

**CONSTITUTION**

**OF**

**PAPAKURA TENNIS & SQUASH CLUB  
INCORPORATED**

AMENDED NOVEMBER 2011

# **RULES OF THE PAPAKURA TENNIS & SQUASH CLUB (INC.)**

## **1. NAME**

- 1.1. The name of the club shall be “The Papakura Tennis and Squash Club Incorporated” hereinafter referred to as “the Club”.

## **2. OBJECTIVES**

- 2.1. The Objective of the Club shall be:
  - 2.1.1. To provide for its members tennis courts, squash courts and such facilities as are necessary or expedient for the proper playing of the games of tennis and squash rackets.
  - 2.1.2. To provide for its members facilities for such social purposes and functions as the Club deems necessary or desirable.
  - 2.1.3. To promote the games of tennis and squash rackets.
  - 2.1.4. To acquire or dispose of mortgage charge or otherwise deal with any real or personal property for any of the aforesaid.

## **3. MEMBERSHIP**

- 3.1. The Membership of the Club shall consist of:
  - 3.1.1. Honorary Life Members
  - 3.1.2. Life Members
  - 3.1.3. Ordinary Members
  - 3.1.4. Social Playing Members
  - 3.1.5. School Junior Members
  - 3.1.6. Social Members
  - 3.1.7. Corporate Members
  - 3.1.8. School Institutions
- 3.2. The Club in General Meeting may elect Honorary Life Members in recognition of distinguished service to the Club.
- 3.3. Life Members shall be those members who have paid membership subscriptions as determined by the Club from time to time, shall have full playing and all other rights pertaining to ordinary membership, and shall not be liable for the payment of any annual subscription.
- 3.4. Ordinary and junior members shall each be proposed and seconded by two financial members of the Club who shall sign and hand to the Club Administrator/Secretary a nomination form in respect of each such proposed membership.
- 3.5. Junior members shall be under 19 years of age on the first day of September. They shall have no voting rights at any general meeting of the Club, and shall have such other

rights playing and otherwise as shall be determined by the Executive Committee from time to time.

- 3.6. Social Members shall be proposed and seconded by two financial members of the Club and shall be former ordinary members of the Club or have been good supporters of the Club. They shall have no voting rights but shall receive a key to the front door and may use the lounge and bar facilities.
- 3.7. Social Playing Members are not able to play association run interclub or tournaments but are able to compete in social competitions held by the Club as well as Club Champ competitions. They shall have no voting rights.
- 3.8. The only member entitled to vote at General Meetings of the Club shall be Honorary Life, Life and Ordinary Members.
- 3.9. Every Member of every type as defined herein shall be bound by and submit to the Rules of the Club.

#### **4. OFFICERS**

- 4.1. The Officers of the Club shall be:
  - 4.1.1. Patron
  - 4.1.2. Past President
  - 4.1.3. President
  - 4.1.4. Auditor
  - 4.1.5. Men's Squash Captain
  - 4.1.6. Ladies' Squash Captain
  - 4.1.7. Men's Tennis Captain
  - 4.1.8. Ladies' Tennis Captain
- 4.2. The Officers, with the exception of the Patron and the Auditor, shall be Honorary Life, Life or Ordinary Members and all shall be elected annually at the Annual General Meeting of the Club. The Executive Committee may appoint annually in terms of Rule 7 a Bar Manager who be ex officio a member of the Executive Committee. The President shall be ex officio a member of all Committees.
- 4.3. Nominations for election to the positions of Officers of the Club, Executive Committee, Tennis Committee and Squash Committee shall be made in writing signed by two financial members who may be Honorary, Life and/or Ordinary members with the consent of the nominee seven clear days of the Annual General Meeting.
- 4.4. If the number of candidates for any offices is less than the number of vacancies the Chairperson of the Annual General Meeting shall declare those nominated to be elected and shall call for nomination for any office then vacant. If such nominations exceed vacancies a ballot shall be held at the Meeting.

#### **5. CLUB ADMINISTRATOR/SECRETARY**

- 5.1. The Club Administrator/Secretary shall be appointed annually by the Executive Committee and shall be paid such remuneration as the Executive Committee decides

from time to time. The Club Administrator/Secretary shall not necessarily be a member of the Club. The Club Administrator/Secretary shall attend all meetings of the Club and Executive Committee, keep proper minutes of the same, conduct all correspondence of the Club, keep a register of members, notify all meetings when and as required. Maintain accurate financial accounts and report to the Executive Committee. Generally do such tasks and things as the Executive Committee or the Club shall require him/her to do as are usually done by officials in a like capacity. A full job description for this position is available and is reviewed annually prior to the annual appointment.

