

# KILMARNOCK TENNIS CLUB

## CONSTITUTION

### 1 Name and Objectives:

- a. The Club, founded in 1936, shall be named 'Kilmarnock Tennis Club'.
- b. The Club shall have as its objects the provision of lawn tennis, social and other facilities for its Members.

### 2 Constitution:

The Club is hereby constituted as a Non-profit making Members Club. In no circumstances during the continuance of the Club, nor at or after its dissolution, shall any assets or surplus funds be distributed to any Member or other person not to any organisation which is not itself either constituted as non-profit making or a charity. Surplus funds shall be paid into a Development Account for improvements to Club Facilities.

### 3 Affiliation:

- a. The Club shall affiliate to Tennis Scotland through Tennis Ayrshire and shall adopt and conform to the Rules of these organisations in so far as they can apply.
- b. Every Playing Member must, in the annual Club subscription, pay the 'Players Contribution', which the Club will pass onto Tennis Ayrshire.

### 4 Inter-Club Team Competitions:

The Club shall participate in the Ayrshire League, Scottish Cup, Ayrshire Mixed Doubles, Ayrshire Junior League and any other team competition approved by the Committee.

### 5 Classes of Member and Subscriptions:-

- a. There shall be the following classes of Member:
  1. Senior (over 17yrs)
  2. Students in full-time education and Unemployed as defined by the Committee
  3. Juniors (8 - 16yrs)
  4. Family Membership - 2 adults and children 16yrs & under
  5. Country Membership - must live outwith Ayrshire Boundary
- b. The Club shall offer membership for the following time periods:
  1. Annual - one year from 1<sup>st</sup> April to 31<sup>st</sup> March
  2. Winter - from 1<sup>st</sup> October to 31<sup>st</sup> March
  3. Summer Membership - (July/August)
  4. Reduced membership fees available from 1<sup>st</sup> September on pro-rata basis
- c. Membership of the Club shall be limited as follows:
  1. Seniors & Students -120
  2. Juniors -150
- d. Honorary Membership, including Honorary Life Membership, shall be strictly limited and at the discretion of the Committee, by way of reward for special services to the Club.

- e. If the limit of Members is reached and vacancies subsequently occur, applicants for membership shall write personally to the Honorary Secretary. Such applications shall be put on the Notice Board at least 7 days before consideration by the Committee, whose decision shall be by a simple majority and shall be final. The Committee shall give priority to applications from residents of the East Ayrshire district.  
If elected, the new member must pay the relevant subscription within 14 days of notification being sent. If the subscription had been enclosed with the application:
  - i. this will be refunded if the candidate is not elected a Member.
  - ii. the Honorary Secretary and one other Committee Member may allow the candidate to play pending consideration of the application.
- f.
  - i. Renewal of subscriptions for Annual Members shall be completed by 30<sup>th</sup> April, after which no participation in Club activities shall be allowed until payment is made.
  - ii. Those persons seeking Winter 'or Summer' membership must make payment before being allowed to play.
- g. The Committee may at their discretion make a refund of his or her subscription to a Member who becomes unable to use the Club for a substantial part of the season on account of injury, illness or departure from the district.
- h. Subscription levels shall be changed only with the approval, by at least two-thirds of those Members present and voting, or a motion to that effect at an Annual General Meeting.

## **6 Finance and Accounting:**

- a. The financial year of the Club shall run from 1<sup>st</sup> January to 31<sup>st</sup> December and the account submitted to the AGM shall be prepared accordingly.
- b. Copies of the Financial Statement shall be available at the AGM for each member entitled to attend.
- c. The Hon Treasurer shall give a report to each Committee Meeting on the financial position of the Club.
- d. The Club, subject to a formal Committee resolution, duly recorded in the Minute Book, shall open and maintain a Treasurer's account and Development Account with a building society chosen by the Committee. Withdrawals from these accounts may be made by any two of President, Hon Secretary and Hon Treasurer. All such withdrawals shall be subject to formal Committee ratification.

## **7 Visitors:**

- a. Members may introduce a friend six (6) times during a season. The same person may not attend on more than three (3) occasions.

