

CASTLEKNOCK LAWN TENNIS CLUB CONSTITUTION NOVEMBER 2003

01. The club shall be known as "Castleknock Lawn Tennis Club", and shall consist of as many members as are duly elected.
02. The object of the club shall be the promotion of Lawn Tennis, sporting and social activities for the benefit of its members.
03. Castleknock Lawn Tennis Club is fully committed to safeguarding the wellbeing of its members. Every individual in the club should at all times show respect and understanding for their rights, safety and welfare, and conduct themselves in a way which reflects the principles of the club and the guidelines contained in the code of Ethics and good Practice for Children's Sport in Ireland (See Appendix 1).
04. All members will receive a copy of the relevant Code of Conduct, a copy of the club's Child Protection Statement and a copy of the Constitution. Each member / parent (if member is under 18) will be obliged to sign and return an acknowledgement that they have read and agree to abide by the code of Conduct, the Constitution and the Child Protection Policy. All junior club members will be required to sign the Junior Club Code of Conduct and Fair Play Policy.
05. Save as herein appears, the assets of the club shall be vested in the trustees of the club, duly elected in accordance with rule 08, and such assets shall be held by the trustees, in trust, for the members of the club. If it is apparent at any meeting of the Executive Committee that the assets under its control shall exceed in value £5,000.00, such assets in excess of £5,000 shall be transferred into the names of the trustees. Non-movable assets, fixtures, fittings, equipment and machinery shall not for the purpose of this provision be deemed to be assets. In so far as the assets of the club may be deficient, the members of the club shall indemnify the trustees and the Executive Committee against any liability, and such indemnity shall be a condition of membership of the club, provided always that in the event of the cash assets becoming deficient to the extent of £1,000.00 the Executive Committee shall call a Special General Meeting of the club to consider the financial position.
06. Club Colours: The club colours shall be royal blue and amber.
07. The club shall have a President, a Chairperson, a Vice-Chairperson, a Men's Captain, a Ladies' Captain, an Honorary Secretary and an Honorary Treasurer, who shall be ex-officio members of the Executive Committee.
08. The Executive Committee shall consist of seven other members, together with the ex-officio members mentioned in Rule 07.
09. The Chairperson, the Vice-Chairperson, the Men's Captain, the Ladies Captain, the Honorary Secretary and the Honorary Treasurer shall be elected annually by the general body of members. The Chairperson shall be elected for a term of one year, and may not serve for more than three consecutive terms. The immediate past Chairperson shall remain on the Executive Committee for at least one year.
10. Notwithstanding anything contained in the foregoing rules, a General Meeting shall have power to elect trustees of the club (not exceeding three) in whom the club's assets or portion thereof may be vested by the Executive Committee. The Executive Committee may only nominate a proposed trustee for election and the name of such nominee shall be circulated to the members at least seven days before the proposed General Meeting. The election of a trustee at a General Meeting must be by a two-thirds majority of the members present and voting. A trustee so elected shall hold the office of trustee until the death or resignation of the said trustee. A trustee can only be otherwise removed from office on the proposal of the Executive Committee, duly approved by a two-thirds majority present and voting at a General Meeting. A trustee shall be entitled to all rights of membership while the said trustee so acts. The trustees shall be deemed to be trustees within the meaning of the Trustee Acts. All club assets vested in the names of the trustees shall be held by them, in trust, for the members of the club. Such assets may only be sold, or otherwise disposed of, with the sanction of the Executive Committee. In the event of the trustees refusing to sell, or otherwise dispose of trust property vested in them, at the request of the Executive Committee, the Executive Committee may call a General Meeting where the matter shall be decided by a two-thirds majority of those present and voting.
11. A copy of these rules shall be exhibited on the club's notice board.
12. The rules of Tennis Ireland for the time being shall be the standard rules of reference, provided always that nothing in the rules of Tennis Ireland shall be held to supersede, modify or in any way qualify the rules of the club.
13. Income and Property: The income and property of the organisation shall be applied solely towards the promotion of its main objects as set forth in this Constitution. No portion of the organisation's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise whatsoever by way of profit, to the members of the organisation. No Officer shall be appointed to any office of the organisation paid by salary or fee, or receive any remuneration or other benefit in money or money's worth from the organisation in respect of such office. However, nothing shall prevent any payment in good faith by the organisation of:
 - a) reasonable and proper remuneration to any member or officer of the organisation for any service rendered to the organisation (other than as an officer);
 - b) reasonable or proper remuneration to any company of which the member or officer of the organisation is a director or shareholder, for any services rendered to the organisation;
 - c) interest at a rate not exceeding 5% per annum on money lent by officers or other members of the organisation to the organisation;
 - d) reasonable and proper rent for premises demised and let by any member of the organisation (including any Officer) to the organisation;

- e) reasonable and proper out of pocket expenses incurred by any Officer in connection with their attendance to any matter affecting the organisation;
- f) Fees, remuneration or other benefit in money or money's worth to any Company of which an Officer may be a member holding not more than one hundredth part of the issued capital of such company.

