

UNIVERSITY OF WESTERN AUSTRALIA TENNIS CLUB INC.
(UWATC)

BY-LAWS

ADOPTED 12TH JUNE 2022

To be read in conjunction with the UWA TC Inc. Constitution.

Guidance Note – Status of By-laws – A By-law must be consistent with the Act, the regulations, and the constitution of the Association. The rules of an Association bind the Association and the members as an enforceable contract between them. By-laws may not have that status. Therefore, the use of by-laws should be reserved for more procedural or administrative matters. The Management Committee may make, amend, or revoke By-laws for the proper advancement, management, and administration of the Association from time to time.

1. NAME

The name of the Association is University of Western Australia Tennis Club Inc.

2. COLOURS

The colours of the UWATC logo shall be Blue, Black, Yellow and White.

3. OBJECTS

In addition to the Objects of the Association set out in the Constitution, the further Objects of the Association are to do all or any of the following: -

(1) To accept subscriptions, donations and to borrow, raise and/or secure the payments of money for the purpose of acquiring the necessary facilities or equipment as required to assist in the promotion and/or betterment of tennis in such manner as the Association thinks fit.

(2) To invest and deal with the monies of the Association not immediately required, upon such securities and in such manner as may be from time to time determined by the Board.

(3) To improve, manage, develop, lease, let or hire, grant rights or licenses in respect of all or any part of the property or rights of the Association, subject to the conditions of the Association's Lease with UWA Sport.

(4) To borrow or raise a loan for any sum or sums of money and, for the purpose of securing repayment thereof, to execute or give any mortgages, charges, bonds, debentures, bills of exchange, promissory notes or other securities as may be deemed necessary, and to liquidate, redeem or pay off such obligations and securities or any of them.

(5) To employ part-time or full-time staff, such as a Club Manager, as may be required for the benefit of the Association and/or to assist the promotion of any of the Objects of the Association, as deemed necessary.

(6) To do any other act, matter or thing which may be deemed conducive to the interests of the Association or in the interests of the game; and

4. CLASSES OF MEMBERSHIP

ORDINARY MEMBERS Further to Clause 8 in the Constitution, the Ordinary Members of UWATC shall be those members who have paid the nomination fee (if any) and the annual subscription, fixed from time to time and may be classified as follows:

(a) **UWA Members** (*UWA Student, Staff and Alumni Members*)- Student Members are current students at University of Western Australia, Staff Members are current staff working for UWA, and Alumni Members are graduates of UWA. For verification, those applying for this membership group must provide a current UWA student ID card, other current identification from UWA, or evidence of studies at UWA. This membership includes access to UWA Sports Park tennis courts, as well as discounted club-rate court hire at UWA Crawley tennis courts.

(b) **Adult Members** (*non-UWA Adult Members*)- Adult Members are persons who are 18 years or older as at the beginning of the membership year, which is currently 1 October. This membership includes access to UWA Sports Park tennis courts, as well as discounted club-rate court hire at UWA Crawley tennis courts.

(c) **Full-Time Tertiary Student** (*Non-UWA Students*)- Full-Time Tertiary Student Membership is for students studying full-time at a tertiary institution other than UWA. For verification, those applying for this membership group must provide a current student ID card. This membership includes access to UWA Sports Park tennis courts, as well as discounted club-rate court hire at UWA Crawley tennis courts.

(d) **Family Membership**- Family Membership applies to 2 adults with any number of children under the age of 18 (as at the beginning of the membership year, which is currently 1 October). Family membership cost shall be based upon the separate cost of Full Membership and Junior Membership, with a 15% cost reduction overall.

(e) **Junior Members**- Junior Members are persons who has reached the age of 15 years but are under the age of 18 years as at the beginning of the membership year, which is currently 1 October. This membership includes access to UWA Sports Park tennis courts, as well as discounted club-rate court hire at UWA Crawley tennis courts.

(f) **Senior Members**- Senior Members are holders of, or eligible for a WA Seniors Card or equivalent who do not fall under the membership category of UWA Student, Staff or Alumni Member. This membership includes access to UWA Sports Park tennis courts, as well as discounted club-rate court hire at UWA Crawley tennis courts.

