

CONSTITUTION OF THE WHITEFORD ROAD TENNIS AND BADMINTON CLUB

INTRODUCTION This constitution sets out the framework under which the Whiteford Road Tennis and Badminton Club will operate. It sets out the obligations of the members and also its Committee in relation, inter alia, to the management of the Club and specifically to the role of the "Responsible person" in relation to the current Fire Safety and Control of Asbestos Regulations.

1.0 TITLE

1.1 The Club shall be called the Whiteford Road Tennis and Badminton Club.

2.0 OBJECTS

- 2.1 The objects of the Club shall be to provide facilities for and promote participation in the playing of Tennis and Badminton, and for the social meeting of members.
- 2.2 The Club shall maintain affiliation to the Lawn Tennis association and the Devon County Lawn Tennis Association.
- 2.3 The Club shall maintain affiliation to the Badminton England Association and to Devon County Badminton Association.

3.0 COMMITTEE

- 3.1 The Club shall be managed by a Committee consisting of an Honorary Chairperson, Honorary Secretary, Honorary Treasurer and a minimum of six and a maximum of eight other members.
- 3.2 Committee members shall be elected every year by the members of the Club at the Annual General Meeting (AGM) and, subject to termination of office by resignation or otherwise, shall remain in office until the AGM the following year.
- 3.3 The retiring members of the Committee shall be eligible for re-election.
- 3.4 Committee members shall have power to fill any vacancy that may occur in the Committee during the course of the year.
- 3.5 The Committee shall elect a Vice-Chairperson at its first meeting following each AGM, who shall deputise for the Chairperson at committee or general meetings during the course of the year.
- 3.6 The Chairperson, or if absent, the Vice-Chairperson, shall preside at all committee and general meetings and shall have a casting vote or additional vote in the event of a tie.
- 3.7 Six committee members shall form a quorum at committee meetings, except for matters relating to Rule 10 which shall require a quorum of two-thirds.
- 3.8 From time to time the Committee may wish to co-opt individuals from outside the membership of the Club in order to provide specific advice and guidance on those issues for which it has little competence. Those individuals will enjoy Honorary Membership of the Club during the period of their co-option.

4.0 SUBSCRIPTIONS

- 4.1 The annual subscriptions for each category of member shall be determined by resolution at the Club's AGM.
- 4.2 Anyone failing to pay the appropriate subscription shall be ineligible to use the facilities of the Club or enjoy any privileges of membership unless extraordinary arrangements have been approved by the Committee.
- 4.3 For renewing members, subscriptions shall be paid not later than 30 April each year.
- 4.4 For new members, subscriptions shall be paid within fourteen days of offer of membership.
- 4.5 When a member reaches the stage when he or she is unable to participate in the sporting activities of the Club that person may be offered, at the discretion of the Committee, honorary life membership. An Honorary Life Member would not be required to pay annual subscription but would retain full voting rights and would be eligible for election to the Committee, subject to the appropriate procedures.

5.0 NEW MEMBERS

- 5.1 Applications for new membership shall be made in writing, normally by completing a standard Club application form obtainable from the Membership Secretary.
- 5.2 The Club operates an equal opportunities membership policy: membership will not be withheld unfairly, for example, on grounds of race, gender, sexual orientation, ability or disability. In the case of disability every effort will be made to meet the needs of the particular individual especially with regard to Health and Safety.
- 5.3 New members shall agree to abide by the rules and bylaws of the Club.

6.0 TERMINATION OF MEMBERSHIP

- 6.1 The Committee shall have the power to expel any member who offends against the Constitution or rules of the Club in a serious or persistent manner, or whose conduct, in the considered opinion of the Committee, is likely to bring the Club into disrepute.
- 6.2 Before any member is expelled from the Club, the Hon Secretary shall inform the member of the grounds for complaint and shall invite the member to attend a meeting of the Committee at not less than seven days written notice.

- 6.3 No member shall be expelled unless a quorum of the Committee shall vote in favour of the expulsion.
6.4 Members who have been expelled from, or have unpaid debts owing to the Club, shall not use any part of the Club premises, even if invited to do so by another member.

7.0 VISITORS

- 7.1 The committee shall have the power to authorise members of other clubs to use and enjoy facilities of the Club for periods not exceeding one month. Such visiting players shall pay a fee as determined by the Committee unless a reciprocal arrangement has been made with the visitors club. Such visitors shall not be eligible to attend meetings of Club members, unless specifically invited to do so.
7.2 Visiting players who are not members of other clubs are permitted to play on a maximum of three occasions in accordance with current public liability insurance before having to apply for membership of the Club.

8.0 ALTERATIONS TO THE CONSTITUTION

- 8.1 The Constitution can only be altered following a resolution at the AGM or Extraordinary General Meeting (EGM) as appropriate.
8.2 Any proposal by a member to alter the Constitution shall be supported by the signatures of at least ten other members and be notified to the Secretary in writing not later than twenty eight days prior to the AGM or EGM.
8.3 Any proposal to the Committee to alter the Constitution shall be notified to the members at the same time as the distribution of notices informing members of the AGM or EGM.
8.4 A proposal to alter the Constitution shall take effect when it has been voted upon by at least two thirds of those attending the AGM or EGM.

9.0 RULES

- 9.1 Rules are made to regulate the conduct and affairs of the Club on a day to day basis. The Committee shall have the power to make, repeal and amend them. Any such Rules must be compatible with the Constitution of the Club.
9.2 Any such Rules shall be posted in some conspicuous part of the Club's premises and shall be binding on all members.

