

# WEMBLEY DOWNS TENNIS CLUB INCORPORATED



**BY LAWS OF THE CLUB 2017  
V1.4**

# **WEMBLEY DOWNS TENNIS CLUB INCORPORATED**

## **BY-LAWS OF THE CLUB 2017**

Approved at AGM 27 August 2017

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## 1 STANDING ORDERS

These orders apply to all meetings of the Club whether of general meetings of members, of Management, or of other committees, but primarily to general meetings.

- a) No motion entered on the notice paper shall be proceeded with unless the member who has given such notice or some person authorised by him or her be present when the business is called to order. Notice not so preceded with shall be struck out.
- b) Only voting members may move and or second motions. Any motion which is not seconded shall not be debated and shall lapse.
- c) As soon as debate on a question is concluded, the chairperson shall put the question to the meeting in a distinct and audible manner.
- d) The question, other than a special resolution, on being put shall be resolved in the affirmative or negative on a show of hands, or by ballot, if called for under Rule 16.2, by a simple majority of those present in person or by proxy, and entitled to vote.
- e) Any question which has been proposed may be amended by leaving out, substituting or adding words but no amendment which amounts to a direct negative shall be accepted by the chairperson.
- f) When an amendment is declared carried it shall take the place of the original motion when a further amendment can be proposed until the question is finally resolved.
- g) If any case should arise not provided for in these Standing Orders the same shall be decided in accordance with Standing Orders in practice in the Legislature of the State.
- h) It shall be lawful for those members present in person and entitled to vote to suspend any Standing Order, provided the object of such suspension shall not be the rescinding of any resolution previously carried.

## 2 MEMBERSHIP

### 2.1 *Qualifications.*

Membership of the Club commences on 1 September and ceases on 31 August each year. It is open to any natural person whose standard of play in the game of tennis is of a standard which in the opinion of the MC is sufficient for membership within one of the categories of membership listed below.

- a) Full playing member (a person over the age of 18 years) who may play seven days a week.
- b) Intermediate full playing member (a person between the ages of 18 and 30 years) who may play seven days a week.
- c) Mid-week member who may play weekdays only.
- d) i Junior member (a person whose age is less than eighteen years as at start date of Summer pennants season) may play seven days a week.  
ii Sub-junior member (a person whose age is less than twelve years as at start date of Summer pennants season) may play seven days a week.
- e) Social member (a person over the age of eighteen years who wishes to be a member for social purposes only). No playing standard is required.
- f) Country member. (A person whose place of principal residence is outside the Perth Metropolitan Region). He/she is eligible to play 12 times pa.
- g) Life member (a person who has been elected by the Club at a general meeting as a Life member on the recommendation of the MC in recognition of service rendered to the Club) provided not more than one Life member shall be elected in any one year.
- h) Honorary member (a person who has been granted Honorary membership by the Management

Committee). No playing standard is required.

- i) Senior League playing member (a person who is a member of another club affiliated to Tennis West, who wishes to play in a Club league team, and who has been invited to do so by the Management Committee - incoming membership only. This person may only play in one WDTC team in one season. Should he/she wish to play in another team in the same season or in a team in the next season then he/she must re-apply and be invited again to do so by the MC. If invited, the person will be expected to pay the necessary fee again. He/she may only practice on the club courts once a week. Invited players may only play for two consecutive seasons.)
- j) Family membership (a family of a mother and or father and child/children.)
- k) Fly in fly out [FIFO] member (a person who by nature of his/her occupation is employed on a work site, other than in the metropolitan area, on a roster basis involving four-eight months away from his/her residence in Perth.)
- l) Parent Associate (a parent of an existing junior or sub-junior WDTC member who may play with their child on a Monday, Tuesday, Wednesday afternoon, Thursday afternoon, Friday, Saturday morning or Sunday when courts are available.) Full members, coaching and court hirers have priority. Play excludes use of lights.
- m) Adult Coaching Pathway – coach guided membership to provide support for new adult players.  
**Conditions:**
  - 1. *This Membership applies to Adult players (over 18 years of age).*
  - 2. *The player must be NEW to Tennis, or a primarily Social Tennis Player returning after an extended period of absence e.g. 10 years or so, depending on circumstances.*
  - 3. *This membership is not available to players with previous Competition Tennis experience.*
  - 4. *This membership is not available to players who have held playing membership at any club within the last 9 years.*
  - 5. *This membership is available to a person who has only ever held a Social (non-playing) membership at WDTC.*
  - 6. *The offer is limited to the first year (or part thereof) of playing Membership at WDTC. Membership Year is 1 September to 31 August.*
  - 7. *Due to the high value of the package, the full amount of the Membership is to be paid on enrolment, regardless of the balance of the membership year to be run. However, where the player joins part way through the Membership Year; as an incentive to continuing membership; a pro-rata discount will be applied when they sign up for the second or subsequent year of Membership.*
  - 8. *Pro-rata fees discount calculation will be the WDTC Standard Pro-rata Membership calculation.*