(g) **Life Members**- Life Members may be appointed at a General Meeting of Members of the Club on the recommendation of the Management Committee as recognition of services rendered to the Club and after such appointment shall be entitled to enjoy all the privileges of the Club without payment of the annual subscription PROVIDED ALWAYS THAT not more than one Life member shall be elected in any Membership Year.

ASSOCIATE MEMBERS Further to Clause 8 in the Constitution, the Associate Members of UWATC shall be those members who have paid the nomination fee (if any) and the annual subscription (where applicable), fixed from time to time and may be classified as follows:

(h) **Honorary Members**- Honorary Members may be appointed at a General Meeting of Members of the Club on the recommendation of the Management Committee as recognition of their meritorious performance or service to tennis and after such appointment shall be entitled to enjoy all the privileges of the Club without payment of the annual subscription for a period of 10 years PROVIDED ALWAYS THAT not more than one Honorary member shall be elected in any Membership Year.

(i) **Coaching Provider Member** – The Association’s contracted coaching provider’s head coach or director or other such role as approved by the committee.

(j) **Child Members** – A child member shall be those persons that have not yet reached the age of 15 years as at the beginning of the membership year, which is currently 1 October. Playing rights of a child member are limited to club or coach organised play, training and competition.

(k) **Social Non-Playing Members** – Social Non-Playing Members shall be those persons who have no playing rights but are entitled to use the Association social facilities as Members.

(l) **League (Pennants) Only Members** – League Only members shall be those persons who are a member of another tennis club, whilst playing a competitive league for UWATC, as approved by the management committee.

(m) **Social Playing Student Members** – A Social Playing Student Member pays a discounted fee with playing rights limited to organised social play. Must be a current UWA student.

(n) **Trial Membership Categories**- The Management Committee may trial alternative Membership categories for the duration of one season and that category must cease to operate if not approved at the next following Annual General Meeting.

5. PRIVILEGES OF MEMBERSHIP

(1) Ordinary members shall be entitled to:

(a) attend, speak, and vote at all General Meetings.

(b) be an Office Holder or an Ordinary Committee Member on the Management Committee provided they have reached 18 years of age.

(c) play on the Association's courts on all days when the courts are available for play.

(d) participate in all relevant tennis activities.

(e) attend all entertainments and social functions (except in the case of junior members where an event is specifically for adult members); and

(f) bring guests to the tennis club as herein provided.

(2) Associate members shall be entitled to:

(a) attend and speak at all General Meetings but shall not be entitled to vote as per Clause 8 (6) of the Constitution.

(b) play on the tennis club courts at the times decided upon by the management committee subject to their member category's playing rights.

(c) participate in all relevant tennis activities.

(d) attend all entertainments and social functions (except in the case of child members where an event is specifically for adult members); and

(e) bring guests to the tennis club as herein provided.

6. APPLICATIONS FOR MEMBERSHIP

(1) Management Committee to Approve Applications

The Management Committee may at its absolute discretion approve or reject an application by a member to change his or her membership classification.

(2) Applicants Under 18 Years of Age

No person under 18 years will be admitted to any class of membership other than Junior or Child Membership.

(3) Application Form

Application for membership shall be made in writing and shall be in such form as the Management Committee may prescribe from time to time. Each application shall be subject to the approval of the Management Committee.

7. TERMINATION OF MEMBERSHIP

A person's membership of the Club will terminate:

(1) Upon receipt by the Secretary of a written notice of resignation.

(2) On the 31st of December if the member has not paid annual subscription fees; or

(3) On any other terms as described in the Constitution.

8. CASUAL PLAYERS

Casual players are welcome at certain organised playing sessions and shall pay the prescribed fee, as determined by the Management Committee, before the commencement of play, and shall comply with all UWATC Rules. Properly recorded Casual fees may be credited towards a Club Membership.

9. CLUB MANAGEMENT

(1) Management Committee

The Management Committee will consist of the following positions:

a) Chairperson (President)

b) Deputy Chairperson (Vice President)

c) Secretary

d) Treasurer

e) Ordinary Committee Members (a minimum of one) being:

i. UWA Student Representative

ii. Adult League Coordinator

iii. Social Coordinator

iv. Junior Coordinator

v. Additional members as may from time be appointed by the Management Committee to fulfil specific responsibilities or roles.

