

**Hawkshaw Tennis Club**  
Two Brooks Lane, Hawkshaw, Bury, BL8 4LA

**Club Rules and Constitution**

**1. Name**

The Club is called Hawkshaw Tennis Club (“the Club”) and is affiliated to The Lawn Tennis Association (LTA)

**2. Definitions**

“the Chair” is the person elected from time to time in accordance with Rule 8

“the Secretary” means the person who is elected from time to time to be the secretary of the Club in accordance with Rule 8

“the Treasurer” means the person or persons elected from time to time to be the treasurer or joint treasurer of the Club in accordance with Rule 8

“the Welfare Officer” means the person who is elected from time to time to be the welfare officer of the Club in accordance with Rule 8

“the LTA” means the Lawn Tennis Association (the governing body of tennis within Great Britain, the Channel Islands and the Isle of Man) of The National Tennis Centre, 100 Priory Lane, Roehampton, London SW15 5JQ and its subsidiaries

“the LTA Disciplinary Code” means the disciplinary code of the LTA in force from time to time

“the LTA Rules” means the rules of the LTA as in force from time to time

“the Officers” means the Chair, Secretary, Treasurer

“the Management Committee” means the committee appointed under Rule x to manage the Club

“the Members” means the members of the Club admitted from time to time to membership of the club in accordance with Rule x

“the Game” means the game of tennis

### **3. Aims and Objectives**

The objectives of the Club are:

- ✓ To provide tennis, social and other activities to generally encourage and facilitate the playing of tennis
- ✓ To promote, improve, develop and support the interest of tennis within the local community
- ✓ To provide and maintain Club premises at Two Brooks Lane
- ✓ To provide coaching and competitive opportunities in tennis
- ✓ To ensure a duty of care to all members and visitors to Club premises
- ✓ To provide all Club services in a way that is fair to everyone
- ✓ To retain membership of the LTA and to comply with the LTA Rules and Regulations and the LTA Disciplinary Code.
- ✓ Subject to the LTA Rules and Regulations and the LTA Disciplinary Code to make rules, regulations, by-laws, policies and procedures concerning the Club including:
  - without limitation regulations concerning disciplinary procedures that may be taken against members
  - the safeguarding and protection of children and young people
- ✓ To do all such other things that the Management Committee thinks fit to further the interests of the Club, including promoting increased participation at all levels of the Game.

## **4. Membership**

### **4.1 Eligibility for membership**

- 4.1.1 Persons are eligible for full membership of the Club provided they are at least 18 years old. No person shall be denied membership of the Club on the grounds of race, ethnic origin, creed, colour, age, disability, sex, occupation, sexual orientation, religion, political or other beliefs
- 4.1.2 Persons below the age of 18 may be elected as Junior Members without the right to hold office or vote at general meetings
- 4.1.3 Each year the Management Committee will be responsible for determining if or when membership numbers have reached their limit for that year and this will be guided by prevailing LTA recommendations

### **4.2 Admission of Members**

Any person who wishes to become a member must contact a member of the Management Committee and every candidate for membership shall be considered by the Management Committee which shall, in its absolute discretion, decide whether to admit the candidate as a Member

### **4.3 Conditions of membership**

- 4.3.1 Each Member (of each class) agrees as a condition of membership:
  - (a) To be bound by and subject to these rules and the rules and regulation of any Federation or County Association to which Hawkshaw Tennis Club is affiliated
  - (b) To be bound by and subject to LTA Rules and LTA Disciplinary Code
- 4.3.2 The Management Committee may, subject to Clause 6, terminate the membership of any person, or impose any other sanction it determines appropriate, in connection with the breach of any condition of membership set out in this rule

### **4.4 Classes of Members**

- 4.4.1 There shall be the following classes of Members for the Club

Senior Member – aged over 18 as at 01<sup>st</sup> January of that year

Country Member – aged over 18 as at 01<sup>st</sup> January of that year

Student Member – aged over 18 and in full time education as at 01<sup>st</sup> January of that year

