

# **Bishopton Tennis Club Constitution**

## **1. Name of Club**

The Club will be called Bishopton Tennis Club (hereinafter referred to as “the Club”) It will be registered and affiliated to the Lawn Tennis Association (LTA) and Tennis Scotland, being the governing body of tennis in Scotland.

## **2. The Objectives of the Club are;**

(a) principally to provide facilities for and generally to promote, encourage and facilitate the playing of tennis in the local community;

(b) to provide and maintain the Club premises at Bishopton and the tennis equipment owned by the Club 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, medical treatment, post-match refreshments;

(d) to sell or supply food or drink as a social adjunct to the sporting purposes of the Club;

(e) to take and retain a membership of Tennis Scotland (and by doing so become and remain registered as an associate of the LTA) and to comply with and uphold the Rules and Regulations of Tennis Scotland as amended from time to time and the LTA Rules and the LTA Disciplinary Code and rules and regulations of any body to which the LTA is registered or 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, fixtures and fittings and accessories as shall be thought advisable;

(g) subject to the LTA Rules and the LTA Disciplinary Code and the LTA's wider jurisdiction, 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) subject to the LTA Rules and the LTA Disciplinary Code and the LTA's wider jurisdiction, to discipline the Members where permitted by its Rules/Regulations and to refer its Members to be disciplined by the LTA or Tennis Scotland (as appropriate);

(i) to make donations or offer support to tennis clubs which are charities or community amateur sports clubs;

(j) to do all such other things as the Management Committee, as appointed under Clause 9 thinks fit to further the interests of the Club, to advance and safeguard the interests of tennis, to promote increases in participation at all levels of the game or as are otherwise incidental or conducive to the attainment of all or any of the objectives of the Club.

## **3. Powers in pursuance of the objectives in Clause 2 (but not otherwise) the Club shall have the following powers;**

(a) The Club has power to do anything which is calculated to further its objectives or is conducive or incidental in doing so.

(b) To carry on any other activities which further any of the above objectives

(c) To purchase, take on lease, hire or otherwise acquire any property or rights which are suitable for the Club's activities.

(d) To take such steps as may be deemed appropriate for the purpose of raising funds for the Club's activities.

(e) To accept grants, donations and legacies of all kinds and to accept any reasonable conditions attached to them.

#### **4. Application of Surplus Funds;**

(a) The Club is a non-profit making organisation and the income and property of the Club shall be applied solely towards promoting the Club's objectives and no portion thereof shall be paid or transferred, directly or indirectly, to the members of the Club.

(b) Nothing in Clause 3(a) shall prevent the Club from entering an agreement with a member for the supply by them to the Club of goods or services or for their employment by the Club, provided that such arrangements are approved by the Management Committee, (without the member being present) and are agreed with the member on an arm's length basis.

(c) No member shall be paid a salary, bonus, fee or other remuneration for playing for the Club.

#### **5. 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, except as a necessary consequence of the requirements of the Game.

(b) The membership shall consist of the following categories:

- Full adult - Aged 21+
- Family - Two Adults/Children
- Intermediate - Aged 16 -21
- Junior - Aged 11 - 15
- Mini - Aged 8 -10
- Social
- Honorary Life

The age categories will be designed by date of birth as of 1<sup>st</sup> April annually.

(c) Any person who wishes to become a Member must submit an application in such form as the Management Committee shall decide. Every candidate for membership shall be considered by the Management Committee, which shall admit that candidate to membership of the Club unless to do so would be contrary to the best interests of the sport or the good conduct and interests of the Club.

(d) Each member (of each category) agrees as a condition of membership to be bound by and subject to these rules (the Constitution) and the rules and regulations of Tennis Scotland (as in force from time to time) and to be bound by and subject to the LTA Rules and the LTA Disciplinary Code.

(e) Clause 5(d) confers a benefit on the LTA and, subject to the remaining provisions of this rule, is intended to be enforceable by the LTA by virtue of the Contracts (Rights of Third Parties) Act 1999. For the avoidance of doubt, the members do not intend that any term of these rules, apart from Clause 5(d), 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.

(e) Members in each category (except Honorary Life) will pay an annual membership fee, the amount and payment dates to be set at the Annual General Meeting.

(f) The Management Committee may terminate the membership of any person, or impose any other sanction it determines to be appropriate, in connection with the breach of any condition of membership.

## **6. Resignation**

A member may withdraw from membership of the Club at any time; 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.

