

**RULES OF THE ESSENDON TENNIS CLUB INC.**

**Adopted May 1996**

**Amended August 2009**

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NOTES AND AMENDEMENTS

## **RULES OF THE ESSENDON TENNIS CLUB INC.**

### **1. NAME AND OBJECTIVES**

- 1.1 The name of the Incorporated Association is "THE ESSENDON TENNIS CLUB INC" (in these Rules called the "Club"). Registered Number A0033160J.

### **2. INTERPRETATION AND CONSTRUCTION**

- 2.1 In these Rules (including the Appendices), unless a contrary intention appears the following terms shall have the meanings designated and cognate expressions shall be construed accordingly:-

"Act" means the Liquor Control Reform Act 1998

"Committee" means the Committee of Management of the Club

"Competing Member" is a member playing in a team in a sanctioned competition

"Financial Year" means the year ending on 30th June

"Annual General Meeting" means a general meeting of Members convened once a year in accordance with Rule 10

"Special General Meeting" means a general meeting of Members convened in accordance with Rule 11

"Member" means a member of the Club

"Month" means a calendar month

"Regulations" means regulations under the Act

"Visitor" means a person other than a Member

- 2.2 In these Rules (including the Appendices) unless the context otherwise requires:-

2.2.1 Words importing the singular include the plural and vice versa

2.2.2 Words importing any gender include the other genders

2.2.3 References to persons include Corporations and bodies politic

2.2.4 A reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidation, amendments, re-enactments or replacements of any of them (whether of the same or any other legislative authority having jurisdiction)

2.2.5 References to this or any other document include the document as varied or replaced, and notwithstanding any change in the identity of the parties.

2.2.6 References to a person or body which has ceased to exist or which has been reconstituted, amalgamated, reconstructed or merged, or the functions of which have become exercisable by any other person or body in its place, shall be taken to refer to the person or body established or constituted in its place or by which its functions have become exercisable

- 2.3 In the event of any doubt arising as to the meaning of any of these Rules the committee shall have the power to pronounce a decision upon it, the decision of which shall be final and binding upon the Members.

### **3. APPLICATION FOR MEMBERSHIP**

- 3.1 A person who is nominated and approved for membership as provided in these Rules is eligible to be a Member of the Club on payment of the Nomination Fee (if any) and annual subscription payable under these Rules.
- 3.2 The Committee may, by resolution, provide for several classes of membership.
- 3.3 A nomination of a person for membership of the Club shall be made in writing in the form set out in Appendix 1 and shall be lodged with the Secretary or Treasurer of the Club.
- 3.4 As soon as it is practicable after the receipt of a nomination, the Secretary or Treasurer shall refer the nomination to the Committee.
- 3.5 Upon a nomination being referred to the Committee, the Committee shall determine whether to approve or to reject the nomination.

- 3.6 Upon a nomination being approved by the Committee, the Secretary or Treasurer shall, with as little delay as possible, notify the nominee in writing that he is approved for membership of the Club and request payment within the period of 28 days after receipt of the notification of the sum payable under these Rules as the Nomination Fee (if any) and the first year's annual subscription.
- 3.7 The Secretary or Treasurer shall, upon payment of the amounts referred to in sub-clause 3.6 within the period referred to in that sub-clause, enter the nominee's name in the register of Members kept by him and, upon the name being so entered, the nominee shall become a Member of the Club.
- 3.8 A right, privilege, or obligation of a person by reason of his membership of the Club:-
  - 3.8.1 Is not capable of being transferred or transmitted to another person
  - 3.8.2 Terminates upon cessation of his membership whether by death or resignation or otherwise

#### **4. MEMBERSHIP CATEGORIES**

Membership Categories of the Club are as follows:-

- 4.1 Competing Senior Members (full) - over 18 years
- 4.2 Competing Pensioner Members - 60 years and over who are retired. Members must produce a valid pension card.
- 4.3 Competing Junior Members - under 18 years of age at 1 January at commencement of membership year.
- 4.4 Competing Student Members - full-time students between the age of 18 and 24 years at 1 January at commencement of membership year.
- 4.5 Competing Family Members – to qualify for a family discount, a family needs to have at least one competing senior member and two competing junior or competing student members.
- 4.6 Social Members - non-competing

Members shall be entitled to all rights and privileges of the Club subject to these Rules.

