



# penzance

## TENNIS CLUB

Penlee Park, Penzance Cornwall TR18 4HE

Tel: 01736 367627 E-mail: [info@penzancetenniscub.co.uk](mailto:info@penzancetenniscub.co.uk)

<http://www.penzancetenniscub.co.uk>

## RULES OF PENZANCE TENNIS CLUB

### 1. Defined terms

"Disciplinary Code" means the disciplinary code of [the LTA] in force from time to time;

"[LTA]" means [LTA CLG] and its subsidiaries or such successor entity or entities as become(s) the governing body of the game of lawn tennis from time to time;

"[member]" means a member of the [club/registered place to play], "Rules"

means the rules of [the LTA] as in force from time to time;

"club/registered place to play" means Penzance Tennis Club

2. The name of the club shall be "Penzance Tennis Club" (hereinafter referred to as "the Club") and the Club shall be affiliated to the LTA.
3. The premises of the Club shall be those situated as Penlee Park, Penzance or at such other premises as the Club may in general determine
4. The objects of the club shall be to promote the amateur sport of tennis in Penzance and community participation in the same via its membership and the Club shall provide tennis courts, a clubhouse and suitable social facilities
5. The [Management Committee]  
The [club/registered place to play] agrees that each member of the Management 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 the 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/registered place to play] can enforce any breach at its option and in its sole discretion<sup>1</sup>
6. Management  
The affairs of the Club in all matters not in these rules reserved for the Club in general meetings shall be managed by a Committee elected at the Annual General Meeting to be held between 1<sup>st</sup> October and 31<sup>st</sup> January each year, upon a date and time to be fixed by the Committee for the following purposes.
  - (a) to receive from the Committee a report balance sheet and statement of accounts for the preceding financial year and an estimate of the income and expenditure for the current financial year.
  - (b) To decide on any resolution which may be duly submitted to the Meeting as hereinafter provided.

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This means that the members of the club's/registered place to play's Management Committee need to agree to comply with the LTA's Rules and Disciplinary Code.

- (c) to receive from the Committee external Independent 'Financial Statements', including a 'Statement of Financial Activities and Balance Sheet', signed by a certified accountant.
- (d) remove and elect an external independent certified accountant or confirm that he remain in office.,

A quorum at 'General Meetings', (Annual or Extraordinary) shall be 20 eligible members. All members of the Club, except Social Members, over 18 years of age on 1st October of the current year shall be 'eligible members' and be permitted to vote at any General Meeting of the Club. Any member of the Club may be elected to the Committee.

At the Annual General Meeting, Officers and members of the Committee shall retire but shall be eligible for re-election. 'Eligible members' of the Club wishing to submit nominations for the Committee should do so using a form provided by the Hon. Secretary to reach the Hon. Secretary no later than seven calendar days prior to the AGM. Voting shall be by ballot and every eligible member shall be entitled to vote for as many candidates as there are vacancies to be filled. Candidates up to the number of vacancies who shall receive most votes shall be declared elected and in case two or more candidates receive an equal number of votes, there shall be a fresh ballot for the places remaining to be filled. Only in the case where there is no nominee, may new names be put forward at the AGM.

- 7. The President, Chairperson, Hon. Treasurer, Hon. Secretary and every other such Officer shall act in all matters in accordance with the directions of the Committee of the Club,
- 8. There shall be three Trustees representing the Club. These Trustees are to be the Chairperson, Hon. Treasurer and Hon. Secretary of the Club at the time. The Trustees are empowered to borrow money for the purposes of the Club in such amounts (not exceeding E50,000) and upon such terms as to interest, security and otherwise as the Trustees may from time to time determine.
- 9. In the event of a vacancy on the Committee, the Committee shall have the power to elect any member of the Club to fill such vacancy but the proceedings of the Committee shall not be invalidated in consequence of there being fewer than the prescribed number.
- 10. The Committee shall have the power to make such by-laws (not inconsistent with these rules) from time to time as they may deem necessary for the better regulation of the Club and these by-laws shall be binding unless rescinded by the Committee or by a General Meeting of the Club and shall be posted on the Club Notice Board within 24 hours of having been passed by the Committee and be recorded in a special book in typed writing. In particular, the Committee shall have the power to limit the number of playing members in the Club. At Committee Meetings, 5 shall form a quorum, and decisions shall be made by simple majority voting with the Chairperson having a casting vote in the event of a tie.

## 11. Conditions of [membership]

### 11.1 Each member agrees as a condition of membership:

- a. to be bound by and subject to these rules (as in force from time to time) <sup>2</sup>.
- b. to be bound by and subject to the Rules and the Disciplinary Code <sup>3</sup>.

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<sup>2</sup> This means that each member of the [club/registered place to play] agrees to be bound by the rules of the [club/registered place to play].

<sup>3</sup> This means that each member of the [club/registered place to play] agrees to be bound by the I-TAs Rules and Disciplinary Code.