## **7. Discipline and Expulsion;**

(a) Subject to the remaining provisions of this rule, the Management Committee shall have power to refuse membership or expel a member only for good and sufficient cause, such as conduct or character likely to bring the Club or the game into disrepute.

(b) All complaints regarding the behaviour of members should be presented and submitted in writing to the Club Secretary.

(c) The Committee will arrange a meeting to hear any complaints within 14 days of receipt of said complaint and will have the power to take appropriate disciplinary action, including expulsion from the Club.

(d) The member shall be given 14 days written notice of the meeting of the Committee, including written details of the complaint, and extended an opportunity to appear before the Committee to make representations against any such complaints.

d) The Committee may exclude, at their discretion, any member from the Club's premises until the disciplinary meeting has been held. For the avoidance of doubt, the member shall be entitled to attend that meeting for the purpose of making their representations.

(e) The outcome of any disciplinary hearing will be notified to the member, and as necessary, the actual complainant, within 14 days of the hearing.

(f) The decision of the Committee will be final, except in the case of expulsion. No member will be expelled from the Club unless at least two thirds of the Committee then present vote in favour of said expulsion. All other decisions will be by simple majority, and in the event of an equality of votes the President (or the acting chairperson of that meeting) shall have a casting or additional vote.

(g) The member may appeal against the Committee's expulsion decision by notifying the Committee in writing. The matter will then be put to the Club's members at a general meeting and decided by a majority vote of members present and voting at such a meeting.

(h) Notwithstanding the above clauses (a) to (g), all concerns, allegations or reports of poor practice/abuse relating to the welfare of children, young people and vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's Child Protection Policy and Procedures. The Club Welfare Officer is the lead contact for all members in the event of any child protection and vulnerable adult concerns.

## **8. Management Committee**

(a) The Club shall be managed by a Management Committee, elected at the Annual General Meeting.(AGM) This will consist of the President, Secretary and Treasurer (The Officers of the Club) and no more than six other members, with two positions reserved for the Club's Head Coach and the Junior Parent representative. All Officers and Committee Members must be members of the Club, shall serve for one year, and resign at the end of each year. They shall be eligible for re-election at the Annual General Meeting when the Committee for the following year is elected.

(b) Any person nominated as a member of the Management Committee should be a Club member aged 18 or above, designed by date of birth at 1st April each year, unless otherwise determined at the Annual General Meeting.

(c) The members of the Management Committee may exercise all of the powers of the Club for the purposes of the management of the Club, including adopting new policies, codes of practice and rules that affect the organisation of the Club.

(d) Each member of the Management Committee must satisfy HMRC's fit and proper person test to be involved in the general control, management and administration of the Club and must declare as a condition of election or reappointment that he is a fit and proper person prior to being elected.

(e) If the post of any officer or committee member falls vacant after the AGM elections, the Management Committee shall have the power to fill such vacancies until the next AGM.

(e) In addition to the members elected or appointed in accordance with this Clause, 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.

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

(a) Management Committee meetings shall be held as often as the Management Committee thinks fit, provided that there shall not be less than 4 meetings each year. The quorum for such meetings shall be 5 members. The President and the Secretary shall have the discretion to call emergency meetings of the Management Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Management Committee not less than 7 days notice of a meeting.

(b) The President shall be the chairperson of the Management Committee and shall preside at every meeting of the Management Committee at which he is present. If the President is not present, the members of the Management Committee present may appoint one of their number to be chairperson of the meeting.

(c) Decisions of the Management Committee shall be made by a simple majority and in the event of an equality of votes the President (or the acting chairperson of that meeting) shall have a casting or additional vote.

(d) The Management Committee may from time to time appoint from among its number such sub-committees as it considers necessary and may delegate to them such 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.

(e) 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 any service providers to the Club. The Management Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members.

(f) The members of the Management Committee shall be entitled to an indemnity out of the assets of the Club for all expenses and other liabilities properly incurred by them in the management of the affairs of the Club.

## **10. Annual General Meeting and Extraordinary General Meetings**

(a) General Meetings are the means whereby the members of the Club can exercise their democratic rights in conducting the Club's affairs.