#### **5. NOMINATION FEE AND ANNUAL SUBSCRIPTION**

- 5.1 The Nomination Fee (if any) is to be determined by the Committee and shall be set at each Annual General Meeting.
- 5.2 The annual subscription is to be determined by the Committee and shall be increased by no more than 10%. If the Committee wishes to increase the fees by more than 10%, it must be approved by the members at the Annual General Meeting. This subscription is payable in advance on or before the 1st day of January in each year.
- 5.3 No person (except Junior and Social Members) shall be exempted from paying the Nomination Fee (if any) and all members (except Life Members) must pay the annual subscription for membership of the Club.
- 5.4 A member can request a Leave of Absence for a nominated period on payment of the prescribed fee which is to be determined by the Committee and set at each Annual General Meeting.

#### **6. HONORARY MEMBERSHIP**

No person shall be admitted as an Honorary or Temporary Member of the Club except for Life Members of the Club and Visiting Team members participating in competition who will be made Honorary Members for the day. Honorary Membership can be bestowed at the discretion of the Committee of Management.

#### **7. LIFE MEMBERS**

- 7.1 A list of Life Members of the Club shall be maintained on the Honour Board, together with the Officers of the Club. Such Life Member shall have the full playing and voting rights on Club matters.
- 7.2 Nominations for Life Members must be in writing and presented to the Secretary three (3) calendar months before the Annual General Meeting.

- 7.3 The General Committee shall consider such nomination and if acceptable, present a recommendation to the Members at the next Annual General Meeting. A person becomes a Life Member by a majority of members present at that Annual General Meeting.

## **8. REGISTER OF MEMBERS**

The Secretary shall keep and maintain on the Club premises a register in the form or manner approved by the Liquor Control Commission containing the name and address of each Member of the Club and particulars of payment of the last subscription for membership paid by the Member, and this register shall be kept open for inspection at any time by a Licensing Inspector, an authorised member of the Police Force, the Commissioner, the Deputy Commissioner, an Assistant Commissioner, the Chief Executive Officer or an officer or employee of the Commission and shall also be available for inspection by Members of the Committee of Management.

## **9. RESIGNATION AND EXPULSION OF MEMBER**

- 9.1 A member of the Club who has paid all moneys due and payable by him to the Club may resign from the Club by first giving one month's notice in writing to the Secretary of his intention to resign and upon the expiration of that period of notice, the Member shall cease to be a Member.
- 9.2 Upon the expiration of a notice given under sub-clause 9.1, the Secretary shall make in the register of Members an entry recording the date on which the Member, by whom the notice was given, ceased to be a member.
- 9.3 Subject to these rules, the Committee may by resolution:-
- 9.3.1 Expel a Member from the Club
  - 9.3.2 Suspend a Member from membership of the Club for a specified period
  - 9.3.3 Fine a Member in accordance with the Regulations
- If the Committee is of the opinion that the Member:-
- 9.3.4 Has refused or neglected to comply with these Rules
  - 9.3.5 Has been guilty of conduct unbecoming a Member or prejudicial to the interests of the Club or has otherwise infringed good order and conduct within the clubhouse, tennis courts, or precincts thereof, or when representing the Club.
- 9.4 A resolution of the Committee under sub-clause 9.3 does not take effect unless the Committee, at a meeting held not earlier than 14 days and not later than 28 days after the service on the Member of a notice under sub-clause 9.5 confirms the resolution in accordance with this clause.
- 9.5 Where a Committee passes a resolution under sub-clause 9.3, the Secretary shall, as soon as practicable, cause to be served on the Member, a notice in writing:-
- 9.5.1 Setting out the resolution of the Committee and the grounds on which it is based
  - 9.5.2 Stating that the Member may address the Committee at a meeting to be held not earlier than 14 days and not later than 28 days after the service of the notice
  - 9.5.3 Stating the date, place and time of that meeting
  - 9.5.4 Informing the Member that he may do one or more of the following:-
    - 9.5.4.1 Attend that meeting
    - 9.5.4.2 Give to the Committee before the date of that meeting, a written statement seeking the revocation of the resolution
    - 9.5.4.3 Not later than 24 hours before the date of the meeting, lodge with the Secretary, a notice to the effect that he wishes to appeal to the Club at a Special General Meeting against the resolution.
- 9.6 At a meeting of the Committee held in accordance with the sub-clause 9.4, the Committee shall:-
- 9.6.1 Give to the Member an opportunity to be heard
  - 9.6.2 Give due consideration to any written statement submitted by the Member
  - 9.6.3 By resolution, determine whether to confirm or revoke the resolution
- 9.7 Where the Secretary receives a notice under sub-clause 9.5, he shall notify the Committee and the Committee shall convene a Special General Meeting of the Club to be held within 21 days after the date on which the Secretary received the notice.

