be amended by leaving out, substituting or adding words but no amendment which results to a direct negative shall be accepted by the Chairman.
- (7) When an amendment is declared carried, it shall take the place of the original motion, when a further amendment can be proposed until the final question is finally decided.

SUSPENSION OF STANDING ORDERS

29. It shall be lawful for a majority of the members present and entitled to vote at any meeting to suspend any Standing Order, providing the object of such suspension shall not be the rescinding of any resolution previously carried.

ORDER OF DEBATE

30. (1) Any member desiring to propose a motion or amendment, or to discuss any matter under consideration must rise and address the officer occupying the chair. No member when speaking shall be interrupted unless called to order, when he or she shall sit down and the member so calling to order shall be heard in preference to any other speaker and the Chairman shall then decide without discussion upon the point of order before the subject is resumed or any other subject entered upon.
- (2) Any member feeling dissatisfied with the ruling of the Chairman may dissent from such ruling providing the dissent is seconded. In cases of dissent from the ruling of the Chairman the question shall be as follows:
"Shall the ruling of the Chairman stand?"
The only persons entitled to speak on the question shall be the mover of the question and the Chairman and then the question shall be put.
- (3) No member may speak to any motion or amendment after it has been put to the meeting by the Chairman and voted upon.
- (4) When 2 or more members rise to speak the Chairman shall call upon the member who, in the Chairman's opinion, rose first.
- (5) The mover and seconder of any motion or amendment shall be held to have spoken to it. In the discussion no member shall be allowed to speak more than once except strictly to explain or contradict a mis-statement, but the mover of the original motion shall have the right to reply before the discussion is concluded.
- (6) A member speaking must confine his or her remarks to the subject under debate and avoid personality. The speaker shall not use any discourteous language or reflect on any member.

ALTERATION OF CONSTITUTION

31. (1) No provision of this Constitution shall be repealed or amended and no new provision shall be included except as provided for in this Constitution.
- (2) Where 10% or more of the Club's members wish to add or repeal or amend any provision of the Constitution or any rule made under the Constitution, they shall give 14 days notice in writing to the Secretary. The Secretary shall then convene a Special General Meeting of the Club in the manner provided for in this Constitution for the purpose of discussing the proposed repeal, amendment or new provision. Unless the proposed repeal, amendment or new provision is carried by resolution in that behalf by a majority of three quarters of the members present and voting at the General Meeting it shall be deemed to be not carried.

RESCISSION OF MOTIONS

32. No resolution passed at an Annual General Meeting or Special General Meeting may be rescinded except after notice of motion given in accordance with Clause 28.

HONORARIA

33. Such honoraria shall be made, given or paid as are determined by the Board from time to time.

DISSOLUTION OF THE CLUB

34. If and when the Club shall be dissolved and upon the winding up of its affairs, all property and assets of the Club remaining after all debts and liabilities of the Club have been paid or discharged in full shall become and remain the property of the Tennis West (Inc) and may be used or applied by that Association for carrying out any of its objects.