10. ROLE RESPONSIBILITIES

The primary responsibilities of the officers of the Club's Management Committee are detailed in the Association's Constitution. From time to time, the Management Committee may agree additional roles, which shall be recorded in the Minutes of the Meeting where such responsibilities were agreed.

(1) President (Chairperson)

The President has the powers, duties and responsibilities in accordance with the constitution.

(2) Vice President (Deputy Chairperson)

The Vice President has the powers, duties and responsibilities in accordance with the constitution.

(3) Secretary

The Secretary has the powers, duties and responsibilities in accordance with the constitution; additionally:

- i). Maintain a risk and hazard register including a record of incidents, the investigations arising, and the actions taken.

(4) Treasurer

The Treasurer has the powers, duties and responsibilities in accordance with the constitution; additionally:

- i). Report to each meeting of the Management Committee on the accounts and budgets and tender recommendations thereof.

(5) Student Representative

The Student Representative is an Ordinary Committee Member with the specific task of being a member of, and representing the club, at the UWA Sport Student Council, which occurs quarterly. The Student Representative must be a current full-time student of UWA. The Student Representative will also carry out other delegated Ordinary Committee Member tasks in addition to representation at the Student Council.

- a) Act as liaison between Club & UWA Student body for UWA affiliated sports club combined events and UWATC student initiatives.
- b) Attend Management Committee meetings
- c) Co-ordination of O-Day, O-Week, Open Day and/or Student Carnival events for UWATC.

(6) Ordinary Committee Members

Ordinary Committee Members (OCMs) are committee members who are not office bearers but help in the management and running of the club. Their duties may include:

- a) Prepare a social calendar for the Membership Year.
- b) Be responsible for and arrange food catering and provision of bar facilities for tennis, social and other events as listed on the social calendar or as otherwise subsequently arranged.
- c) Report to the Management Committee as soon as practicable after the conclusion of each event detailing receipts and expenditure and any recommendation or comments in respect thereto.

- d) In consultation with the Club Coach, arrange Junior Club social play, intra-club tournaments and inter-club events and arrange Junior Club league teams as organised by Tennis West.
- e) Participate in the management of the Social Tennis and UWA-associated tennis events.
- f) Arrange other activities to promote and develop Junior Club members within the Club and community.
- h) Arrange social play and social functions.
- i) Assist in the recruitment of and liaison with new members.

11. OTHER RESPONSIBILITIES

Other responsibilities that may be allocated to members of the Management Committee, sub-committees, or to individual members include:

- a) Health & Safety
- b) Bar Manager
- c) Delegate of the Club to another Association
- d) Manage Club's Social Media and Website
- e) Sponsorship management

12. CLUB COACH

The Club Coach has responsibilities as outlined in their contract.

13. FINANCIAL MANAGEMENT

1. Annual Budgets

The Treasurer will prepare the following annual budgets for tabling to members at the Annual General Meeting.

Operating Budget: The Management Committee is to prepare an operating budget for the Club for the coming financial year. The budget is to be tabled at the Annual General Meeting of the Club. The budget is to include a schedule of proposed Annual Fees for the information of members. The General Meeting may provide advice on the budget for the consideration of the Committee.

2. Financial Reporting to Annual General Meeting

The Treasurer is to prepare a statement of income and expenditure of the Club, both for operations and capital expenditure, and table this at the Annual General Meeting. The statement is to show against each item, both the budget prepared for the year and the actual income or expenditure for the year.

3. Reimbursement of Expenses

Members who incur expenses on Club business, are entitled to be reimbursed. Appropriate records or receipts must be kept and provided at the time of reimbursement.

4. Reimbursement of Estimated Expenses

Where a Member incurs frequent costs of a recurring nature, such as in the regular use of their own vehicle for transporting goods for the Club, and there is an advantage to the Club in reducing the administrative work of reimbursing the member for those costs, the Treasurer may decide and direct the payment of an annual or monthly sum to the Member that reflects the estimated total of the recurring expenses. The decision to make such a payment and the amount and frequency of payments is to be recorded in the Minutes of the Committee Meeting.

