

# Bendigo Tennis Association Incorporated (A0005619U)

## STATEMENT OF PURPOSES

The purposes of the Association are:

1. To promote the game of tennis in Bendigo and District.
2. To promote, control and manage competition matches played between Clubs affiliated with the Association.
3. To promote junior tennis at all levels
4. To co-ordinate events for junior and senior players
5. To encourage the formation of new tennis clubs in Bendigo and District where applicable.
6. To arbitrate and settle disputes between affiliated clubs where required.
7. To affiliate with and financially subscribe to any other senior tennis body either State or National.
8. To manage the Association's facilities, both directly owned and leased

Solely for the purpose of furthering the purposes set out above the Association shall have power:

- a) To buy, sell and deal in all kinds of articles, commodities and provisions, both liquid and solid, for the members of the Association or persons frequenting the Association's premises.
- b) To purchase, take on lease or in exchange, hire and otherwise acquire any lands, building, easements or property, real and personal, and any rights or privileges which may be requisite for the purposes or, or capable of being conveniently used in connection with, any of the objects of the Association **PROVIDED THAT** in case the Association shall take or hold any property which may be subject to any trusts the Association shall only deal with the same in such manner as is allowed by law having regard to such trusts.
- c) To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association to obtain from any such Government or Authority any rights, privileges

and concessions which the Association may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights privileges and concessions.

- d) To appoint, employ, contract, remove or suspend such managers, clerks, secretaries, servants, workers and other persons as may be necessary or convenient for the purposes of the Association.
- e) To construct, improve, maintain, develop, work, manage, carry out, alter or control any houses, buildings, grounds, works or conveniences which may seem calculated directly or indirectly to advance the Association's interests, and to contribute to, subsidize or otherwise assist and take part in the constructions, improvement, maintenance, development, working, management, carrying out, alteration or control thereof.
- f) To invest and deal with the money of the Association not immediately required in such a manner as may from time to time be thought fit.
- g) To take, or otherwise acquire, and hold shares, debentures or other securities of any company or body corporate.
- h) To lend and advance money or give credit to any person or body corporate; to guarantee and give guarantees or indemnities for the payment of money or the performance of contracts or obligations by any person or body corporate and otherwise to assist any person or body corporate.
- i) To borrow or raise money either alone or jointly with any other person or legal entity in such manner as may be thought proper and whether upon fluctuating advance account or overdraft or otherwise to represent or secure any moneys and further advances borrowed or to be borrowed alone or with others as aforesaid by notes secured or unsecured, debentures or debenture stock perpetual or otherwise, or by mortgage, charge, lien or other security upon the whole or any part of the incorporated association's property or assets present or future and to purchase, redeem or pay-off any such securities.
- j) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instrument.
- k) To sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Association.
- l) To take or hold mortgages, liens or charges to secure payment of the purchase price, or any unpaid balance of the purchase price, of any part of the Association's property

of whatsoever kind sold by the Association, or any money due to the Association from purchasers and others.

- m) To take any gift of property whether subject to any special trust or not, for any one or more of the objects of the Association but subject always to the proviso in paragraph (e).
- n) To take such steps by personal or written appeals, public meetings or otherwise, as may from time to time be deemed expedient for the purpose of procuring contributions to the funds of the Association, in the shape of donations, annual subscriptions or otherwise.
- o) To print and publish any newspapers, periodicals, books or leaflets that the Association may think desirable of the promotion of its objects.
- p) To amalgamate with any one or more incorporated associations having objects altogether or in part similar to those of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as that imposed upon the Association under or by virtue of the Rules.
- q) To purchase or otherwise acquire and undertake all or any part of the property, assets, liabilities and engagements of any one or more of the incorporated associations with which the Association is authorised to amalgamate.
- r) To make donations for patriotic, charitable or community purposes.
- s) To transact any lawful business in aid of the Commonwealth of Australia in the prosecution of any war in which the Commonwealth of Australia is engaged.
- t) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

## Associations Incorporation's Act 1981 - Schedule 3

### NAME

- 1 The name of the incorporated association is BENDIGO TENNIS ASSOCIATION INCORPORATED (in these rules called "the Association").