## **8 Management:**

### **A. The General Committee:**

- 1. The Management of the Club shall be in the entire control of a Committee of eleven (11) Members to be called the 'General' Committee referred to, except in this Rule, as 'the Committee'.
- 2. The General Committee shall consist of the following Office Bearers:

President; Vice-President; Honorary Secretary; Honorary Treasurer and seven (7) Senior Members of the Club. All shall be elected for one year at the AGM, except that the elected Committee shall have power to fill any casual vacancy. If more than one (1) of the above Offices is held by the same person, no extra Committee vacancy shall be thereby created.

3. The General Committee shall elect Members where this is required under Rule 5(e) and shall from time to time make and revise the Regulations of the Club.
4. The General Committee shall have power to decide any matter not provided for by this Constitution or the current Regulations.
5. The General Committee shall meet as necessary. The Hon Secretary shall inform all Committee Members of the date and time of any Committee meeting at least 7 days before such a meeting is due to take place.
6. The Quorum at a meeting of the General Committee shall be six (6) Members and in the event of equality of voting the President, who shall chair Committee meetings, shall have the casting vote.
7. The General Committee may delegate any of its duties (except the election of Members and financial matters) to one or more sub-committees and it may create or abolish as many such sub-committees as and when this is considered necessary, provided that such action had the approval of two thirds of those present and voting at a properly constituted meeting.

#### **B. Team Selection Committees:**

1. Team Captains shall be elected at each AGM for Gents, Ladies and Mixed Teams, membership of each Committee being composed as follows:
  - a) Gents - three (3) Gents' Match Secretaries
  - b) Ladies - two (2) Ladies' Match Secretaries and one Selector
  - c) Mixed - two (2) Gents and two (2) Ladies
  - d) Masters - two (2) teams
2. The Team Captains shall organise team practices on the nights set aside for them in the Regulations and shall select the teams for matches from those persons attending the practices provided there are sufficient affiliated members present.

#### **C. Discipline Committee:**

1. Each AGM shall elect a Discipline Committee of five Members - President, Hon Secretary and three (3) other General Committee Members - to deal with complaints alleging misconduct or offensive behaviour and report its findings to the General Committee.
2. The Hon Secretary shall, on receipt of a written complaint alleging misconduct or offensive behaviour or a breach of the Rules & Regulations of the Club, give 14 days' notice of a Discipline Committee meeting to members of that committee, the person or persons making the complaints and the person or persons against whom the complaint has been lodged.
3. The Discipline Committee shall interview individually the complainant or complainants and any against whom written complaints have been lodged and

consider any evidence submitted by them or on their behalf. In the event of someone against whom a complaint has been made failing to attend or send a written reply to the complaint and take appropriate action. Confidentiality must be kept at all times.

4. Notification of a decision of the Discipline Committee shall be sent in writing to the person or persons complaining and anyone complained against within 7 days of its meeting. Any appeal against its finding must be received by the Hon Secretary within a further 7 days and will be referred to the General Committee whose decision is final.
5. All meetings of the Discipline Committee shall be minuted.

## **9. General Meetings of the Club:**

- a. The Honorary Secretary shall send to every Senior and Student member (other than Winter and Summer members) at least 7 days' notice of any General Meeting of the Club, together with a copy of the agenda.
- b. The President shall be Chairperson at any General Meeting of the Club. In the event of equality of votes on any motion the Chair shall have a second or casting vote.
- c. Every Senior or Student member (other than Winter or Summer members) shall be entitled to be present and to speak at any General Meeting of the Club and to vote thereat.
- d. At any General Meeting of the club it shall be held that the presence of 10 members entitled to vote under section three (3) shall constitute a quorum of the club and that it shall be competent to those members to carry through all the business to be dealt with at that meeting.
- e. General Meetings of the Club shall be of two types:
  1. The Annual General Meeting
    - i. An Annual General Meeting (AGM) shall be held each year before the end of March.
    - ii. Any member wishing to propose a motion at the AGM must send a copy thereof to the Hon Secretary before 1<sup>st</sup> March so that provision may be made on the Agenda.
    - iii. The business of the AGM Meeting shall be:
      - a. the confirmation of the minutes of the previous AGM and of any subsequent Extra-ordinary General Meeting.
      - b. The consideration of the President's report for the year just ended
      - c. The consideration of the Hon Treasurer's Accounts for the financial year ended 31 December
      - d. The election of Office Bearers and Committees for the ensuing year
      - e. Items of which notice has been given on the Agenda
      - f. Any other business
    - iv. The newly elected President shall have the option of taking the Chair for the remainder of the AGM