Junior Member – aged up to 18 as at 01<sup>st</sup> January of that year

- 4.4.2 Only Senior Members shall be entitled to vote at general meetings. All other Member classes shall be afforded full privileges relevant to their class but shall not have the right to vote at general meetings.
- 4.4.3 Junior Members aged 11 years or over as at 01<sup>st</sup> January of that year shall be entitled to participate in the Wimbledon draw, however their attendance at the Wimbledon Championship is subject to parental agreement and/or accompaniment

#### 4.5 *Subscriptions*

- 4.5.1 The annual subscription for each type of Member, the amount of any early payment discount and the date upon which it will apply will be determined at the Annual General Meeting and Members will pay the annual subscription fee as determined
- 4.5.2 Any Member whose subscription is not paid by the commencement of the Summer League Season (tournament dates as confirmed by the Federation or County Association leagues or cup matches in which Hawkshaw Tennis Club participate) shall not be eligible to represent the Club in any league or cup match. Such a decision is subject to the discretion of the Management Committee
- 4.5.3 Any new Member joining on or after 01<sup>st</sup> September shall pay such proportion of the annual subscription for the current season as the Management Committee may decide
- 4.5.4 The subscription paid will cover the period from 01<sup>st</sup> April to 31<sup>st</sup> March
- 4.5.5 Any Member whose subscription is not paid by 01<sup>st</sup> July shall be deemed to have resigned from the Club
- 4.5.6 The Treasurer may place in a prominent position in the Clubhouse a list of all Members whose subscriptions remain unpaid by 30<sup>th</sup> May. This list may also be published on Hawkshaw Tennis Club's website
- 4.5.7 The Management Committee may, at their absolute discretion, waive the sanctions that apply for non-payment of subscriptions. Such a waiver will only be considered in cases of hardship, illness or as determined by the Management Committee
- 4.5.8 Classes of Subscription
- Senior Members - Full use of courts and facilities and eligible to represent the Club in league or cup matches
  - Senior Country Members – limited use of courts up to 1700hrs Monday to Friday. Saturday and Sunday play is permitted if courts

are not required by Senior Members. No eligibility to represent the Club in league or cup matches

- Junior Members - Full use of courts (if not required by Senior Members) and facilities and eligible to represent the Club in league or cup matches
- Junior Country Members - limited use of courts up to 1700hrs Monday to Friday. Saturday and Sunday play is permitted if courts are not required by Senior Members. No eligibility to represent the Club in league or cup matches

Members eligible to represent the Club in league or cup matches will pay a suitable match fee to contribute towards the cost of tennis balls and refreshments. This fee will be determined annually by the Management Committee and communicated at the Annual General Meeting

## **5 Resignation**

Any Member(s) intending to resign or transfer to non-playing membership shall notify the Management Committee by 01 June. Failure to do so will render the Member liable for the full subscription for the ensuing year

## **6 Expulsion**

- 6.1 Subject to the remaining provisions of this rule, the Management Committee shall have power to refuse membership or expel a Member if in its sole discretion determines that it would be in the interests of the Game or of the Club to do so
- 6.2 A Member shall not be expelled unless he/she is given 14 days' written notice of the meeting of the Management Committee at which his/her expulsion shall be considered and written details of the complaint against him/her
- 6.3 The Member shall be given an opportunity to appear before the Management Committee to answer complaints against him/her. The Member must not be expelled unless at least two-thirds of the Management Committee then present vote in favour of the expulsion
- 6.4 The Management may exclude the Member from Club premises until the meeting to consider his/her expulsion has been held. For the avoidance of doubt, the Member shall be entitled to attend that meeting for the purpose of making his/her representations
- 6.5 The Member may appeal against the Management Committee's decision by notifying the Management Committee

## **7 Effect of Resignation or Expulsion**

Any person ceasing to be a Member forfeits all right to and claim upon the Club, its property and its funds and he/she has no right to the return of any part of the his/her subscription.