### INTERPRETATION

#### 2

- 2.1 In these rules, unless the contrary intention appears:-
  - "Committee" means the Committee of Management of the Association.
  - "Financial year" means the year ending June 30.
  - "General Meeting" means a general meeting of members convened in accordance with Rule 11.
  - "Member" means a member of the Association, i.e. a delegate of the affiliated club. Each club shall have two delegates.
  - "Ordinary Member of the Committee" means a member of the Committee who is not an officer of the Association under Rule 21.
  - "The Act" means the Associations Incorporation Act 1981.
  - "The Regulations" means regulations under the Act.
- 2.2 In these Rules, a reference to the Secretary of an Association is a reference:-
  - a) where a person holds office under these Rules as Secretary of the Association - to that person; and
  - b) in any other case, to the public officer of the Association.
- 2.3 Words or expressions contained in these Rules shall be interpreted in accordance with the provision of the Act Interpretation Act 1958 and the Act as in force from time to time.

### APPLICATION FOR MEMBERSHIP

#### 3

- 3.1 The Association encourages all Affiliated Clubs to also be fully Affiliated to and financially subscribed with the senior tennis body either State or National that the Association has chosen to affiliate with and financially subscribe to.
- 3.2 The Association shall consist of two delegates or representatives from each affiliated tennis club. The Association shall comprise such tennis clubs and associations as are from time to time admitted in accordance with these rules, such admittance being within the sole discretion of the Committee of Management. In the event of any club or association failing to retain any of the qualifications by which it's delegates were admitted to the Association such delegates shall forfeit all their rights as such members as aforesaid until such qualifications are regained. Any tennis club in Bendigo and district may seek to affiliate with the Association. An application for affiliation with the Association:-
  - a) Shall be made in writing in the form set out in appendix 1.

- b) Shall be lodged with the Secretary of the Association as soon as practicable. After the receipt of the nomination the Secretary shall refer the nomination to the Committee of Management. Upon a nomination being referred to the Committee of Management, it shall, as soon as practicable, determine whether to approve or reject the nomination. Upon the nomination having been approved, the Secretary shall notify the nominee club in writing of the fact and request payment of the entrance fee and the first year's annual subscription. The entrance fee and subscription shall be paid within twenty eight (28) days of receipt of notification of such fees. The Secretary shall, upon such payment, enter the nominee's name in the Register of Clubs kept by the Association and upon the name being so entered the nominee becomes an affiliate club with the Association and thereupon the duly appointed delegates of such club shall become members of the Association. There shall be two delegates appointed by each affiliated club and upon the Secretary of the Association being informed in writing of the names and addresses of such delegates, their names shall be entered into the Register of Members. The Register of Members and the Register of Clubs shall be kept at the office of the Secretary and be available for inspection by any member of the Association at any reasonable time.

#### ENTRANCE FEE AND ANNUAL SUBSCRIPTION

- 4 The entrance fee and annual subscription shall be determined by the Committee of Management from time to time and shall be payable in advance on or before the 30th day of September in each year.

#### REGISTER OF MEMBERS

- 5 The Secretary shall keep and maintain a register of:-
- a) Members who shall be the delegates of clubs in which shall be entered the full name, address and date of entry of the name of each person and the register shall be available for inspection at the address of the Secretary; and
  - b) A Register of Clubs which shall include the names and principal office bearers of affiliated clubs.

#### RESIGNATION AND EXPULSION OF MEMBERS

- 6 A club which wishes to dis-affiliate with the Association shall notify the Association in writing of its intention to do so and upon receipt of such written notification:-
- a) the delegates of that club shall cease to be members of the Association and their names shall be removed from the Register of Members; and
  - b) the name of the Club shall be removed from the Register of Clubs. The Secretary shall note the date of such entries in the Register.

7

- 7.1 Subject to these rules, the Committee may be resolution -
- a) expel a member from the Association;

- b) suspend a member from membership of the Association for a specific period; or
- c) fine a member in accordance with The Regulations, if the committee is of the opinion that the member:-
  - I. has refused or neglected to comply with these rules; or
  - II. has been guilty of conduct unbecoming or prejudicial to the interests of the Association.
- a) expel or suspend a club if the Committee is of the opinion that the Club;
  - I. has refused or neglected to comply with these rules; or
  - II. has been guilty of conduct prejudicial to the interest of the Association.

7.2 A resolution of the Committee under sub-clause (1):-

- a) does not take effect unless the Committee, at a meeting held not earlier than fourteen (14) and not later than twenty-eight (28) days after the service on the member of a notice under sub-clause (3) confirm the resolution in accordance with this clause; and
- b) where the member exercises a right of appeal to the Association under this clause does not take effect unless the Association confirm the resolution in accordance with this clause.

