



HOBART REAL TENNIS CLUB INC.

[Incorporated 1 November 1979]

CLUB RULES & BY-LAWS

[As at 14 May 2001]

RULES OF THE HOBART REAL TENNIS CLUB INC.

Name of the Club

[Headings inserted in Rules 25/8/97]

1. The name of the association shall be THE HOBART REAL TENNIS CLUB INC. (in these rules called "the Club"). *[Rule 1 amended 11 August 2000]*

Interpretation

- 2.(1) In these rules, unless the contrary intention appears -

"committee" means the committee of management of the Club;

"general meeting" means a general meeting of members convened in accordance with rule 13;

"ordinary committeeman" means a member of the committee to whom paragraph (b) of sub-rule (1) of rule 24 relates.

- (2) In these rules expressions referring to writing shall unless the contrary intention appears be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Associations Incorporation Act 1964 as in force on the date on which these rules are adopted by the Club.

Club's Office

3. The office of the Club shall be at 45 Davey Street, Hobart or such other place as the committee may from time to time determine.

Objects and Purposes of The Club

- 4.(1) The basic objects of the Club are the maintenance and encouragement of the game of real tennis. *[Rule 4(1) amended 11 August 2000]*

In addition to the basic objects of the Club the objects and purposes of the Club shall be deemed to include:-

- (2) (a) the purchase taking on lease or in exchange and the hiring or otherwise acquiring, of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Club;
- (b) the buying selling, and supplying of and dealing in goods of all kinds;
- (c) the construction maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Club;
- (d) the acceptance of any gift whether subject to a special trust or not for any one or more of the objects or purposes of the Club;
- (e) the taking of such steps from time to time as the committee or the members in general meeting may deem expedient for the purpose of procuring

- contributions to the funds of the Club whether by way of donations subscriptions or otherwise;
- (f) the printing and publishing of such newspapers, periodicals, books, leaflets or other documents as the committee or the members in general meeting may think desirable for the promotion of the objects and purposes of the Club;
 - (g) the borrowing and raising, of money in such manner and on such terms as the committee may think fit or as may be approved or directed by resolution passed at a general meeting;
 - (h) subject to the provisions of the Trustee Act 1898 the investment of any moneys of the Club not immediately required for any of its objects or purposes in such manner as the committee may from time to time determine;
 - (i) the making of gifts subscriptions or donations to any of the funds authorities or institutions to which paragraph (a) of subsection (1) of section 78 of the Income Tax and Social Services Contribution Assessment Act 1936-1964 of the Commonwealth relates;
 - (j) the establishment and support or aiding in the establishment and support of associations institutions funds trusts schemes and conveniences calculated to benefit servants or past servants of the Club and their dependants and the granting of pensions allowances or other benefits to servants or past servants of the Club and their dependants and the making of payments towards insurance in relation to any of those purposes;
 - (k) the establishment and support or aiding in the establishment or support of any other association formed for any of the basic objects of the Club;
 - (l) the purchase or acquisition and undertaking of all or any part of the property assets liabilities and engagements of any association with which the Club may at any time become amalgamated in accordance with the provisions of the Act and the rules of the Club; and
 - (m) the doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Club or of any of the objects and purposes specified in the foregoing provisions of this sub-rule.

Membership

- 5.(1) A person who is nominated and approved for membership as provided in these rules is eligible to be a member of the Club on payment of the annual subscription and entrance fee prescribed in or fixed under these rules.
- (2) Membership of the Club shall comprise:
- (a) Honorary life membership - any person whether or not a member of the Club may have honorary life membership conferred upon him at an annual general meeting of the members of the Club, after:
 - (i) the committee has recommended the conferring of a life membership;
 - (ii) there is a motion to confer life membership at the annual general meeting which is carried by a majority of at least two-thirds of the members present who are entitled to vote; and
 - (iii) at least seven days notice of the intention to confer life membership is given to members before the date of the annual general meeting.

Honorary life membership shall entitle that person to all the rights and privileges of full playing membership.