Winding-up: If upon the winding up or dissolution of the organisation there remains, after satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the organisation. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the organisation. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the organisation under or by virtue of Clause....hereof. Members of the organisation shall select the relevant institution or institutions at or before the time of dissolution, and if and as so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

Additions, alterations or amendments: No addition, alteration or amendment shall be made to or in the provisions of the Main Object(s), Income and Property and the Winding-up clauses in this Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

Keeping of Accounts: Annual audited accounts shall be kept and made available to the Revenue Commissioners on request.

MEMBERSHIP

14. Membership of the club shall consist of the following categories: Ordinary Members, Family Members, Junior Members, Honorary Members, Overseas Members, Country Members, Student Members and Pavilion Members.

15. All candidates for admission as Ordinary Members, Parents or Students in Family Membership, Student Members or Pavilion Members of the club must be proposed and seconded by two members. The candidates shall be at least 18 years of age on the 1st day of January in the current season. The election in each case shall be by ballot of the Executive Committee, voting by proxy permitted, one adverse vote in five shall exclude. The Executive Committee shall have the power to elect annually as many Junior, Honorary, Overseas, Country and Pavilion members as it shall deem advisable. They shall have the right of attending General Meetings, but shall not have the right to vote or hold office.

Ordinary Members: Ladies and men, duly elected as Ordinary Members, who shall pay such entrance fee, annual subscription and other charges as are applicable.

Family Members: Parents, who shall be Ordinary Members, students over the age of 18 years on January 1st of the current year, and who are in continuous full-time education, and junior members.

Honorary Members: Honorary members shall be limited to those who, in the opinion of the Executive Committee, are persons who have rendered good service to the club, or to the game of tennis, or who otherwise merit such membership.

Overseas Members: Overseas members are those members who but for the fact that they reside for more than nine months of the year outside of Ireland, would be playing members of the club.

Country Members: Country members are those members who are members of another club, and who reside outside the general catchment area of the club.

Pavilion Members: Pavilion members shall be limited to those who in the opinion of the Executive Committee merit such membership.

Student Members: Student members are persons who have reached the age of 18 years, and are in continuous full-time education.

Junior Members: Any person under the age of 18 years on 1st of January in the current year shall be eligible for junior membership. Junior members shall be bound by the rules and byelaws of the club. They shall have the right of attending at General Meetings, but shall not have the right to vote or hold office.

16. The names and addresses of persons proposed as members of the club shall be displayed in a conspicuous place in the club premises for at least a week before their election, and an interval of not less than two weeks shall elapse between nomination and election of such members.

17. The annual subscription and all other fees shall be decided by the Executive Committee. The annual subscription shall become due on the 1st of January each year in advance. If a subscription remains unpaid by the 30th of January, notice shall be sent to the defaulter. If unpaid by the 28th of February, the defaulter shall cease to be a member, unless excused to the satisfaction of the Executive Committee.

18. A member may introduce a visitor, with the sanction of a member of the Executive Committee, at a fee to be fixed by the Executive Committee. A Visitors Book shall be kept, and visitors' names must be entered therein. All visitors must comply with the rules and byelaws of the club.

19. (a) That no member of the Executive Committee or Governing Body, and no manager or servant employed in the club shall have any personal interest in the sale of excisable liquors therein, or in the profits arising from such sale.

(b) That a visitor shall not be supplied with excisable liquor in the club premises unless on the invitation of and in the company of a member, and that the member shall, on the admission of such visitor to the club premises, or immediately on the member being supplied with such liquor, enter the said member's own name and the name and address of the visitor in a book which shall be kept for the purpose, and which will show the date of each visit.

