



Nelson Bay Tennis Club

Incorporated

Constitution

Last approval date:

Signatures: (2) Office Bearers of Nelson Bay Tennis Club

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NAME

The name shall be the **NELSON BAY TENNIS CLUB INCORPORATED.**

1. OBJECTIVES OF THE CLUB

- a) To promote and control competition, social and court hire tennis at Nelson Bay courts.
- b) To co-operate with other bodies for the purpose of furthering the interests of tennis.
- c) To affiliate with the Port Stephens Tennis Association and support its operation.
- d) To abide by the rules of the PSTA and the LTAA.

2. MEMBERSHIP:

- a) Subject to these rules, the members of the Club shall be comprised of the members of the Club immediately prior to incorporation together with such other people and organisations as the Committee admits to membership
- b) Membership is open to all individuals who *accept the objectives and rules of the club***
- c) Individuals and organisations wishing to become members of the Club ***shall apply to the Committee for membership.***
- d) ***The Committee shall determine whether or not to accept an application for membership.*** The Committee is not required to supply reasons for accepting or rejecting an application for membership.
- e) Members shall pay such fees as are determined by the club at a General Meeting.
- f) A register, of members shall be kept try the club showing the name, address and date of commencement of membership for each member. Provision for noting the date of cessation of membership shall also be contained in the register.
- g) Membership shall cease upon resignation, expulsion or failure to pay outstanding membership fees within two months of due date.
- h) Membership fees shall fall due on the first day of each financial year of the Club. The financial year of the Club shall run from January 1st to December 31st or such other period as is determined by the Committee.
- i) The club shall consist of the following categories of membership:
 - i. Full single membership (adult player)
 - ii. Junior membership (18 years and under)
 - iii. Life members of the Club duly elected at Annual General Meeting (20 years senior membership, elected office bearer 5 years)
 - iv. Honorary members nominated for service to the Club and duly elected at the Annual General Meeting.

3. MEMBERS LIABILITY

The members of the Club shall have no liability to contribute towards the payment of debts and liabilities of the Club on the costs charges and expenses of the winding up of the Club except to the amount of any unpaid membership fees.

4. MANAGEMENT – BY COMMITTEE.

- a) The Club shall have its affairs controlled and managed by the office bearers and other members known as the Committee.
- b) The office bearers shall consist of a President, Vice President, Secretary and Treasurer. There shall be up to (5) five other members of the Committee.
- c) The office bearers and other members of the committee shall be elected at each Annual General Meeting. Any casual vacancy occurring in the committee may be filled by a member appointed by the Committee.
- d) Each member of the Committee shall hold office from the date of their election or appointment until the next Annual General Meeting.
- e) Retiring committee members are eligible for re-election.
- f) The Committee shall meet as often as necessary to conduct the business of the Club and not less than once in each month.
- g) The quorum for meetings of the Committee shall be one half the numbers of Committee Members elected at the previous Annual General Meeting.
- h) Notice of Committee meetings shall be given at the previous Committee meeting or by such other means as the committee may decide upon.
- i) A member of the committee shall cease to hold office:
 - a. upon resignation in writing;
 - b. removal as a member of the Club; or
 - c. absence from three successive Committee meetings without approval by the Committee.'
- j) The committee may function validly provided its number is not reduced below the quorum. Should Committee numbers fall below the quorum the remaining Committee members may act only to appoint new Committee members.
- k) Questions arising at any meeting of the Committee shall be decided by the majority of votes of those present. In case of an equality of votes, the person appointed to chair the meeting shall have a second or casting vote.

5. DISCIPLINING OF MEMBERS

The procedures for disciplining members shall be determined by committee. Anyone who wishes to appeal against a decision refusing membership, expelling them from membership or otherwise disciplining them may do so at the next general meeting of the club.

6. GENERAL MEETINGS

- a) An Annual General Meeting of the Clubs shall be held each year within six months from the end of the financial year of the Club (except the first Annual General Meeting which shall be held within two months of the end of the first financial year and within 18 months of incorporation).
- b) The committee may, whenever it thinks fit, convene a Special General meeting of the Club. A Special General meeting must be convened by the committee within (3) three months of receiving a written request to do so from at least five percent of the membership of the Club.

