



WESTON CREEK TENNIS CLUB INCORPORATED

CONSTITUTION

September 2020

1. Definitions

1.1 “Club’ means the Weston Creek Tennis Club Incorporated;

1.2 “Member’ means a person who is a financial member or a life member as defined under Clause 6, and who appears on a list to be maintained by the Membership Secretary;

1.3 “Committee” means the elected management Committee of the Club;

1.4 “the Act” means the Associations Incorporation Act 1991 of the ACT;

1.5 “the Regulations” means the Associations Incorporation Regulations applying to that Act; and

1.6 The rules of the Club are based on the principles contained in the model rules defined in the Act, and are contained within this constitution.

2. Objects of the Club

2.1 To provide tennis facilities for all members, both senior and junior;

2.2 To promote social and competition tennis in accordance with the requirements of members, within the limits of available facilities; and

2.3 To encourage, promote and support tennis in the ACT.

3. Rules of the Club

3.1 The rules of the Club are based on the principles contained in the model rules defined in the Act and are contained within this Constitution.

3.2 The rules may be altered, subject to the compliance provisions of the Act, by special resolution.

4. Name of the Club

4.1 The Club is called the Weston Creek Tennis Club Incorporated.

5. Management of the Club

5.1 The management and control of the Club shall be vested in the Committee.

5.2 The Committee

5.2.1 The Committee shall be elected at the Annual General Meeting and Members shall hold office until the next Annual General Meeting unless otherwise vacated.

5.2.2 Committee Members

5.2.2.1 The Committee shall consist of at least seven Members comprising the Executive and a minimum of three other Members.

5.2.3 The Executive

5.2.3.1 The Executive shall comprise - a President, Vice-President, Secretary, and Treasurer as office bearers.

5.2.3.2 A list of the Executive office bearers together with their duties shall be kept by the Public Officer (as defined in clause 5.3.1).

5.2.3.3 A vacant position may be filled by the Committee at any time for the remainder of the term of that office.

5.2.4 Committee Member vacancy

5.2.4.1 The office of a Committee Member becomes vacant if the person holding that office meets one of the following conditions:

- dies;
- ceases to be a member of the Club;
- resigns the office;
- is removed from office by resolution of a general meeting of the Club, subject to the rules of natural justice;
- becomes bankrupt;
- becomes of unsound mind;
- is disqualified from office under sub-section 63(1) of the Act;
- is absent, without the consent of the committee, from all committee meetings for six months.

5.2.5 Disclosure of interest

5.2.5.1 A Member of the Committee must disclose any interest in any contract or arrangement into which the Committee proposes to enter or has already entered. If a Committee Member

has an interest in such a contract, s/he shall not take part in any vote taken by the Committee with regard to the contract.

5.3. Public Officer

5.3.1 The Secretary, or other Member of the Executive appointed by the Committee shall act as Public Officer of the Club.

5.3.2 Where a vacancy occurs in the office of Public Officer, the Committee must appoint a new Public Officer within fourteen days of the vacancy being notified.

5.3.3 The office of Public Officer becomes vacant if the person holding that office meets one of the following conditions:

- dies;
- becomes bankrupt;
- becomes of unsound mind;
- resigns the office by writing to the committee,
- ceases to be a resident of the ACT;
- is dismissed by the Committee.

5.3.4 The Common Seal of the Club shall be kept by the Public Officer.

5.3.5 The Common Seal shall only be used with the authority of the Committee, and where used it will be attested by the signatures of two Members of the Committee.

5.4 Committee Meetings

5.4.1 The Committee should meet at least once every two months at a place and time determined by the Committee.

5.4.2 At Committee meetings a quorum shall consist of five Members.

5.4.3 No business shall be transacted unless a quorum is present. If within half an hour of the appointed time for the meeting, a quorum is not present the meeting will be adjourned to the following week unless the meeting was a special meeting, in which case the meeting lapses.

5.4.4 Committee meetings shall be chaired by the President or in his/her absence the Vice-President. If both these officers are absent one of the Committee Members, chosen by those present, may preside.

5.4.5 Questions arising at a meeting may be determined by show of hands unless a ballot is requested by any Committee Member.

