RULES AND CONSTITUTION OF TERMONFECKIN TENNIS CLUB

NAME AND OBJECTS OF CLUB:

The Club shall be known as Termonfeckin Tennis Club.

The Club premises (the club House") shall be situated at the Lucy Franks Room, An Griannan.

The object(s) of the Club:

shall be the playing and promotion of the game of tennis and for such activities as are conducive to these objects, the provision of such facilities for games, recreation and entertainment for members and their invited guests as the Management Committee shall from time to time determine.

MEMBERSHIP:

(Note: (i) all members, including temporary members, pavilion members, associate members, student members, etc., must be elected by the whole body or by committee; the names and addresses of persons proposed as ordinary members shall be displayed in a conspicuous place in the club premises for at least a week before their election, and an interval of 2 weeks shall elapse between nomination and election of ordinary members; members (including temporary members, etc.) cannot be relieved of the regular entrance fee or subscription except those possession certain qualifications defined in the rules and subject to conditions and regulations prescribed therein; subscriptions cannot be nominal.

Rules which provide that the payment of fees (e.g. court fees) for the use of facilities or for admission to club premises confer temporary membership status on the payee would be in breach of the statutory rules which each club is bound to incorporate in its own rules because of the requirement that all members must be elected by the whole membership or by a committee of the club).

The Club shall consist of the following categories of members:

Ordinary members Family members Honorary members Pavilion members Youth members

All members shall be elected by the Management Committee.

Ordinary Membership

Ordinary Membership shall consist of all members who have reached their 18th birthday on or before the 1st April in the year to which their membership applies.

The Club shall consist of such number of ordinary members as the Management Committee shall from time to time think fit.

Every candidate for Ordinary membership shall be duly proposed and seconded by two members

of the club and his or her name and address given to the Hon. Secretary on the proposal form to be provided for that purpose which shall be signed by the candidate and by the proposer and seconder. The completed proposal form shall be displayed in a conspicuous place in the Club premises for at last one week before the candidate's election and an interval of not less than two weeks shall elapse between the nomination of the candidate and his or election as an Ordinary member of the Club.

The Committee shall inform the candidate of its decision.

A new member on election shall, on payment of the membership subscription, be given a membership card.

Family membership

A family membership shall consist of no more than two adults and all children in that family under the age of eighteen. Children over the age of eighteen will be required to take out Ordinary membership.

Adult family members will be considered to be Ordinary members.

Child (under 18) family members will be considered to be Youth members.

Honorary membership

(Note: No persons shall be allowed to become honorary members of the club, except those possession certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein).

The Committee shall have the power, at its discretion, to elect as Honorary Members persons of distinction or high office or persons who have given outstanding service to the club or who have had distinguished sporting careers;

Honorary members shall not be liable for an annual subscription;

Honorary members shall be entitled for the duration of their honorary membership to all the benefits and privileges of membership save that they shall not be qualified to be officers of the Club or members of the committee or to attend or vote at general or extraordinary meetings of the Club;

The Chairperson, Honorary Secretary and Honorary Treasurer shall be elected Honorary members at the Annual General Meeting, and shall thus be relieved from liability for payment of their membership fees during his or her year of office.

Temporary membership

(Note: No persons shall be allowed to become temporary members of the club, except those possession certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein. Temporary members must be elected by either the whole body of members or by the committee or governing body, with or without specially added members. Unlike the requirements for ordinary membership the names and addresses of persons applying for temporary membership do not have to be displayed in the club premises for a week and there is no requirement for an interval between nomination and election as a temporary member. Accordingly, it is submitted that it should not be beyond the bounds of ingenuity to devise a fast

track procedure for election to temporary membership which would not infringe the ground of objection set out in Section 59 of the Intoxicating Liquor Act 192 "that the rules of the club for the admission of honorary or temporary members are in the opinion of the court unsatisfactory or unsuitable". For example, a rule which would provide that for the purpose of the election of persons to temporary membership of the club the committee may act by any two of its members would possibly be acceptable as sufficient compliance with the Acts).