Rule [11(1)] confers a benefit on [the L T A] and, subject to the remaining provisions of this rule, is intended to be enforceable by [the LTA] by virtue of the Contracts (Rights of Third Parties) Act 1999. For the avoidance of doubt, the members do not intend that any term of these rules, apart from rule [1           )], should be enforceable, by virtue of the Contracts (Rights of Third Parties) Act 1999, by any person who is not a party to this agreement. The [Management Committee] may terminate the membership of any person, or impose any other sanction they determine to be appropriate, in connection with the breach of any condition of membership set out in this rule.

12.                    Membership Categories

The membership of the Club shall consist of :-

- (a) Founder Members\*
- (b) Honorary Life Members
- (c) Honorary Members
- (d) Senior Members
- (e) Senior Members 65 and over in the membership year
- (f) Country Members \*\*  
    Student Members
- (h) Out of County Members\*\*\*
- (i) Junior Members
- (j) Social Members

\*Founder Members — people who were members of the Club when it first started. Founder Members to have the same rights as Hon. Life Members

\*\* Country Members — people whose full time residence is greater than 20 miles from the Club in Cornwall

\*\* \*Out of County Members — people whose full time residence is outside of Cornwall

Social Members shall have all the rights and privileges of a playing member other than the right to play on the Club Courts, and will not be able to vote at any General Meeting. A Junior Member means a Member of the Junior Club and shall be entitled only to such privileges and facilities as the Committee may from time to time decide and publish in the by-laws of the Club. Student Members must be receiving full-time education.

The Committee may from time to time change the membership categories.

A person can only be elected as an Honorary Member for a one year term, or Honorary Life Member, of the Club by a majority vote comprising two thirds or more of the Members present at an Annual General Meeting on the recommendation of the Committee.

Guidelines for recommendation by Committee for election of Honorary Members and Honorary Life Members:-

    Honorary Members (annual) - The election of a member as an Honorary Member for a one year term is recognition by the Club of a significant contribution to the Club by that member. A significant contribution to the Club is one which.

- results in the Club being demonstrably and positively changed by that contribution, and
- occurs over a relatively short period of time, and
- required substantial and commendable personal input, and - can be clearly documented and corroborated.

Honorary Life Member - The election of a member as an Honorary Life Member is recognition by the Club of an outstanding contribution to the Club by that member. An outstanding contribution to the Club is one which:

- results in the Club being substantially, demonstrably and positively changed by that contribution over a significant period of time, or been an active contributor and supporter of the Club over a very significant period of time, and

- required substantial and commendable personal input, and
- can be clearly documented and corroborated.

13. The fees for Membership shall be decided at a General Meeting and published on the Club notice board with the exception of Honorary Members who shall pay no subscription for the one year elected, and Founder Members and Honorary Life Members who shall pay no subscription for Life.
14. Notice of subscriptions renewal shall be made to members one month before their subscription expires. If a full member's subscription is not renewed within one month of its expiry then membership shall be deemed to have ceased.
15. If at any time the Committee shall be of the opinion that the interests of the Club so require, they may by letter invite any Member to resign from the Club within a time specified in such letter. In default of such resignation, the question of the expulsion of the Member shall be submitted to an Extraordinary General Meeting to be held within three weeks after the date specified in such letter, as the date before which the Member shall have been invited to resign. The Member whose expulsion is sought shall have notice of such a meeting and of the grounds on which it is sought. At such a meeting, the Member whose expulsion is under consideration shall be allowed to offer any explanation of his or her conduct, verbally or in writing, and if two thirds of the Members present shall vote for expulsion, the Member shall thereupon cease to be a Member of the Club provided that the voting at any Extraordinary General Meeting shall be by ballot, if not less than five Members present thereat shall so demand. It shall be in the power of the Committee to exclude such Member from the Clubhouse and Grounds until such Extraordinary General Meeting shall be held.

#### 1 5a. Membersh ip

- (a) 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.
  - (b) The Club may have different classes of membership and subscription on a nondiscriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.
  - (c) The Club 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 members.
16. Any person on ceasing to be a Member of the Club shall forfeit all rights and claims upon the Club, its propeny and funds,
  17. The entire Management of the Club (except as otherwise provided by these rules) shall be vested in a Committee consisting of a President, Chairperson, Honorary Secretary, Honorary Treasurer and up to eleven other elected members.
  18. All monies, property and assets of the Club shall be vested for the time being in the Committee in Trust for the Members of the Club. All surplus income or profits are to be re-invested into the club.
  19. The Committee shall have the power to appoint sub-committees for any purpose that they may think fit and proper.
  20. An Extraordinary General Meeting of the Club may be summoned at any time by the Committee who shall be summoned immediately upon any ten Members delivering to the Committee a written request in that behalf. An Extraordinary General Meeting shall be summoned by causing a notice thereof to be posted in the Club premises in the

manner prescribed in these rules for a period of at least fourteen days immediately before the day appointed for such meeting, but this period may be abridged in the discretion of the Committee of the urgency of the business to be discussed in their opinion so requires.

