

Glenorchy City Tennis Club Inc. Constitution

1. Name

The Club shall be known as “Glenorchy City Tennis Club Inc.” (in these rules called ‘the Club’).

2. Club’s Office

The registered office of the Club shall be at the clubrooms situated on the Cameron Reserve, Berriedale.

The postal address is Box 213, Post Office, Glenorchy, 7010, or such other place as the members shall from time to time determine.

3. Objectives

The aims and objectives of the Club are as follows:-

- a) To control and advance the game of tennis in the City of Glenorchy.
- b) To arrange and manage championships; interstate, pennant and inter-club tennis and all things that relate thereto or delegate the management of any championships or interstate meeting to any club or other body.
- c) To acquire (by purchase, lease or otherwise) any real or personal property and any rights, privileges which the Club may think necessary or convenient.
- d) To borrow or raise such monies in such manner, and either with or without security over all or any of its property, and for that purpose to execute or issue or to authorize on its behalf to execute or issue such mortgages, charges, debentures or other instruments as the Club from time to time may deem fit.
- e) To arrange for the representation of the Club on the Southern Tasmanian Tennis Association or any body of a similar nature formed for the purpose of promoting or controlling the game of tennis.

4. Committee governance

For the purposes of carrying out the above objectives the Committee shall have power:-

- a) To erect, maintain, improve or alter any building or buildings, court or courts, for the purposes of the Club.
- b) To invest and deal with any of the monies of the Club not immediately required for the purposes thereof upon such manner as may be deemed fit and from time to time to vary and realise such investments.
- c) The taking of such steps from time to time as the Committee or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Club, whether by way of donations, subscriptions or otherwise.
- d) The printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Committee or the members in general meeting may think desirable for the promotion of the objectives and purposes of the Club.

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- e) The doing of all such lawful things as are incidental or conducive to the attainment of the basic objectives of the Club.

5. Membership

Membership shall comprise:-

- a) Junior members U/11
 - b) Junior members
 - c) Student members
 - d) Adult members
 - e) Family members
 - f) Life members
 - g) Honorary members
 - h) Social members
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- a) Junior members U/11 are children under eleven (11) years of age. Junior/U11 members shall not be entitled to vote at Annual or General Meetings and shall automatically assume Junior membership on attaining the age of eleven (11) years.
 - b) Junior members are children under eighteen (18) years of age. Junior members shall not be entitled to vote at Annual or General Meetings and shall automatically assume adult membership on attaining the age of eighteen (18) years.
 - c) Student members are those persons who have attained the age of eighteen (18) years of age but who are attending (full-time) at a tertiary institution. Student members shall have the same rights as adult members.
 - d) Adult members are persons eighteen (18) years and over, not in full time study, whether employed or unemployed.
 - e) Family members. Family members may comprise:
 - i. Husband and wife or
 - ii. Husband and wife and junior and or student members or
 - iii. Parent and junior and or student members
 - f) Life members – the Committee may in consideration of special services rendered to the Club nominate a member as a member for life.

No person shall be made a life member unless they meet the Life Membership criteria and be endorsed by a majority of not less than three-quarters of the members present and voting at a General Meeting. Life members shall not be obliged to pay annual subscriptions.

Life Membership Criteria:

- i. Any current or past financial member of the club may be nominated by any current financial member of the Club for Life Membership. This should be a written document demonstrating the criteria and be supported and signed by a current Committee member and passed to an Executive member of the

