

Constitution

1. NAME

The name of the Club shall be Ealing Lawn Tennis Club (“the Club”).

2. OBJECTS

The objects of the Club shall be to to promote the amateur sport of Lawn Tennis in Ealing and community participation in the same

3. FORM

The Club shall be a Community Amateur Sports Club (CASC)

4. A. Property and Funds

- (i) The Club’s property, including the freehold of the Club premises, shall be vested in the Club Trustees of whom there shall be no fewer than four. The Trustees shall have in relation to the Club’s property all the powers of an absolute owner, including unfettered power of borrowing, and shall be indemnified by the Club against any action cost claim demand or payment made or incurred by them in their capacity as Trustees of the Club.
- (ii)
 - (a) The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits shall be reinvested in the club.
 - (b) The Management Committee is empowered to borrow money for the purposes of the Club in such amounts and upon such terms as to interest, security and otherwise as the Management Committee may from time to time determine; and
 - (c) The Trustees shall, at the direction of the Management Committee, make such dispositions of the Club's property or any part thereof, and enter into and execute such agreements and instruments in relation thereto, as the Management Committee may deem proper for giving security for such borrowed moneys and the interest payable thereon.
- (iii) (iii) The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away-match expenses, post match refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.
- (iv) The Club may also in connection with the sports purposes of the Club:
 - (a) sell and supply food, drink and related sports clothing and equipment;

Constitution (continued)

- (b) employ members (though not for playing) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present;
- (c) pay for reasonable hospitality for visiting teams and guests;
- (d) indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).
- (v) The Committee will have due regard to the law on disability discrimination and child protection.

4. B. Winding Up

- (i) The members may vote to wind up the Club if not less than three quarters of those present and voting support that proposal at a properly convened general meeting.
- (ii) The Committee will then be responsible for the orderly winding up of the Club's affairs.
- (iii) After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
 - (a) to another Club with similar sports purposes which is a registered charity and/or
 - (b) to another Club with similar sports purposes which is a registered CASC and/or
 - (c) to the Club's governing body for use by them for related community sports.

5. MANAGEMENT

A. The Management of the Club shall be vested in a Management Committee consisting of:-

- i) Hon. Chairman
- ii) Hon. Secretary
- iii) Hon. Treasurer
- iv) Not more than 13 other members to assume such areas of responsibility as the Management Committee shall determine. At the date of the adoption of this constitution those areas are:-
 - a) Finance and Planning
 - b) Playing
 - c) Membership
 - d) Dome
 - e) Bar
 - f) Grounds
 - g) Junior and coaching
 - h) House
 - i) Entertainment
 - j) Tournaments and Fixtures
 - k) Press and Public relations
 - l and m) Two members without portfolio

Constitution (continued)

B. The Management Committee shall have power to:-

- i) Co-opt voting members to fill vacancies created by the resignation or non-election of Officers on the Management Committee.
- ii) Co-opt non-voting Members who shall be invited to attend all or specific Management Committee Meetings.

C. Candidates for the Committee must be in at least their second year of membership and must be full members. Any member who ceases to be a full member of the Club shall automatically vacate office.

6. HON. PRESIDENT

The Management Committee may appoint an Hon. President of the Club and such appointment shall be renewable annually.

7. SUB-COMMITTEES

The Members with special areas of responsibility elected under Clause 5A (iv) shall each appoint sub-committees of such size and composition as they think fit, to assist them in carrying out their duties. In particular, the Bar Member shall ensure that all laws in relation to the sale and supply of alcohol are observed.

8. MANAGEMENT COMMITTEE MEETINGS

The Management Committee may meet as often as the business of the Club shall require, but a minimum of five times a year. At each Meeting, five members entitled to vote shall constitute a quorum, provided that not less than 14 days' notice has been given. If less than 14 days' notice has been given, the quorum shall be not less than fifty per cent of the total voting membership of the Management Committee.

9. MEMBERSHIP

- (i) Membership of the Club shall be open to anyone interested in Lawn Tennis on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs. However, limitation of membership according to available facilities is allowable on a non discriminatory basis.
- (ii) The Club may have such different classes of membership as the Management Committee shall from time to time decide and subscriptions shall be set by the Management Committee on a non discriminatory and fair basis in accordance with clause 11 hereof. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
- (iii) The Management Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.
- (iv) All full members shall have a vote at Club meetings. The members in all the other categories shall not have a vote at Club meetings.

Constitution (continued)

- (v) It shall be an obligation on the part of every member to observe the conditions for the regulation of the Club as laid down in the Club's Constitution and in any Bye-laws or other Rules established by the Management Committee.

10. NEW MEMBERS

- A. A copy of each of the Constitution, Bye-laws and Rules referred to in Clause 9(v) above shall be made available to all applicants for membership

11. ENTRANCE FEES AND SUBSCRIPTIONS

The entrance fee and subscriptions shall be determined by the Management Committee who shall circulate notice of such fees to the Members at least 28 days before the start of the Club year. Members who have not paid their subscriptions by such date as may be determined by the Management Committee are liable to be removed from membership of the Club, without further notice.

