

# **CONSTITUTION OF VICTORIA PARK CLUB (revised by AGM 2015 on 23 February 2015 and again by AGM 2018 on 22 February 2018)**

1. The name of the Club shall be VICTORIA PARK CLUB hereinafter referred to as 'the Club'.
2. The premises of the Club shall be at Lyndhurst Road, Exeter.
3. The main purpose of the Club shall be to provide facilities for, promote and encourage participation in tennis and bridge. The Income and Property of the Club shall be applied solely towards promoting the Club's objects as set forth in this Constitution and no portion thereof shall be paid or transferred, directly or indirectly, to the Members of the Club.
  - 3.1 The Club shall take and retain a membership in Devon County Lawn Tennis Association (DLTA) (and by doing so become and remain registered as an associate of the LTA). The Club will, as appropriate, comply with and uphold the Rules and Regulations of the DLTA as amended from time to time and the LTA Rules and Disciplinary Code and the rules and regulations of any body to which the LTA is registered or affiliated.
  - 3.2 The Club shall make rules, regulations and byelaws concerning the Club including regulations concerning disciplinary procedures that may be taken against members, taking account, where appropriate, of the LTA Rules and the LTA Disciplinary Code and the LTA's wider jurisdiction.
4. The Club shall be a Members' Club and shall consist of such Ordinary Members, Honorary and Temporary Members as are hereinafter mentioned.

## **Membership**

5. Membership of the Club is open to the whole community without discrimination.
  - 5.1 Every applicant for Ordinary or Temporary Membership must be proposed by one Ordinary Member of the Club who shall vouch for the candidate's fitness and suitability for Membership. Each member, as a condition of membership, agrees:
    - a) To be bound by the Club's rules of membership; and
    - b) To be bound by the LTA's Rules and Disciplinary Code (tennis members only).
  - 5.2 The name and address of every new applicant for Ordinary or Temporary Membership shall, for a period of at least two clear days before such application can be considered, be posted in the Club in the manner prescribed in Rule 27.1.
  - 5.3 Applications for Membership shall be considered by the General Committee of the Club or by the appropriate sub-committee. Applications will be accepted if supported by the majority of the Committee Members present at the meeting. Applications will be considered without discrimination. No reason shall be given to any applicant in the event of rejection.
  - 5.4 Temporary Membership shall only be available to those applicants who can satisfy the committee that they are temporarily resident within the area. Such Membership shall not last for more than twelve calendar months and no joining fee shall be payable by Members so elected.
  - 5.5 A Temporary Member may apply at any time to become an Ordinary Member and such application shall be subject to the approval of the General Committee or the appropriate sub-committee and the payment of the current joining fee.
- 6 Honorary Members, who shall not be liable to pay any joining fee or subscription but who shall be entitled to all the privileges of Membership, may be elected by the Club in General Meeting subject to there not being more than five such Honorary Members at any time. Temporary Honorary Membership may be given to those Members and tennis coaches providing a significant input to the Club or tennis coaching programme in that year. The General Committee shall determine those who are eligible for such Temporary Membership.

7. No person shall be admitted to Ordinary or Temporary Membership until, having been elected as provided under Rule 5.2, the appropriate joining fee and subscription shall have been paid to the Honorary Treasurer.

## **Committee And Officers Of The Club**

8. The affairs of the Club in all matters which are not in these Rules reserved for the Club in General Meeting shall be managed by the General Committee of the Club.

8.1 A quorum of three Members is required for a meeting of the General Committee.

8.2 The General Committee shall consist of the Officers of the Club and not more than nine other Committee Members, all of whom are Ordinary Members of the Club.

The Officers of the Club shall consist of:

Chair

Hon Secretary

Hon Treasurer

Hon Membership Secretary

Hon Safeguarding Officer

Bar Secretary

8.3 The Officers of the Club shall retire at the Annual General Meeting of the Club but shall be eligible for re-election.

8.4 Selection of the Ordinary Members to the General Committee shall take place at the Annual General Meeting. No Member shall serve on the General Committee as an Ordinary Member for more than five consecutive years.

8.5 Any Ordinary Member of the Club may at the Annual General Meeting nominate another Ordinary Member for election to office. If the number of those nominated exceeds the number of vacancies the election shall be by ballot.

