Constitution of the Mudgee District Tennis Club

1. The name of the Club shall be Mudgee District Tennis Club.

2. This constitution shall be deemed to have been adopted by the Club from the Twenty Fourth day of March 1986.

DEFINITIONS

3. In this constitution and in any resolutions directions or other regulations of any kind whatsoever made hereunder the following words and expressions shall (except where to the extent that the contrary intention appears, have the several meanings hereby assigned to them):

   (a) "The Club" shall mean Mudgee District Tennis Club hereby constituted.

   (b) "Committee" shall mean Committee of the Club as constituted by this constitution.

   (c) "Office Bearer" shall mean and include any officer of the Club Vice President(s) (Senior or Junior), Treasurer, Secretary and any assistant thereto and any reference to any office bearer by name of title shall include such office bearer and any acting or assistant bearer of such office and any substitute bearer or holder of such office for the time being.

OBJECTS

4. The objects of the Club shall be:

   (a) To encourage and promote tennis within Mudgee and district.

   (b) To act alone or with any other representative body, in the interests of sport, and in particular, tennis.

   (c) To promote and manage competitions, coaching schools and other activities as may from time to time be considered expedient.

   (d) To make rules and by-laws, not inconsistent with this constitution.

   (e) To select, appoint and control individuals and teams of players and other persons to represent this Club.

   (f) To obtain by purchase, lease, hire or otherwise, property both real and personal for the conduct of tennis and to provide courts and facilities as may be deemed necessary.

(g) To employ such persons as may be required for carrying out this constitution and for the furtherance of sport, in particular tennis.

MANAGEMENT

5. Management of the Club shall be vested in the Committee consisting of 12 members all of whom shall be elected at the Annual General Meeting of the Club:

(a) President

(b) Senior Vice President

(c) Junior Vice President

(d) Secretary

(e) Treasurer

(f) Publicity and Records Officer

(g) General Committee Members - six.

6. Any casual vacancy occurring amongst the Office Bearers may be filled by Committee and the person so appointed to fill such vacancy shall hold the office for the unexpired term of the member so replaced.

7. The Committee shall hold its first meeting immediately after conclusion of the Annual General Meeting and shall hold such other meetings at such other times as it may deem expedient. The President may at any time and the Secretary on the requisition of any two members of the Committee shall hold such a meeting of the Committee within 14 days after receiving a requisition signed by any two such members of the Committee.

8. The presence of a majority of the total members of the Committee shall be a quorum at any meeting of the Committee and questions arising at any meeting of the Committee shall be decided by a majority of the votes of those present and determination by a majority of the members of the Committee present shall for all purposes be a determination of the Committee. In the case of an equality of votes the Chairman of the meeting shall have a second or casting vote.

9. The continuing members of the Committee may act notwithstanding any vacancy in the Committee but if and so long as their number is reduced below the number fixed by or pursuant to these Rules as the necessary quorum the continuing member or members may act for the purposes of increasing the number of members of the Committee from amongst the members which they are hereby empowered to do or of summoning a general meeting of the Club but for no other purpose.

10. The members of the Committee and of every other Committee established under this constitution shall hold office until their successors are duly elected or appointed.

VACATION OF OFFICE

11. The office of the member of the Committee or of a Trustee shall become vacant:

(a) Upon his death.

(b) If he becomes bankrupt or makes any arrangement or composition with his creditors generally.

(c) If he becomes mentally ill or a person whose estate or person is liable to be dealt with in any way under law relating to mental health.

(d) If he resigns his office by notice in writing to the Club.

(e) If he is absent for more than 6 months without leave of the Committee for meetings of the Committee held during that period.

(f) If he ceases to be a member of the Club.

(g) Upon a Resolution being passed by a two-thirds majority of members present at a properly constituted General Meeting especially called for the purpose of removing him from office.

(h) If he holds any office of profit under the Club.

(i) If he, without revealing his interest and obtaining the consent of a majority of the Committee, is directly or indirectly interested in any Contract or proposed Contract with the Club.

