

**BLUE GUM PARK  
TENNIS CLUB (INC)**

**RULES OF  
ASSOCIATION**

# RULES OF ASSOCIATION

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## 1 NAME

The name of the incorporated association shall be "BLUE GUM PARK TENNIS CLUB (INC)" (*the Club*).

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## 2 OBJECTS

The objects of the Club shall be:

- (a) to encourage and assist in the promotion and development of the game of tennis;
- (b) to provide, control and maintain suitable grounds and premises for the playing and practice of the game of tennis;
- (c) to provide and maintain facilities for the overall enjoyment of club members; and
- (d) to apply the property and income of the Club solely towards the promotion of the objects set out in sub clauses (a), (b) and (c) of this section and no portion shall be distributed directly or indirectly to members of the Club except as bona fide compensation for services rendered or expenses incurred on behalf of the Club.

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## 3 POWERS

The powers of the Club shall be:

- (a) to purchase, take on lease or in exchange, hire or otherwise acquire, any real or personal property;
- (b) to borrow money for any purpose consistent with the objects set out above;
- (c) to invest and deal with the monies of the Club not immediately required in such a manner as may from time to time be determined in accordance with these rules;
- (d) to amalgamate with any other club or clubs, and to become affiliated with any other association or associations;
- (e) to arrange tournaments and matches, to award prizes and trophies and to expend money in the purchase of prizes and trophies;
- (f) to do any other act, manner or thing which may be deemed conducive to the interest of the Club, or in the interest of the game of tennis; and
- (g) to remain as an incorporated club under the Associations Incorporation Act 1987 until decided otherwise by the members in a General Meeting.

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## 4 OFFICERS

- (a) The officers of the club (*the officers*) shall consist of the following:

Patron,

Vice-Patrons (two or more),

President,  
Vice President,  
Director of Tennis,  
Director of Property,  
Director of Social Activities,  
Director of Finance,  
Director of Business Administration,  
Director of Marketing,  
Honorary Secretary, and  
Returning Officer.

- (b) A member of the club who has been President for three (3) consecutive years, must, at the expiration of the third term in office, stand down from that position for a period of at least one (1) year.

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## **5 BOARD OF MANAGEMENT**

- (a) The Club shall be managed by a Board of Management.
- (b) The Board of Management shall consist of the following:  
President;  
Vice President;  
Honorary Secretary;  
together with the six (6) directors elected at the Annual General Meeting.
- (c) In the event of a casual vacancy, the Board of Management is empowered to appoint a member of the Club to fill that vacancy or delegate the duties amongst the Board of Management until such time as the vacancy is filled.

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## **6 ELECTION OF OFFICERS**

- (a) The officers shall be elected by ballot at the Annual General Meeting of the Club. Nominations may be made either in writing or by verbal proposal at such meeting, but the nominations of any absent member, except Patron or Vice-Patron, must be accompanied by their consent in writing. Newly elected officers shall take office immediately after the close of the meeting at which they are elected.
- (b) A vote of no confidence in a particular officer, passed at a Special General Meeting by a two-thirds majority of those attending and entitled to vote, shall automatically remove that officer from office.

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## **7 DELEGATES**

- (a) Such delegates as the Club is permitted to nominate to the Council of the Western Australian Tennis Association (Inc) shall be appointed from time to time by the Board of Management.

- (b) The delegates shall attend all meetings of the Western Australian Tennis Association (Inc) and report to the Board of Management through the President or Director of Tennis.
- (c) Delegates attending meetings of the Western Australian Tennis Association. (Inc) shall act and vote as directed by the Board of Management in any case where they have received such a direction.

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## **8 DUTIES AND POWERS OF OFFICERS**

### **8.1 PRESIDENT**

The President shall:

- (a) preside at all Meetings of the Club and, in the event of an equality of votes, have a second or casting vote;
- (b) be an ex officio member of all committees, and
- (c) where immediate action is required in any matter affecting the policy of, or the interests of the Club, and it is impracticable to refer the matter to the appropriate committee, seek the advice of as many members of the Board of Management as may be practicable and shall act in such manner as the majority of such members approve.

### **8.2 VICE PRESIDENT**

The Vice President shall:

- (a) deputise for the President when required. On such occasions, the Vice President will assume the powers of the President as detailed in 8.1;
- (b) assist the President to carry out his/her duties;
- (c) carry out such other duties as the Board of Management may direct.