- (c) That no excisable liquors shall be sold or supplied for consumption outside the premises of the club.
- (d) That no persons shall be allowed to become honorary or temporary members of the club or be relieved of the payment of the regular entrance fee or subscription, except those possessing certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein.
- (e) That no excisable liquors shall be sold or supplied in the club premises to any person under the age of 18 years.
- (f) That no person under the age of 18 years shall be admitted as a member of the club, unless the club is one primarily devoted to some athletic purpose.
- (g) Subject to the exceptions specified in Sub-Section (2) and (3) of Section 56 of the Intoxicating Liquor Act, 1927 as amended and as inserted in Section 26 of the Intoxicating Liquor Act, 1988 and amended by Section 5 of the Intoxicating Liquor Act, 1995 and Sections 3 and 7 of the Intoxicating Liquor Act, 2000, no excisable liquor shall be supplied for consumption on the club premises to any person (other than a member of the club lodging in the club premises) or be consumed on those premises by any person (other than such a member of the club lodging in the club premises):
 - (a) At any time on Christmas Day or Good Friday;
 - (b) On any other day as specified hereunder, outside the times so specified in respect of it.
 - (i) St. Patrick's Day: between 12.30 p.m. and 12.30 a.m. on the following day;
 - (ii) On the 23rd December: if it falls on a Sunday, between 10.30 a.m. and 11.30 p.m.
 - (iii) Christmas Eve and the eve of Good Friday: between 10.30 a.m. and 11.30 p.m.
 - (iv) The eve of any public holiday (other than Christmas Eve):
 - (i) If the eve falls on a weekday, between 10.30 a.m. and 12.30 a.m. on the following day or;
 - (ii) If it falls on a Sunday, between 12.30 p.m. and 12.30 a.m. on the following day;
 - (iii) Any other Sunday (except St. Patrick's Day which falls on a Sunday): between 12.30 p.m. and 11.00 p.m.
 - (iv) Any other Monday, Tuesday, or Wednesday: between 10.30 a.m. and 11.30 p.m.; and
 - (v) Any other Thursday, Friday or Saturday: between 10.30 a.m. and 12.30 a.m. on the following day.
- (h) 1. Nothing in the Registration of Clubs Acts, 1904 to 1999, or contained by virtue only of the operation of sub-Section (1) of this Section in the Rules of the club registered under the Acts, shall operate to prohibit the supplying for consumption on the club premises, of excisable liquor to any person or the consumption of excisable liquor on the club premises by any person;
 - (a) On Christmas Day, between 12.00 mid-day and 10.00 p.m., or
 - (b) On any other day, for one hour after the expiration of any period in respect of that day during which it is lawful for the club, by virtue of sub-section (1)(b) to supply any excisable liquor for consumption on the club premises,
 - If in each case the excisable liquor is
 - (i) Ordered on behalf of that person at the same time as a substantial meal is so ordered and
 - (ii) Consumed by that person during the meal or after the meal has ended.
- 2. For the purposes of the Registration of Clubs Acts, 1904 to 1999, the Rules of a club which at the commencement of Section 7 of the Intoxicating Liquor Act, 2000 is registered under those Acts, shall during the transitional period, be deemed to be in conformity with this section.
- (i) Section 7 of the intoxicating Liquor Act of 1962 is hereby amended by the substitution in paragraph (a) of Subsections (1) and (2) for "ten minutes" to "thirty minutes".
- (j) In operating Club certificate and all or any social occasions, and / or use of the bar, the Club, it's members and guests, shall at all times comply with all of the requirements and obligations as contained in Sections 15, 19 and 23 of the Intoxicating Liquor Act 2003.

POWERS AND DUTIES OF EXECUTIVE COMMITTEE

20. Any member who believes the conduct of another member is contrary to the Constitution of the Club, or Governing Body Regulations, or whose conduct is likely to bring the club into disrepute, may inform any member of the Executive Committee in writing. A meeting of the Executive Committee shall be held within fourteen days after the complaint has been received. All parties involved will be invited to attend individually to speak to the Executive Committee. The Executive Committee shall inform in writing both the member who made the complaint and the member who is subject to their decision within seven days of a decision being made. Notification of the complaint will be forwarded to the Governing Body.

21. Where a complaint is deemed of appropriate severity by the Executive Committee, the Executive Committee have the right to invoke its disciplinary procedure. The General Committee will have the following options at its disposal under the disciplinary procedure.