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- Committee to table at the next meeting.
- i. Life membership cannot be nominated by or supported (in the first instance) by an immediate family member, including step (mother, father, son, daughter, sister, brother, partner) or de-facto partner.
 - ii. At least 4 of the following criteria must be demonstrated:
 1. The nominee has been an active member of the Club for at least 15 years.
 2. The nominee has served on the Committee and has:
 - a. Held a role at the Club (eg. President, Vice President, Secretary, Assistant Secretary, Events Co-ordinator, Treasurer, Club Captain, AYC Rep, Midweek Ladies Rep, Junior Convenor, Maintenance, Tournament Director, Coach, Fundraiser, Social Convenor)
 - b. Undertaken duties/tasks above and beyond the duties of any role held.
 3. A respected member of the Club/Committee.
 4. The nominee has demonstrated a positive influence on Club events, functions or assets, or mentoring of new, younger, or existing members over a 5 year period. (eg. Initiating and/or organising, building, Grants, Hot Shots).
 5. Has participated in or with Club functions/events and supported club events even when not participating for at least 12 years. These events could include, but are not limited to:
 - a) Club hosted events: 35+ Day, Grudge Match, Stringlab Competition, Club Champs.
 - b) Grudge Match
 - c) Tournaments – Junior, Open
 - d) Pennants: Winter, AYC
 - e) Fundraising functions & Initiatives
 - f) Social Functions: BBQ's, Family Day, Dad's Day Out, Open Days
 - g) Letter drops/advertising
 - h) In-kind labour, maintenance.
 6. Can demonstrate where they have represented and/or promoted the Club in the Community or Committees (eg: At functions, Council, AYC, Mid-week Ladies, Schools, Government, Fundraising, Moorilla)
- g) Honorary members – the Committee may at its discretion grant honorary membership to:-
- a. The patron or patrons for the time being of the Club.
 - b. A visiting member of any other tennis club affiliated with their State Association for the duration of the day on which he or she takes part in any game, match, competition or tournament being conducted by the Club.
 - c. An interstate or overseas visitor or visitors for the duration of such visit or three (3) months whichever should first expire.
 - d. Any prominent citizen visiting the Club for some special occasion.

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Honorary members shall not pay subscriptions or entrance fees or be entitled to vote at any meeting or be elected as officers of the Club.

- h) Social members are welcome to participate in social activities and are non-players.

Every candidate for membership of the Club shall tender an application in writing giving:

- i. full name, address, contact phone number, email address (optional) and date of birth together with other particulars as the club may from time to time require.

Every nomination shall be lodged with the Secretary who will subsequently submit same to the Committee.

The election of members shall be by the Committee who shall examine all nominations for membership. The Committee may reject any applications for membership without assigning any reasons for such rejection.

On the election of a member the Secretary shall give such member notice of his election personally or by forwarding or posting the same to the address given on the membership application.

Every person elected to membership and informed of his or her election shall be deemed to agree to pay the annual subscription and other fees and charges as prescribed by the Club and by the Committee from time to time in force.

6. Register of Members

- a) The Secretary shall keep a register of members setting out in full the name, address, contact phone number, email address (optional) and date of birth of each member, and specifying the class of membership to which the member belongs and setting out the date of the latest payment of each member of his or her subscription.
- b) Each member shall communicate his or her address or any changed address in writing from time to time to the Secretary and such address shall be deemed to be the member's registered address. All notices sent by post or otherwise to such address shall be considered as duly delivered.

7. Subscriptions

- a) The financial year of the Club shall commence on the first day of April in one year and end on the last day of March of the following year. The annual subscriptions and other charges payable by any class of member of the Club, these being determined at the Annual General Meeting upon the recommendation of the Committee, shall be payable on election and thereafter on the first day of July each year or at such other time as the Committee shall determine.
- b) If any fee or subscription or charge shall remain unpaid for a period of two (2) months after it becomes due without sufficient reason for delay in payment, the Committee may by resolution debar such member from all privileges of membership and may at any time after fourteen (14) day's notice to the member by resolution remove such member's

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name from the register of members.

8. Cessation of Membership

- a) A member at any time by giving notice in writing to the Secretary may resign his or her membership of the Club but shall continue to be liable for any monies payable by them at the date of their resignation.
- b) If any member shall refuse or neglect to comply with the provisions of this constitution or if any member shall in the opinion of the Committee be guilty of any conduct deemed by the Committee to be unbecoming of a member or prejudicial to the interests of the Club, such member may be expelled by resolution of the Committee and such resolution need not state the grounds, facts or opinions upon which it is based, provided:-
 - i. That at least seven (7) days before the meeting at which resolution is passed, the member concerned shall have been notified either verbally or in writing of the intended resolution and requested to be present at the meeting, and that they shall at such meeting and before such resolution is passed have had an opportunity of giving verbally or in writing any explanation of defence they may think fit.
 - ii. That seven (7) days written notice of the meeting to consider the case of a member under this article shall be given to the members of the committee and that the notice convening the meeting shall state that the case of the particular member or members and the question of his or her or their membership are to be considered.
- c) A member so expelled shall have the right of appeal to the Annual General Meeting of the club. Such an appeal shall be lodged in writing with the Secretary within twenty-eight (28) days of the date of expulsion.
- d) Every person ceasing to be a member of the Club whether by resignation or retirement, expulsion, death, neglect to pay the annual subscription or otherwise, shall forfeit forthwith all rights as a member of the club but shall remain liable for any monies due or payable by them as at that date unless relieved of this or her or their obligation by resolution of the Committee.

