

CRICKHOWELL TENNIS CLUB

CONSTITUTION

1. Name

The Club is called Crickhowell Tennis Club ("the Club").

2. Definitions

2.1 "the Chairman"

means the person elected from time to time to be the chairman of the Club in accordance with Rule 9;

"the CLTA"

means Tennis Wales;

"the Secretary"

means the person elected from time to time to be the secretary of the Club in accordance with Rule 9;

"the Treasurer"

means the person elected from time to time to be the treasurer of the Club in accordance with Rule 9;

"the LTA"

means The Lawn Tennis Association (the governing body of lawn tennis within Great Britain, the Channel Islands and Isle of Man) of the Queen's Club, West Kensington, London W14 9EG;

"the Executive Committee"

means the committee appointed under Rule 9 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 5;

2.2 Words denoting the singular number include the plural number and vice versa; words denoting the masculine gender include the feminine gender.

3. Objects

The objects of the Club are:

- (a) principally to provide facilities for lawn tennis and generally to promote, encourage and facilitate the playing of amateur lawn tennis in the Crickhowell area and amongst the community;
- (b) to provide and maintain Club premises and club-owned tennis equipment for the use of its members;
- (c) to provide other ordinary benefits of an amateur sports club as set out in Schedule 18 of the Finance Act 2002 including without limitation provision of suitability qualified coaches, coaching courses, insurance, first aid;
- (d) to sell or supply food or drink as a social adjunct to the sporting purposes of the Club;
- (e) to affiliate to the CLTA (and by doing so affiliate to the LTA) and to comply with and uphold the Rules and Regulations of

the CLTA and the LTA as amended from time to time and the rules and regulations of any body to which the LTA is affiliated;

- (f) to acquire, establish, own, operate and turn to account in any way for the members' benefit the tennis court facilities of the Club together with buildings and easements, fixtures and fittings and accessories as shall be thought advisable;
- (g) to make rules, regulations, bye-laws and standing orders concerning the operation of the Club including without limitation regulations concerning disciplinary procedures that may be taken against the Members;
- (h) to discipline the Members where permitted by its Rules/Regulations and to refer its Members to be disciplined by the LTA or the CLTA (as appropriate) where so required by the Rules and Regulations of the LTA or the CLTA (as the case may be);
- (i) to do all such other things as the Executive Committee thinks fit to further the interests of the Club or to be incidental or conducive to the attainment of all or any of the objects stated in this Rule 3.

4. Application of Surplus Funds

- 4.1 The Club is a non-profit making organisation. All surpluses will be used to maintain or improve the Club's facilities and in furtherance of the Club's objects. No surplus will be distributed other than to another registered Community Amateur Sports Club for lawn tennis, to the LTA for use in community related lawn tennis initiatives, or to a registered charity, on winding-up or dissolution of the Club.
- 4.2 Nothing in Clause 4.1 shall prevent the Club from entering an agreement with a member for the supply by him to the Club of goods

or services or for his employment by the Club, provided that such arrangements are approved by the Executive Committee (without the member being present) and are agreed with the member on an arm's length basis.

- 4.3 No Member shall be paid a salary, bonus, fee or other remuneration for playing for the Club.

5. Membership

5.1 Eligibility for membership

- 5.1.1 Persons that are at least 18 years old are eligible for full membership of the Club.
- 5.1.2 Persons that are at least 18 years old and deemed by the Club to have honorary member status (awarded for distinguished services provided to the Club and passed by the Club members in general meeting) are eligible for honorary membership of the Club.
- 5.1.3 Persons that are at least 18 years old and in full time education are eligible for student membership of the Club.
- 5.1.4 Persons that are at least 18 years old and entitled to unemployment benefits are eligible for unemployed membership of the Club.
- 5.1.5 Persons that are associated with the club, either through provision of services to the Club or through sponsorship of the club, are eligible for associate membership of the Club, subject to agreement of the Executive Committee.
- 5.1.6 Persons that are under 18 years old are eligible for junior membership of the Club.
- 5.1.7 No person shall be denied membership of the Club on the grounds of race, ethnic origin, creed, colour, age, disability, nationality, sex,

occupation, sexual orientation, religion, political or other beliefs. The Club may refuse membership or expel from membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's members and decided by a majority vote.