Temporary membership shall be open to all persons actively involved in such additional activities as may be promoted by the Club;

Such members may be admitted for periods not exceeding 12 months after being duly elected by the Committee;

Temporary members shall be entitled for the duration of their temporary Membership to all the benefits and privileges of membership save that they shall not be qualified to be Officers of the club or members of the Committee or to attend or vote at General or Extraordinary meetings of the Club.

Pavilion Members

The Committee may, from time to time, elect so many Pavilion members as it thinks fit. Such members shall be entitled to use the clubhouse in the same manner as any other member but shall not be entitled to be Officers of the club or members of the committee or to attend or vote at General or Extraordinary meeting of the club.

Youth Members

Persons under 18 years of age shall be admitted as members of the Club so long as it is primarily devoted to the sporting activities (or athletic purposes) for which it has been formed but under no circumstances shall intoxicating liquor be sold or supplied to any person under the age of 18 years.

Subscriptions:

(Note: No persons shall 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 defined therein).

The entrance fee and annual subscription payable in advance by all categories of members excluding Temporary members shall be such amounts as may from time to time be decided by the committee;

The annual membership subscription payable for the whole or any part of a year shall be payable in advance;

All annual subscriptions, other than the subscription of a new member, shall be payable on the lst day of April in each year;

A member shall not qualified to act as a member of the committee nor to avail himself/herself of any of the privileges of membership until his/her subscription for the current year has been paid; Any member other than an Honorary member whose annual subscription is not paid by the 3lst day of May in any calendar year shall cease to be a member on that date and shall not be eligible to participate in any of the activities of the club or to partake in any of the privileges attached to membership, but may be re-elected on payment of all arrears due.

Members whose subscriptions are unpaid at the date of a General Meeting shall not be entitled to vote at such meeting and every member shall be liable for the subscription until he or she gives notice of resignation in writing to the Hon. Secretary;

A member shall on payment of his annual subscription receive a membership card of that year and shall when required, produce his/her card on entry to the club grounds and premises;

No person shall be relieved of the payment of the regular entrance fee or subscription except Honorary members and those possession certain qualifications prescribed by the committee and approved by the members at a General Meeting.

Trustees

The Trustees of the Club shall be either ordinary or honorary members of the Club (in this Constitution called "the Club Trustees")

The Club Trustees shall be elected by the members of the Club in General Meeting. No member shall be elected a Club Trustee without his or her consent in writing having previously been obtained.

Any Club Trustee may be removed from office by a resolution passed by a majority of the members present and voting thereon at an Annual or Extraordinary General Meeting, provided that notice of the moving of a resolution to this effect shall be given in the notice convening that meeting. Unless so removed, every Club Trustee shall hold office until he/she resigns or dies or ceases to be a member of the Club.

In the case of vacancies in the Office of Trustee and pending the filling of the vacancy at a General Meeting the surviving trustees or trustee shall have power to act notwithstanding any such vacancy.

All the funds and property of the Club shall be vested in the Club Trustees who shall hold same on behalf of the Club but cash and bank balances shall be administered by the Management Committee.

The Trustees shall have power to dispose of mortgage and otherwise deal with the Club property solely in accordance with the Resolution to that effect passed by the Management Committee.

The Trustees may when authorized so to do by the Management Committee guarantee on behalf of the Club the repayment of monies (including interest thereon) advance by a financial institution of the Club.

No personal liability whatsoever shall attach to any trustee except to the extent of such funds of the Club as may actually be received by him or her or be in his or her control and the trustee shall be indemnified by the Club in respect of any expenses or costs incurred by them or any of them arising out of the discharge of their duties.

Any guarantee given by the trustees shall be binding on the Club and a copy of Resolution authorizing the giving of the Guarantee duly signed by the Chairperson of the Management Committee meeting at which the Resolution was adopted shall be sent to the trustees and to the financial institution.

The Trustees of the Club from time to time are hereby authorised to collect, sue for and collect all subscriptions and any other sums of money due under the Rules from time to time for and on behalf of the Club, and to ring all actions or claims and institute and defend all proceedings that shall be deemed necessary for the purpose of enforcing or defending any claim or right of the Club provided that claim shall be made and proceedings taken or defended only on the direction of the Committee.

Decisions of the Club Trustees may be by majority vote but no decision may be taken unless all Trustees are present and voting.