9. Management

- a) The management of the Club shall be vested in a committee to be comprised of:-
 - i. President
 - ii. Vice President
 - iii. Honorary Secretary
 - iv. Events Co-ordinator
 - v. Honorary Treasurer
 - vi. Two Club Captains (one male and one female)
 - vii. Junior representative and
 - viii. Minimum of four (4) committee members elected by ballot at the Annual General Meeting of the Club.
- b) The President, Vice President, Honorary Secretary and Honorary Treasurer shall

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constitute an Executive Committee to deal with matters of urgency relevant to the affairs of the Club. Such matters shall be reported to the General Committee for confirmation.

- c) At every Annual General Meeting the officers and other members of the committee shall retire from office but may be re-elected to the same or any other office of the Committee, provided that no officer shall hold the office of President for more than three consecutive years.
- d) All nominations of the officers and other members of the committee shall be forwarded in writing to the Secretary at least ten (10) days before the Annual General Meeting. The Secretary shall give at least five (5) days' notice to each member of the Club the names of the nominees and their nominated positions. To be eligible for nomination as an officer or general committee member, a nominee must be a full financial member of the Club.
- e) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated shall be deemed to be elected and further nominations shall be received for the vacant positions at the Annual General Meeting.
- f) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- g) If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- h) The ballot for the election of officers and ordinary committee persons shall be conducted at the Annual General meeting in such usual and proper manner as the committee may direct.
- i) Any meeting of the Committee may by ordinary resolution remove any member of the Committee before expiration of the period of his or her office and appoint another qualified person in his or her stead.
- j) The committee may continue to act notwithstanding any vacancy in its body.
- k) Any casual vacancy occurring in the Committee other than that of President or Vice president shall be filled by the Committee.
- l) At all meetings of the Committee the President, or in his or her absence the Vice President shall be chairperson. In the event of both members being absent the Committee may elect one of its number as chairperson.
- m) A member of the Committee may at any time, and the Secretary shall upon the request of a member of the Committee, convene a meeting of the Committee. Questions arising at any meeting shall be decided by a majority of votes, and in the case of an equality of votes the Chairperson shall have a second or casting vote.
- n) The committee may delegate any of its powers to sub-committees consisting of such member or members of its body as it thinks fit. Any sub-committee so formed shall, in the exercise of its powers so delegated conform to any regulations that may from time to time be imposed on it by the Committee.
- o) The meetings and proceedings of any such sub-committee consisting of two or more members shall be governed by the provisions herein contained for regulating the meetings and proceedings of the Committee, except as otherwise provided by the

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Committee from time to time.

- p) All acts done by any meeting of the Committee, or by any sub-committee or by any person acting as a sub-committee shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of any such sub-committee or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of such Committee or sub-committee.
- q) A resolution in writing signed by all the members of the Committee shall be as valid and effectual as if it had been passed at a meeting of the Committee duly called and constituted.

10. General Meetings

- a) The Annual General Meeting of the Club shall be held if practical in the month of June in each year at such time and place as may be prescribed by the Club in general meeting or in default at such time and place as may be determined by the Committee, provided always that an Annual General Meeting shall be held at least once in every calendar year.
- b) The abovementioned Annual General Meeting shall be called the Ordinary General Meeting. All other General meetings shall be called Special General Meetings.
- c) A Special General Meeting may be called at any time by the Committee or on receipt by the Secretary of a written request signed by not less than fifteen (15) members of the Club.
- d) All resolutions to be proposed at an Annual General Meeting shall be received by the Secretary not less than fourteen (14) days
- e) Every notice convening a General Meeting shall specify:-
 - i. The day, the hour and the place of such meeting and brief information concerning the business proposed to be transacted and shall be sent by the Secretary to every financial member of the Club at an address recorded in the register of members – whether by email or post.
- f) The period of notice with respect to General meeting shall be as follows:-
 - i. Fourteen (14) days in respect of Ordinary General Meetings and such Special General Meetings as are convened for the purpose of passing a special resolution.
- g) Neither the accidental omission to give notice of a meeting to nor the non-receipt of a notice of meeting by, any member shall invalidate the proceedings at any meetings.

11. Quorum

- a) Annual General Meetings and Special General Meetings may not transact any business unless quorums of eight (8) members entitled to vote are present.
- b) The quorum for all Committee meetings shall be five (5), and three (3) in the case of Executive Meetings.
- c) The quorum for any sub-committee shall be one more than half of the number of members of the sub-committee excepting that where a sub-committee consists of (9)

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members or more the number of members for a quorum shall be five (5).