5.1.8 The number of members is unlimited.

5.2 *Admission of Members*

Any person who wishes to become a Member must submit an application in such form as the Executive Committee shall decide. Every candidate for membership shall be considered by the Executive Committee and admitted in accordance with clause 5.1.7.

5.3 *Classes of Members*

5.3.1 There shall be the following classes of members of the Club:

- (a) Full Member
- (b) Honorary Member
- (c) Student Member
- (d) Unemployed Member
- (e) Associate Member
- (f) Junior Member

5.3.2 All Adult, Student and Junior Members are entitled to be present and to speak at any General Meeting. Only Members aged 18 years or over are entitled to vote.

5.3.3 All Members shall be entitled to all other privileges of membership, other than the right to receive notice of, attend and vote at general meetings.

5.3.4 All Members shall be subject to these Rules and Regulations of the Club and shall abide by the Rules and Regulations of the LTA and the relevant CLTA, from time to time in force.

5.4 *Subscriptions*

5.4.1 The annual subscription for each type of Member shall be determined from time to time by the Executive Committee provided that the Executive Committee shall use its best endeavours to ensure that the fees set by it do not preclude membership of the Club.

5.4.2 The Members shall pay any annual subscription fees set by the Executive Committee from time to time.

5.4.3 No candidate who has been accepted as a member shall be entitled to the privileges of membership until he has paid his annual subscription fees.

5.4.4 Any member whose subscription is not paid by such date as the Executive Committee shall decide each year more than two months in arrears shall be deemed to have resigned his membership of the club.

6. **Resignation**

A Member may withdraw from membership of the Club on one month's clear notice to the Club. Membership shall not be transferable in any event and shall cease immediately on death or dissolution or on the failure of the Member to comply or to continue to comply with any condition of membership set out in these Rules.

7. **Expulsion**

7.1 The Executive Committee shall have power to expel a Member when, in its opinion, it would not be in the interests of the sport or of

the Club for him to remain a Member.

- 7.2 A Member shall not be expelled unless he is given fourteen days' written notice of the meeting of the Executive Committee at which his expulsion shall be considered and written details of the complaint made against him.
- 7.3 The Member shall be given an opportunity to make written representations and/or to appear before the Executive Committee and at any such meeting to be accompanied by a representative or friend, who may answer complaints made against the member and to cross-examine any witnesses on behalf of the member. The member must not be expelled unless at least two-thirds of the Executive Committee then present vote in favour of his expulsion. Appeal against expulsion from membership may be made to the club's members in accordance with clause 5.1.7.
- 7.4 The Executive Committee may exclude the Member from the Club's premises until the meeting considering his expulsion has been held. For the avoidance of doubt, the member shall be entitled to attend that meeting for the purpose of making his representations.

8. 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 has no right to the return of any part of his subscription.

9. The Executive Committee

- 9.1 The Club shall be managed by an Executive Committee consisting of:
- (a) the Chairman
 - (b) the Secretary
 - (c) the Treasurer

- (d) at least two other members but not more than eight selected annually at the AGM

- 9.2 The Secretary shall send to the Members each year a nomination form for the election of members of the Executive Committee in the place of those retiring. Those persons proposed to be nominated as members of the Executive Committee to fill any vacancies that have arisen must be nominated by any two members on the form prescribed by the Executive Committee and must be submitted to the Secretary by such date as the Executive Committee shall prescribe each year and must be signed by the nominee. No Member may nominate more than one candidate for any one vacancy.
- 9.3 Any person nominated as a member of the Executive Committee must be a Full Member or Honorary Member.
- 9.4 If there is only one candidate nominated to fill any particular vacancy, that candidate shall be declared elected unopposed for that particular vacancy at the next annual general meeting. If there is more than one candidate for any particular 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.
- 9.5 The Executive Committee shall be elected at the AGM 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 at the AGM following their re-election or election.
- 9.6 In addition to the members elected or appointed in accordance with this Rule 9, the Executive Committee may co-opt up to two further Members who shall serve until the next annual general meeting. Co-opted members shall be entitled to vote at the meetings of the Executive Committee.