5.4.6 Each Member present at a meeting is entitled to one vote, and in the event of an equality of votes, the person presiding is entitled to a second or casting vote.

5.4.7 Special meetings may be convened by the President, or any two Committee Members.

5.4.8 Notice must be given to the Committee of any special meeting, outlining the reasons for the meeting. No other business may be transacted at these meetings.

5.4.9 Any three Members of the Executive may deal with any matter of urgency which may arise between Committee meetings.

5.5 Sub-committees

5.5.1 Sub-committees may be convened by the Committee for any purpose, and the sub-committee may exercise the authority vested in it by the Committee.

5.5.2 A Sub-committee ceases to exist when its purpose is complete, or at the next Annual General Meeting.

5.5.3 A casual vacancy occurring in an office of a sub-committee may be filled by the convenor of that sub-committee for the remainder of the term of that office.

5.6 Fees and Charges

5.6.1 Membership and annual fees shall be set at a formal Committee meeting. Club members may attend Committee meetings to assist with the Committee's decisions.

5.6.2 All other fees and charges shall be determined by the Committee, either at a Committee meeting or on-line via email.

6 Membership

6.1 The Club's membership year shall run from 1st April to 31st March.

6.2 A person may apply to become a member in one of the following categories:

6.2.1 Adult member - over 19 years of age at the start of the membership year, providing they are not full-time students;

6.2.2 Junior member - over 8 and under 19 years of age at the start of the membership year;

6.2.3 Student member - over 19 years of age at the start of the membership year and a full-time student solely dependent upon parent(s) or guardian;

6.2.4 Special member - a member, who by providing the committee with acceptable evidence, is entitled to a special concessional membership rate;

6.2.5 Family member - a member of a Family membership which consists of at least one adult and any number of associated children who qualify as juniors (see above).

6.3 Honorary Life member - a member who has rendered outstanding service to the Club and on the recommendation of the Committee and confirmed at an Annual General Meeting been granted a Honorary Life membership.

6.4 A register of members shall be kept by the Membership Secretary, who will make this register available to members at a mutually agreed time and place.

6.5 A person ceases to be a member:

6.5.1 on resigning from the Club; OR

6.5.2 on failing to meet his or her financial membership obligations to the Club within two months of the start of the membership year (or such other period as shall be determined from time to time by the Committee); OR

6.5.3 if by resolution, the Committee has determined that the member has acted in a manner detrimental to the objectives of the Club.

6.6 A resolution of the Committee under clause 6.5.3 does not take effect until:

6.6.1 the expiration of fourteen days after the service on the member of a notice of expulsion, OR

6.6.2 if the member exercises his right of appeal, until the conclusion of the Special General Meeting convened to hear the appeal, whichever is the later date.

6.7 When the Committee resolves to expel a member from the Club, the Public Officer shall serve a letter on the member, without undue delay. The letter shall:

6.7.1 state that the Committee has expelled the member; and

6.7.2 give the grounds for this expulsion; and

6.7.3 inform the member that s/he may appeal against this expulsion within fourteen days of the date of the letter.

6.8 Upon receipt of a notice of appeal, the Public Officer must notify the Committee of its receipt and the Committee must convene a general meeting of the Club to be held within 21 days of the receipt of the notice of appeal.

6.9 At this meeting, and subject to compliance with the rules of natural justice:

6.9.1 there must be no other business transacted;

6.9.2 the Committee and the member shall be given the opportunity to make representations to the members present orally and/or in writing, and the members present will vote by secret ballot as to whether the expulsion will be confirmed or revoked;

6.9.3 If the members present confirm by a majority that the expulsion is revoked, then the member is entitled to continue as a member of the Club; and

6.9.4 If the members present confirm by a majority that the expulsion is confirmed, then the expulsion takes effect and the member ceases to be a member of the Club.

7 Finance

7.1 The financial year of the Club runs from 1st April to 31st March.

7.2 The Treasurer shall keep accounting records that correctly identify and explain all financial transactions and the financial status of the Club.

7.3 The Treasurer will make these records available to the auditor at the end of the financial year.

7.4 All monies received by any person on behalf of the Club shall be handed to the Treasurer who must deposit them, and any other monies received directly, with such bank or other financial institution as approved by the Committee, within fourteen days of receipt.

