

# CHILHAM TENNIS CLUB

## CONSTITUTION ADOPTED BY MEMBERS ON 27<sup>TH</sup> APRIL 2022

- 1) The Club shall be called the CHILHAM TENNIS CLUB. The main purpose of the club is to provide facilities for, and to promote and encourage participation in tennis.
- 2) The Club is constituted by these Rules as a Non-profit-making Members' Club. In no circumstances during the continuance of the Club, shall any assets or surplus funds be distributed to any Member or other person and any surplus arising at the end of a financial year shall be utilised for the benefit of the Club as a whole.
- 3) The Club shall seek to become an Associate of the Lawn Tennis Association and also of the Kent Lawn Tennis Association and shall maintain such connection from year to year.
- 4) Governing Body
  - a) The Members in General Meeting shall be the Governing Body of the Club. Subject thereto and to the provisions of these rules the affairs of the Club shall be managed by a Committee.
- 5) Committee
  - a) The affairs of the Club shall be managed by a Committee of members consisting of a Chair, Vice-chair, Membership Secretary and Treasurer, elected at each Annual General Meeting. All members shall be eligible for election to the Committee. They shall hold office until the next following Annual General Meeting and be eligible for re-election.
  - b) All committee members shall serve in an honorary capacity without remuneration, but shall receive reimbursement for all expenses actually and reasonably incurred on behalf of the Club or in execution of their duties as Committee Members.
  - c) The quorum at a Committee meeting shall be 3. Decisions of the Committee shall be by simple majority of those present and voting and in the event of equality of voting, the Chair shall have a second or casting vote.
  - d) The Committee shall have power to fill vacancies and to co-opt additional members to the Committee; and it may delegate any part of its duties to one or more sub-committees which may be composed of any members of the Club.
  - e) The Committee shall have power to make and alter Byelaws from time to time for the purpose of governing the day to day activities of the Club. Such Bye-laws shall be published by displaying them on the club noticeboard and shall be binding on all members of the Club and visitors thereto.
- 6) General Meeting
  - a) An Annual General Meeting shall be held in November each year.
  - b) A Special General Meeting may be convened by the Committee or shall be convened by the Chair on receipt of a requisition signed by not less than 20 members stating the business for which such a meeting is demanded.
  - c) Fourteen clear days' notice in writing shall be given to members of all General Meetings. For this purpose e-mail shall be deemed to be sufficient.
  - d) All members shall be entitled to be present and to speak and vote at any General Meeting.
  - e) At any General Meeting the quorum shall be 15 members entitled to vote.
  - f) The business of the Annual General Meeting shall be the consideration of the minutes of the previous Annual General Meeting and of any subsequent Special General Meetings, the consideration of the Honorary Treasurer's Accounts for the year, the election of the Committee for the ensuing year, the appointment of an Honorary Auditor and any items of which notice has been given and details included in the Agenda.
  - g) Decisions shall be taken by simple majority, except that any resolution for the dissolution of the Club shall require a majority of two-thirds of members present and entitled to vote. In the event of an equality of votes the Chair shall have a second or casting vote.
- 7) Classes of Member

There shall be the following Classes of member:

  - a) Adult members (minimum age 21 years)
  - b) Junior members (aged up to 21 years)

- c) Senior members (aged over 65 years)
- d) Life members elected in General Meeting
- e) Honorary members

Age in each category is as at 1st April of the appropriate year.

8) Admission of Members

- a) Membership shall be open to all the community without discrimination on the grounds of ethnicity, nationality, sexual orientation, religion, beliefs, sex, age or disability, but the Committee may limit the total membership of the Club and/or any category of membership.
- b) The Committee shall be responsible for the admission of new members to the Club but all Honorary memberships shall be ratified or otherwise by members at the Annual General Meeting.
- c) The Committee shall not be required to give reasons for refusing any person membership of the Club.

