

BASILDON TENNIS CLUB – CONSTITUTION AND RULES

(Revised August 2016)

1. NAME AND OBJECTS

The club shall be called the BASILDON TENNIS CLUB. The main purposes of the club are to provide facilities for and to promote participation in the amateur sport of tennis in Basildon.

2. ELIGIBILITY FOR MEMBERSHIP

- a) Membership of the club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs.
- b) The club may have different classes of membership and subscription on a non-discriminatory and fair basis.
- c) The club may accept persons below the age of 18. Such persons will not be able to vote until they reach the age of 18 years after which time they will have the same rights as members who are 18 years of age or over.
- d) The club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- e) The committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into disrepute. Appeal against refusal or removal may be made to the members.

3. ENTRY TO MEMBERSHIP

On completing a membership application form and paying a joining fee (if any) and the first subscription an applicant will become a member.

4. CATEGORIES OF MEMBERSHIP & FEES

Subject to clause 2, the club may offer appropriate categories of membership including the following:

- a) Full playing membership;
- b) Full playing family membership;
- c) Junior playing membership; and
- d) Student membership (adult in full-time education)
- e) Honorary membership

5. PAYMENT OF SUBSCRIPTIONS

- a) All joining fees and annual subscriptions shall be due for payment on the 1st April in each year, and if such fees and subscriptions have not been paid by 31st May in each year the membership will be deemed to have lapsed. Members may at the absolute discretion of the

committee be readmitted to membership on payment of all arrears without payment of any further joining fee.

- b) New applications for membership part of the way into a membership year may, at the discretion of the committee, be required to pay only a pro-rated proportion of the annual subscription, but will be required to pay any joining fee in full.

6. RESIGNATION OF MEMBERSHIP

Any member may resign their membership by giving to the Honorary Secretary written notice to that effect at any time during the membership year.

7. EFFECT OF RESIGNATION OR EXPULSION

If a person resigns as a member or is removed as a member, he or she shall forfeit all right to, and claim upon, the club, its property and its funds, and he/she will have no right to the return of any part of his/her subscription.

8. MANAGEMENT OF THE CLUB

The management of the club (except as otherwise provided by these rules) shall be deputed to a committee of at least 4 members. The normal composition will be:

- a) Chairman;
- b) Honorary Secretary;
- c) Honorary Treasurer;
- d) Match Secretary; and
- e) General Committee Members

9. ELECTION OF COMMITTEE

At the annual general meeting all of the committee shall retire, but each will be eligible for re-election. Any member may offer himself/herself for election to the committee by either giving prior notice to the Honorary Secretary, or by stating his/her eligibility at the annual general meeting. Each candidate shall be proposed and seconded by two separate members before his/her eligibility will be allowed. Voting shall be by simple majority, and every voting member may vote for as many candidates as there are vacancies to be filled. In the event that no simple majority is achieved, voting shall be by ballot, and in the event that no majority is again achieved, the chairman will have a casting vote.

10. CASUAL VACANCIES

In the event of a vacancy on the committee, the committee will have the power to appoint any playing member of the club to fill the vacancy, but the proceedings of the committee will not be invalidated in consequence of there being less than the prescribed number of members. The committee will also have the power to co-opt up to two persons to assist with special projects.

11. TRUSTEES

In the event of the club acquiring land or entering into a lease the Chairman, Honorary Secretary, Honorary Treasurer and Club Captain for the time being shall hold the land or lease as trustees for the club (Trustees). The Trustees shall be indemnified against risk and expense out of the club property. The Trustees shall hold office until death or resignation or removal or resignation from office. Where by reason of such death, resignation or removal it is necessary that a new trustee or trustees be appointed the committee shall nominate the person or persons to be appointed as the new trustee or trustees. For the purpose of giving effect to such nomination, the Honorary Secretary is now nominated as the person to appoint new trustees of the club within the meaning of the Trustee Act 1925 Section 36 and he/she shall by deed appoint the person or persons so nominated by the committee.

12. PROCEEDINGS OF THE COMMITTEE

The committee shall appoint from among its members a Chairman, Honorary Secretary and Honorary Treasurer. The committee shall meet as business dictates to arrange the affairs of the club and to examine its accounts. A quorum shall consist of 3 members. The Honorary Secretary shall take minutes of all proceedings of the committee and these minutes shall be open to the inspection of any member of the club upon application to the Honorary Secretary, and may also be posted in the Clubhouse.

13. ANNUAL GENERAL MEETING

The annual general meeting of the club shall be held normally in the month of March each year upon a date and at a time to be fixed by the committee for the purposes of:

- a) receiving from the committee annual reports along with audited statement of accounts for the preceding financial year;
- b) electing the committee and appoint auditors for the ensuing financial year;
- c) setting entry fees and annual subscriptions for the ensuing year; and
- d) deciding on any resolution which may be duly submitted to the meeting as below.

A copy of the report, audited balance sheet and statement of accounts shall be sent to members prior to the annual general meeting.