The Management Committee may refund an appropriate part of a Member's subscription if it considers it appropriate taking account of all the circumstances.

## **8 The Management Committee**

- 8.1 The Club shall be managed by a Management Committee consisting of 10 Executive Members, as follows:
- a) The Chair
  - b) The Secretary
  - c) The Treasurer (joint)
  - d) The Welfare Officer
  - e) No more than six other Members elected annually at the Annual General Meeting. The Executive Members of the Management Committee may exercise all the powers of the Club for the purposes of management of the Club
- 8.2 The Club agrees that each member of the Management Committee will be required, as a condition of election or appointment, to agree to be bound by and subject to these rules, the rules and regulation of any Federation or Count Association to which the Club is affiliated and the LTA Rules and the LTA Disciplinary Code.
- 8.3 The Management Committee shall ensure that the Club maintains an up to date policy and set of practices to safeguard children and ensure that all Members are informed of and bound by its contents. The Management Committee must appoint a Member or Members with responsibility for ensuring the policy and set of practices are implemented and monitored; the Welfare Officer.
- 8.4 The members of the Management Committee may delegate any of the powers that are conferred on them by these rules to such person, or committee, by such means (including Power of Attorney), to such extent, in relation to such matters and on such terms and conditions as they think fit. If the members of the Management Committee specify, any such delegation may authorise further delegation of Members' powers. The members of the Management Committee may revoke any delegation or alter its terms and conditions

- 8.5 The Secretary shall make available to the Members each year a nomination form for the election of members of the Management Committee. An application form for membership of the Management Committee must be supported by any two Senior Members of the Club on the form prescribed by the Management Committee. The form with a supporting statement must be submitted to the Secretary at least 14 days prior to the Annual General Meeting. No Member may nominate more than one candidate for any one vacancy
- 8.6 Any person nominated as a member of the Management Committee must have been a Senior Member of not less than one year's standing
- 8.7 If there is only one candidate nominated to fill any vacancy, that candidate shall be declared elected unopposed for that vacancy at the next Annual General Meeting. If there is more than one candidate for any vacancy there shall be an election at the Annual General Meeting for that position. In the event of a tie, the candidate to be elected shall (unless the candidates otherwise agree) be determined by lot
- 8.8 The Management Committee shall be elected at the annual General Meeting in each year and, subject to termination of office by resignation, removal or otherwise, the members remain in office until they or their successors are re-elected or elected (as the case may be) at the Annual General Meeting following their re-election or election (as the case may be)
- 8.9 In addition to the Members elected or appointed in accordance with this Rule 8, the Management Committee may co-opt further Members who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Management Committee
- 8.10 The Management Committee may appoint any Member to fill any casual vacancy on the Management Committee, except for the post of President, until the next Annual General Meeting when that person shall retire but shall be eligible for re-election
- 8.11 Retiring members of the Management Committee may be re-elected
- 8.12 Any person accepting election or nomination to the Management Committee who has any financial interest in the Game must, before such election or nomination, state in writing to the Club of all interests. Failure to do so will lead to automatic disqualification from Management Committee membership. The Management Committee has the right to veto such an election if, in its opinion, it is not in the best interests of the Club