- c) At least 14 days, notice of all general meetings shall be given to members. In the case of general meetings where a special resolution is to be proposed a notice of the meeting shall be given to members at least 21 days before the meeting.
- d) In the case of the Annual General Meeting the following business shall be transacted:
 - i. Confirmation of the minutes of the last Annual General Meeting and any recent special general meeting;
 - ii. Receipt of the committee report upon the activities of the Club in the last financial year;
 - iii. Election of office bearers and other members of the committee;
 - iv. Receipt and consideration of an audited statement from the committee which is not misleading and gives a true and fair view for the last financial year of the Club's -
 - a. income and expenditure
 - b. assets and liabilities
 - c. mortgages, charges and other securities
 - d. trust properties
 - v. to fix membership fees for the coming year;
 - vi. to fix court hire charges for the new year;
 - vii. to appoint an auditor.
- e) The quorum for a General meeting shall be (5) five members present in person.
- f) Voting at General meeting shall be by show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by special resolution where a three-quarter majority is required.
- g) All votes shall be given personally and there shall be no voting by proxy.
- h) In the case of an equality of votes the person appointed to chair the general meeting shall have a second or casting vote.
- i) Nominations of candidates for election as office bearers or other committee members may be made at the Annual General Meeting or in such other ways as may be determined by the club at a general meeting.

7. OFFICE BEARERS

- a) The **President** or, in the Presidents absence, the Vice President, shall act as chairperson at each General Meeting and Committee Meetings of the Club.
- b) If the President and Vice-President are absent from a meeting or unwilling to act, the members present at the meeting shall elect one of their number to act as a chairperson.

- c) The **Secretary** shall keep records of the business of the club, including the rules, register of members, minutes of all general and Committee meetings and a file of correspondence.
- a) The **Treasurer** shall ensure that all money received by the club is paid into an account/s in the Clubs name. Payments shall be made through a petty cash system or by cheque signed by two signatories, or any other means authorised by the Committee. Major or unusual expenditures shall be authorised in advance by the Committee or a General meeting.
- b) The **Treasurer** shall ensure that correct books and accounts are kept showing the financial affairs of the Club. These records shall be available for inspection by any member and shall be held in the custody of the Treasurer.

8. SPECIAL RESOLUTIONS

- a) A special resolution must be passed by a General meeting of the Club to effect the following changes:
 - i. a change of the Club's name;
 - ii. a change of the Club's rules,
 - iii. a change of the Club's objects;
 - iv. an amalgamation with another Incorporated Club;
 - v. to voluntarily wind up the Club and distribute its property;
 - vi. to apply for registration as a company or a Co-operative.
- b) A special resolution shall be passed in the following manner:
 - i. a notice must be sent to all members advising that a general meeting is to be held to consider a special resolution;
 - ii. the notice must give details of the proposed special resolution and give at least 21 days' notice of the meeting;
 - iii. a quorum must be present at the meeting;
 - iv. at least three-quarters of those present must vote in favour of the resolution;
 - v. in situations where it is not possible or practicable for a resolution to be passed as described above, a request may be made to the Corporate Affairs commission for permission to pass the resolution some other way.

9. PUBLIC OFFICER

- a) The committee shall ensure that a person is appointed as Public Officer.
- b) The first Public Officer shall be the person who completed the application for incorporation of the Club.
- c) The committee may at any time remove the Public Officer and appoint a new Public Officer provided the person appointed is 18 years of age or older and a resident of New South Wales.

- d) The Public Officer shall be deemed to have vacated their position in the following circumstances:
 - i. death;
 - ii. resignation;
 - iii. removal by the Committee or at a general meeting;
 - iv. bankruptcy or financial insolvency;
 - v. mental illness;
 - vi. residency outside New South Wales.

- e) When a vacancy occurs in the position of Public Officer the Committee shall within 14 days notify the Corporate Affairs Commission by the prescribed form and appoint a new Public Officer.

- f) The Public Officer is required to notify the Corporate Affairs Commission by the prescribed form in the following circumstances:
 - i. appointment (within 14 days);
 - ii. a change of residential address (within 14 days);
 - iii. a change in the Clubs objects or rules (within 1 month);
 - iv. a change in the membership of the Committee (within 14 days);
 - v. of the Clubs', financial affairs (within 1 month of the Annual General Meeting);

- g) The Public Officer may be an Office Bearer, Committee member, or any other person regarded as suitable for the position by the Committee.

10. MISCELLANIOUS

- a) The club shall effect and maintain insurance as is required under the Club's Incorporation Act together with any other insurance which may be required by law or regarded as necessary by the Club.

- b) The funds of the Club shall be derived from the fees of members, donations, grants and such other sources approved by the Club.

- c) The Common Seal of the Club shall be kept in the custody of the Secretary and shall only be affixed to a document with the approval of the Committee. The stamping of the Common Seal shall be witnessed by the signatures of two members of the Committee.

- d) The Club may at any time pass a special resolution determining how any surplus property is to be distributed in the event that the Club should be wound up. The distribution of surplus property shall be in accordance with section 53 of the Club's Incorporation Act, 1984.

- e) Service of documents on the Club is effected by serving them on the Public Officer or by serving them personally on two members of the Committee.