14. MEMBERS RESOLUTIONS

Any member who wishes to propose any resolution at the annual general meeting shall give written notice of the resolution to the Honorary Secretary at least one week preceding the meeting.

15. SPECIAL GENERAL MEETINGS

The committee may at any time for any purpose call a special general meeting and it shall do

so within a reasonably practicable time upon the requisition in writing of any 5 members of the club stating the purpose for which the meeting is required.

16. NOTICE OF GENERAL MEETINGS

The Honorary Secretary shall, at least 14 days before the annual general meeting or any special general meeting, send to every member, or post prominently at the Club House notice of the meeting and of the business to be transacted at the meeting and no business other than that of which notice has been so given shall be brought forward at the meeting.

17. CONDUCT OF GENERAL MEETINGS

At general meetings the Chairman and in his/her absence a member selected by the meeting shall take the chair. Every member present and entitled to vote shall have one vote upon every motion and in the case of equality of votes the Chairman shall have a casting vote.

18. QUORUM

The quorum at all general meetings shall for resolutions proposing any repeal or amendment to the club rules consist of 8 members; for the repeal or amendment of any byelaw or regulation consist of 4 members; and for all other business consist of 4 members.

19. FINANCIAL YEAR

The financial year of the club shall end on the last day of December in each year to which day the accounts of the club shall be balanced.

20. AUDITORS

At every general meeting one member of the club not being a Trustee or a member of the committee shall normally be elected to serve as the auditor for the ensuing year. A vacancy occurring in the office of auditor during the year shall be filled by a person appointed for that purpose by the committee.

21. PROFITS OR EMOLUMENTS FOR MEMBERS

No member shall except for professional services rendered at the request of the committee receive any profit or emoluments from the funds or transactions of the club. All surplus income or profits from operating the club shall be reinvested in the club; distribution of club assets in cash or kind to members or third parties is not permitted.

22. GAMING

Save for the provision of gaming machines or other games or lotteries permitted by law and approved by the committee the clubhouse shall not be used for gambling or the playing of any games of chance.

23. AMENDMENT OF RULES

These rules may be added to, repealed or amended by resolution of any general meeting provided that no such resolution shall be deemed to have been passed unless it is carried by a majority of at least two-thirds of the members voting on it. Any amendments to these rules must not affect the club's ability to practice within the CASC¹ rules. Any reference in these rules to "these rules" or "the rules of the club" shall include a reference to the rules of the club as from time to time altered in accordance with this rule.

24. BYELAWS AND REGULATIONS

The committee shall from time to time make, repeal and amend all such byelaws and regulations (not inconsistent with these rules) as it shall think expedient for the internal management and well-being of the club and the use of the courts. All such byelaws and regulations shall be binding on the members until repealed by the committee or set aside by a resolution of a general meeting of the club.

25. COURTS, COMPETITIONS, ETC

The committee shall have the power:

- a) to make arrangements for the hiring of courts and for the reservation of courts as may be required on any occasion as the committee shall in its absolute discretion think proper; and
- b) to make arrangements for holding matches, tournaments or other like competitions and to provide cups and other prizes for such competitions.

26. GENERAL

- a) Any member using club property is responsible for same until returning it to the Secretary.
- b) All members shall submit to the ruling of a member of the committee if on the court.
- c) No member shall be allowed on the court unless wearing suitable footwear.
- d) Members shall not play a long or second set when others are waiting for a game.
- e) Players are to attempt to find all balls lost during their game before leaving the grounds and, if not found, to report the fact to the Secretary.
- f) On match evenings, match players shall have complete rights to the courts.

27. BORROWING

If at any time, the Club, in general meeting, shall pass a resolution authorising the committee to borrow money, the committee shall then be empowered to borrow for the purposes of the club, such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in the resolution and the Trustees shall at the discretion of the committee make all such dispositions of the club property

¹ Community Amateur Sports Club Scheme (CASC) as operated by HM Revenue & Customs.

or any part of the club property and enter into such agreements in relation to that property as the committee may deem proper for giving security for such loans and interest. All members of the club after voting on such resolution or not, and all persons becoming members of the club after the passing of such resolution shall be deemed to have assented to the resolution as if they had voted in favour of it.

28. NOTICES: MEMBER'S ADDRESSES

Any notice required by these rules to be given or sent to a member shall be deemed to have been duly given or sent on the next working day after it is posted if sent by prepaid post to the address of the member appearing in the club books. Every member shall immediately give to the Honorary Secretary written notice of any change of his/her address.

29. DISSOLUTION

- a) If at any general meeting a resolution for the dissolution of the club shall be passed by a majority of the members present and entitled to vote, and if such resolution shall be confirmed by a resolution passed by a majority of two-thirds of the members present and entitled to vote at a special general meeting held not less than one month after the meeting at which not less than one-half of the members entitled to vote shall be present, the committee shall immediately or at such future date as shall be specified in such resolution proceed to realise the property of the club and after the discharge of all liabilities.
- b) Upon dissolution of the club any remaining assets shall be given or transferred to another registered Community Action Sports Club, a registered charity or the sport's governing body for use by them in related community sports.