

THE CONSTITUTION
OF
TRALEE TENNIS CLUB



**ADOPTED AT AN EXTRAORDINARY GENERAL MEETING
OF THE MEMBERS OF THE CLUB
HELD ON MONDAY 24TH MAY 1993 AND AMENDED AT AN
EXTRAORDINARY GENERAL MEETING OF THE MEMBERS OF
THE CLUB HELD ON THURSDAY 27TH NOVEMBER 2014**

CONSTITUTION OF TRALEE TENNIS CLUB

1. THE CLUB

- 1.1 The name of the Club shall be Tralee Tennis Club and it shall cater for the sport of tennis.**
- 1.2 This Club Constitution shall operate and apply from the date of its adoption by the Members of the Club in General Meeting and shall not have retrospective effect.**

2. CHILD PROTECTION POLICY

- 2.1 Tralee Tennis Club is committed to safeguarding the wellbeing of its junior members. All members of the Club will at all times show respect and understanding for their rights, safety and welfare, and conduct themselves in a way that reflects the principles and guidelines contained in the Irish Sports Council's Code of Ethics and Good Practice for Children's Sport in Ireland.**
- 2.2 The Club will maintain a Child Protection Policy Document which shall be retained in the Clubhouse at all times. This document shall be reviewed and updated annually.**
- 2.3 The Club's Annual General Meeting shall appoint two Child Protection Officers (one male, one female) one of whom shall be designated as a member of the committee.**
- 2.4 'Child Protection Issues' shall be an item on the agenda of all regular meetings of the committee.**

3. MEMBERSHIP

- 3.1 The committee shall regulate the total number of members admissible to the Club and the number of members admissible to each category of membership within the Club each year, taking account of the circumstances of the Club at that time.**
- 3.2 The categories of membership are:**
 - a) Senior single membership: over 18 years of age on the first day of January in the calendar year for which the membership applies.**
 - b) Junior membership: under 18 years of age on the first day of January in the calendar year for which the membership applies.**
 - c) Family membership: parents or guardians and their children who are under 18 years of age on the first day of January in the calendar year for which the membership applies and children over 18 years of age and under 25 years of age on the first day of January in the calendar year for which the membership applies who are in continuous full-time education.**
 - d) Student membership: over 18 years of age and under 25 years of age on the first day of January in the calendar year for which the membership applies and who are in continuous full-time education.**
 - e) Unwaged membership: over 18 years of age on the first day of January in the calendar year for which the membership applies and who are in receipt of social welfare assistance.**
 - f) Life membership - Single: is non-transferable and applicable for life.**
 - g) Life membership - Family: parents or guardians (non-transferable and applicable for life) and their children who are under 18 years of age on the first day of January in the calendar year for**

which the membership applies and children over 18 years of age and under 25 years of age on the first day of January in the calendar year for which the membership applies who are in continuous full-time education.

- h) Honorary membership:** may be conferred by members at the Annual General Meeting on any person who has rendered unusual services to, or advanced the interests of, the Club, provided notice of such proposal appears on the agenda circulated with the notice of such meeting. Honorary membership shall confer the same rights as those afforded paid members and shall be for such period as the Annual General Meeting shall decide.
- 3.3** The membership of the Club for any year shall be from the first day of March (or the date of joining in the case of new members) to the last day of February of the following year. The annual subscriptions shall be paid on the first day of March and any member whose subscription remains unpaid on the first of April shall cease to be a member of the Club unless he/she can account for the omission to the satisfaction of the committee. Renewal of all memberships is at the discretion of the committee.
- 3.4** Applications from prospective members shall be presented in writing or electronically to the Honorary Secretary, or other committee member nominated by the committee, on an approved application form or by other method as determined by the committee from time to time. All such applications shall be proposed and seconded by current adult members. Applications from prospective junior members must be signed by a parent or guardian. Granting of membership is at the discretion of the committee.
- 3.5** Annual subscription rates shall be proposed by the committee and ratified by the membership at the Annual General Meeting.
- 3.6** Every member, visitor or other person in or on the Club grounds shall be subject to and submit to the Constitution of the Club and to the rules, bye-laws and regulations of the committee.
- 3.7** Every adult member shall, save during tournaments and such other times as shall be prescribed by the committee, be entitled to introduce visitors to the Club on the number of occasions and on paying such fee or graduated fee as shall be fixed by the committee.
- 3.8** The committee shall have the power to suspend for such time as it determines or to expel any member who:

 - a)** shall refuse or neglect to comply with the Constitution of the Club and rules, bye-laws or regulations made by the committee, other than in exceptional individual circumstances acceptable to the committee, or
 - b)** shall be guilty of conduct unworthy of a member or detrimental to or likely to endanger the welfare or good order of the Club or its members provided that, at least one week before the committee meeting at which the resolution to suspend or expel is to be considered, notice thereof shall be sent in writing to such member who shall, at such meeting and before any such resolution is passed, have the opportunity of giving orally or in writing any explanation or defence he or she may think fit. The decision of the committee in relation to such a resolution shall be taken by a simple majority of those members present and voting.
- 3.8.1** A member so suspended or expelled shall have the right to appeal the decision to an Extraordinary General Meeting to be summoned within twenty days of the suspension or expulsion provided that 10 members sign a requisition to the Honorary Secretary to call such meeting.
- 3.8.2** The suspension or expulsion shall stand confirmed unless a majority of those present and entitled to vote, vote to the contrary. If the suspension or expulsion is revoked, that suspension shall be lifted or the member reinstated as the case may be. Voting at such Extraordinary General Meeting shall be by secret ballot.
- 3.9** No property belonging to the Club shall be removed from the grounds except by the authority of the committee. Any member damaging Club property shall be liable to make good the loss.
- 3.10** Proper playing attire as determined by the committee must be worn by all members and their guests while playing on the courts.

- 3.11 No representative or inter-club match shall be played in the Club without prior permission of the committee and no team or individual purporting to represent the Club shall play any match without prior consent of the committee.
- 3.12 All complaints shall be made in writing to the Honorary Secretary, who if he/she is unable to deal with this, or is party to it, shall submit them to the committee whose decision shall be final.
- 3.13 Adult Members of the Club with voting rights shall be entitled to:
- a) Receive notice electronically of, except where a member specifically requests notice by post, and attend and vote at, general meetings of the Club members.
 - b) Nominate or propose any other adult member or members to fill any position on the Club committee provided they have that member's permission to do so.
 - c) Receive notice electronically, except where a member specifically requests notice by post, of all nominations for committee membership at least three days in advance of the Annual General Meeting.
 - d) Nominate or propose any other adult member or members to fill any vacancy that may arise among the Trustees of the Club provided they have that member's permission to do so.

4. VOTING RIGHTS

- 4.1 Only fully paid-up members of the Club are entitled to attend or vote at a General Meeting of the Club.
- 4.2 Senior, Life, Student and Unwaged members, present at a General Meeting, are entitled to one vote.
- 4.3 Family membership has an entitlement to one vote per adult member on behalf of the family, up to a maximum of two votes, subject to 2 adult family members being present at the meeting.
- 4.4 Voting by proxy shall not be allowed.

5. ANNUAL GENERAL MEETING

- 5.1 The Annual General Meeting of the Club shall be held not later than the 28th day of February in each year, at a venue within Tralee to be decided by the committee.
- 5.2 Notice of the Annual General Meeting, including the agenda and any motions to be considered thereat, shall be issued electronically to all members entitled to vote, except where a member specifically requests notice by post, not less than fourteen days before the meeting.
- 5.3 The notice of the Annual General Meeting shall be accompanied by a committee membership nomination form. Nominations shall be returned electronically or by post to the Honorary Secretary by a date agreed by the committee and specified in the notice.
- 5.4 A copy of the Club accounts including a balance sheet showing the financial position of the Club shall be made available to each member present at the Annual General Meeting.
- 5.5 The following business shall be fulfilled at each Annual General Meeting (AGM):
- a) A record of those present shall be compiled and retained with the minutes of the meeting.
 - b) Reading of the minutes of the previous AGM and of any intervening EGM.
 - c) Review of all activities of the Club since the previous AGM.
 - d) Review of the financial position of the Club.
 - e) Appointment of committee members for the coming year.