(b) Full membership - shall comprise members over 18 years of age admitted to full membership by the Committee, who shall enjoy the right to play tennis throughout the year and the right of access to all Club facilities. *[Amended 25/8/97 & 28/11/97]*

(c) Associate membership - shall comprise those persons who are:

- (i) Juniors - being members under 18 years of age or students approved as such by the committee
- (ii) Members - granted leave of absence by the committee.
- (iii) Residents in Tasmania - who do not use the court for more than 10 hours in any financial year.
- (iv) Residents beyond Tasmania.
[Rule 5.2.(c) amended 28/11/97]

(d) Honorary membership –

- (i) shall comprise members of any recognised Tennis Club and any other person proposed by a member of the Club and approved by two members of the committee. Honorary membership shall cease at the expiration of one month from the date of admission but may be renewed month by month at the invitation of the committee; *[Rule 5.2.(d) amended 28/11/97]*
- (ii) shall comprise members of any Club designated by the Committee, which is established with the object of playing the game of real or royal tennis, and may be upon such terms and conditions as determined in by-laws made by the Committee. *[Rule 5.2.(d)(ii) added 15/6/98]*

(e) Provisional Membership - shall comprise members over eighteen years of age who shall enjoy the right to play tennis for six months from the date of admission as a member. *At the expiration of the six months from the date of admission, provisional membership shall lapse unless the Committee without further notification, and in its absolute discretion, transfers the member to Full or Associate Membership.* *[Rule 5.2. (e) added 8/5/2000]*

(f) Life Associate Membership – shall comprise those persons, approved by the Committee, who have made a substantial contribution to the wellbeing of the Club. Life Associate Members shall enjoy the same membership rights as Associate Members. *[Rule 5.2.(f) added 16/2/2001]*

(3) A person who is not a member of the Club at the time of the incorporation of the Club shall not be admitted to membership -

- (a) Unless he is nominated as provided in sub-rule (4) of this rule; and
- (b) His admission as a member is approved by the committee.

5.(4) (a) A nomination of a person for membership of the Club, other than provisional membership –

- (i) Shall be made in writing signed by two members of the Club;
 - (ii) Shall be accompanied by the written consent of the person nominated (which may be endorsed on the form of nomination); and
 - (iii) Shall be lodged with the public officer of the Club.
- (b) A nomination of a person for provisional membership of the Club -
- (i) Shall be made in writing signed by one member of the Club;
 - (ii) Shall be accompanied by the written consent of the person nominated (which may be endorsed on the form of nomination); and
 - (iii) Shall be lodged with the public officer of the Club. [Rule 5.4. amended 8.5.2000]
- (5) As soon as is practicable after the receipt of a nomination the public officer shall refer the nomination to the committee.
- (6) Upon a nomination being approved by the committee the public officer shall with as little delay as possible notify the nominee that he has been approved for membership of the Club and upon receipt of the sum payable by or on behalf of the nominee as his first year's subscription and entrance fee shall enter the nominee's name in a register of members to be kept by the public officer whereupon the nominee becomes a member of the Club.
- (7) A member of the Club may at any time resign from the Club by delivering or sending by post to the public officer a written notice of resignation.
- (8) Upon receipt of a notice under sub-rule (7) of this rule the public officer shall remove the name of the member by whom the notice was given from the register of members whereupon that member ceases to be a member of the Club.
- (9) A right privilege or obligation of a person by virtue of his membership of the Club -
- (a) Is not capable of being transferred or transmitted to another person; and
 - (b) Terminates upon the cessation of his membership, whether by death resignation or otherwise.
- (10) In the event of the Club being wound up -
- (a) Every member of the Club; and
 - (b) Every person who within the period of twelve months immediately preceding the commencement of the winding up was a member of the Club is liable to contribute to the assets of the Club for payment of the debts or liabilities of the Club and for the costs charges and expenses of the winding up and for the adjustment of the rights of the contributors among themselves such sum, not exceeding \$50.00 as may be required, but a former member is not liable to so contribute in respect of any debt or liability of the Club contracted after he ceased to be a member.
 - (c) Distribution of the income or property of the Club to members of the Club is prohibited.

- (d) All property whatsoever remaining after payment of all debts and liabilities of the Club shall be given or transferred to some other Club or Association having objects similar to the objects of the Club and which similarly prohibits distribution of income and property among its members.

Income and Property

- 6.(1) The income and property of the Club however derived shall be applied solely towards the promotion of the objects and purposes of the Club and no portion thereof shall be paid or transferred directly or indirectly by dividend bonus or otherwise to any member of the Club.