### **8.3 HONORARY SECRETARY**

Subject to direction by the Board of Management the Honorary Secretary shall:

- (a) conduct the correspondence of the Club;
- (b) take and maintain Minutes as a record of all business transacted at the meetings by the Board of Management and the meetings of the Club;
- (c) maintain membership records;
- (d) make available on demand, for inspection by members, an up to date copy of the Rules of Association of the Club and any regulations made thereunder;
- (e) not have the right to speak or vote in the appointment of the Honorary Auditor or Auditors; and
- (f) carry out any other such duties as the Board of Management may direct.

### **8.4 RETURNING OFFICER**

The Returning Officer shall be responsible for the conduct of any ballot for the election of any officer of the Club.

### **8.5 DIRECTOR OF TENNIS**

The Director of Tennis shall:

- (a) be responsible for the appointment of the Club Captain and Junior Convener, who will arrange play on the Club's courts; and
- (b) carry out such other functions and duties as directed by the Board of Management, including tournaments, shield selection, and Club coaching arrangements.

**8.6 DIRECTOR OF PROPERTY**

The Director of Property shall:

- (a) be responsible for the upkeep and maintenance of all buildings, playing surfaces and other material assets of the Club; and
- (b) carry out such other duties as directed by the Board of Management.

**8.7 DIRECTOR OF SOCIAL ACTIVITIES**

The Director of Social Activities shall:

- (a) be responsible for the conduct, co-ordination and integration of all the social activities of the Club; and
- (b) carry out any other such duties as the Board of Management may direct.

**8.8 DIRECTOR OF FINANCE**

The Director of Finance shall:

- (a) oversee the:
  - (i) receipt and acknowledgement of all monies on behalf of the Club;
  - (ii) maintenance of books of account showing the financial affairs of the Club; and
  - (iii) preparation of the annual financial statements each year.
- (b) examine and report to the Board of Management at each meeting on the financial statements and all expenditures in the relevant period;
- (c) not have the right to speak or vote in the appointment of the Honorary Auditor or Auditors;
- (d) prepare annual budgets within the framework of the business plans formulated by the Board of Management; and
- (e) carry out any other such duties as the Board of Management may direct.

**8.9 DIRECTOR OF BUSINESS ADMINISTRATION**

The Director of Business Administration shall:

- (a) be responsible for the day to day operations of the club bar, maintenance of the Club's liquor licence, management of the Squash Centre, liaising with the Squash Club, grants, hard court hire;
- (b) the preparation of the Club's business plans; and
- (c) carry out any other duties as the Board of Management may direct.

**8.10 DIRECTOR OF MARKETING**

The Director of Marketing shall:

- (a) be responsible for marketing and promotion to achieve membership growth;

- (b) manage existing sponsorships and pursue new sponsorship opportunities;
- (c) undertake advertising as necessary;
- (d) develop and maintain the Club website;
- (e) assist the President in fostering external relations; and
- (f) carry out other duties as the Board of Management may direct.

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**9 DUTIES OF HONORARY AUDITOR OR AUDITORS**

The Honorary Auditor or Auditors shall audit the annual financial statements, prior to submission to the Annual General Meeting by the Director of Finance. For these purposes they shall have access to all books of the Club. In addition the Honorary Auditor or Auditors shall, if requested by the Board of Management at any time, investigate and report to the Board of Management upon the financial position of the Club or any aspect thereof.

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**10 DUTIES OF THE BOARD OF MANAGEMENT**

10.1 The Board of Management shall be responsible for the general conduct and management of the Club's affairs and exercise of the Club's powers as set out in Clause 3 of these rules. Without limiting its general powers, but subject to the provision of these rules, the Board of Management may:

- (a) make arrangements for the carrying out of tournaments and matches;
- (b) construe and interpret these rules and any regulations and by-laws made thereunder and such constructions and interpretations shall be final unless revoked by a resolution carried at an Annual General Meeting or by any court of competent jurisdiction;
- (c) delegate to a committee any matter for investigation or report;
- (d) engage and dismiss the employees of the Club;
- (e) expel, punish or otherwise deal with any member whose conduct, in the opinion of the Board of Management, is unworthy of a Club member. The decision of the Board of Management in any case shall be final unless revoked or varied by a Special General Meeting called for the purpose and held within one month after notice of such decision shall have been delivered, or by a court of competent jurisdiction PROVIDED THAT the Special General Meeting referred to in this paragraph shall only be called and held, if and when the member concerned gives to the Secretary, within seven days after delivery to him or her of notice of the decision to expel, punish or otherwise deal with him or her, notice of his or her intention to appeal against the decision;
- (f) make such regulations and by-laws as may be necessary for the management of the Club. A copy of such by-laws or regulations shall be posted on the General Notice Board of the Club; and
- (g) where neither the President nor Vice President are present at a properly constituted meeting of the Club, select one of their number to act as Chairperson for purposes of the meeting.