- 9.7 The Executive Committee may appoint any Member to fill any casual vacancy on the Executive Committee until the next annual general meeting when that person shall retire but shall be eligible for re-election.
- 9.8 Retiring members of the Executive Committee may be re-elected.
- 9.9 A member of the Executive Committee shall be deemed to have vacated office if:
- (a) he becomes bankrupt or makes any arrangement or composition with his creditors generally; or
 - (b) he is, or may be, suffering from mental disorder; or
 - (c) he resigns his office by notice to the Club; or
 - (d) he shall without sufficient reason for more than three consecutive meetings of the Executive Committee have been absent without permission of the Executive Committee and the Executive Committee resolves that his office be vacated; or
 - (e) he is suspended from holding office or from taking part in any activity relating to the administration or Executive of the Club by a decision of the CLTA or the LTA; or
 - (f) he is requested to resign by not less than two-thirds of the other Executive Committee members acting together.

10. Proceedings of the Executive Committee

- 10.1 Executive Committee meetings shall be held as often as the Executive Committee thinks fit provided that there shall not be less than four meetings each year. The quorum for such meetings shall be five. The Chairman and the Secretary shall have discretion to call

emergency meetings of the Executive Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Executive Committee not less than 7 days' notice of a meeting.

- 10.2 The Chairman shall be the chairman of the Executive Committee. Unless he is unwilling to do so, the Chairman shall preside at every meeting of the Executive Committee at which he is present. But if there is no person holding that office, or if the Chairman is unwilling to preside or is not present within five minutes after the time appointed for the meeting, the Secretary shall preside.
- 10.3 Decisions of the Executive Committee shall be made by a simple majority and in the event of an equality of votes the Chairman (or the acting chairman of that meeting) shall have a casting or additional vote.
- 10.4 The Executive Committee may from time to time appoint from among its number such sub-committees as it considers necessary and may delegate to them such of the powers and duties of the Executive Committee as the Executive Committee may determine. All sub-committees shall periodically report their proceedings to the Executive Committee and shall conduct their business in accordance with the directions of the Executive Committee.
- 10.5 The Executive 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 Executive Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members.
- 10.6 Any Full Member or Honorary Member shall have the right to attend any meeting of the Executive Committee as an observer, but shall not participate in the meeting unless invited and to the extent specified by the Executive Committee.

- 10.7 Minutes shall be kept of all Executive Committee meetings and these shall be available for inspection by any member on request to the secretary.
- 10.8 Interpretation, implementation and enforcement of these rules is an exclusive function of the Executive Committee subject to any members resolution properly submitted in accordance with Rule 14 and voted upon at a general meeting.
- 10.9 Every member of the Executive Committee, employee or agent of the Club shall be indemnified by the Club and the Executive Committee shall pay all costs, losses and expenses which any such member of the Executive Committee, employee or agent may incur or for which he may become liable by reason of any contract entered into or act or thing done by him in good faith as such member of the Executive Committee, employee or agent in accordance with the instructions of the Executive Committee or of a general meeting of the Club or otherwise in the discharge of his duties. The Executive Committee may give to any member of the Executive Committee, employee or agent of the Club who has incurred or may be about to incur any liability at the request of or for the benefit of the Club such security by way of indemnity as may seem expedient.
- 10.10 The Executive Committee shall ensure that there is in existence at all times, suitable insurance cover for public liability, employers liability and buildings and such other cover as may be considered necessary for members. The Executive Committee shall also ensure that the terms of the insurance cover are brought to the attention of all of the members.
- 11. Annual general meeting**
- 11.1 The annual general meeting of the Club shall be held at such time as the Executive Committee shall decide each year to transact the following business:
- (a) to receive the Chairman's report of the activities of the Club during the previous year;
 - (b) to receive and consider the accounts of the Club for the previous year, the Treasurer's report as to the financial position of the Club;
 - (c) to elect the members of the Executive Committee;
 - (d) to decide on any resolution which may be duly submitted in accordance with Rule 11.2 below;
 - (e) to deal with any other special matters which the Executive Committee desires to bring before the membership.
- 11.2 Notice of any resolution proposed to be moved at the annual general meeting shall be given in writing to the Secretary not less than 21 days before the meeting.
- 11.3 No period greater than fifteen months shall elapse between one annual general meeting and the next.
- 12. Extraordinary general meetings**
- An extraordinary general meeting may be called at any time by the Executive Committee and shall be called within twenty-one days of receipt by the Secretary of a requisition in writing signed by not less than fifteen Members stating the purposes for which the meeting is required and the resolutions proposed.
- 13. Procedures at the annual and extraordinary general meetings**
- 13.1 The Secretary shall send to each Member at his last known address written notice of the date of the general meeting together with the resolutions to be proposed at least twenty-one days before the

meeting.