- (2) The Club shall not -
 - (a) Appoint a person who is a member of the committee in any office in the gift of the Club to the holder of which there is payable any remuneration by way of salary fees or allowances; or
 - (b) Pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out-of-pocket expenses).

- (3) Nothing in the foregoing provisions of this rule prevents the payment in good faith to a servant or member of the Club of -
 - (a) Remuneration in return for services actually rendered to the Club by the servant or member or for goods supplied to the Club by the servant or member in the ordinary course of business;
 - (b) Interest on moneys lent to the Club by the servant or member; or
 - (c) A reasonable and proper sum by way of rent for premises let to the Club by the servant or member.

Accounts of Receipts and Expenditure

- 7.(1) True accounts shall be kept -
 - (a) Of all sums of money received and expended by the Club and the matter in respect of which the receipt or expenditure takes place; and
 - (b) Of the property credits and liabilities of the Club; and
 - (c) Subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Club for the time being those accounts shall be open to the inspection of the members of the Club.

- (2) The Treasurer of the Club shall faithfully keep all general records accounting books and records of receipts and expenditure connected with the operations and business of the Club in such form and manner as the committee may direct.

- (3) The accounts books and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Club's office or at such other place as the committee may decide.

Banking and Finance

- 8.(1) The Treasurer of the Club shall on behalf of the Club receive all moneys paid to the Club and forthwith after the receipt thereof issue official receipts therefor.
- (2) The committee shall cause to be opened with such bank as the committee selects a banking account in the name of the Club into which all moneys received shall be paid by the Treasurer as soon as possible after receipt thereof.
- (3) The committee may receive from the Club's bank or bankers for the time being the cheques drawn by the Club on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims actions suits or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Club.
- (4) No cheques shall be drawn on the Club's bank account except for the payment of expenditure that has been authorised by the committee.
- (5) All cheques drafts bills of exchange promissory notes and other negotiable instruments shall be signed by any two of the President Vice-President Secretary Treasurer or such other member or members of the committee as the committee may nominate for that purpose.

Auditor

- 9.(1) At each annual general meeting of the Club the members present shall appoint a person as the auditor of the Club.
- (2) A person so appointed shall hold office until the annual general meeting next after that at which he is appointed and is eligible for re-appointment.
- (3) The first auditor of the Club may be appointed by the committee before the first annual general meeting and if so appointed shall hold office until the first annual general meeting unless previously removed by a resolution of the members at a general meeting in which case the members at that meeting may appoint an auditor to act until the first annual general meeting.
- (4) If an appointment is not made at an annual general meeting the committee shall appoint an auditor of the Club for the then current financial year of the Club.
- (5) Except as provided in sub-rule (3) of this rule the auditor may only be removed from office by special resolution.
- (6) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Club the committee may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.

Audit of Accounts

- 10.(1) Once at least in each financial year of the Club the accounts of the Club shall be examined by the auditor.
- (2) The auditor shall certify as to the correctness of the accounts of the Club and shall report thereon to the members present at the annual general meeting.
- (3) In his report and in certifying to the accounts the auditor shall state -
 - (a) Whether he has obtained the information required by him;
 - (b) Whether in his opinion the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Club according to the information at his disposal and the explanations given to him and as shown by the books of the Club; and
 - (c) Whether the rules relating to the administration of the funds of the Club have been observed.
- (4) The public officer of the Club shall cause to be delivered to the auditor a list of all the accounts books and records of the Club.
- (5) The auditor -
 - (a) Has a right of access to the accounts books records vouchers and documents of the Club;
 - (b) May require from the servants of the Club such information on an explanation as may be necessary for the performance of his duties as auditor;
 - (c) May employ persons to assist him in investigating the accounts of the Club; and
 - (d) May in relation to the accounts of the Club examine any member of the committee or any servant of the Club.

Annual General Meeting

- 11.(1) The Club shall in each year hold an annual general meeting.
 - (2) The annual general meeting shall be held on such day (being not later than six months after the close of the financial year of the Club) as the committee may determine.
 - (3) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.
 - (4) The annual general meeting shall be specified as such in the notice convening it.
 - (5) The ordinary business of the annual general meeting shall be -
 - (a) To confirm the minutes of the last preceding annual general meeting and of any general meeting held since the meeting;
 - (b) To receive from the committee auditor and servants of the Club reports upon the transactions of the Club during the last preceding financial year; these reports are to include the Treasurer's report, and the President's report including a detailed report in writing as to the state of the Club's buildings;
[last 2 lines of (b) added 25/8/97 & amended 28/11/97]

- (c) To elect the officers of the Club and the ordinary committeemen;
 - (d) To appoint the auditor and determine his remuneration (if any).
- (6) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (7) All general meetings other than the annual general meeting shall be called special general meetings.
- (8) The Secretary shall give 28 days notice of the annual general meeting.