- 9.8 At a Special General Meeting of the Club convened under sub-clause 9.7:-
- 9.8.1 No business other than the question of the appeal shall be transacted
  - 9.8.2 The Committee may place before the meeting, details of the grounds for the resolution and the reasons for passing the resolution
  - 9.8.3 The Member shall be given an opportunity to be heard
  - 9.8.4 The Members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked
- 9.9 If at the Special Meeting:-
- 9.9.1 Two-thirds of the Members present in person or by proxy vote in favour of the confirmation of the resolution, the resolution is confirmed
  - 9.9.2 In any other case, the resolution is revoked

## **10. ANNUAL GENERAL MEETING**

- 10.1 The Club shall in each calendar year, convene an Annual General Meeting of the Members.
- 10.2 The Annual General Meeting shall be held on such day as the Committee determines.
- 10.3 The Annual General Meeting shall be specified as such in the notice convening it.
- 10.4 The ordinary business of the Annual General Meeting shall be:-
- 10.4.1 To confirm the minutes of the last preceding Annual General Meeting and of any Special General Meeting held since that meeting
  - 10.4.2 To receive from the Committee, reports upon the transactions of the Club during the last preceding financial year
  - 10.4.3 To elect the Committee of Management of the Club
  - 10.4.4 To elect Members to the Selection Committee
- 10.5 The Annual General Meeting may transact special business of which notice is given in accordance with these rules.
- 10.6 The Annual General Meeting shall be in addition to any other Special General Meetings that may be held in the same year.

## **11. SPECIAL GENERAL MEETING**

- 11.1 The Committee may, whenever it thinks fit, convene a Special General Meeting of the Club and, where, but for this sub-clause, more than fifteen (15) months would elapse between Annual General Meetings, shall convene a Special General Meeting before the expiration of that period.
- 11.2 The Committee shall, on the requisition in writing of twenty (20) voting Members, convene a Special General Meeting of the Club within twenty-eight (28) days from the receipt of such requisition.
- 11.3 The requisition for a Special General Meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the Members making the requisition.
- 11.4 If the Committee does not cause a Special General meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the Members making the requisition, or any of them, may convene a Special General Meeting to be held not later than three (3) months after that date.
- 11.5 A Special General Meeting convened by Members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring the expenses.

## **12. NOTICE OF MEETING**

- 12.1 The Secretary of the Club shall, at least fourteen (14) days before the date fixed for holding a Special General Meeting and/or Annual General Meeting of the Club, do either of the following:-
  - 12.1.1 Cause to be sent to each member of the Club at his address appearing in the Register of Members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting, or
  - 12.1.2 Cause to be posted in a prominent place in the premises of the Club, a notice stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 12.2 A member desiring to bring any business before a meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling the next Special General Meeting and/or Annual General Meeting after receipt of the notice.

### **13. PROCEEDINGS AT MEETING**

- 13.1 The President shall preside as Chairman at each Special General Meeting and/or Annual General Meeting of the Club.
- 13.2 If the President is absent from a Special General Meeting and/or Annual General Meeting, the Members present shall elect one of their number to preside as Chairman at the meeting.
- 13.3 All business that is transacted at a Special General Meeting and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these Rules as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.
- 13.4 No item of business shall be transacted at a Special General Meeting or an Annual General Meeting unless a quorum of Members entitled under the Rules to vote is present during the time when the meeting is considering that item.
- 13.5 The Chairman of a Special General Meeting and/or Annual General Meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 13.6 Where a meeting is adjourned for fourteen (14) days or more, a like notice of the adjourned meeting shall be given as in the case of the Special General Meeting and/or Annual General Meeting.
- 13.7 Except as provided in sub-clauses 13.5 and 13.6, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

### **14. QUORUM**

- 14.1 Fifteen (15) Members personally present (being Members entitled under these Rules to vote at a Special General Meeting or an Annual General Meeting) shall constitute a quorum for the transaction of business at a Special General Meeting or an Annual General Meeting.
- 14.2 If within half an hour after the appointed time for the commencement of a Special General Meeting or an Annual General Meeting a quorum is not present, the meeting, if convened upon the requisition of Members, shall be dissolved and in any other case shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the Members present (being not less than 3) shall be a quorum.