## **6. MANAGEMENT**

- 6.1.** The Management and control of the affairs of the Club shall be vested in the Executive Committee and the Squash Committee and the Tennis Committee.
- 6.2.** The Executive Committee shall consist of the Officers of the Club, with the exception of the Patron and the Auditor plus three members elected annually by the Annual General Meeting. The Executive Committee shall have all the powers of the Club which are not expressly required to be done or exercised by the Club in General Meeting or as otherwise provided in the Rules. Without derogating from the general powers of the Executive Committee, it is expressly declared that it shall have the following powers:
  - 6.2.1.** To make bylaws with regard to the court and club house, which bylaws shall be binding on every member of the Club.
  - 6.2.2.** To delegate.
  - 6.2.3.** To prepare an annual budget which shall impose limitations on the powers of the Squash and Tennis Committees to commit the Club to expenditure.
  - 6.2.4.** To employ and dismiss salaried and other paid officers or employees.
  - 6.2.5.** To carry out all contracts entered into by the Club.
  - 6.2.6.** To purchase, lease or otherwise any real or personal property and to sell exchange or let any lands or other property upon such terms and conditions as the Executive Committee shall think fit.
  - 6.2.7.** To construct and maintain buildings, courts, fences and works as it considers necessary.
  - 6.2.8.** To borrow or raise money upon mortgage of the real or personal property of the Club or any part thereof or upon debentures of the Club, and to issue such debentures charging the whole or part of the assets of the Club and to execute mortgages to secure such debentures or to borrow money from bankers or other persons with or without security. With a 100% agreement of the Executive Committee a motion is then taken to either the next Annual General Meeting or a Special General Meeting of the Club is called for ratification. A quorum is required for this meeting and 75% majority of the people at the meeting must vote in favour of the motion for it to be ratified.
  - 6.2.9.** To place or deposit with any bank or savings bank or otherwise invest the funds of the Club, and to vary or alter such deposits or investments as it thinks fit.

- 6.3. Any vacancies occurring in the Officers of the Club or in the elected members of the Executive Committee shall be filled for the unexpired term of the office by the election by the Executive Committee or persons qualified in terms of these Rules.
- 6.4. The Squash and Tennis Committees shall be elected annually at the Annual General Meeting and shall consist of the Men's and Ladies' Squash Captains and Men's and Ladies' Tennis Captains respectively and such number of elected members as decided by the Annual General Meeting.
- 6.5. The Tennis and Squash Captains carry one combined vote for the respective sports.
- 6.6. The Squash and Tennis Committees shall have the powers to organise and control the playing of squash and tennis respectively, to run competitions whether open to Club Members only or to all players or any class or player, to select and enter teams into interclub competitions organised and controlled by the associations to which the Club is duly affiliated, to organise and control such social functions and to do such other things as are appropriate to the playing and enjoyment of the respective sports, always provided that the character, good order and welfare of the Club are in no way imperilled.
- 6.7. Each Committee shall be authorised to commit the Club to such expenditure as is necessary for the normal conduct of their respective sports, the purchase of normal equipment such as balls, nets, the maintenance of court markings and umpire stands, the purchase of prizes and trophies for tournaments and competitions, then sending by mail to members notices or programme of events, provided however that each Committee shall not exceed budget limits set from time to time by the Executive Committee.
- 6.8. Each Committee shall appoint one of its number as Committee Secretary who shall keep minutes of all meetings and do such things as directed by the respective committee with these Rules.
- 6.9. The Executive Committee has the power to co-opt members onto the Committee from time to time.
- 6.10. Should an Executive Committee member become non financial throughout their term, the balance of the Executive Committee has the power to retain their services in the same capacity for the balance of that financial year.

## **7. BAR MANAGEMENT**

- 7.1. The Executive Committee at its first meeting after the Annual General Meeting in each year may appoint one of the Honorary Life, Life or Ordinary Members of the Club as Bar Manager. Remuneration, if any, may be fixed from time to time by the Executive. The duties of the Bar Manager shall be as determined from time to time by the Executive Committee to which he or she shall be accountable. His or her duties shall include but not be confined to all those things which are normally done to control the buying and selling of liquor and alcohol products in terms of policy directives made from time to time by the Executive Committee and shall include the ordering, accepting delivery of and stock keeping of all items kept in the bar cool rooms and other store places and sold over the bar, the organisation and maintenance of an adequate amount of cash in the cash register, and general supervision of the actions of those members who from time to

time act as barpersons provided however that the banking of all monies and the payment of all accounts shall be the responsibility of the Club Administrator/Secretary.

## **8. SUBSCRIPTIONS**

- 8.1.** The Executive Committee shall set the entrance fee subscription and levies (if any) payable by members of each financial year. A General Meeting of the Club may alter any of these fees and levies set by the Executive Committee in either of the following ways:
  - 8.1.1.** At the Annual General Meeting provided a written notice is given to the Club Administrator/Secretary at least seven working days before the Annual General Meeting.
  - 8.1.2.** By procedure set out in Rule 13.1 of a Special General Meeting.
- 8.2.** Any member who has not paid his or her subscription within one calendar month of its due date shall be deemed unfinancial. Unfinancial members shall not be entitled to any of the rights and privileges of membership of the Club.