Special General Meetings

- 12.(1) The committee may whenever it thinks fit convene a special general meeting of the Club.
- (2) The committee shall on the requisition in writing of not less than ten members convene a special general meeting of the Club.
- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitioners and deposited at the office of the Club and may consist of several documents in the like form each signed by one or more of the requisitioners
- (4) If the committee does not cause a special general meeting to be held within twenty-one days from the date on which a requisition therefor is deposited at the office of the Club the requisitioners or any of them may convene the meeting, but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.
- (5) A special general meeting convened by requisitioners in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the committee and all reasonable expenses incurred in convening the meeting shall be refunded by the Club to the persons incurring them.

Notices of General Meeting

- 13 The public officer of the Club shall at least seven days before the date fixed for holding a general meeting of the Club cause to be exhibited at the office of the Club a notice specifying the place, day and time for the holding of the meeting and the nature of the business to be transacted thereat.

Business and Quorum at General Meeting

- 14.(1) All business that is transacted at special general meetings and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering the item.

- (3) Ten members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of a general meeting.
- (4) If within one hour after the appointed time for the commencement of a general meeting a quorum is not present the meeting if convened upon the requisition of members shall be dissolved; and in any other case it shall stand adjourned to the same day in the next week at the same time and (unless another place, is specified by the chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting the meeting shall be dissolved.

President to Preside At General Meetings

- 15.(1) The President or in his absence the Vice-President shall preside as chairman at every general meeting of the Club.
- (2) If the President and the Vice-President are absent from a general meeting the members present shall elect one of their number to preside as chairman thereat.

Adjournment of General Meetings

- 16.(1) The chairman of a general meeting at which a quorum is present may with the consent of the meeting adjourn the meeting from time to time and place to place but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for fourteen days or more the like notice of the adjourned meeting shall be given as in the case of the original meeting.
- (3) Except as provided in the foregoing provisions of this rule it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

Determination of Questions Arising At General Meetings

17. A question arising at a general meeting of the Club shall be determined on a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairman that a resolution has on a show of hands been carried or carried unanimously or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Club, is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

Votes

- 18.(1) Upon any question arising at a general meeting of the Club a member has one vote only.

- (2) Save in the case of election of officers and committee members, *[preceding words added 25/8/97]* all votes shall be given personally or by proxy handed to the Secretary prior to the meeting.
- (3) In the case of an equality of voting on a question the chairman of the meeting is entitled to exercise a second or casting vote.

Votes of Honorary, Provisional And Associate Members

19. Honorary members, provisional members and associate members under the age of eighteen years shall not have the right of voting at any meetings or of proposing any new member or taking part in any ballot nor shall they be eligible for office. *[Rule 19 amended 8.5.2000]*

Taking of poll

20. If at a meeting a poll on any question is demanded it shall be taken at that meeting in such manner as the chairman may direct and the result of the poll shall be deemed to be the resolution of the meeting on that question.

When Poll To be Taken

21. A poll that is demanded on the election of a chairman or on a question of adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairman may direct.

Affairs of Club to be Managed By Committee

- 22.(1) The affairs of the Club shall be managed by a committee of management constituted as provided in rule 24.

- (2) The committee -
 - (a) Shall control and manage the business and affairs of the Club;
 - (b) Shall have power to make by-laws and to alter amend or rescind them as occasion may require and such by-laws shall have the same effect as and shall not be repugnant to the rules in so far as they are not inconsistent therewith;
 - (c) May subject to these rules exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Club; and
 - (d) Subject to the Act and these rules has power to perform all such acts and things as appear to the committee to be essential for the proper arrangement of the business and affairs of the Club.

Patron

- 22.A(1) The Committee shall appoint a Patron of the Club.

(2) The Patron may be appointed for any period up to five years and may be re-appointed by the Committee for further periods up to five years.