7.3 Where the Committee passes a resolution under sub-clause (1), the Secretary shall, as soon as practicable, cause to be served on the member a notice in writing:-

- a) setting out the resolution of the Committee and the grounds on which it is based;
- b) stating that the member may address the Committee at a meeting to be held not earlier than fourteen (14) and not later than twenty-eight (28) days after service of the notice;
- c) stating the date, place and time of that meeting;
- d) informing the member that he may do one or more of the following:-
  - I. Attend that meeting;
  - II. Give to the Committee before the date of that meeting statement seeking the revocation of the resolution;
  - III. Not later than twenty four hours before the date of the meeting, lodge with the secretary a notice to the effect that he wishes to appeal to the Association in general meeting against the resolution.

7.4 At a meeting of the Committee held in accordance with sub-clause (2), the Committee:-

- a) shall give to the member an opportunity to be heard;
- b) shall give due consideration to any written statement submitted by the member; and

- c) shall by resolution determine whether to confirm or to revoke the resolution.
- 7.5 Where the secretary receives a notice under sub-clause (3), he shall notify the Committee and the Committee shall convene a general meeting of the Association to be held within twenty-one (21) days after the date on which the secretary received the notice.
- 7.6 At a general meeting of the Association convened under sub-clause (5):-
  - a) no business other than the question of the appeal shall be transacted
  - b) the Committee may place before the meeting details of the grounds for the resolution and the reasons for the passing of the resolution;
  - c) the member shall be given an opportunity to be heard; and
  - d) the members present shall vote by secret ballot on the question whether the resolution should be confirmed or revoked.
- 7.7 If at the general meeting:
  - a) two thirds of the members vote in person or by proxy in favour of the confirmation of the resolution, the resolution is confirmed; and
  - b) in any other case, the resolution is revoked.

#### ANNUAL GENERAL MEETING

- 8 The Association shall in each calendar year and within five months of the end of financial year, convene an annual general meeting of its members.
  - 8.1 The annual general meeting shall be held on such day as the Committee determines.
  - 8.2 The annual general meeting shall be specified as such in the notice convening it.
  - 8.3 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 that meeting;
    - b) to receive from the Committee reports upon the transactions of the Association during the last preceding financial year;
    - c) to elect officers of the Association and the ordinary members of the Committee; and
    - d) to receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act.
  - 8.4 The annual general meeting may transact special business of which notice is given in accordance with these rules.
  - 8.5 The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

## SPECIAL GENERAL MEETING

9 All general meetings other than the annual general meeting shall be called 'special general meetings'.

10

- 10.1 The Committee may, whenever it thinks fit, convene a special general meeting of the Association and, where, but for this sub-clause, more than fifteen (15) months would lapse between annual general meetings, shall convene a special general meeting before the expiration of that period.
- 10.2 The Committee shall, on the requisition in writing of members representing not less than 5% of the total number of members, convene a special general meeting of the Association.
- 10.3 The requisition for a special general meeting shall state the objects of the meeting and shall be signed by the members making the requisition and be sent to the address of the Secretary and may consist of several documents in a like form, each signed by one or more of the members making the requisition.
- 10.4 If the Committee does not cause a special general meeting to be held within one month after the date on which the requisition is sent to the address of the Secretary, the members making the requisition, or any of them, may convene a special general meeting to be held not later than three (3) months after that date.
- 10.5 A special general meeting convened by members 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 Association to the persons incurring the expenses.

## NOTICE OF MEETING

11

- 11.1 The Secretary of the Association shall, at least fourteen (14) days before the date fixed for holding a general meeting of the Association, cause to be sent to each member of the Association at his address appearing in the register of members, a notice by pre-paid post stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- 11.2 No business other than that set out in the notice convening the meeting shall be transacted at the meeting.
- 11.3 A member desiring to bring any business before a meeting may give notice of that business in writing to the secretary, who shall include that business in the notice calling the next general meeting after the receipt of the notice.

## PROCEEDINGS OF MEETINGS

12

- 12.1 All business that is transacted at a special general meeting 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.
- 12.2 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 that item.
- 12.3 Six members personally present (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- 12.4 If within half an 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 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 the quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being not less than three) shall be a quorum.

13

- 13.1 The President, or in his absence, the vice-president, shall preside as Chairman at each general meeting of the Association.
- 13.2 If the President and the vice-president are absent from a general meeting, the members shall elect one of their number to preside as Chairman at the meeting.

