

**WESTERN REGION TENNIS
ASSOCIATION INCORPORATED**

CONSTITUTION

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**WESTERN REGION TENNIS ASSOCIATION INCORPORATED
CONSTITUTION**

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PART 1 - The Association

1.1. Name

The name of the Association shall be “Western Region Tennis Association Incorporated” --- herein called the WRTA or Association.

1.2. Objects

The objects of the Association shall be to promote and regulate the game of tennis between its member clubs. For that purpose to do things which the Council of the Association shall deem to be necessary or desirable and in particular to arrange, manage and conduct inter-club matches (including Tennis Victoria sponsored activities), association tournaments, development programmes and social functions.

1.3. Membership

The membership of the Association shall comprise of clubs within the western metropolitan area of Melbourne and surrounding municipalities that have been admitted to membership as bona-fide tennis clubs by the Executive Committee of the Association and are otherwise qualified for membership according to these rules. It will be a condition of membership that all member clubs **affiliate with Tennis Victoria**. The Secretary/Administrator shall keep a register of all member clubs and their secretaries' addresses that shall be available for inspection at the address of the Public Officer.

1.3.1. Resignation of Member Club From Association

- (a) A Member Club - which has paid all monies due and payable by the member club to the Association - may resign from the Association by first giving one months notice in writing to the Secretary/Administrator of intention to resign. Upon the expiration of that period of notice, the member club shall cease to be a member.
- (b) Upon the expiration of a notice given under sub-clause (a), the Secretary/Administrator shall make in the register of member clubs an entry recording the date on which the member club, by whom the notice was given, ceased to be a member.

1.3.2. Expulsion of Member Club from Association

Subject to these rules, the Council may by resolution:

- (a) Expel a member club from the Association - including expulsion for non-payment of any monies owing to the Association in which case sub-clauses 1.3.3, 1.3.4, 1.3.5 do not apply.
- (b) Suspend a member club from membership of the Association for a specific period, or
- (c) Fine a member club if the Council is of the opinion that the member club -
 - has refused or neglected to comply with this constitution; or
 - has been guilty of conduct unbecoming a member club or prejudicial to the interests of the Association (see Schedule of Fines).

1.3.3. Confirmation from Club/Appeal from Club Re: Expulsion

A Resolution of the Council under sub-clause (1.3.2.) -

- (a) Does not take effect unless the Council at a meeting held not earlier than 14 and not later than 28 days after the service on the member club of a notice under sub-clause (1.3.4.) confirms the resolution in accordance with this clause; and
- (b) Where the member club exercises a right of appeal to the Council under this clause does not take effect unless the Association confirms the resolution in accordance with this clause.

1.3.4. Advice of Expulsion from Association to Member Club

Where the Council passes a resolution under sub-clause (1.3.2.), the Secretary/Administrator shall, as soon as practicable, cause to be served on the member club a notice in writing: -

- (a) Setting out the resolution of the Council and the grounds on which it is based;
- (b) Stating that a member club may address the Council at a meeting to be held not earlier than 14 and not later than 28 days after service of the notice;
- (c) Stating the date, place and time of that meeting;
- (d) Informing the member club that such member club may do one or more of the following;

- Attend that meeting;
- Give to the Council before the date of that meeting a written statement seeking the revocation of the resolution;

1.3.5. Appeal Meeting for Expelled Member Club

At a meeting of the Council held in accordance with sub-clause (1.3.3.) the Council:-

- (a) Shall give to the member club an opportunity to be heard;
- (b) Shall give due consideration to any written statement submitted by the member club; and
- (c) Shall be resolution determine whether to confirm or to revoke the resolution.

1.4. Association Rights

The Association shall have the right to use the courts of member clubs for the purpose of carrying out any Association fixture upon giving not less than seven days notice to the Club concerned provided that in case of inter-club finals matches less than seven days notice may be given.

1.5. Seal

1.5.1. Custody of Common Seal

The common seal of the Association shall be kept in the custody of the Secretary/Administrator.

1.5.2. Use of Common Seal

The common seal shall not be affixed to any instrument except by the authority of the Executive Committee and the affixing of the common seal shall be attested by the signature of two members of the Executive Committee.

1.6. Custody of Records

Except as otherwise provided in this Constitution; the Secretary/Administrator shall keep in his/her custody or under his/her control all books, documents and securities of the Association.

1.7. Winding Up or Cancellation

In the event of the winding up or cancellation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act (Refer Part VIII Associations Incorporation 1981 called Winding Up and Cancellation).

PART 2 - Management

2.1. Council

The management of the Association shall be controlled by a Council of one delegate from each affiliated club, together with the Executive Officers of the Association.

Each affiliated Club shall nominate in writing to the Annual General Meeting one person to be the Council Meeting delegate to the Association for the ensuing year.