## **9 Proceedings of the Management Committee**

- 9.1 Management Committee meetings shall be held as often as the Management Committee thinks fit provided there shall be not less than 9 meetings each year. The quorum for such meetings shall be five. The Chair and/or Secretary shall have discretion to call emergency meetings of the Management Committee if they consider it in the best interests of the Club. The Chair and/or Secretary shall give all the members of the Management Committee not less than 14 days' notice of a Management Committee meeting. Any Emergency Committee meeting can be held with less than 14 days' notice depending on the urgency or severity or importance of that particular meeting.
- 9.2 The Chair shall preside at every meeting of the Management Committee
- 9.3 Decisions of the Management Committee shall be made by a simple majority and in the event of an equality of votes the Chair shall have a casting or additional vote
- 9.4 The Management Committee must make minutes of its meetings, which will be available to all Members upon request. All issues must be recorded but details of sensitive issues may be withheld at the Committee's discretion. A summary of the aspects discussed will be published on Hawkshaw Tennis Club's website
- 9.5 The Management Committee may from time to time appoint from among its number and/or any Member sub-committees as it considers necessary and may delegate to them such of the powers and duties of the Management Committee as the Management Committee may determine. All sub-committees shall periodically report their proceedings to the Management Committee and shall conduct their business in accordance with the directions of the Management Committee
- 9.6 The Management Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Management Committee shall have power to enter into contracts for the purposes of the Club on behalf of the Members
- 9.7 The Members of the Management Committee shall be entitled to an indemnity out of the assets of the Club for all agreed expenditure on behalf of Hawkshaw Tennis Club, and other liabilities properly incurred by them in the management of the affairs of the Club



- 9.8 The Management Committee is empowered to make such additional Rules as may from time to time be deemed expedient. Such Rules shall be posted on the Club website and shall be binding on all Members, but they must be confirmed or rejected at the next Annual General Meeting or at an Extraordinary General Meeting called for that purpose
- 9.9 Whenever a Management Committee member has a personal interest in a matter to be discussed he/she must declare it, withdraw from that part of the meeting (unless asked to stay), not be counted in the quorum for that agenda item and withdraw during the vote and have no vote on the matter concerned

## **10 Annual General Meeting**

The Annual General Meeting of the Club shall be held in February (exceptionally in March) to transact the following business

- To receive the Chair's report of the activities of the Club during the previous year
- To receive and consider the accounts of the Club for the previous year, the Treasurers' report as to the financial position of the Club, the accounts having been independently examined by a person approved by the Management Committee
- To elect the Officers and other members of the Management Committee
- To decide on any resolution which may be duly submitted in accordance with the Rules
- To deal with any other matters which the Management Committee desires to bring before the membership

## **11 Extraordinary General Meetings**

An Extraordinary General Meeting may be called at any time by the Management Committee and shall be called within 14 days of receipt by the Secretary of a requisition in writing signed by not less than 10 Members stating the purpose for which the meeting is required and the resolutions proposed. If an Extraordinary General Meeting is called after receipt of a Members' requisition the only business to be transacted at that meeting shall be the resolutions proposed in the requisition. If a Members' requisitioned meeting is not called before the expiry of a period of 21 days commencing on the date of the request, the Members requisitioning the meeting may call the meeting at any time before the expiry of two months commencing on the date of that request.

## **12 Procedures at the Annual and Extraordinary General Meetings**

### *Calling a meeting*

- 12.1 Proposals for the decision of General Meetings of the Club shall be notified to the Secretary at least 14 days before the date of the meeting and made available to all Members at least 7 days before the date of the meeting. Proposals must be submitted in writing and carry the signature of any 2 Members of the Club. Those advancing the proposal should have the opportunity to speak in support of it and Members to discuss it before a vote is taken
- 12.2 The Secretary shall make available to each Member notice of the date, time and place of the General Meeting together with the resolutions to be proposed and, in the case of an Annual General Meeting, the names of the persons proposed to be elected as members of the Management Committee for the ensuing year at least 7 days before the meeting. The accidental failure to give notice to any person entitled to notice, or the accidental omission of any such details in any notice shall not invalidate the proceedings at the meeting