## 2.2 Applications.

- a) The number of members in each category shall be determined by the MC.
- b) At the discretion of the MC any member may, on written application, transfer from one membership category to another or be granted leave of absence provided that this sub-rule shall not apply to a League playing member.
- c) Application for membership shall be made in writing, shall be signed by the applicant and in such form as the MC may prescribe from time to time. Each application shall be accompanied by the appropriate nomination fee (if any).
- d) All applications shall be posted on the notice board of the club for a period of not less than seven (7) days before the election. Further to this, a period of not less than fourteen (14) days shall elapse between nomination and election.
- e) The MC shall consider each application made under sub-clause (a) hereof at a meeting and, in its

discretion, accept or reject that application.

## **2.3 PRIVILEGES OF MEMBERSHIP**

2.3.1 Full playing, family (parents only) and intermediate full playing members shall have the right to:

- a) attend and speak and vote at all general meetings.
- b) play on the Club courts on all days when the courts are open for play.
- c) participate in tournaments and matches.
- d) nominate for all MC and sub-committee positions as applicable.
- e) attend all entertainment and social functions.
- f) bring visitors to the Club as specified in the By-Laws.

2.3.2 Mid-week members shall have the right to:

- a) attend and speak and vote at all general meetings.
- b) play on the Club courts at times decided upon by the MC.
- c) participate in tournaments and matches at the discretion of the MC.
- d) nominate for all MC and sub-committee positions as applicable.
- e) attend all entertainment and social functions, and
- f) bring visitors to the Club as specified in the By-Laws.

2.3.3 Junior/sub-junior members shall have the right to:

- a) attend and speak but not vote at all general meetings, and shall not accept or hold an office of the Club, provided that the prohibition on voting and holding office shall cease once the member has attained his or her eighteenth birthday.
- b) play on the Club courts at times decided upon by the MC, and at the discretion of the MC selected junior members may play on the Club courts on all days when the courts are open for play and may participate in tournaments.
- c) attend entertainment and social functions except those specifically arranged for senior members, and
- d) nominate for all sub-committee positions as applicable.

2.3.4 Social members shall have the right to:

- a) attend and speak but not vote at all general meetings.
- b) attend all entertainment and social functions.
- c) nominate for all MC and sub-committee positions as applicable.
- d) bring visitors to the Club as specified in the By-Laws.

2.3.5 Country members shall have the right to:

- a) attend and speak and vote at all general meetings.
- b) play on the Club courts on not more than twelve occasions during the Club year when the courts are open for play.

- c) subject to the provisions of (b), participate in tournaments and matches.
- d) attend all entertainment and social functions.
- e) nominate for all sub-committee positions as applicable, and
- f) bring visitors to the Club as specified in the By-Laws.

2.3.6 Life members shall have the right to:

- a) attend and speak and vote at all general meetings.
- b) play on the Club courts on all days when the courts are open for play.
- c) participate in tournaments and matches.
- d) nominate for all MC and sub-committee positions as applicable.
- e) attend all entertainment and social functions, and
- f) bring visitors to the Club as specified in the By-Laws.