- (i) Impose a fine where applicable. The member being fined will be informed in writing of the amount and the date which it must be paid. All fines will be paid to the Treasurer. Failure to pay the fine will result in further options being invoked.
- (ii) Recommend the member undertakes a period of retraining or re-education of applicable.
- (iii) Impose a period of suspension for a defined period.
- (iv) Terminate the membership of the person as outlined in the Constitution.

During the period of suspension, the member is suspended from all activities at, or on behalf of, Castleknock Lawn Tennis Club and therefore shall be ineligible to participate as a member, in the affairs of the Club.

The member shall be informed in writing of the reasons for the suspension and the date from which the suspension shall commence. The member may invoke the appeals procedure.

The General Committee has the power to reinstate the suspended member if the decision of the appeals procedure finds in favour of the member and the Honorary Secretary shall inform the member in writing of the date from which he/she is reinstated. Notification of the disciplinary action taken and the outcome of any appeal will be forwarded to the Governing Body.

22. A member may appeal a decision to the Executive Committee in respect of a disciplinary matter or a complaint. The appeal must be made in writing to the honorary Secretary within fourteen days of the member being notified about the outcome of the complaint procedure or disciplinary procedure. The appeal will be heard by the appeals sub-committee in accordance with their procedures. Notification of the outcome of an appeal will be forwarded to the Governing Body.

23. The Executive Committee shall have the power to terminate the membership of any individual member where it has been clearly demonstrated that a serious breach of the club Constitution has taken place. The individual member shall have the right to be heard by the Executive Committee before the final decision is made. The Executive Committee shall inform the member in writing of any decision to terminate their membership. There shall be a right of appeal to the governing Body, subject to their procedures. Notification of the termination of a membership will be forwarded to the governing Body.

24. The management and control of the property, funds, affairs and all undertakings and arrangements of the club of every nature whatsoever shall be vested in the Executive Committee.

25. Without prejudice to any of the rules, the Executive Committee shall in particular have the following duties:

- a. To make and rescind by-laws not inconsistent with the rules of the club for the time being. The said byelaws shall be exhibited in the pavilion.
- b. To co-opt up to two additional members and to fill any temporary or casual vacancy occurring among the Officers or on the Executive Committee. Such co-opted person shall automatically retire at the next General Meeting.
- c. To suspend or, if necessary, expel any member of the club whom they may consider to have acted in a manner derogatory to the interests or welfare, or contrary to the rules or bye-laws of the club, provided that the motion for the expulsion be supported by at least eight members of the Executive Committee, and that the defaulting person shall have been given a reasonable opportunity of appearing before the Executive Committee and offering an explanation. Any person suspended or expelled from membership of the club may not use any of the facilities of the club as a visitor. No refund or partial refund of any fees or other charges shall be made to any person suspended or expelled from membership of the club.
- d. To appoint, if they see fit, one of their members to act as Assistant Honorary Secretary or Assistant Honorary Treasurer.
- e. After each Annual General Meeting the Executive Committee shall appoint as many sub-committees as it deems necessary for the proper functioning of the club. The personnel of the foregoing shall be determined by the Executive Committee, who will desire those named sub-committees to act within reasonable limits on their own initiative in discharging their duties. They shall, however, be subject to the authority of the Executive Committee and make up to the latter such periodic reports as may be decided upon. The Executive Committee shall appoint at least one of their number to act on each named sub-committee, and also determine each necessary quorum. The Executive Committee may, subject to the foregoing byelaws, make other appointments of a similar nature.
- f. To remove from the Executive Committee any member who by his or her continued absence from meetings, or by otherwise displaying a lack of interest in the affairs of the club, shall in their opinion cease to be of service to the club, provided that the motion for expulsion be supported by at least eight members of the Executive Committee.
- g. The Executive Committee shall meet at least once every month. At each meeting, a statement of the financial position shall be furnished by the Honorary Treasurer or the Honorary Treasurer's deputy. At the Annual General Meeting the Honorary Secretary shall produce a record of attendance at Executive Committee meetings during the year.
- h. The Honorary Treasurer shall keep proper records of all disbursements in connection with the club and shall discharge all liabilities of the club, under the direction of the Executive Committee. Each item of non-recurring expenditure over £1000.00 shall be approved by the Executive Committee and recorded in the minutes. Prior to the Annual General Meeting the Honorary Treasurer shall prepare a statement of the Income and Expenditure of the club for the twelve months up to the 30th of September. This statement shall be audited by the Honorary Auditor appointed and shall be available to the members one week prior to the Annual General Meeting.