- d) In the absence of such quorum a meeting convened upon the requisition of members shall lapse thirty (30) minutes after the appointed time. In any other case the meeting shall be adjourned to a time and place determined by the Committee.

12. Proceedings at General Meetings

- a) The business of an Annual General Meeting shall be to receive and consider the report of the Committee, the Income and Expenditure Account, the Balance Sheet and the Report of the Auditors, to elect the Committee and to elect an Auditor and to transact any other business which under these articles is to be transacted at an Annual General Meeting. All other business transacted at an Annual General Meeting and all business transacted at a Special General Meeting shall be deemed Special.
- b) The President shall be chairperson at all General meetings and at all Committee and Executive Meetings, or in his or her absence the Vice President, but if neither is present the members shall elect a Chairperson amongst themselves. The Chairperson shall be entitled to a second or casting vote in the case of equality of votes on a poll or show of hands.
- c) All business shall be conducted and dealt with in the order in which it appears on the notice paper subject to the decisions of the members at the meeting.
- d) A meeting may resolve to adjourn only to complete business unfinished at such meeting and if for more than thirty (30) days a further notice of seven (7) days shall be given.

13. Votes of Members

- a) Members may attend a committee meeting as an observer and invited to speak, however, they will have no voting rights.
- b) No member other than a Life member shall be entitled to vote at any meeting of the club or Committee or to be elected to any office unless they have paid all annual subscription and all other monies due to the Club at the time of such meeting.
- c) Every question submitted at a General Meeting of the Club or to any meeting of the Committee or any sub-committee shall be decided in the first instance by a show of hands.
- d) At any General Meeting unless a poll is demanded by the Chairperson or by at least five (5) members present and entitled to vote at the meeting, a declaration by the Chairperson that a resolution has been carried, or carried by a particular majority of lost or not carried by a particular majority, and an entry to that effect in the book of proceedings of the Club shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.
- e) If a poll is demanded as aforesaid it shall be taken in such manner and at such time and place as the Chairperson of the meeting directs and either at once or after an interval or adjournment or otherwise, and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The demand of a poll may be withdrawn. In the case of any dispute as to the admission or rejection of a vote the Chairperson shall determine the same and such determination made in good faith shall be final and conclusive.

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- f) The demand of a poll shall not prevent the continuance of a meeting for the transaction of any business other than the question on which a poll has been demanded. No poll shall be demanded on the election of a Chairperson of a meeting, and a poll demanded on a question of adjournment shall be taken at the meeting without adjournment.
- g) No voting can be done by proxy.

14. Duties of honorary secretary

- a) The Committee shall cause minutes to be kept by the Secretary for the purpose:-
 - i. Of all appointment of officers made by the club in General Meeting or by the Committee.
 - ii. Of the names of the committee present and voting at each meeting of the Committee.
 - iii. Of the number of members present and voting at General Meeting of the Club.
 - iv. Of all resolution and proceedings of all meetings either of the Club or the Committee, or the Executive Committee.
- b) It shall be the duty of the Secretary to take the minutes of all meetings, to draw up necessary documents and forward all necessary notices and to receive and answer all correspondence in accordance with directives of the Committee consistent with objectives of the Club.

15. Duties of the Honorary Treasurer

- a) The Club shall cause correct accounts and books to be kept showing the financial affairs of the Club and the particulars usually shown in books of account of a like nature and showing in particular and without limiting the generality thereof:-
 - i. All sums of money received and expended by the Club and the matters in respect of which the receipt and expenditure takes place.
 - ii. All sales and purchases of goods by the Club.
 - iii. The assets, credits and liabilities of the Club.
- b) The books of account together with any documents and securities of the Club shall be kept at the registered office of the Club or at such other place as the Committee thinks fit and subject to reasonable restrictions as to the time and manner of inspecting the same that may be imposed by the Club shall be open to the inspection of the members. Once at least in every financial year the financial records and accounts of the Club shall be examined and the correctness of the Balance Sheet and Profit and Loss Statements ascertained by one or more properly appointed auditors.
- c) It shall be the duty of the Treasurer to do all the financial transactions of the Club and to receive and pay where necessary all monies of the club. All monies necessary shall be acknowledged in an official receipt book by the Treasurer or his authorised representative.
- d) All monies are to be banked to the credit of the club on current account with such bank as the Committee shall from time to time determine.