Management Committee

The business and affairs of the Club shall be under the management of a Committee consisting of seven ordinary members and will include a Chairperson, Secretary and Treasurer. The Committee shall be elected by the general body of the members of the Club at the Annual General Meeting and shall hold Office for a period of one year or until the following Annual General Meeting, whichever is sooner.

All nominations for the Committee must be furnished to the Secretary not less than fourteen days before the date of the Annual General Meeting. A list of candidates for election to the Committee together with the name of each candidate, proposer and seconder, shall be posted in a conspicuous place on the club's premises not less than ten days before the Annual General Meeting.

The Committee shall have power to appoint an ordinary member to fill any casual vacancy among the members of the Committee until the following Annual General Meeting. The Committee shall hold monthly meetings for the purpose of transacting the business of the Club. Five members of the Committee shall form a quorum.

The Committee shall have power to make, alter and repeal By-Laws and Regulations as are consistent with these General Rules for the administration and operation of the Club either to meet temporary, in emergencies or as they consider necessary in the interest of, and for, the well being of the Club, and such Bye-Laws and Regulations shall be binding on the members, and any such Bye-Laws and Regulations made shall be posted on the Club Notice-board and shall remain in force unless and until set aside by a General Meeting.

The Chairperson shall preside over all meetings of the Committee; in his absence the Committee may elect a member present to preside at the meeting.

The Committee in addition to the powers specifically conferred upon them by these Rules shall have the power to appoint sub-committees, engage, control and dismiss the Club's paid Officials and servants, and also such administrative powers as may be necessary for properly carrying out the Objects of the Club in accordance with these Rules including the power to define the scope of the authority of such Officials and servants, and to confer upon them the powers necessary for the discharge of their functions.

All the meetings of the Committee in the event of difference of opinion the question shall be decided by single majority; in the event of an equality of votes the Chairperson shall have a second or casting vote.

Any Committee member absenting himself/herself from three consecutive meetings without a reasonable excuse will cease to be a member of the Committee, and the Committee shall have the power to co-opt a new member in his/her place.

Honorary Secretary

The duties of Honorary Secretary shall be to take the minutes of the proceedings of the meetings of the Club. He/she shall also conduct the correspondence of the Club and generally carry out such instructions as may from time to time be given him/her by the Management Committee. He/she shall have custody of all documents belonging to the Club

Minute Book:

The Minutes of the Committee shall record the proceedings of the Committee including all proposals made and decisions taken by the Committee. The Minutes shall be kept in a book reserved for that purpose. Minutes of a meeting of the Committee shall be adopted at the subsequent meeting of the Committee and immediately upon adoption shall be signed by the Chairperson of the meeting. Minutes so signed after approval by the Committee shall be sufficient evidence of the facts stated therein.

The Minute Book of the proceedings of the Committee for the previous year shall be open to the inspection of any member of the Club applying for it during the week preceding the Annual General Meeting.

Honorary Treasurer:

The Honorary Treasurer shall keep correct accounts and books of the Club and shall make up the Annual Statement of Accounts and Balance Sheet of the Club at the end of each financial year which shall, after audit, be printed and circulated amongst the Ordinary members of the Club with notice of the Annual General Meeting.

He/she shall receive all monies paid to the Club and see that they are paid into the account of the Club at the Club's Bank.

He/she should also pay all accounts which are approved by the Management Committee

Sub-Committees:

The Committee may from time to time appoint from among its members such sub-committees as it may deem necessary or expedient and may depute or refer to such sub-committees as the committee may determine. Such sub-committees shall periodically report their proceedings to

the Committee and shall conduct their business in accordance with the directions of the Committee.

Each sub-committee shall comprise – members who shall be elected at the General Meeting of the Club. Each sub-Committee will manage the affairs of the Club relating to its sphere of activity but will not incur expenditure or create any legal liability or adopt any rules or bye-laws without the prior consent of the Management Committee which may alter or rescind any decision of the sub-committee. Other sub-committees may be set up by a General Meeting of the Club and functions allocated to such sub-committees.

