

# **1 CONSTITUTION OF MODBURY**

CONSTITUTION OF THE MODBURY TENNIS CLUB INCORPORATED (17<sup>th</sup> August 2006)

The name shall be the “Modbury Tennis Club Incorporated” (herein called the “Club”)

## **1. OBJECTS**

The objects of the Club shall be:

- a. To promote, encourage and foster the game of tennis within the district.
- b. To provide and maintain suitable grounds and premises for tennis.

## **2. POWERS**

For the purpose of achieving and furthering these objects, the Management Committee of the Club shall have power:

- a. To purchase, sell, hold, lease or rent real or personal property and to enter into any arrangements with any government or local government authority.
- b. To borrow, raise or secure the payment of money, to secure the repayment or performance of any debt or liability, contract or guarantee.
- c. To invest the money of the Club.
- d. To amalgamate, associate or affiliate with any other tennis club or sporting association.
- e. To determine appropriate standards of conduct for members and visitors using club facilities.
- f. To formulate or adopt and implement appropriate policies, including in relation to sexual harassment, equal opportunity, equity, drugs in sport, health, safety, junior and senior programs, infectious diseases and such other matters as arise from time to time as issues to be addressed in tennis.
- g. To do all such other things as are incidental or conducive to the objects of the Club.

## **3. ALTERATIONS TO THIS CONSTITUTION**

No alterations shall be made to this constitution except by a resolution approved by a two-thirds majority of the members present at a General Meeting. The details of any change to be made must be circulated to members at least seven days prior to the meetings.

## **4. MEMBERSHIP**

- a. Members of the Club shall be classified as follows:
  - i. Senior Competitive
  - ii. Junior Competitive
  - iii. Mid-week Competitive
  - iv. Social
  - v. Life
  - vi. Honorary

The number of members in each classification and the conditions and privileges for each category, not already specified in this constitution, shall be determined by the Management Committee.

- b. Past financial members shall be eligible to apply for renewal of their membership on an annual basis. New members may be invited by any member of the club or may approach a member of the club. The Management Committee shall have the right to refuse any

application for new membership or for renewal of membership without disclosing the reason for that refusal.

- c. All members under the age of sixteen (16) years at the Annual General Meeting or any General Meeting shall be prohibited from recording a vote at such meeting and from holding any position on the Management Committee.
- d. **Life Membership:** any person rendering meritorious service to the Club over a long period may be nominated for Life Membership. All nominations for Life Membership must be:
  - i. proposed and seconded by financial members of the club;
  - ii. accompanied by a written statement from the proposer outlining the contribution made to the club by the person being nominated;
  - iii. supported by the Management Committee which shall then recommend the award of Life Membership at the next Annual General Meeting.
- e. **Honorary Membership:** where a person is not a member belonging to any of the categories i. - v. listed in a. they may be appointed as Honorary members for the current year provided that:
  - i. they are involved on a regular basis in the running of the club
  - ii. they are nominated for appointment by a financial member of the club
  - iii. the total number of Honorary Members does not exceed four (4) at any one timeAppointment of Honorary Members shall be made at the Annual General Meeting by vote of the members present or at other times by the Management Committee.

## **5. SUBSCRIPTION AND FEES**

The amounts and the due dates for the Annual Club Subscription fee and for all other fees paid by all categories of the member shall be set by the Management Committee. An Annual Subscription fee shall be paid by all members except Life Members. A competition fee shall be paid by all members participating in that competition. However, where special circumstances apply the Management Committee shall have the power to waive all or part of the fee due.

## **6. MANAGEMENT COMMITTEE**

The affairs of the Club shall be controlled by the Management Committee whose members shall be elected at the Annual General Meeting. Members of the Management Committee shall hold office until their removal or replacement in accord with the provisions of this constitution.

The Management Committee shall consist of the following:

- i. President
- ii. Honorary Secretary
- iii. Honorary Treasurer
- iv. Junior Committee Representative
- v. Club Captain
- vi. Mid-week Co-ordinator
- vii. Association Committee Representatives
- viii. and other members as decided at the Annual General Meeting

The Management Committee shall have full control of, and exercise supervision over, the Officers of the Club and shall meet for business whenever necessary.

The chairman at all meetings shall have a deliberative but not a casting vote. If votes are tied then the motion is lost.

A committee member absent without leave from three (3) consecutive meetings may be removed or replaced by the Management Committee.

The Management Committee shall have the authority to appoint individuals or sub-committees to work under its jurisdiction.

## **7. ANNUAL GENERAL MEETING**

The Annual General Meeting shall be held within three (3) months of the end of the financial year at a time and place to be fixed by the Management Committee. At least seven (7) days notice of the meeting shall be given by advertisement in the Public Notices section of the local Newspaper and/or by written notice posted to members at their last known address.

At the Annual General Meeting a financial report and audited balance sheet shall be laid before the members.