- 13.2 The quorum for the annual and extraordinary general meetings shall be 15% of the number of paid-up adult members.
- 13.3 The Chairman shall preside at all meetings of the Club but if he is not present within fifteen minutes after the time appointed for the meeting or has signified his inability to be present at the meeting, the Members present and entitled to vote may choose one of the other members of the Executive Committee present to preside and if no other member of the Executive Committee is present or willing to preside the Members present and entitled to vote may choose one of their number to be chairman of the meeting.
- 13.4 Each Full Member and Honorary Member present shall have one vote and resolutions shall be passed by a simple majority of those Members present and entitled to vote. In the event of an equality of votes the chairman of the meeting shall have a casting or additional vote.
- 13.5 The Secretary, or in his absence a member of the Executive Committee, shall take minutes at annual and extraordinary general meetings.
- 13.6 There shall be no right for a Member to vote by proxy. No person may represent more than one Member.

14. Alteration of the rules

- 14.1 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 Executive 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 Executive Committee.

16. Finance

- 16.1 The Executive Committee shall be responsible for the Club's finances.
- 16.2 All members of the Executive Committee authorised to spend the Club's funds shall have made a 'fit and proper persons' declaration in accordance with HM Revenue and Customs guidance.
- 16.3 All monies payable to the Club shall be received by the person authorised by the Executive Committee to receive such monies and shall be deposited in a bank account in the name of the Club. No sum shall be drawn from that account except with online authorization or by cheque signed by two of the three signatories who shall be the Chairman, Secretary and Treasurer. Any monies not required for immediate use may be invested as the Executive Committee in its discretion thinks fit.
- 16.4 Subject to Rule 19.3, 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.
- 16.5 The Executive Committee shall have power to authorise the payment of remuneration and expenses to any member of the Executive Committee, Member or employee of the Club and to any other person or persons for services rendered to the Club.

16.6 The financial transactions of the Club shall be recorded in such manner as the Executive Committee thinks fit by the Treasurer.

16.7 Full accounts of the financial affairs of the Club up to and including 31st March shall be prepared each year by the Treasurer for presentation at the Annual general meeting. The accounts shall be verified by an independent person; not a signatory to the Club's bank accounts. The accounts shall be made available to members on request, following notice of the Annual general meeting.

17. Borrowing

17.1 The Executive Committee may borrow a maximum total amount of £10,000 on behalf of the Club for the purposes of the Club from time to time at its own discretion and with the sanction of a general meeting any further money above that sum.

17.2 When so borrowing the Executive Committee shall have power to raise in any way any sum or sums of money and to raise the repayment of any sum or sums of money in such manner on such terms and conditions as it thinks fit provided that in the event that the repayment of any sum or sums is to be secured (in particular by mortgage of or charge upon, or by the issue of debentures charged upon all or any part of the property of the Club) the grant of such security must be approved by the Club at a general meeting).

17.3 The Executive Committee shall have no power to pledge the personal liability of any Member for repayment of any sums so borrowed.

18. Property

18.1 The property of the Club, other than cash at the bank, shall be vested in the Executive Committee who shall deal with it by resolution in meetings. An entry in the minutes shall be conclusive evidence of such a resolution.

19. Dissolution

19.1 A resolution to dissolve the Club shall be proposed only at an extraordinary general meeting and shall be passed only if carried by a majority of at least three-quarters of the Members present and voting.

19.2 The dissolution shall take effect from the date of the resolution and the members of the Executive Committee shall be responsible for the winding-up of the assets and liabilities of the Club.

19.3 Any property remaining on a winding up or dissolution of the Club after the discharge of the debts and liabilities of the Club shall be paid to or distributed to the LTA for use in community related tennis initiatives, another registered Community Amateur Sports Club for lawn tennis or to a registered charity.