10.2 The Board of Management shall address all references given to it by members in General Meetings.

- 10.3 Where in the opinion of any three (3) members of the Board of Management any act, matter or thing proposed to be done by the Board of Management is likely to prejudicially affect the interests of the Club, such act, matter or thing shall not be proceeded with unless and until it is approved at a Special General Meeting of the Club.

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## 11 SEAL

The Club shall have a Common Seal which shall be in the custody of the Honorary Secretary. The Common Seal shall only be affixed to any deed, instrument or document by the President and one other member of the Board of Management for the time being and shall only be so affixed at a meeting of and by order of the Board of Management. The Honorary Secretary shall keep a record of all documents to which the seal has been affixed.

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## 12 MEMBERSHIP

12.1 Members of the Club shall be classified as follows:

- (a) **Adult Members** who shall be persons above the age of 18 years and who shall be defined as :
  - (i) **Full Adult** whose playing rights are unrestricted except as prescribed by the Board of Management;
  - (ii) **Adult Student** (full-time tertiary); and
  - (iii) **Young Adult** who shall be persons 18 to 25 years of age.
- (b) **Weekday Members** whose playing rights are restricted to Monday to Friday;
- (c) **Life Members** who may be elected by members of the Club on recommendation of the Board of Management in recognition of services rendered to the Club and after such election, shall be entitled to enjoy all the privileges of membership of the Club without payment of any fees;
- (d) **Social Members** who may become playing members upon payment of relevant fees;
- (e) **Country Members** who shall be persons whose place of residence is more than 100kms from the General Post Office, Perth;
- (f) **Junior Members** who shall be persons under the age of 18 years;
- (g) **Invited Junior Members** who shall be persons under the age of 18 years who have been invited by the Tennis Committee to participate in adult Club play;
- (h) **Foundation Members** being any person who was a financial member of the Club as at May 1975 and whose name has been recorded as such;
- (i) **Parent Members** who are parents of junior members and whose playing rights are restricted to playing with their member children in daylight hours when courts are available; and
- (j) **Corporate Members.**

12.2 At the discretion of the Board of Management, any playing member may, on written application, become a Social or Country member. A Weekday, Social or Country Member may become a playing member within the appropriate category by paying the appropriate fees.

- 12.3 Every candidate for membership shall be proposed and seconded by a current member. Applications shall be subject to approval by Board of Management.
- 12.4 The Membership Year shall commence on the first day of July in each year.

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### **13 PRIVILEGES**

The privileges of Club membership shall be as follows :

- 13.1 Adult, Adult Student and Life Members shall have the right to :
- (a) attend, speak and vote at all General Meetings and Special General Meetings of the Club;
  - (b) play on the Club's courts at the times decided upon by the Board of Management in accordance with their membership classification as described in 12.1;
  - (c) participate in tournaments conducted by the Club in accordance with their membership classification as described in 12.1;
  - (d) attend all the Club's entertainments and social functions.
- 13.2 Social members shall have the right to:
- (a) attend, speak and vote at all General Meetings of the Club.
  - (b) attend all the Club's entertainments and social functions.
- 13.3 Country Members shall have the right to:
- (a) attend, speak and vote at all General Meetings of the Club.
  - (b) play on the Club's courts on not more than twelve (12) occasions during the membership year when the courts are open for play, inclusive of tournaments conducted by the Club.
  - (c) participate in matches and tournaments conducted by the Club.
  - (d) attend all the Club's entertainments and social functions.
- 13.4 Junior Members shall have the right to:
- (a) attend and speak at all General Meetings of the Club and such members over the age of 17 years shall also have the right to vote at all General Meetings of the Club. Junior Members shall not hold a position as an officer of the Club;
  - (b) play on the Club's courts at times decided by the Board of Management in accordance with their membership classification as described in 12.1;
  - (c) participate in matches and tournaments conducted by the Club in accordance with their membership classification as described in 12.1;
  - (d) attend all the Club's entertainments and social functions; and
- 13.5 Invited Junior Members shall have the right to :
- (a) attend and speak at all General Meetings of the Club and such members over the age of 17 years shall also have the right to vote at all General Meetings of the Club. Invited Junior Members shall not hold a position as an officer of the Club;
  - (b) play on the Club's courts at times decided by the Board of Management in accordance with their membership classification as described in 12.1;



- (c) participate in matches and tournaments conducted by the Club in accordance with their membership classification as described in 12.1;
  - (d) attend all the Club's entertainments and social functions.
- 13.6 Parent Members shall have the right to :
- (a) attend, speak and vote at all General Meetings of the Club;
  - (b) play on the Club's courts in accordance with their membership classification, as described in 12.1;
  - (c) attend all the Club's entertainments and social functions.
- 13.7 Corporate Members shall have the right to such privileges as the Board of Management may decide.