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- e) All cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by the Treasurer or, in his or her absence, by such other member of members of the Committee as the Committee may nominate for that purpose, and shall be counter signed by the Public Officer.

16. Public Officer

The Secretary shall be the Public Officer of the Club.

17. Auditors

- a) The Club at each annual General Meeting shall appoint an Auditor or Auditors to hold office until the next Annual Meeting.
- b) The Auditor or Auditors may only be removed from office by special Resolution.
- c) If a casual vacancy occurs in the office of Auditor during the course of the financial year the Committee may appoint a person or persons as auditor/s and this person/s shall hold office until the next succeeding Annual General Meeting.
- d) The Auditor/s shall make a report to the members on the accounts examined by them and on every balance sheet laid before the Club in General Meeting during their tenure of office and the report shall state whether or not they have obtained all the information and explanation they have required and whether in their opinion the Balance Sheet and Profit and Loss Account referred to in the Report are fair view of the state of the Club's affairs and whether the accounting and other records are properly kept. A copy of the Report together with a copy of the Balance Sheet and Profit and Loss Statements shall be circulated to each member who attends the Annual General Meeting and lodged with the Registrar of Business Affairs, Department of Justice.

18. Notices

- a) Notice of every General Meeting of the Club shall be provided to every financial member of the Club at the address recorded in the Register of Members.

19. Miscellaneous

- a) In the promotion and holding of tournament by the club, regard shall be had to the dates of any other tournaments being held by other Clubs and Associations and as far as possible, such tournament shall be arranged on different dates so as to avoid clashes.
- b) The colour of the Club shall be blue and white.
- c) The documents of Lease entered into with the Mayor and Council of the City of Glenorchy in respect of the occupation of the Club Courts, Club House and surrounds shall run with and form part of this Constitution.

20. Alteration to Constitution

The Constitution or any part thereof may be amended, added to or repealed at any Annual or Special General Meeting only by a majority of not less than three-quarters of the members

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present and voting, provided that the proposer of such alteration has notified the Secretary of their proposal in writing at least fourteen (14) days prior to the date of the next Annual General Meeting or Special General Meeting and the Secretary has given to the members at least seven (7) days' notice of the Motion for alteration to be considered.

21. Indemnity

The members of the Committee and other officers representing the club shall be indemnified out of the funds of the Club from and against all actions, costs, charges, losses, damages and expenses which they or any of them shall or may incur or sustain by reason of any act done, concurred in or omitted in or about the discharge of their duty or supposed duty in their respective offices except such if any as they shall incur or sustain by or through their own wilful default or defaults of the other or others of them or for joining in any receipts for the sake of conformity or for any bankers or other person with whom any monies or effects belonging to the Club shall or may be lodged or deposited or for the insufficiency or deficiency of any security upon which any monies of or belonging to the Club shall be placed out or invested or for any other loss, misfortune or damage which may happen in the execution of their respective offices or in relation thereto except the same shall happen by or through their own wilful default or dishonesty.

22. Member Protection By-Law

- a) The Glenorchy City Tennis Club Inc. may from time to time make, amend or repeal by-laws not consistent with these rules for the management of the association, and any by-law may be set aside by a general meeting of members. By-laws may be amended, repealed, introduced or deleted from time to time and such matters should be decided by a majority of votes of the members present who are eligible to vote.
- b) In accordance with Clause 22 (a) of the Constitution of the Glenorchy City Tennis Club Inc. the members at the General Meeting adopts the Tennis Australia Member Protection By-Law as the By-Law of the Glenorchy City Tennis Club Inc., with any amendments made from time to time.

23. Seal of Association

- a) The Seal of the Club shall be in the form of a rubber stamp, inscribed with the name of the club encircling the word "Seal".
- b) The Seal of the Club shall not be affixed to any instrument except by the authority of the Committee, and the affixing thereof shall be attested by the signatures either of two members of the Committee or of one member of the committee and the Public Officer of the Club or such other person as the Committee may appoint for that purpose, and that attestation is sufficient for all purposes that the Seal was affixed by authority of the Committee.
- c) The Seal shall remain in the custody of the Public Officer.

24. Dissolution of Club

In the event of the Glenorchy City Tennis Club Inc. being dissolved, the amount which remains after such dissolution and the satisfaction of all debts and liabilities shall be repaid and applied

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by the subcommittee in accordance with their powers to an organisation which is exempt from Income Tax under Division 30 of the Income Assessment Act.