(3) The Patron may relinquish office at any time by written advice to the Committee.
[Rule 23 added 15/6/98]

Officers of the Club

23.(1) The officers of the Club shall be -

- (a) *[Rule 23.(1) (a) deleted 15/6/98]*
- (b) A President;
- (c) A Vice-President;
- (d) A Treasurer; and
- (e) A Secretary.

(2) Each officer of the Club shall hold office until the annual general meeting next after the date of his election but is eligible for re-election.

(3) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule the committee may appoint one of its members to the vacant office and the member may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment.

Constitution of the Committee

24.(1) The committee shall consist of -

- (a) The officers of the Club; and
- (b) Six other members, all of whom shall be elected at the general meeting of the Club in each year.

(2) Each ordinary committeeman shall subject to these rules hold office until the annual general meeting next after the date of his election but is eligible for re-election.

(3) In the event of a casual vacancy occurring in the office of ordinary committeemen the committee may appoint a member of the Club to fill the vacancy and the member so appointed shall hold office subject to these rules until the conclusion of the annual general meeting next following the date of his appointment.

Election of Members of the Committee

25.(1) Nominations of candidates for election as officers of the Club or as ordinary committeemen -

- (a) Shall be made in writing signed by two members of the Club and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
- (b) Shall be delivered to the Secretary of the Club at least 21 days before the time fixed for the holding of the annual general meeting.

- (2) If insufficient nominations are received to fill all vacancies on the committee the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nominations received is equal to the number of vacancies to be filled the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the number of vacancies to be filled a ballot shall be held.
- (5) In an election held by ballot, the procedure shall be by voting undertaken in accordance with by-laws approved and published by the Committee at least 30 days prior to the date of the annual general meeting. *[Rule 25.5 inserted 25/8/97]*

Vacation of Office

26. For the purposes of these rules the office of an officer of the Club or of an ordinary committeeman becomes vacant if the officer or committeeman -
- (a) Dies;
 - (b) Becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors or makes any assignment of his estate for their benefit;
 - (c) Becomes of unsound mind;
 - (d) Resigns his office by writing under his hand addressed to the committee;
 - (e) Ceases to be resident in the State;
 - (f) Fails without leave granted by the committee to attend three consecutive meetings of the committee;
 - (g) Ceases to be a member of the Club; or
 - (h) Fails to pay arrears of subscriptions and other moneys due by him within fourteen days or such other time as the committee may allow after he has received a notice in writing signed by the public officer stating that he has ceased to be a financial member of the Club.

Meetings of the Committee and of Sub-Committees

- 27.(1) The committee shall meet at least once in each month at such place and at such time as the committee may determine.
- (2) Special meetings of the committee may be convened by the President or any three of its members.
 - (3) Notice shall be given to members of the committee of any special meeting specifying the general nature of the business to be transacted.
 - (4) Any four members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
 - (5) No business shall be transacted unless a quorum is present and if within an hour of the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.

- (6) At meetings of the committee -
 - (a) The President or in his absence the Vice-President; or
 - (b) If the President and the Vice-President are absent such one of the remaining members of the committee as may be chosen by the members present; shall preside.
- (7) Questions arising at meetings of the committee or of any sub-committee appointed by the committee shall be determined on a show of hands or if demanded by a member by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote and in the event of an equality of votes on any question the person presiding may exercise a second or casting vote.
- (9) Notice of each committee meeting shall be given to each member of the committee by delivering it to him or leaving the same at the office of the Club.

Disclosure of Interests In Contracts

- 28.(1) A member of the committee who is interested in any contract or arrangement made or proposed to be made with the Club shall disclose his interest at the first meeting of the committee at which the contract or arrangement is first taken into consideration if his interest then exists or in any other case at the first meeting of the committee after the acquisition of his interest.
- (2) If a member of the committee becomes interested in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the committee after he becomes so interested.
- (3) No member of the committee shall vote as a member of the committee in respect of any contract or arrangement in which he is interested and if he does so vote his vote shall not be counted

Sub-committees and the Executive Committee

- 29.(1) The committee may at any time appoint a sub-committee from the committee as it may think fit and shall prescribe the powers and functions thereof.
- (2) The committee may co-opt as members of a sub-committee such persons as it thinks fit whether or not those persons are members of the Club but a person so co-opted is not entitled to vote.
- (3) Two appointed members of a sub-committee constitute a quorum at a meeting of the sub-committee
- (4) The President the Vice-President the Treasurer and the Secretary constitute an executive committee which may issue instructions to the public officer and the servants of the Club in matters of urgency connected with the management of the affairs of the Club during the intervals between meetings of the committee

and where any such instructions are issued shall report thereon to the next meeting of the committee.