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**14 PAY FOR PLAY ARRANGEMENTS**

The Club welcomes casual players, who may join in organised social play subject to the payment of a fee as determined by the Board of Management from time to time. Pay For Play players do not have membership rights and are not eligible to play pennants or Club Championships.

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**15 SUBSCRIPTIONS AND FEES**

- 15.1 Subscriptions for the next ensuing year shall be as determined by the Board of Management during the immediately preceding year.
- 15.2 Such fees shall be payable in advance and if not paid on or before a date determined by the Board of Management, continuance of membership shall be at the discretion of the Board of Management PROVIDED THAT where it shall be brought to the notice of the Board of Management that the enforcement of this provision will cause undue hardship to a person desiring to remain a member of the Club, the Board of Management may, in its discretion, extend the time for payment of the subscription due or remit the whole or part of such a subscription.
- 15.3 The Board of Management may also discharge, remit or waive any fees of any member for services rendered to the Club or for services generally to and in connection with the game of tennis. No particular case is to be taken as a precedent in accordance with which the Board of Management is obliged to act in any other case.
- 15.4 Foundation Members who for any reason allow their membership to lapse may reactivate their membership at any time by payment of the subscription applicable at the time of rejoining.

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**16 FINANCE**

- 16.1 The financial year shall commence on 1 January in each year.
- 16.2 The Bankers of the Club shall be such bank or banks as the Board of Management determines.
- 16.3 All cheques drawn in the name of the Club shall be signed by two persons in accordance with the Bank account operating authority approved by the Board of Management.
- 16.4 All payments by and on behalf of the Club shall be overseen by the Director of Finance and ratified by the Board of Management at its next meeting.

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**17 ANNUAL GENERAL MEETING**

The Annual General Meeting shall be held within fifteen (15) calendar months from the immediately preceding Annual General Meeting, but no later than 31 March in any year. An annual report shall be submitted by the President and the Club's audited financial statements for the past year shall be submitted by the Director of Finance and such business shall be transacted as shall be required or authorised by these Rules.

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**18 SPECIAL GENERAL MEETING**

The President or the Board of Management may at any time or, if requested to do so by fifteen (15) members of the Club entitled to vote at General Meetings of the Club, summon a Special General Meeting of the Club to deal with any business for which such meeting has been summoned, but no other business. The request for the Special General Meeting shall be made in writing, state specifically the business to be transacted at the meeting and be signed by the members requesting the meeting to be held.

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**19 NOTICE OF THE MEETING**

Fourteen (14) days notice of the Annual General Meeting and any Special General Meeting shall be given by the Honorary Secretary to each member entitled to vote and a copy posted on the Notice Board of the Club.

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**20 QUORUM**

At all General Meetings of the Club, twenty five (25) members entitled to vote shall form a quorum. At meetings of the Board of Management a majority of the Board shall form a quorum. At meetings of all other committees of the Club a majority of the Members entitled to be present, or five (5) such members, whichever shall be the lesser, shall form a quorum.

If there shall not be a quorum present within thirty (30) minutes after the time fixed for the meeting, the meeting shall be adjourned to a time and date to be fixed by those present, and notice of such adjournment shall be sent to the members entitled to be present at that meeting in accordance with these Rules. If, at the adjourned meeting, there shall not be a quorum present, the members present shall hold the meeting as if a quorum were present.

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**21 VOTING**

All the officers and members of the Club not specifically debarred by these Rules shall be entitled to speak and vote at all meetings at which they are entitled to be present. Voting may be taken on the voices, or a show of hands but if so required by five (5) members, the vote shall be taken by ballot.

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**22 ORDER OF BUSINESS**

At the Annual General Meeting the order of business, unless otherwise determined by the Board of Management, shall be as follows :

- (a) Apologies;
- (b) Minutes and confirmation thereof;
- (c) Questions and business arising out of the minutes;

- (d) Correspondence;
- (e) Annual Report of the President;
- (f) Financial Report of the Director of Finance;
- (g) Auditor's Report;
- (h) Election of Officers and Honorary Auditor or Auditor;
- (i) Motions; and
- (j) General Business.