- v. Any motion to alter this Constitution must appear on the Agenda for an AGM and shall not be accepted by the Chair under 'any other business'

2. Extra-Ordinary General Meetings

- ii. The Committee shall call an Extra-ordinary General Meeting (EGM) of the club at their discretion or within one month of receipt by the Hon Secretary of a requisition signed by twenty (20) Senior or Student Members stating the business proposed.
  - iii. The business of an EGM shall be in accordance with the requisition under which it was summoned and the Agenda issued.
- f. At any General Meeting, business which calls for the winding up of the Club, the transfer of any assets of the Club, the borrowing of money or any expenditure not within the immediate financial resources of the Club must not be dealt with under 'any other business'. Due notice must be given as provided in section 5(a)(ii) or 5(b)(i).
- g. All General Meetings of the Club shall be conducted in accordance with Standing Orders.

**10. Courts:**

- a. The Committee shall control all use of the Courts for Club play
- b. The Committee shall have sole power, notwithstanding conditions laid down in the lease of the Courts to this Club by East Ayrshire Council, to decide whether the use of the Courts, on an annual basis, shall be allowed for Inter-District Matches, The Ayrshire Junior Sift, by local schools or for any other competition or purpose.
- c.
  - i. Three (3) courts shall be used for Ayrshire League Matches, all four courts shall be used if two (2) teams are playing at home
  - ii. Three (3) courts shall be used for Scottish Cup matches
  - iii. All four (4) courts shall be used for the Ayrshire Mixed Doubles
- d. Courts shall be reserved as required for Junior Team Matches
- e. Two(2) courts only may be reserved on non-match nights for participants in the Club Championships, provided that:
  - i. 24 hours notice of such reservation has been given on sheets provided for this purpose in the Clubhouse
  - ii. no American Tournaments have been arranged for these nights
- f. Courts may be reserved as required for Mini Tennis Coaching Schemes of East Ayrshire Council and Tennis Scotland
- g. Three (3) courts shall be reserved for Team Practice on nights specified in the Regulations.
- h. All four (4) courts shall be reserved for American Tournaments

**11. Suspension or Expulsion:**

The Committee shall have power to terminate or suspend the membership of any Member or Visitor, whom it shall consider is guilty of a breach of the Rules contained in the Constitution or of misconduct or offensive behaviour to any Member, Visitor or Employee, whether on the Club premises or elsewhere.

- 12. Injury, Loss of Property, etc:**  
Members or Visitors leaving unattended vehicles or personal property at the Club do so at their own risk and the Club shall not be liable for any loss, damage or injury resulting from this or any other cause.
- 13. Damage to Club Property:**  
Members damaging Club fixtures or property may be called on by the Committee to pay for such damage.
- 14. Kilmarnock & Loudoun Youth Panel:**  
The Club may affiliate to Kilmarnock & Loudoun Youth Panel and shall participate in such activities of the organisation as the Committee may decide. Notification of such activities received by the Club shall be displayed on the Notice Board.
- 15. East Ayrshire Sports Council:**  
The Club may affiliate to East Ayrshire Sports Council and may participate in such activities of the organisation as the Committee may decide. Notification of such activities received by the Club shall be displayed on the Notice Board.
- 16. Rules and Regulations:**
- a. A copy of this Constitution and of any Regulations made by the Committee in accordance with the power given in Rule 8 (a)(3) shall be prominently displayed at all times on the Club Notice Board and all members deemed conversant therewith.
  - b. All Members shall be entitled to receive a copy of this Constitution and of the Regulations of the Club.
  - c. All new Members on joining shall be given a copy of this Constitution and of the Regulations.
  - d. The Rules listed in this Constitution shall not be altered except at an AGM after due notice has been given and then only provided that at least two-thirds of those present and voting are in favour of the proposed alteration.
- 17. Dissolution:**  
The Club shall be dissolved on the passing of a resolution to that effect at a General Meeting held after due notice has been given, provided that at least two-thirds of those present and voting are in favour of such a resolution. Such a meeting shall appoint a committee to wind up the affairs of the Club and shall give general directions as to the disposal of any assets within the scope of Rule 2. In the event of the Club disbanding, donors of trophies, or their families, will be given the option of deciding how they will be disposed of.