2.3.7 Senior League playing members have the right to:

- a) represent the Club by participating in its league teams.
- b) participate in planned mid-week practice sessions on Club courts, and
- c) attend all entertainment and social functions.

2.3.8 FIFO members shall have the right to:

- a) attend and speak and vote at all general meetings.
- b) play on the Club courts on all days when the courts are open for play.
- c) participate in tournaments and matches.
- d) nominate for all committee positions as applicable.
- e) attend all entertainment and social functions, and
- f) bring visitors to the Club as specified in the By-Laws.

2.3.9 Parent Associate members shall have the right to:

- a) attend and speak but not vote at all general meetings.
- b) play with their child on a Monday, Tuesday, Wednesday afternoon, Thursday afternoon, Friday, Saturday morning or Sunday when courts are available.) Full members, coaching and court hirers have priority. Play excludes use of lights.
- c) nominate for all sub-committee positions as applicable.
- d) attend all entertainment and social functions,

2.3.10 Honorary members shall have rights as granted to them by the MC.

No financial member shall have his or her rights restricted in any way except by the MC acting under Rule 9.

### **3 ORDER OF DEBATE**

This By-law applies to general meetings of members.

- a) Any member of the Club desiring to propose a motion or amendment or to discuss any matter under consideration must rise and address the chairperson. No member when speaking shall be interrupted unless called to order, when he or she shall sit down and the member so called to order shall be heard in preference to any other speaker and the chairperson shall then decide without discussion upon the point of order before the subject is resumed or any other subject entered into.
- b) Any member feeling dissatisfied with the ruling of the chairperson may dissent from such ruling provided the dissent is seconded. In cases of dissent from the ruling of the chairperson the question shall be:- "Shall the ruling of the chairperson stand?". The only persons entitled to speak shall be the mover of the question and the chairperson and then the question shall be put to a vote.
- c) No member may speak to any motion or amendment after the same has been put to the meeting by the chairperson and has been voted upon.
- d) When two or more members rise to speak the chairperson shall call upon whom in his or her opinion rose first.
- e) The mover and seconder of any motion or amendment shall be held to have spoken to the same. In the discussion no member shall be allowed to speak more than once, except strictly in explanation or in contradiction of a misstatement. The mover of the original motion shall have the right of reply before the discussion is concluded.
- f) A member speaking must confine his or her remarks to the subject under discussion and avoid personal references. He or she must not use any discourteous language or reflect poorly on any member.

## **4 DUTIES OF COMMITTEES**

The duties of the committees which are listed below shall be to make recommendations to the MC with respect to the matters provided for in this By-Law. Such recommendations may be accepted, rejected or modified by the MC in its absolute discretion, and such decisions shall not be subject to review or question by any committee.

### ***4.1 The Finance Committee shall:***

- a) be responsible for preparing a consolidated annual budget to be submitted to the MC from information
- b) supplied by the committees responsible for the income and expenditure of the Club.
- c) prepare a consolidated financial plan to achieve the objectives and strategies set by the MC.
- d) through its chairperson make recommendations to and receive directions from the MC.

### ***4.2 The Tournament, Match and Selection Committee.***

#### **4.2.1 Participants.**

Participants in the activities of the committee shall include the members elected at the Annual General Meeting (AGM), appointed Day Captains, and the Midweek Members Chairperson elected by the annual meeting of those members, if applicable.

#### **4.2.2 Duties of Committee.**

- a) advertise, organise, control and provide seeding and handicaps for all tournaments conducted by the Club.
- b) organise and control all games played on Club days and implement roster systems.
- c) Ensure there is an adequate supply of tennis balls for tournaments and club play, control their

issue, and record the number used.

- d) ensure any tournament fees received are remitted to the Treasurer.
- e) select all teams to play in any matches in which the Club is competing, except State League.
- f) where necessary, examine the standard of play of prospective members and make recommendations to the MC.
- g) through its chairperson, make recommendations to and receive directions from the MC.

