

## **RULES OF THE HASTINGS TENNIS AND SQUASH CLUB INC**

### **NAME, COLOURS AND SEAL**

1. The name of the Club shall be "Hastings Tennis and Squash Club Inc."
2. The Colours shall be Navy Blue and Gold.
3. The Seal of the Club shall consist of the words "Hastings Tennis and Squash Club Inc." in the form of a circle with the words "Common Seal" in the centre.
4. The Registered Office of the Club shall be at Hastings, Hawkes Bay. Due notice of every change of office shall be given by the Secretary to the Registrar of Incorporated Societies.

### **OBJECTS**

5. The Objects of the Club shall be:-
  - (a) The playing of the game of Lawn Tennis.
  - (b) The playing of the game of Squash Rackets.
  - (c) To hold real and personal property for all or any of the purposes or objects of the Club.
  - (d) To acquire, dispose of, or otherwise deal with rights over, or rights to use, or any privileges or concessions in respect of any ground for playing lawn tennis and squash rackets.
  - (e) To acquire by purchase, lease or otherwise, any lands buildings, or property of any kind, real or personal.
  - (f) To receive moneys, and expend them for the advancement of the game of lawn tennis and squash rackets and the objects of the Club.
  - (g) To erect, remove, alter and maintain buildings and other erections on property owned or used by the Club.
  - (h) To employ such professional or other services as may, in the opinion of the Committee, be expedient or necessary for the carrying out or execution of any of the objects of the Club.
  - (i) To borrow and raise money, including the power, for the purposes of the Club, and to secure the repayment thereof by way of mortgage (with or without power of sale) or charge of all or any part of the real or personal property of the Club, or by debentures or bonds payable to bearer or otherwise, and either secured by mortgage in favour of trustees or otherwise.
  - (j) To invest moneys not immediately required upon such securities as may from time to time be determined by the Committee.
  - (k) To sell, let or otherwise dispose of the whole or any portion of the real or personal property of the Club not for the time being required for the purpose of objects of the Club.
- (l) Generally to do all things whatsoever directly or indirectly incidental or ancillary to the objects of the Club.

Provided, however, that the foregoing objects shall in no way limit the rights and powers conferred upon Societies incorporated under the Incorporated Societies Act, 1908, or any amendments thereof.

### **MEMBERSHIP AND SUBSCRIPTIONS**

6. The Club shall consist of those members who have been elected or who may from time to time be elected in accordance with Rule 7.
7. Every applicant for membership shall be proposed by one and seconded by another Senior member of the Club, such proposal to be forwarded to the Secretary in writing at least (7) days prior to election, which

will be in the hands of the Executive Committee, a clear majority of whose votes shall qualify a candidate for admission. On admission of a new Member, the Secretary shall advise him that a copy of the Rules of the Club are posted in the Clubhouse and request him to pay his subscription. No member newly elected shall participate IN ANY OF THE PRIVILEGES OF THE Club until he/she has paid his entrance fee (if any) and subscription.

8. Members shall be divided into the following classes:

(a) Playing Members; (b) Honorary Members; (c) Life Members;

(a) Playing members are those who make use of the Club's Courts and shall be classified by the Executive Committee on the recommendation of the Annual General Meeting.

(b) Honorary members are those members who do not make use of the Club's grounds, and shall pay an annual subscription as determined under Rule 9.

(c) Life Membership – an honour bestowed by the Club to a long-standing financial member who have given especially meritorious and sustained service to the Club or its predecessors. A financial member who has been nominated in accordance with the conditions outlined hereunder is eligible for consideration for this honour.

1/ Shall have been a paid up financial member or honorary member of this or a Predecessor club for a minimum of ten years.

2/ Shall be a current financial member

3/ Shall be a person of good repute and standing within the Club and the community.

4/ Shall have been nominated in writing by any two financial members for consideration By the Executive Committee, including substantiating history, at least 35 days prior to The Annual General Meeting.

5/ If in agreeance through an approved motion, the Executive Committee will nominate this candidate for Life Membership at the next Annual General Meeting.

6/ That the recommendation be moved, seconded and voted on by the Annual General Meeting to be passed by a two-thirds majority of those present and eligible to vote.