## **9. ACCOUNTS**

- 9.1.** All monies payable to the Club, including all receipts taken at the bar, shall be paid to such personnel or persons as may be appointed by the Executive Committee or the Club Administrator/Secretary who shall keep correct accounts and books showing the financial affairs of the Club. He or she shall pay all monies into a bank approved by the Executive Committee in the name of the Club, and shall prepare an annual statement of the financial affairs and position of the Club as at the last day of August in each year which shall be submitted to the Auditor not later than 45 days after financial year end, in each year. Such statement duly audited and certified correct shall be submitted for approval to the Annual General Meeting of the Club.
- 9.2.** All cheques drawn on the Club's banking account shall be signed by any two of the signatories authorised from time to time by the Executive Committee.

## **10. AUDITOR**

- 10.1.** The accounts and financial statements of the Club shall be audited by an auditor who may be elected at the Annual General Meeting of the Club each year. No member of the Executive, Tennis or Squash Committees shall be eligible for election of Auditor. The Auditor shall not necessarily be a member of the Club.

## **11. FINANCIAL YEAR**

- 11.1.** The financial year of the Club shall end on the last day of August each year.

## **12. ANNUAL GENERAL MEETING**

- 12.1.** The Annual General Meeting of the Club shall be held within three months of the Club's financial year end each year. The Club Administrator/Secretary shall notify each member qualified to vote at General Meetings a notice giving at least 14 days' notice of the date, time and place of such meeting and of the business to be transacted at such

meeting, including notices of motion which have been received in accordance with these Rules.

### **13. SPECIAL GENERAL MEETING**

- 13.1.** A Special General Meeting of the Club may be called at any time by the Executive Committee and must be called by the Club Administrator/Secretary within 28 days after receipt of a requisition signed by 30 financial members of the Club. At least 14 days' notice in writing stating dates, times and place and the business to be transacted at such meeting must be given by the Club Administrator/Secretary to each member qualified to vote therein.

### **14. QUORUMS**

- 14.1.** At any Annual General or Special General Meeting of the Club twenty (20) members shall constitute a quorum, and at any Executive Committee meeting four (4) members. Any meeting at which there is not a quorum shall stand adjourned to a date not more than seven (7) days after the date for which the adjourned meeting was called. Voting at all Annual General and Special General Meetings of the Club shall be done on the voice or by show of hands at the discretion of the meeting or by ballot, if required, by a majority of members present at such meeting. At all Annual General and Special General Meetings of the Club each financial Ordinary member, Life member and Honorary Life member present shall have one vote and the Chairperson shall have a casting vote as well as deliberate vote.
- 14.2.** At all meetings of the Executive, Tennis and Squash Committees each duly elected member present shall one vote, the Chairperson shall have a casting vote as well as a deliberate vote.
- 14.3.** Each Annual General and Special General Meeting of the Club and each meeting of the Executive Committee shall be presided over by the President, or in his or her absence, such qualified member whom the General meeting or the Executive Committee elects for the particular meeting.

### **15. RESIGNATIONS**

- 15.1.** Any member wishing to resign from the Club shall give notice to the Club Administrator/Secretary in writing of his or her intentions. Until such notice is given such member shall be considered to be a member of the Club and shall be liable to pay all outstanding subscriptions, fees or any other monies due to the Club.
- 15.2.** If a member fails to pay his or her subscription within one (1) calendar month after the due date the Executive Committee may delete his or her name from the Register of Members.
- 15.3.** If a member whose name has been deleted in accordance with Rule 15.2 pays the amount due and furnishes the Executive Committee with a satisfactory explanation for the delay in payment the Executive Committee may reinstate his or her name on the Register of Members.

- 15.4. If a member who has resigned applies at a later date to rejoin the Club the Executive Committee may at its discretion waive payment of a further entrance fee.

## **16. EXPULSION**

- 16.1. The Executive Committee may delete from the Register of Members the name of any member proven to the satisfaction of the Executive Committee to have been guilty of grossly improper or dishonourable conduct or riotous behaviour or conduct.

## **17. ALTERATIONS TO RULES**

- 17.1. Any of these Rules may be added to, altered or rescinded by a three-fifths majority of the members present at any Annual General or Special General Meeting of the Club called in accordance with Rules 12 and 13.

## **18. MISCELLANEOUS**

- 18.1. The property of the Club shall belong to the Club as an incorporated society.
- 18.2. The Rules of play for tennis shall be those recognised by The New Zealand Tennis Association. The Rules of play for squash shall be those recognised by the New Zealand Squash Association.

## **19. WINDING UP**

- 19.1. In the event that the Club is wound up the property of the Club shall be sold and the proceeds after the payment of all debts due by the Club shall be disposed of as the Club shall in General Meeting direct, provided that such proceeds may not be disposed of amongst the members of the Club.

## **20. PECUNIARY INTEREST**

- 20.1. No member of any committee of the Club shall sit or vote upon the hearing or consideration of any matter in which he or she has any pecuniary interest.

## **21. COMMON SEAL**

- 21.1. The Executive Committee shall have prepared a common seal and provide for its custody. The Common Seal shall only be affixed by authority of the Executive Committee, and in the presence of the President and two members of the Executive.