21. At any General Meeting of the Club every eligible Member of the Club shall be entitled to one vote upon every proposal. The Secretary shall take minutes of the proceedings of all General Meetings of the Club.
22. All eligible Members are entitled to bring an item to the AGM. Any eligible Member desirous of moving any resolution at the Annual General Meeting of the Club should give notice thereof in writing to the Secretary according to the following timetable:  
5 weeks or more prior to the AGM a notice would be posted in the Club asking for Agenda items to be sent, in writing, to the Secretary. Such notice to clearly state the deadline for receipt of these Agenda items  
3 weeks prior to the AGM will be the deadline for the receipt of agenda items  
2 weeks prior to the AGM the final Agenda would be received by members.
23. The financial year of the Club shall end on the last day of September in each year to which date the accounts of the Club shall be balanced.
24. Members may introduce and entertain guests at the Club and there shall be kept at the Club premises a visitors book which both the Member and his guest shall sign. A Member introducing a guest shall be responsible for his guest strictly observing these rules and the Club by-laws and shall not leave the Club premises before his guest. No person whose membership of the Club has been terminated or is for the time being suspended or whose application for membership has at any time been rejected shall be introduced as a guest, A person not taking advantage of the weekly or monthly terms may only play on a maximum of five separate occasions in any one calendar year.
25. The Committee may from time to time make, vary and revoke by-laws (not inconsistent with these rules) for the regulation of the internal affairs of the Club and the conduct of Members and the by-laws for the time being in force shall be binding on all Members.
26. Each Member shall keep the Secretary informed of that Member's private address or of some other address at which communications may be addressed to him. Nevertheless, it shall not be necessary to send any notice intended for Members generally to any Member by post or otherwise except in the case of a notice concerning any General Meeting. All notices shall be posted by being affixed in a prominent position on the Club premises in a part of the Club which is frequented by Members and it shall be the duty of the Secretary to ensure that any such notice remains so exhibited throughout any period in that behalf by or under these rules.
27. These rules may be revoked, added to or altered by a majority comprising two thirds or more of the Members present and entitled to vote at any General Meeting of the Club of which notice has been duly given, specifying the intention to propose revocation, addition or alteration together with full particulars thereof.
28. Neither the Club nor any Officer thereof shall be liable to any Member or guest of a Member for any loss of or damage to any property occurring from whatever cause in or about the Club premises nor for any injury sustained by any Member or guest while on or entering on leaving the Club premises.
29. If the number of ordinary Members in the Club shall at any time fall below twenty five or if at any time the Club shall pass in General Meeting by a majority comprising two thirds or more Of the Members present and entitled to vote, a resolution (in this rule called "the first resolution") of its intention to dissolve, the General Committee shall take immediate steps to convert into money all the property of the Club with power

however to postpone or delay the conversion of any particular property if the Club in General Meeting shall so authorise. Any assets remaining after the satisfaction of all debts and liabilities shall not be paid to or distributed among the members of the Club, but shall be given or transferred to one or more of the following approved sporting or charitable bodies:

1. A registered charitable organisation(s).
  - 2, Another Club which is a registered CASC
  3. The LTA for use by them for related community sports.
30. The Minute Book relating to the General Meetings of the Club may be inspected by any member at a place and time arranged between the said Member and the Secretary of the Club.

31. Coaches and players

[The club/registered place to play] agrees that all unlicensed and unregistered coaches and, so far as reasonably practicable, players and other persons using the facilities of [the club/registered place to play] will be required, as a condition of such use, to agree to be bound by and subject to these rules, the Rules and the 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/registered place to play] can enforce any breach at its option and in its sole discretion <sup>1</sup>

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<sup>1</sup> This means that each club/registered place to play is expected to get their unlicensed and unregistered coaches; and, as far as is reasonably practicable, players who use their facilities to sign up to the LTAs Rules and Disciplinary Code.

## APPENDIX A

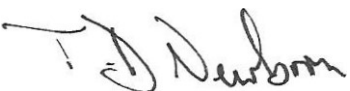
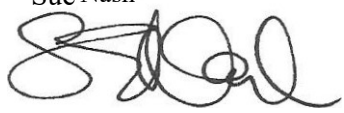
### Bar Committee

This Committee shall comprise six Members of whom three shall be elected by the Committee and the other Members being the Chairperson, Hon. Treasurer, and Hon. Secretary of the Club for the time being.

The duties of the Bar Committee shall be :

1. To see that the conduct of the bar is within the conditions laid down by the appropriate local licensing authority. No arrangements are or are intended to be made : -
  - (a) for any person to receive at the expense of the Club any commission percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club, or
  - (b) for any person directly or indirectly to derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to Members or guests apart from any benefit accruing to the Club as a whole and apart also from any benefit which a person derives immediately by reason of the supply giving rise or contributing to a general gain from the carrying on of the Club
2. To maintain sufficient stocks and to be responsible for order and payment of the same.
3. To be responsible for the day to day running of the bar and the staffing of it.

Penzance Tennis Club Rules agreed as being accurate and current.

	Trevor Newborn	Chairperson
Signed		
	Date	<u>2</u> / <u>12</u> / <u>16</u>
	Sue Nash	Hon. Secretary
Signed		
	Date	<u>02</u> / <u>12</u> / <u>16</u>