The Chairperson, Hon. Secretary and Hon. Treasurer of the Management Committee shall be ex official members of all sub-committees

Annual General Meeting:

The Annual General Meeting of the Club shall be held in the month of March or as soon thereafter as may be convenient. The Secretary of the Club shall give not less than twenty-one days written notice of the date of the Annual General Meeting by posting in a conspicuous place on the Club's premises a notice giving the date and time and place of the Annual General Meeting.

The business of the Annual General Meeting shall be:-

to adopt the Minutes of the previous Annual General meeting;

to receive the report of the outgoing committee;

to approve the Audited Accounts;

to elect members of the Committee for the following year;

to pass any Rule that must be renewed annually;

to decide on any Resolution duly submitted to the meetings as hereinafter provided;

to transact the general business of the Club

Any member desirous of moving any Resolution at the Annual General Meeting shall give notice thereof in writing to the Club Secretary not less than fourteen days before the date of the meeting and copy of each such Resolution with the names of the proposer and seconder shall be posted in a conspicuous place on the Club premises not less than ten days prior to the date of the Annual General Meeting.

Fifteen members shall form a quorum for the Annual General Meeting

At the Annual General Meeting of the Club the Chairperson shall be Chairperson of the outgoing Committee. The Chairperson with the consent of the meeting may adjourn any meeting from time to time.

A poll may be demanded by any fifteen ordinary members and if so demanded shall be taken in such manner as the Chairperson directs and in the case of equality of votes the Chairperson shall have a second or casting vote.

Extraordinary General Meeting

An Extraordinary General Meeting of the Club may be called at any time by the Management

Committee or by the Hon. Secretary on the requisition of twenty-five percent of ordinary members, at least twenty-one days notice of such meeting shall be given in writing to each Member and in addition notices of such meetings shall be posted in a conspicuous place in the Club's premises.

The Chairperson or a member of the Committee, who shall be moved in to the Chair, shall preside at such a meeting and shall have a casting vote as well as his/her own vote in case the voting is equal.

The purpose for which such meeting is called shall be clearly stated in the notice summoning same. Twenty-five percent of ordinary Members shall form a quorum for an Extraordinary General Meeting.

No business shall be transacted at such meeting save that specified in such Notice

Accounts:

The Committee shall cause correct accounts and books be kept showing the financial affairs and receipts and disbursements of the Club and the accuracy thereof shall be ascertained at the end of each Financial Year by the Auditors appointed at the Annual General Meeting. Such accounts shall be made available to any 0rdinary members upon written request within twenty-one days of such request being made.

The Financial Year of the Club shall end on the 31st of December in each Year to which the Accounts of the Club shall be balanced.

An Account in the name of the Club shall be opened in a Bank to be nominated by the Committee which shall be under the control of the Hon. Treasurer, and all monies of the Club shall be lodged to the credit of this Bank Account. All cheques drawn on the Bank Account of the Club shall be signed by the Hon. Treasurer and by such one or more members of the Committee as may be decided on from time to time by the Committee.

The Committee shall decide at the end of each Financial Year how any surplus funds accruing to the Club shall be applied.

Members not to Benefit

No member shall, except for services rendered at the request of the Management Committee, under any circumstances or in any manner receive any profit, salary or payment of any kind from the funds or transaction of the Club.

The funds monies and property of the Club belong to the members of the club and are not for the benefit of any individual member.

In the event that the Club should become defunct or should be wound-up then after disbursement of all liabilities of the Club the surplus assets shall be at the disposal of the Trustees to be applied by them in accordance with a Resolution of the general body of the Members passed at the Annual General Meeting.

Personal belongings and damage to Club property

All personal belongings of members, visitors and others brought or kept at or left on the premises of the Club (whether in the Clubhouse or otherwise) shall be at the sole risk of the owners and the Club shall not be responsible for any loss or damage thereto however arising.

Any member damaging Club property shall be liable to make good the loss. The amount of the loss shall be determined by the Management Committee, and upon such determination the amount shall be deemed to be a debt due by the member concerned to the Club.

No property of the Club shall be removed from the Club except by the authority of the Management Committee.

Resignation of membership

A member may at any time when giving notice in writing to the Hon. Secretary resign his/her membership of the Club but shall continue liable for any Annual Subscription due and unpaid at the date of such resignation.

Any person shall on ceasing to be a member of the Club forfeit all rights to and claim upon the Club, its property and funds.