### **Order of Business-Annual General Meeting**

- i. Minutes of the previous Annual General Meeting and any Special General Meetings held since then.
- ii. Business arising from the Minutes
- iii. Reports of the President and Honorary Treasurer
- iv. Election of Officers and Committees
- v. Election of Auditor
- vi. General Business of which at least seven (7) days notice shall have been given.

## **8. SPECIAL GENERAL MEETINGS**

A Special General Meeting may be called by the Management Committee or by written request to the Honorary Secretary from any six (6) financial members. Notice thereof shall be given in the same way as for the Annual General Meeting, such notice to state the business for which the meeting is called, and discussion at that meeting shall be restricted to the matters set out in the notice of the meeting.

## **9. QUORUM**

A quorum for Annual General Meetings or Special General Meetings shall be seven (7) financial members, and for meetings for the Management Committee, four (4) committee members.

## **10. FINANCE**

- a. The funds of the Club shall be devoted to the payment of all current expenditure and the net surplus (if any) or any part thereof may be devoted to any other purposes connected with the objects of the Club at the discretion of the Management Committee. If in a particular financial year the Club's income is insufficient to meet the current expenditure then reserve funds shall be used for this purpose. In this event, the Honorary Treasurer, shall in the Annual Financial Report, highlight the shortfall between income and expenditure and make recommendations for the prevention of a recurrence.
- b. No payment shall be made or debt incurred against the Club without the authority of the Management Committee. All monies shall be banked as soon as reasonably convenient after the receipt thereof. All payments shall be made by cheques drawn upon the Club's cheque account, and such cheques shall be signed by the Honorary Treasurer and countersigned by one of the two other Management Committee members as nominated by the Management Committee. Where the Honorary Treasurer is not available cheques may be signed by the two nominated signatories. The same signatories apply to any other savings/investment accounts. Savings/investment and cheque accounts shall be opened and kept in the name of the "Modbury Tennis Club Incorporated".

- c. The property of the Club shall not be sold, mortgaged, encumbered or exchanged without the authority of the Management Committee.
- d. The Club's financial year will commence on the first of July and conclude on the thirtieth of June.

### **11. AUDITOR**

There shall be an auditor of the Club appointed at the Annual General Meeting. The Management Committee shall have the power to fill any vacancy which occurs.

### **12. DUTIES OF OFFICERS**

- a. The President shall preside over all meetings of the Management Committee and at all General Meetings.
- b. The Honorary Secretary shall, subject to the direction of the Management Committee:
  - i. convene all Management and General Meetings
  - ii. record minutes of all Management and General Meetings
  - iii. hold a copy of the list of financial members compiled by the Honorary Treasurer.
- c. The Honorary Treasurer shall:
  - i. take charge of and bank all monies belonging to the Club
  - ii. prepare a statement of Receipts and Payments for presentation at the Annual General Meeting, such statement to be audited.
  - iii. make recommendations concerning subscriptions and other financial matters
  - iv. provide a brief written summary statement of finances at each Management Committee meetings
  - v. prepare a budget for presentation to the Management Committee which details the expected income and expenditure for the coming year/season.
- d. The junior co-ordinator shall, in conjunction with the Junior Committee, be responsible for:
  - i. the organisation and management of junior tennis and affairs;
  - ii. the selection of Junior Teams;
  - iii. recording of junior match results
  - iv. Liaison with the Management Committee
- e. The Club Captain shall, in conjunction with the selection committee, be responsible for;
  - i. the organisation and management of senior competitive tennis;
  - ii. the selection of senior teams;
  - iii. recording of senior match results;
  - iv. Liaison with the Management Committee

### **13. PUBLIC OFFICER**

The Public Officer shall be appointed by the Management Committee and shall continue in office until replaced by the Management Committee.

### **14. EXPULSION**

The Management Committee may expel, punish or otherwise deal with any member whose conduct, in their opinion, is injurious to the interests of the Club. The member concerned shall be given the chance to be heard before any decision shall be made. The decision of the Management Committee in any such cases shall be final, unless revoked or varied by a Special General Meeting called for the purpose and held with one (1) month after notice of such decision shall have been given.

### **15. COMMON SEAL**

The Common Seal shall be held in the custody of the Secretary and it shall only be affixed to any document under the authority of a resolution of the Management Committee and by those persons authorised by the Committee.

#### **16. COLOURS**

The colours of the Club shall be Blue and White.

#### **17. DISSOLUTION**

If and when the Club shall be dissolved and on the winding up of its affairs, all the property and assets of the Club remaining after all debts and liabilities of the Club shall have been paid or discharged in full, shall become and remain the property of some other Club or Body having similar objects to the Club, and which shall prohibit the distribution of its income and property amongst the members of the Club.

#### **18. INTERPRETATION OF THIS CONSTITUTION**

- a. Where any part of this constitution requires an interpretation such interpretation shall be made by the Management Committee and shall apply until altered by the Management Committee or by vote of a General Meeting convened for that purpose.
- b. Where a matter arises which, in the opinion of the Management Committee, is not dealt with by these rules, the Management Committee shall, in respect of that matter, act as it sees fit.