9) Subscription Fees

- a) The Subscription Year runs from each April to March in the following year.
- b) Subscription fees for the Classes of Membership shall be fixed at each Annual General Meeting.
- c) Any member whose subscription is not paid by 1st May will be liable to have his or her membership withdrawn (and any re-admission of that member will then be subject to such conditions as the Committee may decide).
- d) The Committee may in its discretion determine a proportionately reduced subscription for any person admitted to membership after the end of September in any year.
- e) Any member wishing to resign shall do so in writing to the Membership Secretary. If such resignation is notified after 1st April the subscription for that year remains payable. A member shall not be entitled to any refund of membership fees upon his or her resigning, being suspended or expelled, but the Committee shall have a discretion to make a refund they consider appropriate in cases of hardship.
- f) The Committee shall have power to allow persons who are not members to use the Club for a limited period on such terms as the Committee shall decide. The rules governing such visitors shall be set out in the Bye-laws.

10) Discipline

- a) The Club and all members shall accept and shall be bound by the Rules and Disciplinary Code ("the LTA Rules") of the Lawn Tennis Association Limited ("the LTA") and the General Rules and Constitution ("the County Rules") of the Kent County Lawn Tennis Association ("the County") in force from time to time including amendments made hereafter insofar as the same are relevant to the activities of the Club.
- b) All unlicensed and unregistered coaches shall accept and all visitors to the Club for the purpose of playing tennis will so far as reasonably practicable, be required to accept and be bound by the LTA Rules and the County Rules.
- c) All members shall accept and all persons mentioned in (b) above shall so far as practicable be required to accept that the Contracts (Rights of Third Parties) Act 1999 shall apply to the agreement between themselves and the Club and that the LTA and the County may enforce any breach thereof but only insofar as it amounts to a breach of the LTA Rules or the County Rules

11) Suspension and Expulsion

The Committee shall have power to terminate or suspend the membership of any Member or to exclude any Member or Visitor whom it considers to be in breach of these Rules or the LTA Rules or the County Rules or guilty of misconduct or offensive behaviour to any other Member or Visitor. Any member suspended or expelled may convene a Special General Meeting by notice in writing to the Chair. At such General Meeting the Membership shall confirm, vary or set aside the decision of the Committee.

12) Dress

Appropriate tennis clothing shall be worn by all members and visitors when using the courts. Conventional tennis shoes must be worn at all times.

13) Financial Year

The Club's financial year shall run from October to September and the accounts submitted to the Annual General Meeting shall be prepared accordingly.

14) Accounts and Audit

The accounts of the Club shall be examined by an Auditor elected at the Annual General Meeting and an annual Statement of Account as at the end of the previous financial year duly certified by him, shall be circulated with the Notice of the Annual General Meeting.

15) Trustees

There shall not be more than four Trustees of the Club. The first Trustees shall be appointed by the Committee and the property of the Club (other than cash, which shall be under the control of the Treasurer) shall be vested in them to be dealt with by them as the Committee shall from time to time direct by resolution (of which an entry in the Minute Book shall be conclusive evidence). The Trustees shall be indemnified against risk and expense out of the Club property. The Trustees shall hold office until death or resignation or until removed from office by a resolution of the Committee, who may for any reason which may seem sufficient to a majority of them present and voting at any meeting remove any Trustee or Trustees from the office of Trustees. If by reason of any such death, resignation or removal it shall appear necessary to the Committee that a new Trustee or Trustees shall be appointed, or if the Committee shall deem it expedient to appoint an additional Trustee or additional Trustees, the Committee shall by resolution nominate the person or persons to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination the Chair for the time being is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall, in favour of a person dealing bona fide and for value with the Club or the Committee, be conclusive evidence of the fact so stated.

16) Borrowing Powers

If at any time the Club in General Meeting shall pass a Resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club such an amount of money either at one time or from time to time and at such rate of interest and in such a form and manner and upon such security as shall be specified in such Resolution, and thereupon the Trustees shall at the direction of the Committee make all such dispositions of the Club property or any part thereof and enter into such Agreement in relation thereto as the Committee may deem proper for giving security for such loans and interest. All members of the Club whether 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 same as if they had voted in favour of such Resolution.

17) Rules and Bye Laws

- a) A copy of these Rules shall be prominently displayed at all times on the Club notice board and by their Membership of the Club, all Members agree to be bound by these Rules and any Bye Laws made by the Committee under Rule 5.
- b) The Rules shall not be altered except at a General Meeting after due notice, and then only provided that two thirds of those present and voting are in favour.