(b) The Annual General Meeting (AGM) of the Club shall be held at such time as the Management Committee shall decide each year to transact the following business:

- to approve the minute of the previous year's AGM;
- to receive the President and Secretary's reports of the activities of the Club during the previous year;
- to receive and consider the accounts of the Club for the previous year, and the Treasurer's report as to the

financial position of the Club;

- to receive a report from those responsible for certifying the Club's accounts;
- to elect the President, Secretary, Treasurer and other members of the Management Committee;
- to elect the auditor or independent examiner;
- to agree the membership fee for the following year;
- to consider any proposed changes to the Constitution of the Club;
- to decide on any resolution which may be duly submitted in accordance with Rule (h) below;
- to deal with any other matters which the Management Committee desires to bring before the membership, including appointment of team captains;

(c) The Club Secretary shall give all members at least 14 days notice of the AGM. 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.

(d) Nominations for Officers and general Management Committee members, proposed and seconded, should be sent to the Club Secretary no later than three days before the commencement of the meeting;

(e) Any proposed changes to the Constitution should be sent to the Club Secretary no later than 8 days before the meeting and these shall be circulated to all the members at least 7 days before the meeting;

(f) All Club members aged 18 or above, designed by date of birth at 1st April each year, shall have one vote at any meeting, and resolutions shall be passed by a simple majority of those members present and voting. In the event of an equality of votes the President (or the acting Chairperson of that meeting) shall have a casting or additional vote;

(g) There shall be no right for a member to vote by proxy. Ballot papers may be used, at the Management Committee's discretion, for votes being taken on significant issues, which have been communicated in advance, and a decision is to be made at a general meeting;

(h) The quorum for AGM's shall be 15 Club members aged 18 or above, designed by date of birth at 1st April each year, or 25% of the full membership aged 18 or above as designated, whichever is the greater.

(i) Notice of any resolution proposed to be moved at the Annual General Meeting shall be given in writing to the Club Secretary not less than 7 days before the meeting, and will be circulated to the members.

(j) No period greater than fifteen months shall elapse between one AGM and the next.

(k) An Extraordinary General Meeting (EGM) may be called at any time by the Management Committee and shall be called within 21 days of receipt by the Club Secretary of a requisition in writing signed by not less than 10% of the Club members aged 18 or above, designed by date of birth at 1st April each year, stating the purpose for which the meeting is required and the resolutions proposed.

(l) All procedures for EGM's shall primarily follow those of the AGM.

## **11. Amendments to the Constitution**

The Constitution can only be changed through agreement by majority vote at an AGM or EGM.

## **12. Operation of the Accounts and holding of Property**

- (a) All money payable to the Club shall be received by the person authorised by the Management Committee to receive such money and shall be deposited in a bank account in the name of the Club. The Management Committee will agree the form and operation of the Club bank accounts. Any money not required for immediate use may be invested as the Management Committee, in its discretion, agree.
- (b) The Management Committee shall have power to authorise the payment of remuneration and expenses to any officer, member of the Management Committee, member or any other person or persons for services rendered to the Club. The remuneration of a member of the Management Committee, member or other person may take any form and may include any arrangements in connection with the payment.
- (c) The Club may pay any reasonable expenses that members of the Management Committee properly incur in connection with their attendance at meetings, or otherwise, in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Club.
- (d) The financial transactions of the Club shall be recorded by the Treasurer in such manner as the Management Committee agree.
- (e) Full accounts of the financial affairs of the Club shall be prepared each year. These accounts shall be duly audited by the auditors or examined by an independent examiner. The accounts must be made available to every member when notice concerning the AGM is given.

## **13. Guests/Visitors**

Members may introduce guests to the Club, with a view to encouraging them to take up the sport and join our Club. Members are permitted to introduce no more than two guests in any one day and no person may be allowed into the Club as a guest on more than three occasions during the Club year. For any additional visits, the introducing member is responsible for ensuring the visitor fee as agreed at the AGM is paid to the Club. Members are kindly asked to respect this rule and if there are any exceptional circumstances, then this should be agreed with the Management Committee.

## **14. Dissolution**

- (a) A resolution to dissolve the Club can only be passed at an AGM or EGM through a majority vote of the Club members aged 18 or above, designed by date of birth at 1st April each year.
- (b) In the event of dissolution, all debts should be cleared with any Club funds. Any remaining funds/assets of the Club shall not be paid to or distributed among the members of the club, but shall be given or transferred to one or more of the following; (i) the LTA or Tennis Scotland for use in community related initiatives for the game, (ii) another registered Community Amateur Sports Club for the game, (iii) a registered charitable organisation.

## **15. Declaration**

Bishopton Tennis Club hereby adopts and accepts this constitution.

**Name -** Senga Roche  
**Signature-**

**Position -** President  
**Date -**

**Name -** John Lessells  
**Signature-**

**Position -** Secretary  
**Date -**