10.1 FINANCE

- 10.1 All monies payable to the Club shall be received by the Treasurer and deposited in accounts held in the name of the Club.
10.2 No sum shall be drawn from the Club's account except by cheque signed by two of three signatories, who shall be the Chairperson, Secretary or Treasurer.
10.3 The financial transactions of the Club shall be recorded in a proper set of books kept by the Treasurer.
10.4 The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than is reasonably allowed by the Rules. Any surplus income or profits are to be reinvested in the Club.

11.0 HEALTH AND SAFETY

- 11.1 It is the general policy of the Club to ensure that all reasonably practicable measures, as required by legislation, are taken to safeguard the health and safety of anyone on Club premises. This is especially true in relation to the current Fire Safety and Asbestos Regulations where the Club Committee will act corporately as the "Responsible person".

12.0 PROPERTY

- 12.1 The property of the Club shall be invested in not less than two and not more than four Trustees, who shall be elected by the Committee.
12.2 The Trustees shall deal with the property as directed by resolution of the Committee, of which entry in the minute book will be conclusive evidence.
12.3 The Trustees shall be indemnified against all risk and expense pertaining to the property and operation of the Club.
12.4 A Trustee shall hold office until death or resignation unless removed from office by resolution of the Committee.
12.5 The Chairperson is nominated as the person to appoint new Trustees within the meaning of Section 36 of the Trustees Act 1925. The Chairperson shall by deed duly appoint the person so nominated by the Committee as the new Trustee of the Club, and the provision of the Trustees Act 1925 shall apply to any appointment. The Committee's decision to appoint a Trustee will be duly recorded in the Minutes.

13.0 BORROWING

- 13.1 If at any time the Club in general meeting shall pass a resolution empowering the Committee to borrow money for furthering the aims of the Club, the Trustees shall, as instructed by the Committee, make any dispositions of Club property and enter into agreements as the Committee may deem proper for giving security for such borrowings.

14.0 ANNUAL GENERAL MEETING (AGM)

- 14.1 An AGM shall be held in every year as near to the last day of February as possible to transact the following business:
- (a) to receive the Officers' reports of the activities of the Club during the preceding year
 - (b) to receive and if approved, adopt a statement of the Club's accounts at the end of the preceding year
 - (c) to consider, and if approved, sanction any proposed alteration to the rules for which notice has been given in accordance with 8.1 and 8.2 above
 - (d) to appoint the officers and other members of the Committee
 - (e) to appoint an auditor or auditors
 - (f) to deal with any special matter which the Committee desires to bring before the members and to receive suggestions from the members for consideration by the committee.
- 14.2 Notice convening the general meeting shall be sent to the members not less than fourteen days before the meeting, and shall identify the matters to be dealt with.
- 14.3 All members shall be entitled to attend AGMs. All categories of members with the exception of temporary members and members under eighteen years of age shall be entitled to vote.
- 14.4 The presider of an AGM shall have a casting or additional vote in the event of a tie or in a situation where a vote by the presider may be necessary to determine an issue requiring a two thirds majority.
- 14.5 Notice of any resolution proposed to be moved at any general meeting shall be given in writing to the Secretary not less than twenty one days before the meeting.

15.0 EXTRAORDINARY GENERAL MEETING (EGM)

- 15.1 An EGM may be convened at any time by the Committee, or shall be convened within twenty eight days from the receipt of a requisition in writing signed by not less than ten Club members specifying the object of such meeting, for any of the following purposes:
- (a) to consider and, if approved by a majority of two thirds of members present who are eligible to vote in accordance with the provisions of clause 13.3 above, to sanction any proposal to alter any of the rules which have been made in accordance with clauses 8.1 and 8.2 above
 - (b) to deal with any special matter the Committee may desire to place before the Club members
 - (c) to receive the resignation of the Committee, or to remove from office, any member or members of the Committee, and to fill any vacancy or vacancies caused thereby
 - (d) to deal with any special matter the members requesting the meeting, having given the requisite notice in accordance with clause 8.1 above, may desire to place before the Club.
- 15.2 All members shall be entitled to attend an EGM. All categories of members with the exception of temporary members and members under eighteen years of age shall be entitled to vote.
- 15.3 The presider of an EGM shall have a casting or additional vote in the event of a tie or in a situation where a vote by a presider may be necessary to determine an issue requiring a two thirds majority.

16.0 COACHING

- 16.1 Only persons approved by the Committee shall use the club's courts for the professional coaching of Tennis.
- 16.2 Where private coaching of non-members is permitted by the Committee, an appropriate court hire fee shall be paid.

17.0 EMPLOYEES

- 17.1 Any employee of the Club shall be under the instructions of the Committee only, and no member shall have the power to reprimand an employee.
- 17.2 If a member has a cause for complaint regarding an employee, it shall be brought to the attention of the Committee in writing.

18.0 DISSOLUTION

- 18.1 A resolution to dissolve the Club shall only be proposed at the AGM or at an EGM and shall be carried by a majority of two-thirds of the members present who are eligible to vote.
- 18.2 The dissolution shall take effect from the date of the resolution and the members of the Committee shall be responsible for winding up the assets and the liabilities of the Club.
- 18.3 Any property remaining after the discharge of debts and liabilities shall be disposed of in one or all of the following ways:
- (a) to another Club with similar sports purposes which is a registered charity and/or
 - (b) to another Club with similar sports purposes which is a registered CASC and/or
 - (c) to the Club's National Association (LTA) for use by them for related community sports.

Approved at the Annual General Meeting on 24th February 2010 - Valid until further notice.

Signed on the original by Robert Wenborn Chairperson