### **15. VOTING**

- 15.1 Subject to these rules, a question arising at a Special General Meeting and/or Annual General Meeting of the Club shall be determined on a show of hands and unless before or on the declaration of the show of hands a vote is demanded, a declaration by the Chairman that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, and an entry to that effect in the minute book of the Club is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against that resolution.

- 15.2 Upon any question arising at a Special General Meeting and/or Annual General Meeting of the club, a member has one vote only except that Social Members or Members under the age of 18 years shall not vote on any matter.
- 15.3 All votes shall be given personally or by proxy.
- 15.4 In the case of an equality of voting on a question, the Chairman of the meeting is entitled to exercise a second or casting vote.
- 15.5 If at a meeting, a vote on any question is demanded by three members or more, it shall be taken at that meeting in such a manner as the Chairman may direct and the resolution of the vote shall be deemed to be a resolution of the meeting as the Chairman may direct.
- 15.6 A vote that is demanded on the election of a Chairman or on a question of an adjournment shall be taken forthwith and a vote that is demanded on any other question shall be taken at such time before the close of the meeting as the Chairman may direct.
- 15.7 A Member is not entitled to vote at any Special General Meeting and/or Annual General Meeting unless all monies due and payable by him/her to the Club have been paid.
- 15.8 Each Member shall be entitled to appoint another Member as his proxy by notice in writing given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- 15.9 The notice appointing the proxy shall be in the form set out in Appendix 2.

## **16. COMMITTEE OF MANAGEMENT**

- 16.1 The affairs of the Club shall be managed by a Committee of Management constituted as provided in Rule 17.
- 16.2 The Committee:-
  - 16.2.1 Shall control and manage the business and affairs of the Club
  - 16.2.2 May, subject to these rules, exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these Rules to be exercised by Special General Meetings and/or Annual General Meetings of the Members of the Club
  - 16.2.3 Subject to these rules, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Club.

## **17. COMPOSITION OF THE COMMITTEE**

- 17.1 The composition of the Committee shall consist of twelve (12) persons as follows:-
  - Chairperson
  - Treasurer
  - Secretary
  - Nine (9) Committee people
- 17.2 All of the Committee shall be elected to office at the Annual General Meeting
- 17.3 The President, Secretary and Treasurer shall constitute the Executive Committee of the Club and shall be ex-officio members of all Sub-Committees without voting rights.
- 17.4 The provisions of Rule 18 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of person to any of the offices mentioned in sub-clause 17.1.
- 17.5 Each Committee member of the Club shall hold office until the Annual General Meeting next after the date of his/her election, but is eligible for re-election.
- 17.6 In the event of a casual vacancy in any office referred to in sub-clause 17.1, the Committee may appoint one of its members to the vacant office and the member so appointed may continue in office up to and including the conclusion of the Annual General Meeting following the date of his/her appointment.

## **18. ELECTION OF OFFICERS AND VACANCY**

- 18.1 Nominations of candidates for election as officers of the Club or as Ordinary Members of the Committee shall be:-
  - 18.1.1 Made in writing, signed by two Members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination)
  - 18.1.2 Delivered to the Secretary of the club not less than fourteen (14) days before the date fixed for the holding of the Annual General Meeting.
- 18.2 The names of persons proposed for election as members of the Committee shall be displayed in a conspicuous place in the Club premises for not less than one week before the date of the election.
- 18.3 If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- 18.4 If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- 18.5 If the number of nominations exceeds the number of vacancies to be filled, a vote shall be held.
- 18.6 The vote for the election of officers of the Club and ordinary members of the Committee shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- 18.7 A nomination of a candidate for election under this clause is not valid if that candidate has been nominated for another office for election at the same election.
- 18.8 The Secretary shall keep records of Members voting at an election of Members.
- 18.9 For the purposes of these Rules, the office of an officer of the Club or of an ordinary member of the Committee becomes vacant if the officer or member:-
  - 18.9.1 Ceases to be a Member of the Club
  - 18.9.2 Becomes an insolvent under administration within the meaning of the Companies (Victoria) Code
  - 18.9.3 Resigns his office by notice in writing given to the Secretary
  - 18.9.4 Fails without due cause to attend three consecutive meetings of the Committee.