Life Members shall thereafter be entitled to all privileges of membership without paying the annual subscription dues or making any special payment for such Life Membership, and exempting of other Club paying levies, excepting regional and national sporting code affiliation fees which will continue to apply while participation in external events requires it.

9. A General Meeting on the recommendation of the Executive Committee, shall determine the subscription for each class of member and the Executive Committee shall have power to create concessions. Any proposed change of subscription rate shall be notified to members in the notice of the Annual General Meeting. The annual subscription shall be paid to the Treasurer on or before the due date as determined by the Executive Committee in each year. Any member failing to pay his or her subscription on or before the date mentioned shall not be allowed to play on the Club's grounds, or to enter for any Tournament held under the rules of the New Zealand Lawn Tennis and ;/or the New Zealand Lawn Tennis Association and /or the New Zealand Squash Rackets Association, or generally be entitled to any privileges as a member till the subscription shall have been paid. Any newly elected members failing to pay their subscription within two months from the date of election shall have their names removed from the list of members. A member paying his or her entrance fee (if any) and subscription, is thereby held to have

Submitted himself or herself to the rules of the Club, and on that condition only is to enjoy the privileges of a member of the Club.

### **ELECTION AND DUTIES OF OFFICERS**

10. The Officers of the Club shall be:- A President, a Vice-President, a Secretary and a Treasurer.
11. The Officers of the Club and a qualified Reviewer shall be elected yearly at the Annual General Meeting of the Club, as provided by Rule 18, and shall not enter upon their offices until the termination of such meeting.
12. No person shall hold office as Secretary or Treasurer who is not a member of the Club.
13. At all General and Executive Committee Meetings the President (or in his absence the Vice-President) shall preside, but should both these officers be absent the Chair shall be taken by a member elected by the members present. The Chairman shall, in all cases of equal voting, have a casting vote in addition to a deliberate vote.
14. The Secretary shall convene and attend all General Meetings of the Club and Executive Committee Meetings, conduct the correspondence, and have the custody of the Seal, title deeds and other documents belonging to the Club. He shall keep minutes of all executive Committee and General Meetings, and shall notify members of all Executive and General Meetings in the manner prescribed in Rule 28. He shall ensure that a list of members of the Club is kept and that the Treasurer is furnished with the names and addresses of all newly elected members. He shall be paid such honorarium as the Executive Committee may from time to time decide.
15. All moneys due to the Club shall be paid to the Treasurer, and his receipt (or that of an assistant duly appointed by the Executive Committee) shall be sufficient discharge. He shall open a Banking Account in the Club's name, and all funds of the Club shall be paid to the credit of that account. He shall submit all accounts payable to the executive Committee for approval and all payments shall be made by cheques, to be signed by the Secretary and the Treasurer, or by such members as the Executive Committee may from time to time determine. He shall submit annually at the Annual General Meeting, a duly audited statement of the financial position of the Club, and record of the receipts and expenditure for the year, with a statement showing the assets and liabilities of the Club. He shall be paid such honorarium as the Executive Committee may from time to time decide.
16. "A suitably qualified reviewer, who shall not be a member of the Executive Committee, shall be elected at the Annual General Meeting of the Club each year. The reviewer will review all cash-handling and financial processes during the year, as well as the annual accounts prepared by the Treasurer after the balance date, and will report the outcome and any concerns to the Executive Committee, who will ensure that they are also submitted alongside the annual accounts, to the Annual General Meeting. The Reviewer shall be paid such honorarium as the Executive Committee may from time to time decide.
17. The affairs of the Club shall be controlled by an Executive Committee consisting of Officers, and the Chairman and three Deputy Chairmen of each Management Committee. Such Executive Committee shall have full powers of management and control of the property and business of the Club and in particular, but without limiting to general powers hereby conferred upon it, shall have the following duties and powers:-

18A. The affairs of the Club shall be controlled by an Executive Committee consisting of Officers, and the Chairman and three Deputy Chairmen of each Management Committee. Such Executive Committee shall have full powers of management control of the property and business of the Club and in particular, but without limiting the general powers hereby conferred upon it, shall have the following duties and powers:-