### *The process of the meeting*

- 12.3 Members attending a General Meeting will be required to sign a register of attendance that will include their class of membership (and voting rights). The information about numbers eligible to vote will be passed to the tellers
- 12.4 The quorum for Annual and Extraordinary General Meetings will be 15 Members
- 12.5 The Chair will preside at all meetings of the Club be of he/she is not present the Members present and entitled to vote may choose one of the other members of the Management Committee present to preside, and if no other member of the Management Committee is present or willing to preside, the Members present and entitled to vote may choose one of their number to be chair of the meeting
- 12.6 If the persons attending an Annual or Extraordinary General Meeting do not constitute a quorum within half an hour of the time at which the meeting was due to start, or if during a meeting, a quorum ceases to be present, the chair of the meeting must adjourn it. The chair of the meeting must adjourn the meeting if directed to do so by the meeting. When adjourning an Annual or Extraordinary General Meeting the chair of the meeting must specify the time and place to which it is adjourned or state

that it is continue at a time and place to be fixed by the members of the Management Committee. The chair must have regard to any directions as to the time and place of any adjournment which have been given by the meeting. If the continuation of an adjourned Annual or Extraordinary General Meeting is to take place more than 14 days after it was adjourned the Secretary must give at least 7 days' notice to the persons to whom notice of the meeting is required to be given in accordance with Rule 12.2. No business can be transacted at adjourned Annual or Extraordinary General Meetings which could not properly have been transacted at the meeting if the adjournment had not taken place

- 12.7 The chair of the meeting may permit other persons who are not Members to attend and speak at a meeting
- 12.8 Each Member present over 18 shall have one vote and resolutions shall be passed by a simple majority of those Members present and voting. In the event of an equality of votes the chair of the meeting shall have a casting or additional vote
- 12.9 The Secretary, or in his/her absence a member of the Management Committee, shall take minutes at Annual or Extraordinary General Meetings
- 12.10 Members have the right to vote by proxy on the election of Committee Members and to be included by proxy in any ballot for Wimbledon tickets – not on resolutions

### **13 Guests**

- 13.1 Any Member may introduce guests to the Club, and any player, coach, other team representative, match official or spectator attending the Club's premises (by invitation of the Club) who is not a Member shall be a guest of the Management Committee, provided that no one whose application for membership has been declined or who has been expelled from the Club may be introduced as a guest
- 13.2 No one may be admitted as a guest on more than three occasions in any calendar year
- 13.3 Fees payable for guest attendance/play must be transferred to the Club via BACS before commencement of play. The visitor's fee referred to in this Clause shall be decided by the Management Committee in accordance with prevailing Bury MBC rates of play and confirmed at an Annual General Meeting

## **14 Alteration of the Rules**

These Rules may be altered by resolution at an Annual or Extraordinary General Meeting provided that the resolution shall not be passed unless carried by a majority of at least two-thirds of the Members present and voting at the General Meeting, the notice of which contains particulars of the proposed alteration or addition

## **15 Regulations and Standing Orders**

The Management Committee shall have power to make, repeal and amend such regulations and standing orders as it may from time to time consider necessary for the wellbeing of the Club. Such regulations and standing orders and any repeals or amendments to them shall have effect until set aside by the Management Committee

## **16 Use of Facilities**

The Club agrees that all unlicensed and unregistered coaches and, so far as reasonably practicable, players and other persons using the facilities of the Club will be required, as a condition of such use, to agree to be bound by and subject to the rules and regulations of the Club

## **17 Finance**

- 17.1 All monies payable to the Club shall be received by the person(s) authorised by the Management Committee to receive such monies and shall be deposited in a bank account in the name of the Club. Any monies not required for immediate use may be invested as the Management Committee in its discretion thinks fit. The property and funds of the Club cannot be used for the direct or indirect private benefit of Members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the Club
- 17.2 Subject to Rule 17.3 the income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any Member
- 17.3 The Management Committee shall have the power to authorise the payment of remuneration and expenses to any Officer, Member or employee of the Club and to any other person or persons for services rendered to the Club (but not for playing).
- 17.4 The financial transactions of the Club shall be recorded in such manner as the Management Committee thinks fit by the Treasurer(s).