8.6 The new Officers and Committee shall come into office immediately after the conclusion of the meeting and a list of the Committee shall be posted on the Club Notice Board.

8.7 In the event that a vacancy occurs on the General Committee after the Annual General Meeting or that fewer than the maximum permitted number of Committee Members are elected, the General Committee shall be empowered to co-opt such Ordinary Members as they see fit to fill such positions until the next Annual General Meeting.

In these circumstances a Member who was previously disbarred by virtue of Rule 8.4 shall be eligible to be co-opted.

Committee Members appointed in this manner shall retire at the next Annual General Meeting but shall be eligible for re-election for a further two consecutive years.

8.8 There shall be a Bar Sub-Committee which shall consist of three Members of the General Committee, one of whom shall be the Bar Secretary.

8.9 The General Committee may appoint one or more Sub-Committees for such purposes as it sees fit.

8.9.1 A quorum of two Members is required for a meeting of a Sub-Committee.

9. The General Committee shall at all times act in accordance with resolutions passed by the Membership at General Meetings.

9.1 The Officers of the Club and all Sub-Committees shall at all times act in accordance with instructions and directions from the General Committee within the terms of the Club's Constitution.

9.2 On direction from the General Committee, the Honorary Secretary may engage domestic or other staff on behalf of the Club as may be necessary for the efficient running of the Club and may lawfully terminate such engagement.

## **Trustees**

10. There shall be three Trustees of the Club who shall be appointed from time to time as necessary by the Club in General Meeting from such Ordinary and Honorary Members as are willing to be appointed to such a position. The Trustees shall receive Honorary Membership for the period that they are Trustees. These are in addition to the Honorary Members permitted in Paragraph 6.

10.1 A Trustee shall hold office for life or until resignation by giving notice of such intention in writing to the General Committee or removed from office by a resolution passed at a General Meeting of the Club by a majority comprising two thirds of the Members present and entitled to vote.

11. All property of the Club, including land and investments, shall be held by the Trustees for the time being in their own names as far as is practicable for the use and benefit of the Club.

11.1 On the death, resignation or removal from office of a Trustee the General Committee shall take steps to procure the appointment by the Club in General Meeting of a new Trustee and as soon as practicable thereafter take all lawful steps to procure the vesting of all Club property in the names of the Trustees as constituted after the said appointment.

11.2 The Trustees shall have the power to sell, lease, mortgage or pledge any Club property for the purposes of raising or borrowing money for the benefit of the Club subject to the consent of the General Committee.

## **Subscriptions, Finances and Accounts**

12 The General Committee shall recommend subscription rates for the classes of Membership for approval by the Membership in General Meeting and agree a discount for early payment before 1st April and a penalty for payment after 30 April.

12.1 The joining fee shall be such a sum as decided by the General Committee and approved by the Membership in General Meeting.

12.2 The classes of Ordinary Membership shall be as follows:-

Adult Bridge	Adult Tennis	Student
Tot	Junior	Limited Adult Tennis
Country	Tennis and Bridge	Associate Bridge

The benefits arising from each class shall be determined by the General Committee from time to time. Tot Members and Junior Members below the age of 18 may not be Club Officers nor vote at general meetings.

12.3 The General Committee may at its discretion add to or alter the classes of Membership if it deems it necessary. Such additions or alterations shall be submitted to the Membership for their approval or otherwise at the next Annual General Meeting.

13 Annual subscriptions shall be payable on election as provided in Rule 7 and thereafter without demand on the 1st day of April in every year. The General Committee may terminate the Membership of any Ordinary Member whose annual subscription remains unpaid on the 1st day of July.

14. The Honorary Treasurer shall keep such proper books of account as will enable the presentation at every Annual General Meeting of the Club, or at any other time required by the General Committee, an accurate report and statement of the finances of the Club, including a separate statement detailing the purchase and supply of intoxicating liquor for the previous or current year as the case may be, and shall present such report and statement accordingly.

## **Sale Of Intoxicating Liquor**

15. The supply of intoxicating liquor to the Club shall be under the sole control of the Bar Sub-Committee, Rule 8.8 refers, who shall arrange for the purchase thereof on behalf of the Club and for the supply thereof to Members, to Members' guests and to other persons admitted under Rule 18.