#### ***4.3 The Social Committee shall:***

- a) organise and conduct any entertainment or social function held by the Club.
- b) keep a record of all expenses and receipts relating to social functions and remit all monies to the Treasurer together with verified accounts for payment.
- c) through its chairperson make recommendations to and receive directions from the MC.
- d) be responsible for the care, upkeep and maintenance of the kitchen and all equipment and utensils therein.

#### ***4.4 The House, Grounds and Property Committee shall:***

- a) be responsible to see all courts and surrounding grounds are maintained in first class condition and the courts are correctly marked for all tournaments and Club days.
- b) have the power to suspend play on any court if it considers further play prejudicial to the well-being of the court/s concerned.
- c) be responsible for the proper use and maintenance of all equipment required for the care of the courts and surrounding grounds.
- d) be responsible for the property maintenance of all property and equipment owned or leased by the Club.
- e) through its chairperson or his or her appointed deputy instruct any grounds person or gardener employed by the Club and
- f) through its chairperson make recommendations to and receive directions from the MC.

#### ***4.5 The Junior Committee:***

Members of the committee shall include those members elected at the AGM, the head coach of the Club and relatives of Juniors who are willing to provide support. The Committee shall:

- a) organise and control junior play.
- b) liaise with other committees on matters pertaining to junior and sub junior members.
- c) through its chairperson make recommendations to and receive directions from the MC.

#### ***4.6 The Bar and Lounge Committee.***

##### **4.6.1 Duties. The committee shall:**

- a) be responsible for the functioning of the bar including the purchasing and selling of liquor and other supplies.
- b) keep a record of all expenses and receipts relating to the bar and deposit all receipts in the Club bank account. Remit to the Treasurer each month a statement recording the foregoing information and including any contra transactions affecting the financial results.
- c) be responsible for ensuring compliance with all laws relating to the purchase and supply of liquor and other requirements under the Liquor Act inclusive of those referred to in Section 2 below, and



- d) through its chairperson make recommendations to and receive directions from the MC.

**4.6.2 Requirements of the Liquor Licensing Act, 1988 (herein referred to as the Act.)**

*(a). Guests.*

- i. The maximum number of guests per member per day for the purposes of the Section 48 [4] [b] of the Act is five (5). No liquor shall be sold or supplied for consumption elsewhere than on the Club premises unless such liquor is removed from the licensed premises by or on the instructions of the member purchasing the liquor. No payment or part payment to any secretary, treasurer, manager or other officer or servant of the Club shall be made by way of commission or allowance from or upon the receipts of the Club for liquor.
- ii. Members may introduce guests to the Club at any time provided that:
  - A guest shall not be supplied with liquor in the Club premises except on the invitation and in the company of that member.
  - A guest shall be supplied with liquor to be consumed on the Club premises only. The member introducing the guest shall be responsible for the proper conduct of that guest whilst on the Club premises.
  - Any person who has been refused membership of the Club or who is under suspension or expulsion from the Club, shall not be admitted as a guest of any member.
  - A member, at their expense and with the approval of the Club committee, may supply liquor to guests, without limitation as to number, at a function held by or on behalf of that member, at the Club premises.

*(b) Temporary Members.*

A person who is on any day visiting the Club as a member or an official of, or a person assisting a team that is to contest a pre-arranged event in that sport on that day; or at the invitation of a member to engage in that sport on that day; may be taken to be a person who is afforded temporary membership on that day.

*(c) Juniors. (Juveniles)*

- i. No liquor shall be sold or supplied to any juvenile (i.e. a person under the age of 18.)
- ii. Juniors may access the toilets through the bar lounge but may not linger in the lounge. Preferably they should use the toilets at the eastern side of the club rooms.
- iii. Juniors may use the hall, sand pit, covered paved area and patio at all times.

*(d) General.*

- i. No stranger shall be permitted to use the Club premises and no member or other person shall admit any stranger to use the Club premises.
- ii. The Club shall nominate a person as the approved manager pursuant to the provisions of Section 100 of the Act.
- iii. Where the approved manager is absent for periods in excess of those specified in Section 100 of the Act, the Club shall appoint a temporary manager and relevant application shall be lodged with the Director of Liquor Licensing.
- iv. Where the approved manager ceases to be manager of the Club, the manager shall, in terms of Section 100 (4) (a), inform the Director in writing within 30 days of so ceasing and the Club shall apply for the approval of a new manager. See Section 100 (4) (b).
- v. The club shall only be open for the sale of liquor during such hours (within the hours permitted under the Act) as the committee shall from time to time determine.