## **19. COMMITTEES**

- 19.1 A Selection Committee comprising a maximum of ten (10) Full Members shall be elected at the Annual General Meeting. The Selection Committee shall be responsible for the selection of Tennis Victoria Pennant and NSTA teams, both summer and winter, and shall report to the Committee of Management. If required, at the discretion of the Committee of Management, members may be seconded.
- 19.2 An NSLTA Selection Committee for the Mid-Week Ladies comprising of a maximum of five (5) members, each to have played NSLTA within the previous two years, shall be elected at the NSLTA Annual General Meeting. The NSLTA Selection Committee shall be responsible for the selection of all mid-Week teams and shall report to the Committee of Management.
- 19.3 The Committee of Management shall appoint a Junior Selection Committee from nominations received comprising of a maximum of six (6) people to select all junior teams. This committee is to be selected at the first Committee meeting after the Annual General Meeting and shall report to the Committee of Management.
- 19.4 The Committee shall appoint a person or persons to manage the entering of Night teams into the Spring and Autumn competitions.
- 19.5 The Committee shall appoint a person or persons to manage the entering of teams into any further competitions other than those competitions mentioned in 19.1, 19.2, 19.3 and 19.4.

## **20. DELEGATES**

Subject to and in accordance with the rules of the Club, delegates to affiliated bodies shall be appointed (as required) and empowered by the Committee of the Club. Such delegates may be appointed at the Annual General Meeting or at the subsequent meeting of the Committee of Management after the Annual General Meeting.

## **21. PROCEDURE OF THE COMMITTEE**

- 21.1 The Committee shall meet once in every month at such place and such times as the Committee may determine.
- 21.2 Special meetings of the Committee may be convened by the Chairperson or by any four (4) of the members of the Committee.
- 21.3 Notice of a least seven (7) days shall be given to members of the Committee of any Special Meeting specifying the general nature of the business to be transacted and no other business shall be transacted as such a meeting.
- 21.4 Any seven (7) members of the Committee constitute a quorum for the transaction of the business of a meeting of the Committee.
- 21.5 No business shall be transacted unless a quorum is present, and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the day in the following week unless the meeting was a Special meeting in which case it lapses.
- 21.6 A the meetings of the Committee:-
  - 21.6.1 The Chairperson shall preside.
  - 21.6.2 If the Chairperson is absent, one of the remaining members of the Committee, as may be chosen by the members present, shall preside.
- 21.7 Questions arising at a meeting of the Committee or of any Sub-Committee appointed by the Committee shall be determined on a show of hands or, if demanded by a member, by a vote taken in such manner as the person presiding at the meeting may determine.
- 21.8 Each member present at a meeting of the Committee or of any Sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- 21.9 Notice of each ordinary meeting of the Committee shall be given in such a manner as the Committee shall determine.
- 21.10 Subject to sub-clause 21.4 the Committee may act notwithstanding any vacancy on the Committee.

## **22. SUB-COMMITTEES**

The Committee may appoint Sub-Committees from time to time for specific purposes, either from its own members or from Members of the Club. Such Sub-Committees shall periodically report on their activities.

## **23. SECRETARY**

- 23.1 The Secretary of the Club shall:-
  - 23.1.1 Keep minutes of the resolutions and proceedings of each General Meeting and each Committee Meeting in books provided for that purpose, together with a record of the names of persons present at Committee meetings.
  - 23.1.2 Obtain a current and correct roll of all Members (in accordance with Rule 8).
  - 23.1.3 Have charge of all books, records, documents and papers connected with the affairs of the Club and ensure that there are kept proper accounts and records of transactions and affairs of the Club and such other records as will sufficiently explain the financial operations and financial position of the Club.
  - 23.1.4 Prepare notices for and attend all General Meetings and Committee meetings with the necessary books and papers.
  - 23.1.5 Take the necessary action to give effect to the decisions of the Committee.
- 23.2 The Committee may from time to time fix the honorarium (if any) for the Secretary.