7.5 Club funds may be expended only on the prior authority of the Committee or in accordance with the delegations provided.

7.6 All payments by the Club must be made through the Club's operating account and correct and accurate records kept.

7.7 Any payment exceeding the sum of \$10,000 (ten thousand dollars) must be signed by two signatories of the operating account, such signatories being President, Vice-President, Secretary or Treasurer and be made with the knowledge and authority of the Executive.

8 Auditor

8.1 The Auditor will be elected at the Annual General Meeting for a term of one year.

8.2 The Auditor may be a member of the Club but shall not be a Member of the Executive or Committee of the Club.

8.3 The auditor will carry out an audit of the books and accounts of the Club and report to members at the next Annual General Meeting.

9 Income and Property

9.1 The income and property of the Club, however derived, shall be applied towards the promotion of the objectives and purposes of the Club.

9.2 No payment shall be made to Club members other than as reimbursement for expenses incurred in furthering the objectives of the Club, or by way of repayment of money loaned to the Club and interest on such money at a rate approved by the Committee and agreed by the member.

9.3 No investment funds may be sought or accepted by the Club from any person who is not a current financial member of the Club.

10 Annual General Meeting

10.1 An Annual General Meeting must be held within five months from the end of the financial year.

10.2 Notice of this meeting shall be given by the Secretary at least 21 days before the date of the meeting by being advertised on the Club Website, via email messaging and notices on the Clubhouse Notice Board.

10.3 Fifteen members constitute a quorum at an Annual General Meeting. If within one hour after the appointed time for the commencement of that meeting a quorum is not present, the meeting will be adjourned for a period of up to 30 days.

10.4 The business of the Annual General Meeting is to:

10.4.1 confirm the Minutes of the previous Annual General Meeting and address any Action Items from that meeting;

10.4.2 receive reports from the retiring Committee;

10.4.3 elect the incoming Committee;

10.4.4 elect Sub-committees as necessary;

10.4.5 appoint an Auditor for the next year;

10.4.6 Confirmation of Affiliation of the Club with Tennis ACT (see Clause 13); and

10.4.7 Items of General Business.

10.5 Election of Office Bearers

10.5.1 Nominations will be accepted by the Secretary in writing or if there being no nominations from the floor, at the Annual General Meeting. All nominations must consist of a proposer and a seconder and must be accepted by the nominee.

10.5.2 For the purposes of the Election, the Committee shall appoint a Returning Officer, normally the Public Officer, who will conduct the Election of all Office Bearers and Committee Members in accordance with the Club's Constitution.

10.5.3 In the event of more than one nomination being received for any position, a secret ballot will be called by the Returning Officer, and the nominee receiving the most votes will be elected. In the case of a tie the ballot will be held again. Nominees may also be asked to speak about their relevant background and suitability for the nominated position.

10.5.4 A member not in attendance is not entitled to appoint another member as proxy.

11 Special General Meeting

11.1 A Special General Meeting shall be held:

11.1.1 if required by the Committee OR

11.1.2 if required by not less than 5% of the total members, by notice in writing to the Secretary.

11.2 Notice of this meeting shall be given to the Secretary at least 21 days before the date of the Special General Meeting by being advertised as outlined in Clause 10.2.

11.3 A Club member not in attendance is not entitled to appoint another member as proxy.

12 Amendment of the Constitution

12.1 The Constitution may be amended only by resolution passed by a two thirds majority of financial members present at the Annual General Meeting or if required, a Special General Meeting called for the purpose.

12.2 Notice of the proposed amendment/s must be included as an Agenda Item for the Annual General Meeting or if a Special General Meeting via a specific notice as outlined in Clause 10.2.

13 Affiliations

13.1 The Club shall be affiliated with ACT Tennis Association (Tennis ACT).

13.2 Delegates to Association meetings shall be appointed by the Committee.

14 Dissolution

14.1 The Club shall be dissolved by resolution, passed by a two thirds majority of financial members voting at a Special General Meeting.

14.2 On dissolution of the Club, the assets and funds in hand at that time shall, after payment of expenses and liabilities, be handed to such social or sporting clubs or charitable institutions operating in the ACT as a majority of the members present and entitled to vote at the meeting decide.