- f) **Consideration of any motions, proposals or resolutions included on the circulated agenda of the AGM.**
 - g) **Any Other Business. This item shall be for discussion only and no additional motions to be raised under it.**
- 5.6 **Where an election is necessary in the appointment of a committee member, voting shall be by single non-transferable vote in a secret ballot with the appointment determined by a simple majority. In the event of a tied vote the appointment shall be determined by casting lots.**
- 5.7 **Where voting at the Annual General Meeting is conducted by secret ballot, the meeting will select 2 scrutineers who shall count the votes and inform the Chairperson of the result. The ballot papers shall be retained by the Club Solicitor for a period of three months.**
- 5.8 **Where no prior nominations have been received for committee positions, nominations may be made at the Annual General Meeting.**
- 5.9 **At General Meetings, 15 members entitled to vote shall form a quorum.**

6. EXTRAORDINARY GENERAL MEETING

- 6.1 **An Extraordinary General Meeting (EGM) may be called at any time by:**
- a) **The committee**
 - b) **The Honorary Secretary on the requisition in writing of not less than 10 members entitled to vote.**
- 6.2 **The EGM shall be called within 30 days of the original request.**
- 6.3 **Seven clear days' notice of an EGM shall be issued electronically to all members entitled to vote, except where a member specifically requests notice by post.**
- 6.4 **The notice of the EGM shall contain details of the purpose of the meeting and only the business specified in that notice shall be dealt with at the meeting.**
- 6.5 **Voting procedures for the EGM shall be the same as for the AGM.**
- 6.6 **The Chairperson, or other member of the committee who shall be moved into the chair, shall preside at an EGM and shall have a casting vote as well as his/her own deliberative vote in the case of the voting being equal.**

7. COMMITTEE MEMBERSHIP

- 7.1 **The Club committee shall comprise up to 17 Club members as follows:**
- a) **Chairperson**
 - b) **Honorary Secretary**
 - c) **Honorary Treasurer**
 - d) **Two Club Captains (one male, one female)**
 - e) **Two Club Vice-Captains (one male, one female)**
 - f) **Two Child Protection Officers (one male, one female, of which one shall be the Designated Officer)**
 - g) **Junior Officer**
 - h) **Club PRO**
 - i) **Three Ordinary Members**

j) The Trustees

- 7.2 The officers of the Club shall be the Chairperson, the Honorary Secretary, the Honorary Treasurer and the Club Trustees, and shall be the minimum required to form a Club committee.**
- 7.3 The Chairperson, Honorary Secretary and Honorary Treasurer shall serve in those respective positions for a maximum period of three consecutive years.**
- 7.4 The committee shall fill any vacancy that may arise from among its members or may co-opt any adult member of the Club to fill such vacancy.**

8. FUNCTIONS OF THE COMMITTEE

- 8.1 The committee shall manage the business and affairs of the Club and shall act at all times in the best interest of the Club and its members.**
- 8.2 The committee shall have power to make, alter and repeal bye-laws and regulations for the administration and operation of the Club either to meet temporary emergencies or as they may consider necessary in the interests of the Club. Such bye-laws and regulations shall be posted on the Club's notice board; these shall remain in force unless and until set aside by a General Meeting.**
- 8.3 The committee shall have the power to make bye-laws, regulations and decisions and to levy charges (on both members and visitors) in regard to: the use of the courts; admission to the grounds or any part or parts thereof; the availability and use of facilities; and the general control of the property of the Club and the playing of games.**
- 8.4 The committee shall hold regular (at least monthly) meetings, the times and places of these meetings to be determined by the committee from time to time.**
- 8.5 At committee meetings, 5 members shall form a quorum and the Chairperson shall, in the event of any equality of votes, have a casting vote in addition to his/her own vote.**
- 8.6 The Honorary Treasurer shall ensure that the Club has adequate insurance cover in place at all times.**
- 8.7 Regular committee meetings shall be informed of any potential insurance issues and the Treasurer will report any financial transactions of €500 or more, linked annually to the Consumer Price Index, involving or likely to involve Club funds.**
- 8.8 Accounts in the name of the Club shall be opened in Banks to be nominated by the committee, which shall be under the control of the Honorary Treasurer and all monies of the Club shall be lodged to the credit of this Bank Account. All cheques drawn on the Bank Account of the Club shall be signed by the Honorary Treasurer and by such one or more members of the committee as may be decided from time to time by the committee. Correct accounts and books shall be kept, showing in detail the financial affairs, receipts and disbursements of the Club.**
- 8.9 The committee shall, in addition to any other power or function vested in it by this Constitution, inter alia, have the right to exercise the following powers and functions in the name and on behalf of the Club:**
- a) To hire and dismiss staff, consultants, advisors, contractors or to retain the service or any Company or person whose services the general committee consider appropriate to obtain.**
 - b) To agree the remuneration and terms of employment or engagement of staff or any person or Company for services rendered or to be rendered to the Club or on its behalf.**
 - c) To acquire or exchange any freehold or leasehold interest in any land or lands or any rights or easements over or in respect of any such land or lands with the agreement of a two-thirds majority of members present and voting at a General Meeting.**

- d) To purchase, lease, hire, sell or exchange any plant, machinery, equipment, tool or materials as required in connection with the business and operation of the Club.
- e) To borrow, raise or secure the payment of money in such manner as the general committee shall deem fit provided that the general committee shall not without the prior approval of the members in General Meeting, borrow any sum or sums the aggregate amount of which exceeds €10,000, linked annually to the Consumer Price Index.
- f) To invest and otherwise deal with the monies of the Club not immediately required by the Club in such guaranteed or secure investments as it may be advised by the Club's bankers or professional advisors.