5. Petty Cash

At the discretion of the Treasurer, Petty Cash advances may be granted to the Secretary and any other Officer approved by the Treasurer as required. The amount advanced can only be changed with the sanction and consent of

the Treasurer. Petty Cash payments must be accompanied by a Petty Cash form (signed by Treasurer) and the original receipt.

Petty Cash should not be used for:

- a) Regular salaries
- b) Regular non-perishable items for the club.

14. COURT USE AND AVAILABILITY

The facilities at UWA Crawley Campus and at Sports Park (Mt Claremont) are operated by UWA Sport. The tennis courts and club rooms are made available to the club in accordance with a Facilities Access Schedule (FAS). The club pays UWA Sport for court use and UWA Sport maintains the facilities. The club has priority in booking courts however both venues are made available and may be booked by other users. The club (through the FAS) ensures that courts are booked for competitions, league play, social play and club organised coaching and training.

Courts may be used by Members (subject member category playing rights) for individually organised play when available. Club members are expected to book in advance with UWA Sport or via

<https://secure.activecarrot.com/public/facility/browse/695/1676>

1. Rules of Tennis

The Rules of Tennis, as adopted by the governing body of Tennis in Western Australia, shall apply to all matches unless otherwise specified by the relevant association or match committee. This shall also apply to tennis etiquette, dress, and code of conduct.

2. Tennis Attire

All persons using the Club courts shall be appropriately attired for the game of tennis. A Player who is not properly attired may be refused access to the courts by any member of the Committee or a person authorised by the Committee.

3. Tennis Footwear

At all times players shall wear suitable tennis shoes that do not damage the courts.

4. Court Use and Priority

a) Courts may be used by Members and their Visitors for individually organised play, except during organised social and competition play, where courts are allocated for use for the benefit of the Club's Coach, or when dictated by UWA Sport. During social and competition play periods, members may not use courts allocated for social or competition play for private matches and are expected to participate in social play unless given specific permission by the duty Captain.

b) At all times other than for competition play, singles players must give way to doubles unless adequate courts are available.

5. Weekend Play

a) On Saturday and Sunday mornings, junior members and group coaching have priority court usage.

b) On Saturday and Sunday afternoons, League (pennants) and social play will share priority of available courts. If there are spare courts available after meeting the needs of both league and social play, then courts may be allocated to individual members use.

6. Closure of Courts due to Surface Condition

In the absence of the Club Coach, any team captain or Member of the Club Committee has the power to declare the courts unplayable if, in their opinion, the courts will be damaged or there is the potential for a player to be injured if they are played upon. In addition, courts may be closed based upon recommendations from UWA Sport or UWA Campus Management.

7. Closure of Courts for Maintenance/Repair

a) Clay and Lawn court bays may be closed to ensure that lawn court playing quality is maintained at a level suitable for League play and tournaments. Additionally, high-use courts located on 'open' bays may from time to time, be rested. During such times, members shall not use the Bays/courts that are being rested.

8. Non-Member Players

a) Non-members may hire courts through UWA Sport.

b) Court hire fees payable by non-members shall be determined by UWA Sport.

9. Access to Club Premises

Access to Club Premises is only permitted upon explicit or implicit authorisation by the Club Committee or UWA Sport.

15. COMPETITION TENNIS

1. Association Rules and By-Laws

Competition tennis shall be played as specified by the Rules and By-laws of the relevant tennis association.

2. Eligibility for Teams

All competition players must be financial members of the Club unless otherwise provided for by the Tennis West tennis league rules.

3. Selection of Teams

Teams for competition tennis shall be determined by the Management Committee. Any selection sub-committee may directly approach potential team members if there are not enough names entered on lists to field a team in the appropriate section.

4. Teams for Finals

Where a team is made up of rotating players and no agreement can be reached regarding team players for finals, the players with the best personal scores throughout the season shall play.

5. Team Fines

Teams incurring fines may, at the discretion and direction of the Management Committee, be responsible for paying those fines. Fines incurred by individual players for breaches of the Association Rules, such as not meeting the dress code, are the responsibility of the individual player.

16. ALCOHOL

Alcohol by-laws reflect those set out in the Alcohol Management Policy, guided by UWA regulation, and Good Sports policy. For the Alcohol Management Policy, refer to the separate document.