15.1 The supply of intoxicating liquor in or on the Club premises shall be permitted at such times as allowed by law and subject to any conditions imposed by the licensing authority.

15.2 No intoxicating liquor shall be supplied to Members or to any other person on the Club premises otherwise than by or on behalf of the Club. No intoxicating liquor shall be supplied for payment to any person on Club premises other than a Member except as provided for by Rule 17.

15.3 All purchases of intoxicating liquor shall be paid for at the time that such purchase is made.

16. The Committee shall secure the due observance of the current licensing regulations as enacted by Parliament and of any conditions attached to any registration certificate issued by the licensing authority in respect of the Club premises.

17. Persons other than Members and their guests may be admitted to the Club premises if they are persons who fall generally into the following categories:-

- (a) Members of visiting sports organisations and officials and others immediately connected with such sporting organisations.
- (b) Persons attending social functions held at the Club premises, provided that such persons do not attend more than twenty-four such functions in any calendar year.
- (c) Persons visiting the Club premises actually in the company of a Member of the Club.
- (d) Persons belonging to a body authorised to meet at the Club by the General Committee.

18. Intoxicating liquor may be sold or supplied by or on behalf of the Club to such persons as are admitted in the Rules above for consumption on the premises except that no person under the age of 18 years shall be permitted to purchase or consume intoxicating liquor on Club premises.

19. No person shall be paid at the expense of the Club any commission, percentage or similar payment on or with reference to purchases of intoxicating liquor by the Club nor shall any persons directly or indirectly 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.

## **General Meetings**

20. An Annual General Meeting of the Club shall be held before the end of February of every year to appoint Officers and Committee Members and to receive the reports of the Honorary Secretary and the Honorary Treasurer and to transact such general business as shall be brought forward.

20.1 The Club accounts shall be made up and independently reviewed to the last day of December in each year and a copy of such accounts shall be presented at the meeting.

20.2 Written notice detailing any Motions and Resolutions to be submitted for the Members' consideration at the Annual General Meeting must be sent to the Honorary Secretary to arrive no less than seven days before the date of such a meeting.

21. A Special General Meeting of the Club may be summoned at any time by the General Committee and shall be called immediately if at least one-fifth of the Ordinary Membership or twenty Ordinary Members, whichever is the lesser, deliver a written request for the same to the General Committee.

22 Notice of the time and date of the Annual or Special General Meeting shall be posted in the Club in the manner described in Rule 27.1 for a period of at least fourteen days before such day and fourteen days' notice in writing of the said meeting shall be sent to all Members at the address recorded by the Honorary Secretary. The period of notice for a Special meeting may be abridged by the General Committee at their discretion if the urgency of the business to be transacted in their opinion so merits it.

22.1 At any General Meeting of the Club every Member of the Club shall be entitled to be present and every such Member except Tot Members, Junior Members below the age of 18 and Temporary Members shall be entitled to vote upon every question raised. There shall be no right for a Member to vote by proxy, by email or any other electronic means.

22.2 The Chair of the Meeting shall be the Chair of the General Committee or if not present a Member elected for the occasion by the Meeting before any business is opened.

22.3 In the event of equality of voting the Chair shall have a casting vote.

22.4 All General Meetings of the Club shall be minuted.

## **Alterations To The Constitution**

23. These Rules in the Constitution may be revoked, added to or altered by a majority comprising two-thirds or more of the Members present at and entitled to vote at any General Meeting of the Club. Any amendment to Rule 30.1 will also require the approval of all of the Trustees. Any proposed changes to the Rules must be submitted in accordance with Rule 20.2.

23.1 Any alteration or amendment to these Rules shall be notified in writing to the Inland Revenue and to the Clerk to the Local Authority within 28 days of such alteration.

## **Byelaws**

24. The General Committee may from time to time make, vary and revoke Byelaws, insofar as they shall not be inconsistent with the Rules of the Club, for the regulation of the internal affairs of the Club and the conduct of the Members. The Byelaws in force at the time shall be binding on all Members, their guests and other visitors to the Club premises.

## **Conduct Of Members**

25. No betting shall be allowed in or on Club premises. No lottery shall be promoted on behalf of or in any way connected with the Club or any entertainment or event held by or in connection with the Club without the written authority of the General Committee.