12. VISITORS

A member may bring visitors to the Club but if the visitors play tennis at the Club, the Member must ensure that the visitors' names are entered in the Visitors Book and the visitors' fees paid, prior to commencement of play. A visitor may not play tennis at the Club on more than three separate occasions in any one Club year.

13. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of the Club shall be held within 7 months of the Club's previous accounting period.
- b) At each Annual General Meeting the Honorary Officers, the other elected members of the Management Committee and all co-opted members shall vacate office at the close of the Annual General Meeting. Retiring co-opted members with voting rights may not be re-co-opted for or during the ensuing year without confirmation by the Annual General Meeting. Otherwise all Management Committee members including the Hon. officers shall be eligible for re-election.
- c) The business of the Annual General Meeting shall be:-
 - i) To approve the Minutes of the previous Annual General Meeting and of any subsequent Extraordinary General Meeting.
 - ii) To receive the Report of the Committee of Management.
 - iii) To approve the Accounts of the Club for the previous accounting period.
 - iv) The election of Hon. Chairman, Hon. Secretary and Hon. Treasurer.
 - v) The election of other members to the Committee.
 - vi) To appoint the auditors.
 - vii) To consider any motions of which due notice has been given in accordance with the provisions of the Club's Constitution.
 - viii) Any other business.
- d) A Notice of the Annual General Meeting together with the Accounts for the accounting period shall be sent to Members at least 14 clear days beforehand.

Constitution (continued)

- e) Members shall submit, so as to be received by the Hon. Secretary not less than 7 clear days before the date of the Annual General Meeting:
 - i) nominations for the Management Committee, such nominees having given their consent before being nominated; and
 - ii) such motions as they wish to be presented at the meeting.
- f) All such nominations and motions must be duly proposed and seconded.
- g) Save as specified below, nominations and proposals shall be displayed on the Notice Board 4 days before the Meeting, together with a set of the Club Accounts for the previous accounting period.
- h) Voting shall be by show of hands unless a Poll is requested by at least 10 members.

14. SPECIAL GENERAL MEETINGS

- a) An Extraordinary General Meeting of the Club can be called at the request of the Management Committee or at the request of at least 30 full members who may petition such a meeting.
- b) Such petition shall include full particulars of the motion or items of business in respect of which the meeting is sought.
- c) At least 14 days clear notice must be given to members for an Extraordinary General Meeting.
- d) The Agenda must be circulated with the Notice and no other motions can be added to the agenda.

15. CHAIRMAN FOR GENERAL MEETINGS

The Chairman for the Annual General Meeting or any Special General Meeting of the Club shall be the President, but in his absence the Chair shall be taken by the Chairman of the Management Committee. In the absence of both, the Chair shall be taken by a Management Committee member nominated by the members of the Management Committee present.

16. VOTING MAJORITIES REQUIRED

- a) Save as hereinafter mentioned, all motions shall be passed by a simple majority (the majority of one).
- b) Apart from Clause (c) below, a motion to change any clause in the Club Constitution may only be considered at an Extraordinary General Meeting requisitioned for that purpose and must be passed by a Special Resolution requiring a seventy-five per cent majority of those present and entitled to vote.
- c) i) A motion to sell or transfer the freehold land owned by the Club must be passed only by a Special Resolution requiring a ninety per cent majority of those present and entitled to vote. A postal ballot of all the voting Club Members may be requested by at least six such members. Any such postal ballot shall include the right to proxy voting and must be organised by the Management Committee under the supervision of the Electoral Reform Society. The majority required for such a postal ballot shall be not less than ninety per cent of those casting their vote.
 - ii) Clause 16c) (i) shall not apply to a transfer or sale of the land by the Trustees to:
 - (a) new trustees replacing retiring or deceased trustees, or

Constitution (continued)

- (b) any other body owned and controlled by the Club members whose constitution shall contain provisions equivalent to those contained in this Clause.

17. FINANCE

The Management Committee shall be responsible for financial policy. The Accounts of the Club shall be audited annually by an independent auditor who shall be approved at the Annual General Meeting.

18. SUSPENSION

The Management Committee may suspend, for any length of time up to six months, a member whose conduct it considers justifies suspension. Written notice of the suspension must be given to the member explaining the reasons for the decision.

19. EXPULSION

The Management Committee may expel a member whose conduct it considers such as to justify expulsion. Prior to being expelled any such member must be given written notice of the reasons and a right to respond thereto orally or in writing within fourteen days of such notice being posted, which shall be by first class mail to the member's last known address. The Management Committee shall consider any response from the member before deciding whether to expel such member.

20. OTHER MATTERS

The Management Committee shall have the power to deal with all matters not provided for in this Constitution and to adopt Rules and Bye-laws for the operation of the Club provided that such Rules and Bye-laws shall not be inconsistent with any provisions of this Constitution. In the event of any inconsistency this Constitution shall prevail.

Where there is any conflict between any of the Rules set out in clauses 2, 3, 4 and 9 hereof ("key Rules") and any other rule or rules the key Rule will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (which means Community Amateur Sports Clubs as first provided for by the Finance Act 2002.)