Each affiliated Club shall nominate in writing to the Annual General Meeting the person(s) to be the Council Correspondence delegate(s) to receive official Association correspondence including proposed changes to the Constitution and/or Competition Bylaws. This person(s) shall also be responsible for lodging their club's vote in writing (including electronic mediums) should it be required on behalf of their club.

In the absence of a written vote being lodged, a Council Meeting delegate can vote in person on behalf of their club at a Council Meeting.

2.1.1. Council Meetings --- When Held

Except as provided in these rules for the holding of the Annual General Meeting of the Association, meetings of the Council shall be held when called by the Executive Committee. A Special Meeting of the Council may be called by the President or Secretary/Administrator or by requisition signed by not less than three member clubs.

2.1.2. Annual General Meeting --- When Held

The Annual General Meeting of the Association shall be held on or before the 31st of May each year. Attendance is compulsory at this meeting. A Club not represented at this meeting will be fined (see Schedule of Fines).

All committee nomination forms must be returned to the Secretary/Administrator at least 30 days before the Annual General Meeting.

2.1.3. Notice

The Secretary/Administrator shall give to all member clubs and Executive Officers at least 30 days notice in writing stating specific reasons (if any) for the meeting including specific details of any notice of motion.

The Secretary/Administrator shall give to all member clubs and Executive Officers at least 30 days notice in writing stating specific reasons for any proposed Competition Bylaws changes that can be voted on by clubs via writing (including electronic mediums).

2.1.4. Chairperson

The President, failing whom a Vice President, shall be Chairperson of all meetings of the Council. In the event of none such being available the delegates present shall elect, by show of hands, conducted by the Secretary/Administrator or other officer, one of their number to be Chairperson of the meeting.

2.1.5. Quorum

At meetings of the Council a quorum shall consist of the delegates and Executive Officers present.

2.1.6. Council Meeting Voting (for Competition Bylaws and other non-Constitutional matters)

All matters arising at a meeting of the Council - shall be determined by a simple majority of votes cast for and against with at least 50% of eligible clubs casting a vote.

2.1.6.1 Each Club and Executive Officer present (except Chairperson) shall have one vote, except in the case of an equality of votes for and against any matter, in which case the Chairperson shall have the casting vote.

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2.1.6.2 Voting shall be by a show of hands provided that a secret ballot shall be taken instead on any particular matter if so requested by the Chairperson or not less than one third of the persons present entitled to vote. Voting shall also include any Club that has lodged a written vote prior to the Council Meeting.

All clubs must be in attendance at such a Meeting or have lodged a written vote. Otherwise they will be fined (see Schedule of Fines).

2.1.7. *Non-Council Meeting Voting (for Competition Bylaws and other non-Constitutional matters)*

All matters requesting a club vote where a meeting of the Council is not called - shall be determined by a simple majority of votes cast for and against with at least 50% of eligible clubs casting a vote.

2.1.7.1 Each Club and Executive Officer (except Chairperson) shall have one vote, except in the case of an equality of votes for and against any matter, in which case the Chairperson shall have the casting vote.

2.1.7.2 Voting shall be cast in writing (including electronic mediums). The written vote must be received by the due date specified on the appropriate correspondence. Notification of results will be issued to all clubs.

All clubs must lodge a written vote. Otherwise they will be fined (see Schedule of Fines).

2.1.8. *Amendments to Constitution and Voting on Constitutional matters*

The Constitution and Statement of Purposes of the Association shall not be altered except in accordance with the Act.

2.1.8.1 Clubs or Executive Officers desiring to amend the Constitution and/or Statement of Purposes must notify the Secretary/Administrator in writing. 30 days notice must then be given by the Association to all Clubs and Executive Officers before a Council Meeting to discuss and vote on the proposed amendment.

2.1.8.2 Amendments to the Constitution and/or Statement of Purposes must be passed by a 75% majority of all votes cast by member clubs and Executive Officers.

All clubs must be in attendance at such a Meeting called for the purposes of amending the Constitution and/or Statement of Purposes. Otherwise they will be fined (see Schedule of Fines).

2.2. Council Powers

The Council shall have the power to make or amend Constitution/Statement of Purposes and By-Laws when deemed necessary.

2.2.1. *Membership*

Council shall have the power to elect Life Members of the Association, after consideration and recommendation by the Executive Committee.

2.2.2. The Council may, at a meeting called for that purpose, remove any members of the Executive Committee before the end of their term.