Functions

(Note: see Section 29 Intoxicating Liquor 2000)

The Club shall not hold any function in its premises unless: the function is: for the benefit of the Club as a whole; related to the Club's objects organized by the Club and only members of the Club and their guests are present at it

Rule 1 shall not apply to any function where the whole proceeds are deducting the expenses of the function, are devoted to

Community, Charitable or Benevolent purposes, or which is organized by the Club for a member (or a member of his/her family) and at which only the member and his/her guests are present Notice or advertisement of any function or event held in the Clubhouse or grounds shall comply with the requirements of Section 45 of the Intoxicating Liquor Act 1988 (as amended)

Misconduct of member or visitor

The Management Committee are empowered to withdraw the use of the Club and/or courts for a period not exceeding one month from any member or visitor who infringes any of the Rules of the Club, or whose behavior or action shall have, in the opinion of the Committee, warranted such a step.

The Committee shall have power to suspend (for such time as it determines) or to expel any member who shall refuse or neglect to comply with the Rules of the Club or ByeLaws or Regulations made by the Committee, or who shall be guilty of conduct unworthy of a member detrimental to, or likely to endanger the welfare or good order of the Club:

Provided that at least one week before the Committee meeting at whichThe Resolution to suspend or expel is to be considered notice therefore in

Writing shall be sent to such member who shall at such meeting and therefore Any Resolution is passed have the opportunity of giving orally or in writing any explanation or defense he/she may think fit. Any member so suspended or expelled shall have the right to appeal to an Extraordinary General Meeting to be summoned within fourteen days of the suspension or expulsion provided that fifteen members sign a requisition to the Hon. Secretary to call such a meeting.

The suspension or expulsion shall stand confirmed unless a majority of those present and voting vote to the contrary.

If the suspension or expulsion is revoked, the suspension shall be lifted or the member reinstated as the case may be. Voting at such Extraordinary General Meeting shall be by secret ballot.

Every member, visitor or other person in or on Club grounds shall be subject to and submit to the Rules of the Club and to the Bye-Laws and Regulations of the Committee. If a member or visitor shall be in breach of such Rules, Bye-Laws or Regulations or shall become objectionable in some other way any 2 members of the Committee or a member of the committee and an employee of the Club shall decide what conduct is objectionable. Any member of the Committee or employee of the club shall be empowered to remove such person from the Club grounds or any specific part thereof by force if necessary if such person fails to leave on request.

Any member expelled in accordance with the Rules shall forfeit all rights to, or claim upon the Club, its property or funds as he or she would have by reason of membership.

Any member who has been expelled from the Club or any candidate who has been rejected for membership of the Club shall not be admissible into the Club House or into the Club grounds as a guest or otherwise.

Notwithstanding the foregoing the Committee shall have power, in its discretion to allow any member who has been expelled to be nominated for re-electio

Complaints

All complaints shall be made in writing to the Hon. Secretary who, if he or she shall be unable to deal therewith, shall submit them to the Committee whose decision shall be final. In no instance shall a servant of the Club be reprimanded directly by a member unless the member be the Hon. Secretary or his or her deputy.

Any complaint regarding the facilities, services or goods rendered, or inattention or misconduct of a servant shall be made to a member of the Committee who shall be responsible for ensuring a satisfactory outcome of any such complaint.

Introduction of Visitors

Every member shall be allowed to introduce visitors subject to such regulations as shall be made from time to time by the Committee, and every visitor shall be considered the guest of and be accompanied by the member introducing him.

A member may introduce visitors to the privileges of the Club House and courts on payment of the requisite Court Fee, but the same member shall not introduce the same visitor more than twelve times in the same year. The visitors name and address and the name of the introducer shall be entered in the Visitor's book and green fees book which shall show the date of such visit by the member so introducing him or her.

A member may introduce visitors to he privileges of the Club House only, but the same member shall not introduce the same visitor more than twelve times in the same year. The member so introducing such visitor must immediately enter or cause to be entered the visitor's name and address in the Visitor's book.

No visitor shall order or pay for any intoxicating liquor in the Club House.

Termonfeckin Tennis Club is fully committed to safeguarding the well being 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 that reflects the principles of the club and the guidelines contained in the Code of Ethics and Good Practice for Children's Sport.

