Moseley Tennis Club

Rules & Constitution 2021



**RULES AND CONSTITUTION 2021**

**1. Name**

**The name of the Club is Moseley Tennis** Club.

**2. Club Purposes**

The purposes of the Club are:

1. to promote and develop the amateur sport of tennis in Moseley and the local community;
2. to provide and maintain Club premises at 49 Billesley Lane, Moseley, Birmingham B13 9QT;
3. to ensure a duty of care to all members of the Club and to provide all its services in a way that is fair to everyone.

**3. Membership**

1. Membership of the Club shall be open to anyone interested in the sport 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.
2. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
3. Subscriptions shall be set annually and determined at the AGM on the recommendation of the Executive Committee.
4. All subscriptions will become due and payable on 1 April in each year.
5. The Executive 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 Executive Committee.
6. Pursuant to the Licensing Act 2003, no one admitted to the membership may enjoy use of the bar or other licensable activity at the Club until two days have elapsed between their application and when the membership takes effect. Anyone who became a member without initial application is prevented from enjoying use of the bar or other licensable activity at the Club until two days after becoming members.
7. The Executive Committee has the right to refund subscriptions in full or in part after hearing an application for refund. The Executive Committee shall decide each application on its merits.

**4. All General Meetings**

1. All members may attend all general meetings of the Club in person.
2. Such meetings need 28 clear days’ written notice by email (or post), which shall include a draft agenda and, in the case of AGMs, a call for proposals for resolutions and nominations for committee and other posts, as appropriate.
3. Every member shall be entitled to be present and to speak at any general meeting, and if aged 18 years or over, to vote thereat.
4. The quorum for all general meetings is 20 voting members present.
5. The Chair or (in his or her absence) another member chosen at the meeting shall preside.
6. Except as otherwise provided in these Rules every resolution shall be decided by a simple majority of the votes cast on a show of hands. The Chair shall have discretion to use a casting vote in the event that voting is equal.
7. Formalities in connection with General Meetings (such as how to put down resolutions) shall be decided by the Committee and publicised to Club members.
8. A Member may vote by proxy so long as it is in writing. No person may represent more than one member.

**5. Annual General Meetings**

The Club will hold an AGM once in every calendar year and not more than 15 months after the last AGM. At every AGM:

1. the Members will elect officers and other members of the Executive Committee to serve until the next AGM,
2. the Treasurer will produce accounts of the Club for the latest financial year audited as the Committee shall decide,
3. the Committee will present a report on the Club's activities since the previous AGM,
4. the Members will appoint a suitable person to audit the accounts,
5. the Members will discuss and vote on any resolution (whether about policy or to change the Rules) and deal with any other business put to the meeting, and
6. Proposals for resolutions to be voted on at the AGM and nominations of members willing to stand for election for committee and other posts must be received in writing (by email or post) by the secretary at least 14 days prior to the date of the meeting,
7. The final agenda including nominations for posts for elections and resolutions to be voted on will be sent to members by email (or post) and displayed in the clubhouse at least seven days prior to the meeting

**6. Extraordinary General Meetings (EGM)**

An EGM can be called by the Secretary within 14 days of a request to that effect from the Committee or on the written request of not less than 10 voting members signed by them. Such EGM shall be held on not less than 14 and not more than 28 days’ notice at a place decided upon by the Committee or in default by the Chair.

**7. The Executive Committee**

1. The Club shall be managed by an Executive Committee consisting of:
	1. the President
	2. the Chair
	3. the Secretary
	4. the Treasurer
	5. the Membership Secretary
	6. other members elected at the AGM to represent sub-committees set up by the Executive Committee.
2. The Executive Committee shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Executive Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the Members. The Executive Committee will be responsible for adopting new policy, codes of conduct and rules that affect the organisation of the Club.
3. The Committee shall consist of at least five and not more than 12 members. The Committee members may co-opt club members (up to the maximum permitted number) to serve until the end of the next AGM.
4. Executive Committee meetings shall be held as often as the Executive Committee thinks fit provided that there shall not be less than four meetings each year. The quorum of such meetings shall be 5. The Chair and the Secretary shall have discretion to call emergency meetings of the Executive Committee if they consider it to be in the interests of the Club. The Secretary shall give all members of the Executive Committee not less than two days notice of a meeting. The minutes of the Executive Committee meetings shall be displayed in the club house and sent to members by email within three weeks of the meeting.
5. Decisions of the Executive Committee shall be made by a simple majority and in the event of an equality of votes the Chair (or the acting Chair of that meeting) shall have a casting vote.
6. The Executive Committee may from time to time appoint sub-committees as necessary and appoint advisers to the Executive Committee as necessary to fulfil its business. The Executive Committee may wind up any sub-committee at any time or change its mandate and operating terms. The quorum for the sub-committees shall be three.
7. A Committee member ceases to be such if he or she ceases to be a member of the Club, resigns by written notice, or is removed by the Committee for good cause after the Member concerned has been given the chance of putting his/her case to the Committee with an appeal to the Club members, or is removed by club members meeting.