## **24. TREASURER**

24.1 The Treasurer of the Club shall:-

- 24.1.1 Collect and receive all monies due to the Club, issue receipts as required and make all payments authorised by the Club.
- 24.1.2 All cheques and other negotiable instruments shall be signed by any two of the Chairperson, Secretary or Treasurer or other nominated Committee of Management member.
- 24.1.3 Keep correct accounts and books showing the financial affairs of the Club with full details of all receipts and expenditure connected with the activities of the Club.
- 24.1.4 The accounts and books referred to in sub-clause 24.1.3 shall be available for inspection by Members, pursuant to clause 30.2, and be able to be produced when required by the Club's Auditors.
- 24.1.5 Books of account and statement of transactions may be produced at each meeting of the Committee together with a statement of current receipts and expenditure. At the end of each financial year, an annual statement of receipts and expenditure shall be produced at the Annual General Meeting, such statement to be verified by the Club's Auditors.

## **25. AUDITORS**

The Auditor shall audit the Annual Statement produced pursuant to Clause 24.1.5. Other duties of the Auditor shall be specified by the Committee of Management from time to time.

## **26. REMOVAL OF MEMBER OF THE COMMITTEE**

- 26.1 The Club in General Meeting may, by resolution, remove any member of the Committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first-mentioned member.
- 26.2 Where the member to whom a proposed resolution referred to in sub-clause 26.1 makes representations in writing to the Secretary or President of the Club (not exceeding a reasonable length) and requests that they be notified to the Members of the Club, the Secretary or President may send a copy of the representations to each Member of the Club or, if they are not so sent, the member may require that they be read out at the meeting.

## **27. THE ALTERATION OF RULES AND STATEMENT OF PURPOSES**

- 27.1 Subject to the Act and Regulations, these Rules and/or the Statement of Purposes may be altered by a resolution of not less than three-quarters of the Members present (whether in person or by proxy) and entitled to vote at a Special General Meeting or an Annual General Meeting.
- 27.2 Notice in writing of the proposed alteration of a rule signed by two (2) Members shall be handed to the Secretary who shall exhibit the notice on the Club Notice Board for at least (14) days immediately preceding the meeting.
- 27.3 Notice of any amendment to the proposed new rule, as notified in accordance with rule 27.2 must likewise be signed by two (2) Members and handed to the Secretary who shall cause it to be exhibited on the Club notice board at least seven (7) days prior to the meeting in accordance with the Rules.

## **28. NOTICES**

- 28.1 A notice may be served by or on behalf of the Club upon any Member either personally or by sending it by post to the Member at his address shown in the Register of Members or by displaying it in a prominent place in the premises of the Club.
- 28.2 Where a document is properly addressed, pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

## **29. WINDING UP OR CANCELLATION**

In the event of the club being disbanded, its net assets will not be distributed to members but will be distributed to:-

- (i) a fund with objectives similar to those of the club or,
- (ii) a fund which has a philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity, and including the benefiting of a fund certified to be a patriotic fund under Section 24 of the Patriotic Funds Act 1958 or the fund or part of the fund of the Australian Red Cross Society or,
- (iii) a community or charitable organisation.

### **30. CUSTODY OF RECORDS**

30.1 Except as otherwise provided in these Rules, the Secretary shall keep in his/her custody or under his/her control all books, documents and securities of the Club.

30.2 A Member may inspect the books and records of the Club on giving reasonable notice to the person responsible for the relevant documents in accordance with these Rules.

### **31. FUNDS**

The funds of the Club shall be derived from the Nomination Fees, Annual subscriptions, Donations and such other sources as the Committee determines.

### **32. CLUB PREMISES**

No person shall be entitled to enter or remain upon or to utilise the premises of the Club (including the playing facilities) or any part thereof unless expressly or impliedly authorised by the Committee. All persons utilising the playing facilities of the Club shall conform to the laws of the game and the rules from time to time prescribed by Tennis Victoria.