- i. **Borrowing Powers:** The Executive Committee shall have power to borrow for the purposes of the club by way of overdraft, term loan, loan account or otherwise from the club's bankers, with interest in the category of accommodation granted, such amount of money either at one time or from time to time, as it may deem proper, such borrowings to be effected in the names of the club's trustees, and to give security for such borrowings and the interest thereon by the issue of bills of exchange, promissory notes or other obligations or securities of the club or by mortgage or charge upon all or any part of the property of the club and thereupon the trustees shall at the direction of the Executive Committee make all such dispositions of the property of the club or any part thereof and enter into any agreements in relation thereto as the Executive Committee may deem proper for giving such security.
 - j. To enter into agreements to hire the pavilion to responsible persons for social functions, meetings, etc.
 - k. The Executive Committee shall have, the power, for the due management of the club, to appoint and dismiss any employees of the club as they deem necessary.
 - l. The Executive Committee shall be entitled to acquire by purchase, lease, fee farm or otherwise, either for an estate in fee simple, or for a less or other estate or interest, whether immediate or reversionary and, whether vested or contingent, any lands, tenements, or hereditaments, of any tenure, whether subject or not to any charges or encumbrances, and to hold and utilise same for the benefit of the club and to mortgage or charge same either absolutely or conditionally to raise or borrow money on or without the security of same. The Executive Committee shall not be entitled to sell, let (except for short-term lettings), alienate or dispose of any lands without the approval of a General Meeting except to comply with an Act of Parliament, Local Authority Regulation or Bye-law or other Statutory Requirement.
26. The Chairperson of the club for the time being shall, if present, preside at all meetings of the Executive Committee, or in his absence, the Vice-Chairperson, if present, or in the absence of both, an ordinary member of the Committee shall be appointed by those present to take the chair and preside. On any matter before the meeting, the Chairperson shall have a casting vote in addition to the Chairperson's vote as a member of the Executive Committee. The quorum for meetings of the Executive Committee shall be 8, two of who must be officers.
27. The club shall if possible appoint each year two members one male one female who will have a remit for Child Protection. This will include attending relevant training courses, liaising with relevant agencies when necessary and bringing to the attention of the General Committee any incidents or information deemed appropriate. At least one of these Children's Officers will sit on the General Committee.

GENERAL MEETINGS

28. The Annual General Meeting shall be held in the month of November each year, for the consideration of the Audited Accounts for the twelve month period ending the 30th of September, the Officers' Reports, the election of Officers and Executive Committee for the ensuing year, the alteration or making of rules, and the transaction of general business. Notice of proposed alterations or additions to the rules or any matter affecting the constitution of the club must be given in writing to the Honorary Secretary on or before the 15th of October in any year.
29. A Special General Meeting may be called at any time by direction of the Executive Committee, or on a requisition being presented to the Honorary Secretary, signed by at least forty members of the club, and stating the business to be brought forward. No business shall be transacted at such a meeting, except that specified in the requisition or printed in the agenda.
30. Seven days notice shall be given to members of both Annual and Special General Meetings, and the Honorary Secretary shall send such notice accompanied by a copy of the agenda to each member.
31. The quorum for any General Meeting shall be forty members entitled to vote, and voting by proxy shall not be allowed.
32. On the motion before a meeting, the Chairperson shall have a second or casting vote, in addition to the Chairperson's vote as a member.
33. The Chairperson may, with the consent of the meeting, adjourn any meeting from time to time, and from place to place; but no business shall be transacted at any adjourned meeting other than that left unfinished at the meeting from which the adjournment took place.
34. At the Annual General Meeting, it shall be part of the business of the meeting to elect an Honorary Auditor.
35. The order of election at the Annual General Meeting shall be as follows: Chairperson, Vice-Chairperson, Men's Captain, Ladies Captain, Honorary Secretary, Honorary Treasurer, Members of the Executive Committee and Honorary Auditor.
36. Minutes of the proceedings of every General Meeting and of every meeting of the Executive Committee shall be recorded in books kept for the purpose. Such minutes, signed by the Chairperson, shall, in the absence of proof or error, be accepted as conclusive evidence of the facts therein stated.
37. The foregoing rules shall not be altered or supplemented except such alterations or additions shall be passed by a two-thirds majority of members present and entitled to vote at a General Meeting.
38. **Right to Vote:** The following shall have the right to vote at Annual and Special General Meetings: Ordinary Members, Students in Family Membership, Student Members.