2.3. Executive Officers

At the Annual Meeting of the Council, the Council shall elect the Executive Officers of the Association consisting of President, Vice Presidents (two), Secretary, Treasurer and the Chairpersons of all permanent sub-committees. In addition, the Executive may include a paid position (such as Administrator or Development Officer) employed upon the recommendation of the Executive Committee and ratified by the Council. Any person nominated for office but unable to be present at the Annual Meeting must signify in writing prior to the commencement of the meeting that they are prepared to accept nomination. All retiring Executive Officers shall be eligible for re-election. In the absence of nomination by any eligible candidate dual positions may be held by any Executive Officer.

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2.3.1. *Executive Committee --- Powers*

The Executive Committee shall act as directed by the Council, but otherwise shall have the power to do all things which it shall consider necessary or desirable to carry out the objects of the Association

2.3.2. *Meetings*

Meetings of the Executive Committee shall be held when requisitioned by any member thereof and the rules for conduct of Annual Meetings shall, with the necessary amendments, apply thereto unless varied by the Executive Committee.

Quorum at Executive Committee meetings shall be half of those eligible to attend.

2.3.3. *Vacation of Executive Officer Position*

The office of an Executive Officer of the Association shall become vacant if the Executive Officer -

- (a) Ceases to be a member of any member club of the Association or
- (b) Becomes an insolvent under administration within the meaning of the Companies (Victoria) Code or
- (c) Resigns his office by notice in writing to the President or Secretary/Administrator

2.3.4. *Casual Vacancies of Executive Officers*

At any meeting of the Council, the Council can fill casual vacancies occurring on the Executive Committee.

2.4. *Other Committees*

The Council or Executive Committee may appoint such other Committees as it may decide and may delegate any of its powers thereto. However such committees are responsible to the Executive Committee and shall report appropriately thereto.

2.4.1. *Permanent Sub-Committees*

The permanent sub-committees to be formed, number of members on each and the actual membership will be determined at the Annual Meeting.

2.4.2. Permanent sub-committees shall be responsible for the management of relevant activities. Each sub-committee shall have the power to decide on all questions or matters pertaining to the activities which are expressly covered by the Association By-Laws. These decisions will stand for the duration of the relevant sub-committee's term. The permanent sub-committees can also make recommendations to the Executive Committee on any matters not covered by Association By-Laws.

2.4.3. The President and Secretary/Administrator of the Association shall be ex-officio members of all permanent sub-committees.

2.4.4. Each affiliated club can nominate one or more members for election at the Annual Meeting of the Association to the Executive Committee and/or a Permanent Sub-Committee.

2.4.5. If a permanent sub-committee fails to attract sufficient nominated members, a paid position may be considered by the Executive Committee to perform the duties of the relevant permanent sub-committee.

2.4.6. *Temporary Sub-Committees*

The temporary sub-committees shall follow the guidelines for such sub-committees as described by the WRTA Guidelines (see By-Laws Addendum).

PART 3 - Financial Matters

3.1. Fees

Fee amounts payable by Clubs affiliated with the Association are to be determined at the Annual Meeting of Council, payable as follows:

Club Affiliation	----	due before June 15th.
Team Registration	----	due at the time of submitting teams.

Any club which has not paid current WRTA affiliation fees and team registration fees and current Tennis Victoria fees prior to the commencement of any WRTA competitions will not be eligible to receive match points during the period such fees remain unpaid - the match points defaulted will not be re-instated when the unpaid fees are paid.

Any club which has not paid affiliation fees within the first three months of the current financial year shall not be entitled to vote at any subsequent meetings of the Council or on any relevant Association correspondence requiring a club vote, until such affiliation fees are paid.

3.1.1. Sources of funds of the Association can be from fees payable by Clubs, tournaments and social events organised by the Association, and donations and such other sources as the Council or Executive Committee determines.

3.2. Banking

All monies shall be deposited in a major bank as determined by the Council or Executive Committee.

3.2.1. Payments

All payments shall be made by cheque, other than petty cash advances or reimbursements.

3.2.2. Signatures

Cheques shall be signed by any two of the Executive Committee.

3.3. Records

Proper records of the financial affairs of the Association shall be kept by the Treasurer and such records shall be at all time open to inspection by the Executive Committee and Auditor.

3.3.1. Auditor

The Annual Meeting of the Council shall appoint an Auditor who shall not be a member of the Executive Committee to audit the accounts of the Association for the ensuing year and report thereon to the next Annual Meeting

3.3.2. Reporting

At each Annual Meeting of the Council the Treasurer shall submit to the meeting an audited Statement of Income and Expenditure for the past year and an audited Statement of Assets and Liabilities as at the close of the year.

3.3.3. Financial Year

The financial year shall end on March 31st.

PART 4 - Regulations

4.1. Rules of Tennis

Subject to the Association By-Laws and to any ruling given by the Executive Committee all matches and tournaments shall be played under the laws of the game as adopted by Tennis Australia, the interpretation of which shall rest with the Executive Committee.