To ensure that best practice is being followed by this club we shall work closely with our Governing Bod, Tennis Ireland. In order to promote the best practice in children's sport, we shall comply with the guidelines as set out in Section 2.7 of the Code of Ethics and Good Practice for Children's Sport which are:

Adopt and implement the Code of Ethics and Good Practice for Children's Sport as an integral part of Club policy on children in the Club.

Adopt and consistently apply a safe and clearly defined method of recruiting and selecting Sports Leaders.

Clearly define the role of the committee members, all Sports Leaders and parents / guardians.

Appoint/ reappoint at least one Children's Officer at the AGM as outlined in the C.o.E. In the event that a Club caters for both boys and girls, one children's officer of each gender should ideally be appointed.

Appoint one of the Children's Officers to act as Designated person to liaise with the Statutory Authorities in relation to the reporting of allegations or suspicions of child abuse. Any such reports should be made according to the procedures outlined in this Code / Children's First.

Ensure best practice throughout the club by disseminating its Code of Conduct, including the disciplinary, complaints and appeals procedures in operation within the club to all its members. The club's Code of Conduct should also be posted in all facilities used by the club.

Have in place procedures for dealing with a concern or complaint made to the Statutory Authorities against a Committee Member or Sports Leader. Regulations should stipulate that a Sports Leader who is the subject of an allegation, which has been reported to the Statutory Authorities, should stand aside while the matter is being examined. S/he should be invited to resume full duties immediately if s/he is vindicated.

Ensure that relevant Sports Leaders report to the Club Management Committee on a regular basis.

Encourage regular turnover of committee membership while ensuring continuity and experience.

Develop effective procedures for responding to and recording accidents/ incidents. Ensure that any unusual activity (high rate of drop-out, transfers, etc.) is checked out and reported by the Designated Officer in the club.

Ensure that all club members are given adequate notice of AGMs and other meetings.

Ensure that all minutes of all meetings (AGMs / EGMs / Committees) are recorded and safely filed

The club shall appoint on a yearly basis, if possible, a male and female who have remits as Children's Officers. It is recommended that these positions be reviewed regularly, i.e. 2-3- years while maintaining consistency on the committee. 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 should sit on the general committee.

General

Any provisions which are contained in these Rules which are not in conformity with any statutory provision contained in the Registration of Clubs Act 1904 to 2000 shall be deemed to be null and void.

Any provisions which are contained in these Rules which are not in conformity with any statutory provision contained in the Equal Status Act 2000 shall be deemed to be null and void.

No rule of the Club with the exception of the rules relating to the supply of intoxicating liquor on the Club premises shall be altered, rescinded or added to without the consent of at least two thirds of the members present and entitled to vote at any General Meeting of the Club. All rules contained in the Club Rules which relate to the supply of intoxicating liquor on the Club premises may be altered by the Committee so as to conform with the Registration of Club Acts 1904 to 2000, as may be amended from time to time, and notice

of any such alteration or addition made by the Committee shall forthwith be posted in the Club House.

Each member shall be entitled to receive a copy of this Constitution free of charge. A copy of the Constitution shall at all times be available in the Club premises for inspection by a member.

No gambling or game of chance shall be permitted in the Club premises.

No collections for any purpose shall be made in the Club premises save as authorized by the Management Committee.

No paper, notice or placard, written or printed, shall be put up in the Club House without the sanction of the Management Committee.

Dogs shall not be admitted into the Club grounds. Grounds in this and throughout the Rules shall be deemed to include buildings unless the context otherwise requires.

Proper playing attire as determined by the Committee must be worn by all members and their guests while playing on the courts.

The Committee shall be empowered to close the Club premises or any part of it for such time as they may deem necessary for vacation, cleaning or repairs.

The Management Committee shall be the sole authority for the interpretation of these Rules and of any Bye-Law or Regulation made thereunder and its decision shall be final and binding on the members subject to appeal to a General Meeting.

All members will have access to the relevant Code of Conduct, the club's Child Protection Statement and the Constitution. On annual renewal of membership all members agree to abide by the Code of Conduct, the Constitution and the Child Protection Policy.