14

- 14.1 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.
- 14.2 Where a meeting is adjourned for fourteen (14) days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
- 14.3 Except as provided in sub-clauses (11.7) and (11.8), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

15

A question arising at a general meeting of the Association shall be determined on a show of hands. 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 Association is evidence of

the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

16

16.1 Upon any question arising at a general meeting of the Association, a member has one vote only.

16.2 All votes shall be given personally or by proxy.

16.3 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.

17

A member is not entitled to vote at any general meeting unless all moneys due and payable by him and/or his club to the Association have been paid, other than the amount of the annual subscription payable in respect of the current financial year.

18

18.1 Each member shall be entitled to appoint another member as his proxy by notice given to the secretary no later than twenty-four (24) hours before the time of the meeting in respect of which the proxy is appointed.

18.2 The notice appointing the proxy shall be in the form set out in Appendix 2.

#### COMMITTEE OF MANAGEMENT

19

19.1 The affairs of the Association shall be managed by a Committee of Management constituted as provided in rule 21.

19.2 The Committee:-

- a) shall control and manage the business and affair of the Association.
- b) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these rules to be exercised by general meetings of the members of the Association; and
- c) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to the Committee to be essential for the proper management of the business and affairs of the Association.

20

20.1 The officers of the Association shall be:-

- a) a President;
- b) a vice-president;
- c) a Treasurer; and
- d) a Secretary

20.2 The provisions of Rule 23 so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons

to any of the offices mentioned in sub-clause (1).

- 20.3 Each officer of the Association shall hold office until the annual general meeting next after the date of his election but is eligible for re-election.
- 20.4 In the event of a casual vacancy in any office referred to in sub-clause (1), the Committee may appoint a person to the vacant office and the person so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his appointment.

21

- 21.1 Subject to section 23 of the Act, the Committee shall consist of:-
- a) the officers of the Association, and
  - b) up to six (6) ordinary members - each of whom shall be elected at the annual general meeting of the Association in each year.
- 21.2 Each ordinary member of the Committee shall, subject to these rules, hold office until the annual general meeting next after the date of this election but is eligible for re-election.
- 21.3 In the event of a casual vacancy occurring in the office of an ordinary member of the Committee, the Committee may appoint a person/s to fill the vacancy and the person/s 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 OFFICERS AND VACANCY

22

- 22.1 Nominations of candidates for election as officers of the Association or as ordinary members of the Committee:-
- a) shall be made in writing, signed by two members of the association 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 Association not less than seven days before the date fixed for the holding of the annual general meeting.
- 22.2 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.
- 22.3 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.
- 22.4 If the number of nominations exceeds the number of vacancies to be filled, a ballot shall be held.
- 22.5 The ballot for the election of officers and ordinary members of the Committee shall be conducted at the annual general meeting in such usual

and proper manner as the Committee may direct.

- 22.6 A nomination of a candidate for election under this clause is not valid if that candidate has been previously nominated for another office for election at the same election.

23

- 23.1 For the purposes of these rules, the office of an officer of the Association or of an ordinary member of the Committee becomes vacant if the officer or member:-

- a) becomes an insolvent under administration within the meaning of the Companies (Victoria) Code; or
- b) resigns his office by notice in writing given to the secretary;

#### PROCEEDINGS OF COMMITTEE

24

- 24.1 The Committee shall meet as it determines but not less than three (3) times in each year at such place and such times as the Committee may determine.
- 24.2 Special meetings of the Committee may be convened by the President or by any four of the members of the Committee.
- 24.3 Notice shall be given to members of the Committee of any special meeting specifying the general nature of the business to be transacted and no other business shall be transacted at such a meeting.
- 24.4 Any six members of the Committee or sixty per centum of the membership of the Committee whichever is less constitute a quorum for the transaction of the business of a meeting of the Committee.
- 24.5 No business shall be transacted unless a quorum is present and if within half 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.
- 24.6 At meetings of the Committee:-
- a) the President or in his absence the vice-president shall preside; 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.
- 24.7 Questions arising at a meeting of the Committee or of any sub-committee appointed by the Committee shall be determined on a show of hands or by a poll if the Chairman so desires. Where there is an equality of votes the Chairman shall have a casting vote.