At the meetings of the Board of Management and other Committees of the Club, the order of business shall be determined by the Chairperson.

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## **23 ABSENCE FROM MEETINGS OF BOARD OF MANAGEMENT OR COMMITTEES**

Any member of the Board of Management or any other Committee of the Club absent from three (3) consecutive meetings of the Board of Management or the relevant committee without reasonable excuse shall be deemed to have resigned therefrom.

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## **24 STANDING ORDERS**

- 25.1 Members giving Notice of Motion shall give a copy to the Honorary Secretary together with their name, at least fourteen (14) days prior to the day proposed for bringing on such a motion.
- 25.2 No motion entered on the Notice Paper shall be proceeded with unless the member who has given such notice or some other authorised person be present when the business is called in order. Motions not proceeded with shall be struck out or deferred until the next meeting if required in writing by the member who proposed the motion.
- 25.3 Any motion which is not seconded shall not be further debated and shall lapse.
- 25.4 As soon as a debate on a question is concluded the Chairperson shall put the question to the meeting in a distinct and audible manner.
- 25.5 The question on being put shall be resolved in the affirmative or negative on the voices or when a show of hands or ballot is called for under Rule 23 by a simple majority of the members present and entitled to vote.
- 25.6 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.
- 25.7 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 decided.
- 25.8 If a case should arise not provided for in these Standing Orders, the same shall be decided in accordance with the Standing Orders in practice in the Legislature of Western Australia.

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## **25 SUSPENSION OF STANDING ORDERS**

It shall be lawful for a majority of the members present and entitled to vote at any meeting to suspend any Standing Order, provided the object of such suspension shall not be the rescinding of any resolution previously carried.

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**26 ORDER OF DEBATE**

- 26.1 Any member desiring to propose a motion or amendment, or to discuss any matter under consideration, must rise and address the officer occupying the chair. Members shall not be interrupted when speaking, unless called to order, when they shall sit down and the member so calling 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 upon.
- 26.2 Any member feeling dissatisfied with the ruling of the Chairperson may dissent from such a ruling provided the dissent is seconded. In cases of dissent from the ruling of the Chairperson the question shall be as follows:
- “ Shall the ruling of the Chairperson stand?”*
- 26.3 The only persons entitled to speak on the question shall be the mover of the question and the Chairperson, and then the question shall be put.
- 26.4 No member shall speak to any motion or amendment after the same has been put to the meeting by the Chairperson and has been voted upon.
- 26.5 When two or more members rise to speak the Chairperson shall call upon the member who, in the Chairperson’s opinion, rose first.
- 26.6 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, but the mover of the original motion shall have the right to reply before the discussion is concluded.
- 26.7 Members when speaking, must confine their remarks to the subject under debate and avoid personalities. They shall not use any discourteous language or reflect on any member.

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**27 ALTERATION OF RULES**

- 27.1 No new rule of association shall be adopted and no existing rule shall be repealed or amended except by a resolution of a three-quarter majority of members, entitled to vote, present at an Annual General Meeting or Special General Meeting called for the purpose. Particulars shall be given of such repeal, new rule or amendment of an existing rule in the notice convening the meeting and by posting the same on the General Notice Board of the Club, at the time when such notice is given keeping the same posted until the conclusion of such meeting.
- 27.2 As soon as it is practicable after the making of any proposal for a change to the Rules of Association, the Honorary Secretary shall provide to the Director of Liquor Licensing certified particulars of the change proposed. No effect will be given to the change without the prior approval of the Director.

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**28 RESCISSION OF RESOLUTION**

No resolution passed at any meeting shall be rescinded except after the Notice of Motion given in accordance with Rule 20.

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**29 BY-LAWS**

The Club adopts all By-Laws of Tennis Australia and Tennis West, as amended from time to time, as the By-laws of Blue Gum Park Tennis Club (Inc).

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**30 HONORARIA**

Such honoraria shall be made, given or paid, as are determined by the Board of Management from time to time.

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**31 DISSOLUTION OF THE CLUB**

If and when the Club shall be dissolved and upon the winding up of its affairs, all the property and assets of the Club remaining after all the debts and liabilities of the Club shall have been paid or discharged in full shall become and remain the property of the West Australian Tennis Association Inc. and may be used or applied by that association for carrying out any of its objects.