8.10 Club buildings and lands may not be disposed of through sale or lease, or any easements or rights be granted over those buildings or lands, without the consent of two-thirds of the members who attend and vote at an Extraordinary General Meeting convened for that purpose.

8.11 Use of the Club facilities by junior members shall be in accordance with the bye-laws made by the committee from time to time.

8.12 Committee Members shall be entitled to be indemnified out of the assets of the Club for all acts done or approved by them in good faith on behalf of the Club in exercise of the powers and functions conferred on them hereunder.

9. SUB-COMMITTEES

9.1 The committee may at any time appoint a sub-committee to deal with a specific purpose within the Club.

9.2 Such sub-committees shall consist of at least three people including at least one member of the committee.

9.3 All sub-committees so appointed shall be responsible to the committee.

10. CLUB TRUSTEES

10.1 There shall be a minimum of 3 Trustees of the Club who shall also be officers of the Club.

10.2 The title of all and any real property of the Club shall be vested in the Trustees. A Trustee shall not act as Trustee of the Club until he/she shall first have entered into a Deed of Trust in the form approved by the committee which shall set forth inter alia the conditions under which the Trustees hold the property in trust for the Club. The Trustees shall execute all such documents and do all such acts as may be required to vest any property belonging to the Club provided that any such transaction has been appropriately authorised in accordance with this Constitution.

10.3 The Trustees shall enter into all such agreements, contracts, deeds and covenants and shall complete and execute all such forms and give such undertakings on behalf of the Club as may be required to give legal effect to any transaction which the Club proposes to enter into and which has been appropriately approved and authorised in accordance with this Constitution.

10.4 All legal or arbitration proceedings in which the Club becomes involved shall be instituted or defended in the name of the Trustees.

10.5 The Trustees shall be Trustees of the Club at the date of the adoption of this Constitution. Every Trustee shall hold office until:

- a) He/she resigns.
- b) He/she ceases to be a member of the Club.
- c) He/she has become incapacitated by serious illness or suffers from physical or mental infirmity.

- d) He/she is convicted of an indictable offence involving fraud or dishonesty.
- e) He/she is removed by Special Resolution of the Members.

- 10.6 In the event of a vacancy or vacancies occurring in the office of Trustee, the Chairperson shall fill any such vacancy until the next General Meeting of the Club is held. The committee and any adult member shall be entitled to nominate any adult member of the Club to fill any vacancy in the office of Trustee provided they have that member's permission to do so.
- 10.7 The Trustees shall be entitled to receive notice of and to attend and vote (at their discretion) at meetings of the committee.
- 10.8 The Trustees shall be entitled to be indemnified out of the assets of the Club for all acts done or approved by them in good faith on behalf of the Club in exercise of the powers and functions conferred on them hereunder.

11. ALTERATION OF THE CONSTITUTION

- 11.1 The committee from time to time may alter or add to the Constitution for the purpose of complying with the provisions of the Registration of Clubs (Ireland) Act 1904 to 1988 or to any statute amending or extending same and, save for the purpose aforesaid, no article of this Constitution shall be repealed or altered nor new articles added except at a General Meeting and written notice of the proposed change will be sent to the Secretary with names of proposer and seconder attached at least two weeks prior to the meeting called for its consideration, but proposals for changing the Constitution may be amended and no notice of the amendment prior to the discussion shall be required. Constitutional articles properly brought before a General Meeting may only be altered, abrogated or added to by the vote of two-thirds of the members present and voting.
- 11.2 A register of all amendments to the Constitution shall be signed and dated by the Chairperson and held by the Honorary Secretary.

12. AMALGAMATION OR WINDING UP

- 12.1 The Club may not amalgamate with another club, nor be wound up, without the consent of two-thirds of the members who attend and vote at an Extraordinary General Meeting convened for that purpose.