Accounts and Charges for Club Services

- 30.(1) The amount of the annual subscription, entrance fee and charges for services provided by the Club may be fixed and altered from time to time by the Committee.
- (2) The annual subscription and charges for services shall be due and payable in such manner and at such times as the Committee may from time to time determine.
- (3) Members shall maintain their account balance with the Club in credit.
- (4) A fine of 10% will be imposed on the outstanding balance for any account that is not in credit at the expiration of 30 days with a further 10% fine being imposed on any account not in credit at the expiration of 60 days.
- (5) Any member of the Club whose account is not in credit at the expiration of 90 days shall have their right to credit suspended until their account returns to a 30 day credit balance.
- (6) The Committee may, on application by the member who has not maintained a credit balance, and only in exceptional circumstances, defer suspension of credit, but only on the basis that an arrangement satisfactory to the executive committee for a return to a 30 day credit balance is entered into by the member.
- (7) (a) The Treasurer may serve notice on any member who has been in arrears of payment of any monies due to the Club (whether for subscriptions or otherwise) for more than ninety days from the date payment of such monies fall due requiring payment of such arrears within fourteen days of the date of the notice. The notice shall state the amount of the arrears.
- (b) If the member fails to comply with the notice the member shall have all membership rights suspended until the amount of the arrears referred to in the notice is paid.
- (c) The Committee may, on application by the member in default, and in exceptional circumstances, defer such suspension but only on the basis that an arrangement satisfactory to the Committee for payment of such arrears is entered into by the member. *[Rule 30 added 19.5.1999]*

Financial Year

31. The financial year of the Club is the period beginning on the 1st day of July in each year and ending on the 30th day of June next following. *[Rule 31 amended 25/8/97]*

Notices

32. A notice may be served by or on behalf of the Club upon any member either personally or by sending it through the post in a prepaid letter addressed to the member at his usual or last-known place of abode.

Expulsion of Members

- 33.(1) Subject to this rule the committee may expel a member from the Club:
- (a) If in the opinion of the committee the member has been guilty of conduct detrimental to the interests of the Club; or
 - (b) If the member fails to pay all arrears of subscriptions and other moneys due by him to the Club within fourteen days after he receives a notice in writing signed by the public officer stating that he has ceased to be a financial member of the Club.
- (2) The expulsion of a member pursuant to sub-rule (1) of this Rule does not take effect -
- (a) Until the expiration of fourteen days after the service on the member of a notice under sub-rule (3) of this rule; or
 - (b) If the member exercises his right of appeal under this rule until the conclusion of the special general meeting convened to hear the appeal whichever is the later date.
- (3) Where the committee expels a member from the Club the public officer of the Club shall without undue delay cause to be served on the member a notice in writing -
- (a) Stating that the committee has expelled the member;
 - (b) Specifying the grounds for the expulsion; and
 - (c) Informing the member that if he so desires he may within fourteen days after the service of the notice on him appeal against the expulsion as provided in this rule.
- (4) A member on whom a notice under sub-rule (3) of this rule is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the public officer of the Club within fourteen days after the service of that notice a requisition in writing demanding the convening of such a meeting for the purpose of hearing his appeal.
- (5) Upon receipt of a requisition under sub-rule (4) of this rule the public officer shall forthwith notify the committee of its receipt and the committee shall thereupon cause a special general meeting of members to be held within twenty-one days after the date on which the requisition is received by the public officer.
- (6) At a special general meeting convened for the purpose of the rule -
- (a) No business other than the question of the expulsion shall be transacted,.
 - (b) The committee may place before the meeting details of the grounds of the expulsion and the committee's reasons for the expulsion;
 - (c) The expelled member shall be given an opportunity to be heard; and
 - (d) The members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.

- (7) If at the special general meeting a majority of the members present vote in favour of the lifting of the expulsion the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his membership of the Club.
- (8) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion the expulsion takes effect and the expelled member ceases to be a member of the Club.