### **33. VISITORS**

33.1 Visitors may use the courts only at those times when they are not required by Members.

33.2 Visitors fees will be set annually and reviewed as the Committee sees fit.

33.3 Visitors must be accompanied by a Member and that Member shall be responsible for the collection of any fee payable.

### **34. DRESS**

All persons utilising the playing facilities of the Club shall wear regulation footwear and recognised tennis attire only.

### **35. LIQUOR LICENCE**

35.1 No payment of any amount shall be made to any officer or servant of the Club by way of commission or allowance from the receipts of the Club for the sale and disposal of liquor.

35.2 A Visitor must not be supplied with liquor in the Club premises unless in the company of a Member.

35.3 The Secretary shall be responsible for the keeping of a record of guests.

35.4 Except as otherwise permitted under the Act, no person shall be entitled to receive a greater profit, benefit or advantage from the Club than that to which any Member is entitled.

35.5 A person under the age of 18 years will not be admitted to the membership of the Club except for the preparation and participation in sport.

35.6 No liquor shall be sold or supplied to any person under the age of 18.

### **36. CLUB FACILITIES**

The facilities of the Club shall be provided and maintained from the joint funds of the Club.

### **37. PRO-RATA FEES**

A pro-rata fee may be applied at the discretion of the Committee.

### **38. BALLS**

The Club will use balls in accordance with the rules laid down by the various governing bodies relating to competition tennis.

### **39. COURTS**

39.1 Courts are to be bagged from fence to fence after every set by the players last using the respective courts. En-tout-cas courts are to be thoroughly watered before play commences and at regular intervals thereafter.

39.2 The Committee of Management will allocate specific courts for each day's competition and/or coaching and practice play as required.

39.3 Members may use the courts at any time subject to the Committee of Management's discretion.

### **40. DAMAGE TO PROPERTY**

No member shall remove from the Club House or deface or damage any article of property of the Club. Members offending shall pay for removal and/or damage at a value that shall be fixed by the Committee.

### **41. PETTY CASH**

A petty cash advance not exceeding two hundred (\$200) dollars may be granted to the Club Secretary, Social Secretary and other Officers as required, and shall not exceed such amount without the sanction and consent of the Committee.

### **42. KEYS**

Members may be issued with a key for the gate and entry to the Club House at the discretion of the Committee. Keys for any specific purpose such as light box, store cupboards, Committee Room, shall be issued only by the Secretary from year to year and shall be listed in a register.

APPENDIX 1

**ESSENDON TENNIS CLUB**



(Batman Street, Essendon 3040. PO Box 478, Essendon, Ph. 9331-0707)

**NOMINATION FOR MEMBERSHIP**

I desire to become a member of the **Essendon Tennis Club Inc.** and I hereby agree if elected to be bound by the Rules of the Club.

Category applied for: \_\_\_\_\_

**Nomination Fee of \$30.00 to accompany this form**  
**(Junior applicants exempted)**

Name: Ms/Mrs/Mr/Miss \_\_\_\_\_  
(SURNAME – BLOCK LETTERS PLEASE)

\_\_\_\_\_  
(CHRISTIAN NAMES)

\_\_\_\_\_  
(DATE OF BIRTH)

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

Phone Numbers: \_\_\_\_\_  
(Private/Business/Mobile)

Email: \_\_\_\_\_

The above particulars are correct and true:-

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian for Junior Applicants

\_\_\_\_\_  
Date

APPENDIX 2

**ESSENDON TENNIS CLUB**  
(Batman Street, Essendon 3040. PO Box 478, Essendon, Ph. 9331-0707)



**APPOINTMENT OF PROXY**

I, \_\_\_\_\_

of \_\_\_\_\_

being a member of The Essendon Tennis Club, hereby appoint

\_\_\_\_\_

of \_\_\_\_\_

being a member of the Club, as my proxy to vote for me on my behalf at the Annual/Special General Meeting to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_ and at any adjournment of that meeting.

My proxy is authorised to vote in favour of / against (delete as appropriate) the resolution.

(insert details)

Signed \_\_\_\_\_

Membership Category \_\_\_\_\_

Date \_\_\_\_\_

**ESSENDON TENNIS CLUB**  
(Batman Street, Essendon 3040. PO Box 478, Essendon, Ph. 9331-0707)



**NOTES AND AMENDMENTS**