- 24.8 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.
- 24.9 Written notice of each committee meeting shall be served on each member of the Committee by delivering it to him at a reasonable time before the meeting or by sending it by pre-paid post addressed to him at his usual or last known place of abode at least two business days before the date of the meeting.
- 24.10 Subject to sub-clause (14.4) the Committee may act notwithstanding any vacancy on the Committee.
- 24.11 No member or former member of the Committee or it's sub-committees must knowingly or recklessly a) make improper use of information acquired by virtue of his or her position or b) make improper use of that position, so as to gain, directly or indirectly, any pecuniary benefit or material advantage for himself or herself or any other person or so as to cause detriment to the Association
- 24.12 Any member of the Committee or it's sub-committees who has any pecuniary interest in a contract, or proposed contract, with the Association must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the Committee and to the Association's members at the next annual general meeting. Further, he or she must not take part in any decision of the committee with respect to that contract but may, subject to the provisions of the Act, take part in any deliberations with respect to that contract.
- 24.13 Sub-section 24.12 does not apply in respect of a pecuniary interest that exists only by virtue of the fact that the member of the committee is an employee, a member of a class of persons for whose benefit the association is established or has a pecuniary interest in common with all or a substantial proportion of the members of the Association.

#### SECRETARY

- 25 The position of secretary of the Association shall be filled by the Executive Officer/General Manager of the Association who shall keep minutes of the resolutions and proceedings of each general meeting and each committee meeting together with a record of the names of persons present at committee meetings.

#### TREASURER

26

- 26.1 The Treasurer of the Association:-
- a) shall oversee the keeping of correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.

- b) shall act as Chairman of a Finance sub-committee responsible for the setting of annual budgets and financial reviews.
- c) the books of account and financial statements shall be audited by qualified accountant at least annually.

26.2 The accounts and books referred to in sub-clause (1) shall be available for inspection by members.

#### REMOVAL OF MEMBER OF COMMITTEE

27

27.1 The Association in general meeting may by resolution remove any member of the Committee before the expiration of his term of office and appoint another member in his stead to hold office until the expiration of the term of the first mentioned member.

27.2 Where the member to whom a proposed resolution referred to in sub-clause (1) makes representations in writing to the secretary or President of the Association (not exceeding a reasonable length) and requests that they be notified to the members of the Association, the Secretary or the President may send a copy of the representations to each member of the Association or, if they are not so sent, the member may require that they be read out at the meeting.

#### CHEQUES

28 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by two members of the Committee.

#### SEAL

29

29.1 The Common Seal of the Association shall be kept in the custody of the secretary.

29.2 The Common Seal shall not be affixed to any instrument except by the authority of the Committee and the affixing of the Common Seal 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 Association.

#### ALTERATION OF RULES AND STATEMENT OF PURPOSE

30 These rules and the statement of purposes of the Association shall not be altered except at the Annual General Meeting, notice of alterations having been given in accordance with the Act.

#### NOTICES

31

31.1 A notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member at his address

shown in the Register of Members.

- 31.2 Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

#### WINDING UP OR CANCELLATION

- 32 In the event of the winding up or the cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act.

#### CUSTODY OF RECORDS

- 33 Except as otherwise provided in these rules, the secretary shall keep in his custody or under his control all books, documents and securities of the Association.

#### FUNDS

- 34 The funds of the Association shall be derived from entrance fees, annual subscriptions, donations, grants, funds derived from the operation of facilities managed by the Association and such other sources as the Committee determines.

35

- 35.1 There shall be the following committees elected or ratified at the annual general meeting and such committees shall operate as sub-committees of the Committee of Management and shall be subject to its discretion:-

Bendigo Veterans Tennis Club Committee of Management

Bendigo Lawn Tennis Club Committee of Management

Playing Committee

Marketing/Communications Committee

Facilities Committee

Player Development Committee

Events Committee

Catering Committee

Volunteer Management Committee

Any other Committees considered appropriate to be formed by the meeting from time to time.

- 35.2 The Committee of Management may also from time to time appoint a further committee for any other purpose thought appropriate and such committee shall hold office until dissolved by the Committee of Management or the next annual general meeting. such committee shall also be subject to the discretion of the Committee of Management.

- 35.3 Each committee so elected or appointed as provided by this paragraph shall elect its own Chairman and office bearers and each Committee shall be

responsible for such activities as are prescribed by the Committee of Management from time to time.

## GRIEVANCES

36 Where any person, be they a member or an officer or employee of the Association has a grievance arising from their involvement in the activities of the Association, whatever that may be, with another such member, officer or employee, or the Association, and that person considers the grievance warrants investigation and action by the Association that person shall follow the following procedure.