- (a) To receive, control, expend and invest the funds of the Club.
- (b) To make, alter and rescind By-Laws (vide Rule 26)
- (c) To borrow money and to secure the repayment thereof with the interest by way of mortgage or otherwise.
- (d) In the corporate name of the Club to make and enter into any deed, contract or agreement which the Committee may consider it expedient or necessary to enter into in the interests of the Club, and to authorise, direct and empower the proper officers to affix the Seal of the Club to all deeds and documents required to be executed by the Club.
- (e) To fix honorarium, if any, to be paid to the Secretary Treasurer or Reviewer.
- (f) To appoint Sub-Committees and to delegate to such Sub-Committee any of the powers of the Executive Committee.
- (g) To appoint delegates to the Hawes Bay Lawn Tennis Association and any of other bodies upon which the Club is entitled to be represented.
- (h) To fill any vacancy occurring in the Officers or Committees during the year by electing a member of the Club to occupy any such position for any reason rendered vacant.
- (i) To convene General Meetings of the Club.
- (j) To report to the Annual General Meeting of the Club each year upon the state of the Club generally, a copy of such report to be sent to each member of the Club at least seven days before the Annual General Meeting.

#### **EXECUTIVE CONSTRAINTS**

- (k) (i) The Executive Committee must ordinarily manage the affairs of the Club within the operating budget.
- (ii) Before making significant financial decisions that will affect future options for the Club and its members, the Executive Committee must consult the members of the Club and seek approval from a Special or Annual General Meeting before proceeding with the respective transaction (s).
- (iii) For the purpose of sub-section (k), a "significant financial decision that would affect future options of the Club and its members would include extending the financial liabilities of the Club, or sale of assets, beyond limits set by the membership in a General Meeting.
- (iv) Without limiting the obligation to consult the membership on significant financial decisions That would affect future options of the Club and its members, for the financial year 09-10 and onwards until revised by a General Meeting, the Executive Committee may only draw down overdraft or mortgage credit amounts, or make asset sales, to a total value \$5,000 (or less) during any calendar month, at the higher of cash, book, or net-realizable value, for each nominated transaction which impacts liabilities or assets.

B. A Tennis Management Committee and a Squash Management Committee, consisting of not Less than six and not more than twelve members each, at least one of whom shall be a Junior Member of the Club, shall be elected yearly at the Annual General Meeting as provided by Rule 19. Each Management Committee shall elect a Chairman and three Deputy-Chairmen who shall become

members of the Executive Committee. Without limiting the powers of the Executive Committee in any way, each Management committee shall conduct and manage all tournaments, select all teams, arrange the order of play and generally control everything relating to the playing of the games of Tennis and Squash respectively.

C. The quorum for the Executive Committee shall be five members and for the Management Committees shall be three members. Should any member of the Committees fail to attend two consecutive duly convened meetings of the Committees without furnishing satisfactory reasons for absence, he shall forth-with cease to be a member of the Committee, but this provision shall not apply to the Officers of the Club.

19. The Officers of the Club and the members of the Management Committees shall be elected at the Annual General Meeting of the Club by a majority of the votes of those members of the Club who are present and who are entitled to vote under Rule 22. Only playing members who have paid their subscriptions and Life Members shall be eligible for election as Officers and/or Members of the Committees. Written nominations for Officers of the Club must be in the hands of the Secretary 48 hours before the time fixed for the Annual General Meeting. Such nominations must contain the consenting signature of the nominee, and be signed by the proposer and seconder who shall be Club members entitled to vote under Rule 22.
20. The Officers and Members of the Committee shall hold office from the date of their election till the next Annual General meeting, unless expelled from office by a majority of the votes of those members present at a Special General Meeting called for the purpose, whereupon the members present at such Special General Meeting shall elect other officers and Committee.