The Committee shall fairly decide time limits and formalities for these its duty to report back to the Committee.

h) The Executive Committee will have due regard to the law on disability discrimination and child protection.

i) Each member of the Executive Committee must satisfy HMRC's fit and proper person test to be involved in the general control, management and administration of the Club and must declare that he is a fit and proper person prior to being elected.

j) The Club agrees that each member of the Executive Committee will be required, as a condition of election or appointment, to agree to be bound by and subject to these rules, the rules and regulations of the relevant CLTA and the LTA Rules and the LTA Disciplinary Code, such agreement to contain an express acknowledgement that the Contracts (Rights of Third Parties) Act 1999 applies and that the LTA and the Club can enforce any breach at its option and in its sole discretion.

**8. Property and Funds**

Moseley Tennis Club became a Limited Company on 13th September 2017 (Company number 10960678). This means that the club is regulated by Articles of Association and therefore does not have Trustees but have been replaced by Directors.

**9. Disclosure** Annual club reports, statements of account and all club records may be made available for inspection by any member upon request.

**10. Finance**

1. All club monies will be banked in an account held in the name of the Club.
2. The Club Treasurer will be responsible for the finances of the Club.
3. The financial year of the Club will end on 31 March.
4. An audited statement of annual accounts will be presented by the Treasurer at the Annual General Meeting
5. Any monies not required for immediate use may be invested as the Executive Committee in its discretion thinks fit.
6. Any borrowing will require the approval of the membership at a general meeting.

**11. Purchase and Sale of Liquor**

1. The purchase for sale and supply by the Club of intoxicating liquor must be in the absolute discretion of a sub-committee of not less than three members to be elected by members at the AGM.
2. The sale of intoxicating liquor shall be in accordance with the terms of the licence and prevailing laws relating to the sale of intoxicating liquor.
3. People, other than members and their guests may be sold intoxicating liquor for consumption on the premises and not elsewhere.

**12. Guests**

1. Any member may introduce guests to the Club, provided that no one whose application for membership has been declined or who has been expelled from the Club may be introduced as a guest.
2. The Member introducing a guest must pay the appropriate fee as set by the Executive Committee and must enter the name and address of the guest together with his own name in a book which must be kept on the Club’s premises.
3. No one may be admitted as a guest on more than six occasions in any calendar year.

**13. Amendments**

 These Rules may be amended at a general meeting by two-thirds of the votes cast but not (if relevant) so as to jeopardise the Club’s status as a Community Amateur Sports Club as first provided for by the Finance Act 2002 and not in any event to alter its purposes (unless the procedure set out in 9(b) has been followed) or winding up provisions.

1. The Club Purposes may be changed to include another eligible sport if the Committee unanimously agree and the members also agreed the change by a 75% majority of votes cast.

**14. Winding up the Club**

1. 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.
2. The Committee will then be responsible for the orderly winding up of the Club’s affairs.
3. After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:
* to another Club with similar sports purposes which is a registered charity and/or
* to another Club with similar sports purposes which is a registered CASC and/or
* to the Club’s governing body for use by them for related community sports and/or
* there non-profit organisations that have a legal responsibility to provide for sport. Prospective members may utilise the facilities as a guest on three occasions without paying a visitors fee. In the event prospective members decide not to join the Club the normal rules for guests as set out in 12.a -12.c will apply.

**Signed**

Name …………………… Signature …………………...

Position: Club Chair

Name …………………… Signature ………………….

Position: Club Secretary

 Reviewed Feb 2021