POWERS OF THE COMMITTEE

12. Subject to this constitution and to directions given by Resolution of the Annual General Meeting of Club the Committee shall be the governing body of the Club and shall have power to do all such acts and things as may be incidental or conducive to the obtainment of any of the objects of the Club AND without prejudice to the generality of the foregoing the Committee may:

(a) Delegate to any Committee or Sub-Committee any matter for decision action control negotiation investigation and report.

(b) Appoint remove and prescribe the duties of such officers as it thinks fit.

(c) Appoint and remove such delegates as it thinks fit.

(d) Enter into and make agreements and employ persons on such terms as it deems proper.

(e) Acquire monies, deal with and dispose of any property.

(f) Invest and deal with any monies of the Club and vary and realise an investment.

(g) Borrow money and give security over any property.

(h) To fix the annual membership to this Club, as hereafter state, and to review the amount of registration fees as may from time to time be necessary.

(i) Make, vary or repeal by-laws not inconsistent with this constitution prescribing any matters necessary or convenient to be prescribed for giving effect to this constitution and/or any of its objects.

13. The financial year shall conclude on the 28th February in each and every year.

14. The Annual General Meeting of the Club shall be held at such place and at such time not later than the last week in March as the Committee shall appoint.

15. Any 3 members of the Committee may at any time convene a Special General Meeting of the Club. A Special General Meeting shall also be convened by the Secretary upon the written request of not less than 25% of the members of the Club and shall be held within a period of one month from the date of receipt of the request.

GENERAL MEETING- 15

16. At General Meetings the quorum shall consist of 25 members. Should within half an hour of the time set down for the meeting to commence a quorum not be present then the meeting shall be adjourned to the same time and place 7 days later or to a place and to a time within one month of the date of such meeting to be determined there at. If at such adjourned meeting a quorum be not present then those members attending shall be deemed to be a quorum provided the number of such members is not less than 15.

17. The President shall preside as Chairman at every General Meeting of the Club but if he is not present within fifteen minutes after the time appointed for the holding of the meeting or is unwilling to act as Chairman the members shall elect one of their number to be chairman of the meeting, a simple majority sufficing.

18. At any General Meeting a resolution put to the vote of a meeting shall be decided on the voices unless a poll is (before or on a declaration of a result of the voices) demanded by the Chairman or at least three members present. Unless a poll is so demanded a declaration by the Chairman that a resolution has been carried or carried unanimously or by a particular majority or lost and entry to that effect in the book containing the minutes of the proceedings of the Club shall each be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution. The demand for a poll may be withdrawn. If a poll is demanded it shall be taken in such manner as the Chairman directs.

19. In the case of an equality of votes at a General Meeting, the Chairman of the meeting at which the vote takes place shall be entitled to a second or casting vote and each member present and voting at the General Meeting of the Club shall have one vote.

20 The Secretary shall give at least 14 days notice of all General Meetings to the members of the Club Specifying the place the day and the hour of meeting and the general nature of the business to be dealt with at the meeting. Such notice shall be deemed to have been given by publication in a newspaper circulating in Mudgee and district.

21. The business of the Annual General Meeting shall be:

(a) Chairman's opening address.

(b) Minutes of the preceding Annual General Meeting.

(c) To receive the Annual Report and audited Financial Statement.

(d) Election of the President, Senior and Junior Vice President, Treasurer, Secretary, Publicity and Records Officer and Committee of six.

(e) Correspondence.

(f) Consideration of Constitution.

(g) Motions of which due notice has been given.

(h) General.

22. Notice of motion involving or affecting any matter of principle or policy of the Club or proposed alteration of the constitution shall be given to the Secretary more than 2 days before the time appointed for the opening of a General Meeting. Provided that no Notice of Motion to amend this constitution shall be received and presented to the Secretary after Notice of Meeting has been sent out and any Notice of Motion to amend this constitution shall be reproduced in the Notice of Meeting sent to members at least 14 days prior to the meeting at which the Notice of Motion is to be considered.

EXECUTIVE

23. The President, Secretary and Treasurer shall constitute and act as the executive and may subject to the directions of the Committee or otherwise without any exception or qualification whatsoever exercise all or any of the powers by the Constitution and/or by-law made thereunder conferred upon the Committee provided that in the absence of any of the abovementioned executive or in the case of any question involving any or all of the abovementioned executive the place of such absent or involved member of the executive shall for all purposes be taken by the Senior Vice President or if he is absent or similarly involved by the Junior Vice President or of both Vice Presidents shall be absent or similarly involved by any assistant Treasurer or Secretary.