37

37.1 The person shall in the first instance contact the President of the Association, in writing, and advise they have a grievance they wish to discuss. The grievance should be addressed clearly to the President and marked 'Private & Confidential'

37.2 Where a grievance has been received the President shall, as soon as practicable, meet with, or discuss the grievance with the aggrieved party. The President may take whatever steps and conduct whatever investigations necessary to determine the grievance's legitimacy.

37.3 Where the grievance is determined to be legitimate, the President shall take all reasonable steps to resolve the grievance personally or may immediately pass the grievance to a judiciary committee.

37.4 Where the President determines the grievance not to be legitimate, he/she shall advise the aggrieved party accordingly. If the aggrieved party is not satisfied with the determination they may take whatever further action they consider necessary or appropriate including requesting the commencement of judiciary action under these Rules.

37.5 Where the President is unable to resolve a grievance, he/she shall report the grievance to the Judiciary Committee.

37.6 All grievances received by the President, and all information surrounding it's circumstances shall be confidential and may be communicated only to the Judiciary Committee.

37.7 In investigating a grievance and/or determining its legitimacy, the President shall observe and apply the procedures applicable to a proceeding before a Judiciary Committee under the rules below in so far as they are applicable.

## JUDICIARY COMMITTEE

38 The Committee shall appoint persons or an existing sub-committee to act as a Judiciary Committee.

## PROCEDURES AT JUDICIARY COMMITTEE MEETINGS

39

- 39.1 The Judiciary Chairman shall announce the opening of the meeting, stating the Judiciary Committee's authority, jurisdiction, composition and the nature and purpose of the meeting.
- 39.2 The procedure to be followed at meeting shall be clearly explained by the Judiciary Committee Chairman. The Chairman shall state who is entitled to be present throughout proceedings during evidence and submissions.
- 39.3 The aggrieved party may appoint any person to act on their behalf in the grievance procedure.
- 39.4 The matter which is the subject of the meeting shall then be read to the person(s) concerned. The body or person reporting the matter(s) and the subjects of the meeting shall be given the opportunity to report the circumstances of the matter. The person(s) concerned will be given the opportunity to respond to this report and present evidence/submissions as to their view of the circumstances of the matter. Any witnesses called by either the reporting body or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence. Evidence and/or submissions may be tendered in writing.
- 39.5 The Judiciary Committee will consider the evidence presented. The Judiciary Committee may adjourn the hearing if necessary. No other person shall be present or partake in any discussion with the Judiciary Committee at this time. If the Judiciary Committee finds an offence has not been committed or not proved it will advise the referring authority and dismiss the charge accordingly.
- 39.6 If the Judiciary Committee finds an offence has been committed or proved, it may impose, in its discretion, an appropriate penalty, or report its findings to the Committee with such recommendations as it considers appropriate. The Judiciary Committee Chairman will declare the proceedings closed
- 39.7 If a decision cannot be given immediately after proceedings, the relevant party or parties must be advised of the time and place at which the decision will be given. The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing and signed by the Judiciary Committee Chairman. The Committee must advise persons found guilty of an offence under these Regulations of their rights of appeal.
- 39.8 Every decision of a Judiciary Committee appointed by the Committee under these Rules shall be in writing to the parties concerned.

**APPENDIX 1**

**Application for membership of Bendigo Tennis Association Incorporated.**

We,.....

and .....

being duly authorised delegates of .....Club  
desire to become members of Bendigo Tennis Association Incorporated and request that our  
club become affiliated with the Association and entered in the Register of Clubs. In the  
event of our admission as members we agree to be bound by the rules of the Association for  
the time being in force.

Signatures of Applicants:

Date:    /    /

I,....., a member of the Association,  
nominate the applicants for membership of the Association.

Signature of Proposer:

Date    /    /

I,....., a member of the Association,  
second the nomination of the applicants for membership of the Association.

Signature of Seconder:

Date    /    /

## APPENDIX 2

### Form of Appointment of Proxy

I,.....

of.....

being a member of the Bendigo Tennis Association Incorporated and a delegate of

..... Club hereby appoint

.....

of.....

being a member of that Club as my proxy to vote for me on my behalf at the general meeting of the Association (annual general meeting or special general meeting, as the case may be) to be held on the.....day of..... and at any adjournment of that meeting.

My proxy is authorised to vote in favour of/against (delete as appropriate) the resolution (insert details).

.....

Signed

The

day of

.