25.1 Gaming shall be permitted in the Club provided that it does not contravene the provisions of any current legislation.

26. The General Committee may suspend the Membership of any Member whose conduct, whether on the Club premises or elsewhere, is or has been in the opinion of the Committee contrary to the interests of the Club or injurious to its reputation.

26.1 Following the suspension under Rule 26 of the Membership of any Member, the General Committee shall hold a meeting on a date not later than 21 days from the date of suspension. The General Committee shall give notice to the suspended Member, at the address last notified to the Honorary Secretary under Rule 27, of the suspension from Membership and that attendance will be permitted at the said Meeting.

26.2 At the Meeting called for the above purpose the allegations against the suspended Member shall be related to the meeting by a Member of the General Committee and the suspended Member shall, if so desiring, be heard in answer, a reasonable adjournment shall be allowed at the discretion of the meeting to allow the preparation of the same.

26.3 The Members of the Committee present shall vote to re-instate the suspended Member or to terminate the Membership, a simple majority of those voting deciding the issue. The Club may refuse Membership or expel from Membership only for good and sufficient cause, such as conduct or character likely to bring the Club or sport into disrepute. Appeal against such a decision may be made to the Club's Members at the next Annual General Meeting and decided by a majority vote.

## **Notices**

27. Each Member shall inform the Honorary Secretary of their private address or some other address to which communications may be sent for attention.

27.1 It shall not be necessary to send any notice intended for Members generally except in the case of a notice convening any General Meeting. All notices shall be deemed to be posted by affixing the same in a prominent position on the Club premises in a part of the Club frequented by Members. It shall be the duty of the Honorary Secretary to ensure that any notice is so displayed throughout any period required in this Constitution.

## **Visitors**

28. Members may introduce and entertain guests at the Club and there shall be kept at the Club a Visitors Book which both the Member and the guest shall sign.

28.1 The Member introducing a guest shall be responsible for the guest strictly observing these Rules and the Club Byelaws at all times and the Member shall not leave the Club premises before the guest.

28.2 No person whose Membership of the Club has been terminated under Rule 26.3 or who is for the time being suspended under Rule 26 or whose application for Membership has at any time been rejected shall be introduced as a guest.

28.3 No Member shall at any time entertain more than two playing guests on the premises and the same person may not be introduced as a playing guest on more than six occasions in any calendar year.

28.4 Any Member introducing visitors or guests in accordance with the foregoing shall be responsible for the payment of such fees as may be prescribed by the General Committee from time to time.

### **Exclusion Of Liability**

29. Neither the Club nor any Officer shall be liable to any Member or guest of a Member for any injury or loss or damage occurring from whatever cause in or about the Club premises and a notice to this effect shall at all times be displayed in a prominent position on the Club premises.

### **Dissolution Of The Club**

30. If the number of Ordinary Members of the Club shall at any time fall below 10 or if at any time the Club shall pass in General Meeting by a majority of two-thirds of those present and entitled to vote a resolution of its intention to dissolve, the General Committee or failing them the Trustees shall take immediate steps to convert into money 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.

30.1 Out of the proceeds of such a conversion the Trustees shall discharge all debts and liabilities of the Club including the expenses of such conversion and any balance remaining in their hands shall be given by them to such Community Amateur Sports Clubs within the City of Exeter as the Club in General Meeting shall resolve. No distribution of the remaining funds shall be made in cash or in kind to Members or other third parties.

30.2 A copy of the notice convening any General Meeting to dissolve the Club shall be sent by the Honorary Secretary under Rule 27 not less than 14 days before the date appointed for the Meeting. Any accidental omission of the same shall not invalidate any proceeding or resolution.

### **Resignations**

31. Any Member intending to resign from the Club must give written notice of that intention to the Hon. Secretary before 31st March and must pay any arrears of subscription or charges due at the date of such notice. If such notice is not given they shall be considered Members for the current year and shall be liable to pay the appropriate subscription.

### **Copy Of Rules**

32. A copy of the Rules and Byelaws shall be posted in the Clubhouse and copies may be obtained from the Honorary Secretary on payment of a fee.

### **Interpretation**

33. If any doubt arises as to the meaning or application of the Rules or Byelaws the General Committee may place such construction upon them and may make such regulations with reference to them as in their judgment serves the best interests and convenience of the Club and its Members.