24. The executive shall present a full report of its activities and decisions to each meeting of the General Committee.

SECRETARY

25. The Secretary shall be an Honorary Official who may be paid an annual honorarium in an amount to be determined by the Annual General Meeting and shall be the administrative officer of the Club in addition to any special duty imposed on him by the Committee and/or the Executive. He shall keep proper books of the Club and shall be responsible for the official correspondence of the Club.

TREASURER

26. The Treasurer shall be an Honorary Official who may be paid an annual honorarium in an amount to be determined by the Annual General Meeting. He shall keep proper books of account and shall produce the same together with the Bank Passbooks of the Club at all meetings of the Executive and of the Committee. The Treasurer shall make the books of the Club available to the Auditor appointed by the Club not later than the second week of March in each year and upon other occasions whenever required to do so by the Committee, executive or auditor with a view to such auditor's accounts being completed not later than 14 days before the date fixed for the Annual General Meeting.

ASSISTANT TREASURER AND SECRETARY

27. The Committee of the members in General Meeting may appoint from among the members of the Committee an assistant Secretary and/or assistant Treasurer who shall assist the Secretary and/or Treasurer in such matters as the Secretary or Treasurer shall determine.

28. All monies received by the Club shall be deposited at the earliest possible date to the Credit of the Club's Bank account. Receipts for monies received shall be issued promptly. All payments in excess of $10.00 made by the Club shall be paid by cheques signed by any two of the President, Secretary and Treasurer.

AUDIT

29. The Auditor or Auditors shall be elected at the Annual General Meeting. They shall examine all accounts, vouchers, receipts, books etc. and furnish a Report thereon to the members at the Annual General Meeting. Audits shall be conducted at regular intervals of not more than 12 months. An Auditor shall not be a member or closely related to a member of the Committee.

30. Other than when the current Auditor submits his resignation or notifies the Secretary of his intention not to seek re-election as Auditor Notice of intention to nominate an Auditor to replace the current Auditor shall be given to the Secretary at least 21 days before the Annual General Meeting. The Secretary shall send a copy of the nomination to a current Auditor at least seven days before the Annual General Meeting. The current Auditor shall be entitled to attend the Annual General Meeting and if he so wishes to be heard.

MINUTES

31. The Committee shall cause minutes to be made:

(a) Of all appointments of Office Bearers and members of the Committee.

(b) Of the names of members of the Club present at all meeting of the Club and of the Committee.

(c) Of all proceedings at all meetings of the Club and of the Committee.

Such minutes shall be signed by the Chairman of the meeting at which the proceedings were held or by the chairman of the next succeeding meeting provided that the minutes shall only be signed by the Chairman who has been present at the meeting in respect of which minutes are to be signed.

EXPULSION OF MEMBERS

32. A Member may be expelled from membership of the Club by the Committee if in the opinion of such Committee after affording such member an opportunity of offering the Committee an explanation of his conduct either verbally or in writing as the Committee may decide, the conduct of the member is such as to be detrimental to the best interests of the Club provided that such expulsion shall not be effective unless at the Committee Meeting at which such expulsion was determined a quorum of not less than 10 members of the Committee be present and that at least two-thirds of the members of the Committee at such meeting shall vote in favour of the expulsion. The Committee may by a simple majority determined to convene a Special General Meeting of the Club to consider the expulsion of any member and at any such Special General Meeting the member whose expulsion is proposed shall be entitled to receive a written notice of such Special General Meeting and to attend and vote there at and to be heard but otherwise the Rules laid down in this Constitution for a Special General Meeting shall apply.

GENERAL

33. A junior member that is to say a member under the age of sixteen years or under the age of eighteen years but still attending school shall be a junior member and not entitled to any vote.

34. The Committee shall be empowered to recommend to the Annual General Meeting the name of a member or past member of the Club as a life member thereof.

35. The Committee shall act upon any resolution passed by an Annual General Meeting in respect of a matter of general business.

ADOPTED AS THE Constitution of the Mudgee District Tennis Club on the 24th day of March 1986.

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President
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