- vi. No liquor shall be sold or disposed of on Christmas Day, Good Friday or before noon on ANZAC Day except as permitted under the provisions of the Act.

#### **4.7 The State League Committee.**

Subject at all times to direction and approval of the MC, the committee shall:

- a) organise and control all matters associated with State League tennis, including reserve teams. Expenses are to be contained within the committee's budget.
- b) review, select and negotiate with all players and teams to play in State League and Reserves leagues.
- c) deal with any matter referred to it by the MC relating to any Club or Tennis West State League matters and recommend to Management that it appoint a sub-committee member to represent it at forums on State League matters within determined policy parameters.
- d) ensure any expenditure incurred on behalf of the Club is for approved purposes.
- e) through the chairperson, make recommendations to and receive directions from the MC.

### **5 COMMITTEE MEETINGS**

- a) Committees shall meet as often as they shall determine and on any special occasion when summoned by the President or Secretary.
- b) Five days' notice of meetings of the MC shall be given by the Secretary, to each member of that Committee.
- c) Three days' notice of meetings of any other committee shall be given by the chairperson of that committee.
- d) At meetings of committees a majority of the members entitled to be present shall form a quorum. If there shall not be a quorum present within thirty minutes after the time fixed for the meeting, such meeting shall be adjourned to a date and time to be fixed by those present and notice of such adjournment shall be sent to the members in accordance with these By-Laws. If at an adjourned meeting there shall not be a quorum present the members shall hold the meeting as if a quorum were present.
- e) At MC meetings the order of business unless otherwise determined by the MC shall be:
  - (i) Opening.
  - (ii) Apologies for non-attendance.
  - (iii) Minutes and confirmation thereof.
  - (iv) Questions and business arising out of the Minutes.
  - (v) Correspondence.
  - (vi) Officeholder reports.
  - (vii) Motions on notice.
  - (viii) General business.
  - (ix) Closure and date of next meeting.
- f) At meetings of committees the chairperson may determine the order of business.
- g) Any member of the MC or any committee absenting himself or herself from three consecutive meetings of such committee without reasonable excuse given personally to the chairperson thereof shall be deemed to have resigned there from.
- h) Where the elected chairperson of a committee is unable to attend any meeting of the MC, he/she

may appoint a member of that committee to attend in his/her stead and the following conditions shall apply:

- (i) the Chairperson of the MC or the Secretary shall be notified prior to the meeting of that committee.
- (ii) the appointee shall attend for the sole purpose of reporting on activities of the subcommittee and may not move any motion or vote on any matter before the MC except on matters relating to the committee which he/she represents.
- (iii) the representative committee member appointed in accordance with this By-Law shall be counted in any determination of a quorum for a MC meeting.

## **6 DISCIPLINARY PROCEEDINGS**

For the purposes of Rule 9, "discipline in any way" includes:

- Expulsion.
- Suspension.
- Admonishment.
- Reprimand.
- Restriction of Rights.

but does not include:

- Warnings to adhere to the Rules.
- Cautions about possible breaches .
- Counselling on perceived behavior.

## **7 VISITORS**

- a) Members who are entitled to bring visitors to the Club may do so on all days upon which such member is entitled to play.
- b) No visitor referred to in By-Law 6.1 shall be entitled to use the courts more than six times in any calendar year.
- c) The MC may invite visitors to use the Club courts at any time.
- d) Members bringing visitors to the Club shall pay a visitor's fee as determined by the MC, such fee being payable to the Day Captain before the commencement of play. Non-playing members shall not be required to pay a fee.

## **8 MEMBER PROTECTION**

- a) Members are bound by the Tennis Australia Member Protection By-Law at all times.
- b) A copy of the Tennis Australia Member Protection By-Law can be read by any member on request to the Secretary.