Disputes

- 34(1) Subject to this rule a dispute between a member of the Club in his capacity as a member and the Club shall be determined in accordance with the provisions of the Commercial Arbitration Act 1986. *[Rule 34.(1) amended 25/8/97]*
- (2) Nothing in this Rule affects the operation or effect of Rule 33.

Seal of the Club

- 35.(1) The seal of the Club shall be in the form of a rubber stamp inscribed with the name of the Club encircling the word "Seal".
- (2) The seal of the Club shall not be affixed to any instrument except by authority of the Committee and the affixing thereof shall be attested by the signatures either of two members of the committee or of one member of the committee and of the public officer of the Club or such other person as the committee may appoint for that purpose and that attestation is sufficient for all purposes that the seal was affixed by authority of the committee.
- (3) The seal shall remain in the custody of the public officer.



THE HOBART REAL TENNIS CLUB INC.

BY-LAWS

Smoking

By-law made by the Committee pursuant to Rule 22(2)(b)

There shall be no smoking within the Club buildings.

[Approved by the Committee, 13 January 1997]

Election and Ballots

By-law made by the Committee pursuant to Rule 22(2)(b)

The Committee rescinds all previous By-Laws relating to Ballots and replaces them with the following:

This by-law has been made by the Club Committee pursuant to Rule 22(2)(b) for the purpose of conducting the elections for the Club Committee.

- (1) All candidates nominating for election to the Committee must provide for publication to members, at least 21 days before the conduct of the elections, a statement on their views on the strategic direction and specific objectives for the Club, which statement must not exceed 250 words in length.
- (2) In an election held by ballot pursuant to Rule 25(4), the procedure is as follows:
 - (a) The Club Committee will adopt, and adapt as appropriate to the circumstances of the election, an electronic voting system that provides secure and private voting for members and which will apply the voting rules as contained in this by-law. The Club Secretary will administer the system ("ballot administrator") unless he/she is included in the ballot in which case a suitable non-conflicted person will be appointed by the Committee to undertake this role.
 - (b) At least 14 days prior to the Annual General Meeting, each member of the Club is to be sent an electronic ballot paper containing the following details:
 - (i) the number and nature of each position to be filled;
 - (ii) the names in rotating random order of the candidates nominated for each position;
 - (iii) a statement explaining the voting process;
 - (iv) the candidate statements referred to in paragraph (1);
 - (c) a member is to allocate the order of choice for each and all candidates for the position named;
 - (d) the ballot paper is to be returned to the ballot administrator at least five (5) days prior to the Annual General Meeting;

- (e) the votes are to be counted in the manner set out in By-Law 2 below;
 - (f) the ballot paper will be invalid if incomplete and/or if provided after the specified date;
 - (g) the ballot administrator overseer is to provide a report of the result of the election to the President or Chairperson of the meeting, stating the names of those candidates who are elected;
 - (h) the President or Chairperson of the meeting is to declare the result of the election at the meeting;
 - (i) at the conclusion of the election, the ballot administrator is to delete all the ballot papers.
- (3) The order of counting votes and declaring positions filled shall be first, (if relevant) Patron, then President, Vice President, Secretary, Treasurer and ordinary Committee members with the votes counted in accordance with the following methodology;
- (i) the number of first choices recorded for each candidate shall be counted;
 - (ii) the candidate who has the fewest first choice votes shall be excluded, and each ballot paper counted to that candidate shall be counted to the unexcluded candidate next in order of the voters' preference;
 - (iii) the process of excluding the candidate who has the fewest votes and counting each of their ballot papers to the unexcluded candidate next in the order of the voters' preference, shall be repeated until the number of unexcluded candidates equals the number of all remaining positions to be filled, at which time these unexcluded candidates are elected to the relevant position(s);
 - (iv) If there is a tied vote for any position, the tied vote nominees will be invited to elect within 24 hours, whether they wish to contest a further electronic ballot. If a further ballot is required by the nominees, it will be conducted within 5 days of the date of the decision to contest.
- (4) In an election for any office-bearer and/or committee member pursuant to Rule 25(2) of the Rules, the election from those nominated at the Annual General Meeting will be conducted according to the following procedure:
- (a) if the number of candidates does not exceed the number of vacancies, the candidates nominated shall be deemed elected;
 - (b) if the number of candidates exceeds the number of vacancies a ballot shall be held;
 - (c) the ballot will be conducted as nearly as may be in accordance with by-laws (1) and (2).