- 17.5 The Treasurer(s) will produce a statement of annual accounts at the Annual General Meeting
- 17.6 The Treasurer(s) will produce audited accounts of the financial affairs of the Club each year
- 17.7 The Management Committee is responsible for ensuring adequate insurance cover is in place; this to include the premises, playing surfaces and any Public or Employers' Liability
- 17.8 The Club's financial year end will be 31<sup>st</sup> December
- 17.9 Any cheques or authorised direct bank transfers drawn against club funds will bear the signature either manually or by electronic authorisation, of either both Treasurers or one Treasurer and the Secretary.
- 17.10 Members' liability shall be restricted to the amount of their annual subscription

## **18 Borrowing**

- 18.1 The Management Committee may from time to time borrow money at its own discretion, for the purposes of the Club, and with the sanction of a General Meeting
- 18.2 The Management Committee shall have the power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such manner and on such terms and conditions as it thinks fit.
- 18.3 The Management Committee shall have no power to pledge the personal liability of any Member for repayment of any sums so borrowed.

## **19 Notices**

- 19.1 The Club can send, make available or supply any notice, ballot papers, accounts, document, or other information by personal delivery, by posting it to the intended recipient's usual address, by sending it or supplying it in electronic form to an address notified by the intended recipient to the Club or by making it available on a website and notifying the intended recipient of its availability in accordance with this Rule
- 19.2 If any notice or other information is left by the Club at the intended recipient's usual address, it is treated as being received on the day it was left
- 19.3 If any notice or other information was sent using electronic means, it is treated as being received on the day it was sent. In the case of notices or

other information available on a website the notice or other information is treated as being received on the day it was made available on the website

## **20 Dissolution**

- 20.1 A resolution to dissolve the Club shall be proposed only at and Extraordinary General Meeting and shall be passed only if carried by a majority of at least three-quarters of the Members present and voting
- 20.2 The dissolution shall take effect from the date of the resolution and the members of the Management Committee shall be responsible for the winding-up of the assets and liabilities of the Club
- 20.3 Any property remaining after the discharge of the debts and liabilities of the Club shall not be paid to or distributed among Members of the Club, but shall be given or transferred to another non-profit making tennis club or voluntary organisation having objects similar to the Club or to a registered charity for lawn tennis or the LTA for use in community related tennis initiatives

## **21 Teams**

A selection committee comprising Men's or Ladies', or Mixed team captains shall be responsible for selection of teams

## **22 Club Tournaments**

The Management Committee shall appoint a Tournament Committee for each season. Tournament rules shall be those decided by the Tournament Committee from time to time

## **23 Conduct of Members**

- 23.1 Only recognised tennis wear will be permitted on court
- 23.2 Members are expected to conduct themselves in an orderly and proper manner when on club premises
- 23.3 Damage – Members and visitors shall make good any damage caused by them to the property of the Club
- 23.4 Alcoholic drinks are strictly prohibited on the courts and/or within the playing areas
- 23.5 The Club shall have sole use of the Courts on match days and on any Club-sanctioned events

- 23.6 Junior Members are not allowed to book a court and/or play after 1930hrs unless a Senior Member is a participant in the playing party and/or a parent of at least one of the Junior Members is present for the entire duration of play.
- 23.7 Hours of play will be subject to prevailing Clubspark playing regulations, currently 0800hrs to 2100hrs daily with a minimum booking slot duration of 30 minutes
- 23.8 Non-Club players will be allowed to use the courts at all other times, subject to their paying a playing fee to the Club at the prevailing rate for the Public Playing Fields at Tottington/Bury. This fee must be paid to the Club in advance of play.

## **24 Lease**

The club shall have the authority to make arrangements for the lease of premises at Two Brooks Lane, Hawkshaw, Bury from Bury MBC (or any successor body). The terms of such a lease shall be as agreed by the Management Committee with the lessor. The committee may nominate up to three members to sign any lease as agents on behalf of the club, whose personal liability shall be limited to their membership fee.

## **25 General**

In the event of any difference of opinion arising as to the interpretation of these Rules, the Management Committee shall have the power to determine the sense in which the Rule/Rules shall be taken. Such decision although immediately effective shall be referred to the next Annual General Meeting for confirmation