#### **GENERAL MEETINGS**

21. The financial year of the Club shall end on the 30<sup>th</sup> day of June in each year, and the Club shall hold an Annual General Meeting each year in the month of September or October. A Special General Meeting shall be held whenever the Executive Committee consider it necessary, or on receipt by the Secretary of a requisition signed by not less than six (6) members of the Club. The requisition calling for a Special General Meeting shall state the business to be considered at such meeting. The date for holding all general Meetings shall be fixed by the Executive Committee and at least seven (7) days notice thereof shall be given to all members by the Secretary as provided by Rule 29. At all Annual general and Special General Meetings ten (10) members shall form a quorum

#### **VOTING**

22. Only playing members and life members shall be entitled to vote at any meeting of the Club. The Chairman for the time being at any Committee or General Meeting shall have a casting as well as a deliberative vote. Voting shall be by show of hands or by ballot on demand of any member present at such meeting. No member shall vote by proxy.

#### **RESIGNATION OF MEMBERS**

23. Any member wishing to resign from membership of the Club may do so by giving written notice to the Secretary before the date fixed by the Executive Committee in any year, and if no such notice be given shall be liable for the subscription for the ensuing year.

### **EXPULSION OF MEMBERS**

24. If the conduct of a member is such as appears to the Executive Committee to endanger the character, good order or welfare of the Club, it shall on its own resolution be in the power of the executive Committee or on a requisition of six (6) members, be its duty, to call a special General Meeting of the Club to consider the expulsion of such member. At such meeting the vote shall be taken by ballot. In the event of it's being voted at such meeting by two thirds of the members present that the name of such member be removed from the Register of Members of the Club. Such member shall cease forthwith to belong to the Club or have any claim against the property of the Club.

### **ALTERATIONS TO RULES**

25. No existing Rule shall be altered or repealed, nor shall any new Rule be added, without the consent of the majority of the members present at an Annual General Meeting, or at a Special General Meeting called for such purpose, and unless at least 14 days notice of such proposed alteration, repeal or addition shall have been given to each member by the Secretary. No Rule shall be amended or rescinded or repealed unless by a majority of the votes of those present, and no Rule shall be valid until accepted by the Registrar of Incorporated Societies.

### **BY-LAWS**

26. The Executive Committee may from time to time make, alter or respond By-Laws, so long as they are not repugnant to these Rules or to the provisions of "The Incorporated Societies Act, 1908", and such By-Laws shall be binding on every member of the Club until set aside by a majority of votes of members present at an Annual General or Special Meeting. All By-Laws shall be posted in the Clubhouse for the information of members.

### **RULES OF THE GAMES**

27. The rules of the game of Tennis, as played by the Club, shall be those of the New Zealand Lawn Tennis Association, and the Rules of the game of Squash Rackets as played by the Club shall be those of the Squash Rackets Association of New Zealand.

### **VISITORS**

28. Members may admit visitors to play on the Club's Grounds for any day and receiving consent of a member of the Executive Committee, providing that local residents be restricted to a maximum of three games.

### **NOTICES**

28. Notices required by these Rules to be given shall be deemed to have been properly given if sent through ordinary course of post, addressed to the members entitled to receive the same at their usual or last known place of business or residence.  
Notices of meetings shall be sufficient if given by advertisement in the local daily newspapers. All notices calling meetings shall state the business to be considered at such meetings.

### **CUSTODY AND USE OF THE SEAL**

29. The Common Seal of the Club, shall be in the custody of the Secretary, and it shall be affixed in the presence of any two Officers of the Club and one other member of the Executive Committee to such documents as the Executive Committee may from time to time direct.

### **MEMBERS NOT TO DERIVE PECUNIARY GAIN**

30. No Member shall derive any pecuniary gain except as an Officer in receipt of an honorarium from the property or operation of the Club, or as an employee of the Club, duly appointed to that position by the Executive Committee. "Pecuniary gain" does not, however, include the winning of trophies other than cash, nor does it include prize money where such money is handed or paid to the Club

### **DISPOSTION OF FUNDS**

31. The income and property of the Club from whatever source derived shall be applied solely towards the promotion of the objects of the Club, and no portion of the funds shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise to members of the Club except by way of honoraria, as provided in Rules, 15, 16, 17 and 18.

### **DISSOLUTION**

32. Two-thirds of the members present at a Special General Meeting convened for the purpose may, provided that all liabilities of the Club have been duly discharged resolve that the Club be wound up, and shall arrange for the funds of the Club to be disbursed to other Clubs, Associations or Community organisations having similar objects to this Club.