

Olveston and Tockington Tennis Club Constitution



1. Purpose

The Olveston and Tockington Tennis Club is a non-profit making club whose objectives are to promote and provide facilities for the amateur sport of tennis in Olveston, Tockington and the surrounding rural area and community participation in the same.

The Club is a member of the Avon Lawn Tennis Association (ALTA) and is an associate of the Lawn Tennis Association (LTA). The Club undertakes to comply with and uphold the rules and regulations of the ALTA and LTA (as amended from time to time).

2. 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. However, limitation of membership according to available facilities is allowable on a non-discriminatory basis.
- b) The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- c) The Club 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. If 10 members support the appeal the Committee will reconsider the refusal or removal.

Non-members ('visitors') are permitted to play if accompanied by a Club member. A fee will normally be charged at a standard hourly rate, provided on the membership form, at the discretion of the Committee. Visitors shall only be allowed to play up to four times during the period from 1st April to 31st March after which they will normally need to apply to be a full club member, at the discretion on the Committee.

3. Property and Funds

- a) 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 shall be reinvested in the club.
- b) The Club will provide tennis facilities and insurance cover, and may provide other sporting facilities, related social facilities, sporting equipment, coaching, courses, medical treatment, away-match expenses, post-match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- c) The Club may also in connection with the sports purposes of the Club:
 - I. sell and supply food, drink and related sports clothing and equipment;

- II. employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
 - III. pay for reasonable hospitality for visiting teams and guests;
 - IV. indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club.
- d) The Committee will have due regard to the law on disability discrimination and child protection.

4. Trustees

The property of the club is vested in three trustees who are nominated by the Committee, such appointments should be subsequently approved by members at an Annual General Meeting or an Extraordinary General Meeting convened for the purpose. The property of the club is vested in the Trustees to be dealt with by them as the Committee may, from time to time, direct by resolution.

Members shall be informed of the names of the Trustees at the Annual General Meeting.

The trustees shall be indemnified against risk and expense from the club property. The trustees shall hold office until death and resignation or until removed from office by the Committee.

Where, by reason of death, resignation or removal, it is necessary to appoint a new trustee, the Committee shall nominate the person to be appointed as a new trustee. The Chairman is hereby nominated as the person to appoint any new trustee of the club within the meaning of section 36 of the Trustee Act 1925, and shall by deed duly appoint the person or persons nominated by the Committee.

5. Management

The club shall be managed by a Committee composing of the following:

- Chairman
- Treasurer
- Secretary
- a minimum of two other members

The Committee shall have no more than 11 members in total.

Individual Committee members shall be elected by vote at the Annual General Meeting and shall serve for three years after which they are eligible for re-election for a further term.

The Committee shall have the power to co-opt a club member to serve as a Committee member until the next AGM.

Any four Committee members shall constitute a quorum for Committee meetings.

All matters dealt with at Committee meetings shall be decided by a simple majority. The Chairman has a casting vote if the votes for and against a motion are equal.

The Club agrees that each member of the Committee will be required, as a condition of election or appointment, to agree to be bound by these rules, the rules and regulations of ALTA and LTA and the LTA Disciplinary Code, such agreement to contain an express acknowledgement that the Contracts (Rights of Third Parties) Act 1999 applies and that the LTA and the Club can enforce any breach at its option and its sole discretion.

The Committee shall promote the development of the Club's teams in the ALT leagues.

6. Meetings

The Annual General Meeting should be held as soon as practical after the Club's financial year end, which is the 31st March. At least seven days clear notice in writing (by email / notice in the club house) shall be given to all members of such a meeting.

The Chairman shall be empowered to call an Extra-ordinary General meeting if a majority of the Committee believe it appropriate or on the request in writing of any fifteen members of the club. At least seven days clear notice in writing shall be given to all members of such a meeting.

All matters dealt with at Annual and Extra-ordinary meetings shall be decided by a simple majority. Any ten club members shall constitute a quorum for these meetings. The Chairman has a casting vote if the votes for and against a motion are equal.

7. Conditions of Membership

Each member (of each type of membership) shall agree as a condition of membership to be bound by and subject to:

- a. these rules (i.e. in this Constitution)
- b. the rules and regulations of the ALTA
- c. LTA Rules and the LTA Disciplinary Code.

The Conditions of Membership Rule confers a benefit on the LTA and, subject to the remaining provisions of this clause, is intended to be enforceable by the LTA by virtue of Contracts (Rights of Third Parties) Act 1999, for the avoidance of doubt, the Committee does not intend that any term of these rules, apart from the Conditions of Membership Rule should be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999, by any person who is not a party to these rules.

The Committee may terminate the membership of any person, or impose any other such sanction it determines to be appropriate, in connection with the breach of the Condition of Membership clause.

The Committee shall consult with members by email on any proposed change to the membership fees, and shall take account of any comments received before agreeing new membership fees.

8. Amendments

Amendments to this Constitution can be made by a two-thirds majority at a full Committee meeting provided that the amendments are subsequently ratified at the next Annual or Extraordinary General Meeting.

9. Coaches and Players

The Club agrees that all unlicensed and unregistered coaches and, so far as reasonably practicable, any other person using the Club's facilities will be required, as a condition of such use, to agree to be bound by these rules (i.e. in this Constitution), the Club Rules, the rules and regulations of the ALTA, the LTA Rules and the LTA Disciplinary Code, such agreement to contain an express acknowledgement that the Contracts (Rights of Third Parties) Act 1999 applies and that the LTA and the Club can enforce any breach at its option and its sole discretion.

10. Priority

Where there is any conflict between any of the above Rules ("Key Rules") (i.e. in this Constitution) and any other rule or rules the Key Rule(s) will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002.)

11. Winding Up

- a) The members may vote to wind up the Club if ~~not less than~~ more than three quarters of those present and voting support that proposal at a properly convened general meeting.
- b) The Committee will then be responsible for the orderly winding up of the Club's affairs.
- c) After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
 - I. another Club with similar sports purposes which is a registered charity and/or
 - II. another Club with similar sports purposes which is a registered CASC and/or
 - III. the Club's governing body for use by them for related community sports.