[Approved by the Committee, 14th October 2021]

By-law made by the Committee pursuant to Rule 5(2)(d)

TASMANIAN UNIVERSITY REAL TENNIS CLUB
TERMS & CONDITIONS OF HONORARY MEMBERSHIP

1. In this by-law "members" means members of the Tasmanian University Real Tennis Club (TURTC).
2. The TURTC is a designated Club to which Rule 5(2)(d)(ii) applies.
3. Members of TURTC whose names have been notified to the Secretary, by the President or Secretary of the TURTC, shall enjoy honorary membership of the Hobart Real Tennis Club (HRTC) in accordance with the terms set out below.
4. Membership shall run from the date of notification of the name of the TURTC member to the Secretary of the HRTC, until the commencement of the next University year.
5. Members of TURTC shall have access to the Club premises between 9:00 am - 5:00pm Monday to Friday and 9:00 am – 4:00 pm on Saturday. After hours access, including weekends, shall be at the invitation of a Full or Associate member of the HRTC, and that member must be present at the Club during all such access.
6. Keys to the Club will not be available to members.
7. Members shall be charged the same rate to play tennis as that which is paid by HRTC Associate Junior members.
8. Members shall pay for tennis and refreshments at the time of playing and attendance at the Club.
9. Members may not participate in Club Championships or other organised tournaments.
- 10 Members may attend Club social functions as guests of a Full or Associate member of HRTC.
11. The Committee of the Club has the right to revoke the honorary membership of any member at any time, and for any reason, following advice of that decision to the President of the TURTC.

[Approved by the Committee – 19March 2001]

By-law made by the Committee on 14 May 2001 pursuant to Rule 22(2)(b).

1 Purpose

The purpose of this by-law is to establish the restrictions and criteria to be applied by the Committee of the Club (the Committee) in exercising its discretion to award Life Associate membership of the Club in accordance with Rule 5(2)(f).

2 Restriction on Membership

The Committee will not award Life Associate membership to any person who is serving or has served on the Committee at any time during the preceding two (2) years, except where Life Associate membership is available to all Club members in the circumstances set out in clause 3.

3 Making a significant contribution to the well being of the Club - Special Projects

The Committee may award Life Associate membership to any person *who, or another Real Tennis Club or Association, or a group, organisation or family which*, makes a pre-determined financial contribution to a special Club project or fundraising campaign, which has been established by the Committee to be one which the awarding of Life Associate membership applies, and which has been duly authorised as such by a Special or Annual General Meeting of the Club.

Life Associate membership shall only be awarded to a Real Tennis Club or Association, a group, organisation or family which is located or resides outside Tasmania.

The names and addresses of members of any group, organisation or family who have sought the benefit of Life Associate membership shall be listed on the nomination form and recorded in the awarding of Life Associate membership by the Committee.

The nomination and awarding of Life Associate membership shall also include the name of one person in the group, organisation or family who shall be the only person to receive correspondence and notices from the Club, and the only person who shall be permitted to vote at any Special or Annual General meeting or in Club elections.

Where a Real Tennis Club or Association becomes a Life Associate member, correspondence and notices will be forwarded to, and the right to vote will vest in, the Secretary of the Club or Association.

Where the members of a group, organisation or family become residents of Tasmania

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(i) the playing activity of one or more members of the group, organisation or family shall not exceed in any one year, that which attaches to an individual member who is an Associate member of the Club.

(ii) all those persons in a group, organisation or family who are recorded for the purposes of Life Associate membership shall enjoy access to the Club's facilities and social functions.

The members of any Real Tennis Club or Association that is awarded Life Associate membership shall enjoy the usual reciprocal playing and access rights that are available to such Clubs and Association.

4 Making a significant contribution to the well being of the Club – General Criteria

In exercising its discretion to award Life Associate membership to any person who has made a significant contribution to the well being of the Club, the Committee will have regard to such matters as –

- (a) general service to the Club over many years; and/or
- (b) donations to the Club of funds or services in kind; and/or
- (c) contributions to the knowledge, promotion, marketing or development of the game of real tennis at a local, national or international level.

Committee Decisions

Any award of Life Associate membership shall only be made by the unanimous decision of those Committee members present at a formally convened meeting of the Committee.

[Amended by the Committee – May 14 2001]