1. Consumption of Alcohol

Alcohol is permitted to be consumed on the Club premises in accordance with the Club Liquor License.

2. Abuse of Alcohol

a) If, in the opinion of any Club Committee Member or a duly authorised bar staff person, a person is adversely affected by alcohol, the Club Committee Member has the obligation and power to reprimand the person and ask the person to leave the premises and surrounds of the Club.

b) In the event of further trouble caused by an intoxicated patron, an Incident Report must be filed to UWA Sport, and UWA Security may be contacted for assistance in removing the patron from the Club.

c) The event must be reported to and discussed at the next Club Committee meeting where a decision should be taken whether to overlook the event, to further reprimand the person if a member, in writing, to suspend the member or in the ultimate, to terminate the member's membership of the Club.

3. Restricted Licence Conditions

a) The management of the bar may be delegated to committee members, or external persons, subject to compliance by those members with the requirements of LCA 1988. The Secretary shall maintain an up-to-date register of all members approved to run the bar.

b) Liquor shall be sold for consumption on the premises only and in accordance with the conditions of the Club Restricted Licence. No member under the age of 18 years may be admitted to the premises subject to the Club Restricted Licence during the operation of the licence unless in the company of an adult person in authority over him/her.

c) A Member may introduce up to five (5) guests to the Club during the trading hours while in the Member's company.

17. SMOKING

Smoking by-laws reflect those set out in the Smoking Management Policy, guided by UWA regulation, and Good Sports policy. For just the Smoking Management Policy, refer to the separate document.

1. Smoking Regulations

Smoking is strictly not permitted on UWA land and is therefore not permitted on UWA Tennis Club associated land. The nearest place to smoke is Brockway Rd, off UWA land.

2. Breach of Smoking Policy

a) If a person is failing to comply with the Smoking by-laws, Club Committee Members have the obligation and power to reprimand the person and ask the person to leave the premises and surrounds of the Club.

b) In the event of further trouble caused by a smoking patron, an Incident Report must be filed to UWA Sport, and UWA Security may be contacted for assistance in removing the patron from the Club.

18. UWA SPORT

1. UWA Sport Affiliation

UWA Tennis Club shall maintain affiliations with UWA Sport, and abide by UWA Sport, and UWA rules. This includes, but is not limited to, payment of UWA Sport Affiliation fee (if any), promotion and assistance in the running of Tennis events and programs, and representation at UWA events, such as O-Day, Club Carnival, and Open Day.

2. Social Tennis

As a part of the commitment to the focus on UWA Students, Staff and Alumni, Social Tennis on UWA Crawley campus shall continue to be run once a week. Organisation of Social Tennis should be done primarily by OCMs but may seek assistance from all committee members who are UWA students, or the Club Coach.

3. Logo

UWA Tennis Club logo must feature the UWA Sport generic logo, however a club logo is permitted, pending approval by UWA Sport.

4. Facility Management

Any changes to UWA Sport facilities and grounds must first be approved through UWA Sport, and in turn, UWA Campus Management. This includes ongoing court maintenance (but does not include minor maintenance such as sweeping etc.), major clubroom works or major ground works (fences, gates etc.).

5. Incident Report

An Incident Report must be filed in the event of serious By-Law policy breach, UWA Sport or UWA policy breach, or serious medical incident.

19. STANDING ORDERS

1. These Standing Orders shall be applicable to all General Meetings and shall be construed subject to the other provisions of this Constitution and if there be any conflict then such other provisions shall be paramount.
2. Meetings shall, subject to the presence of a quorum, start at the time set out on the notice, and shall, subject to the discretion of the meeting, continue until all business on the Agenda is disposed of.
3. If no quorum is present within 30 minutes of the starting time set out on the notice, the meeting shall lapse, and, subject to any resolution previously passed, the President shall fix the time of the next meeting. All business on the agenda of the lapsed meeting shall be included on the Agenda of the next meeting and shall take precedence over new business.
4. Any Member desiring to speak at General meetings shall rise in his place and when called upon by the Chairperson shall address the Chair. If two or more members rise simultaneously, the Chairperson shall call upon the member who first caught his eye.
5. When the Chairperson rises to speak any member on his feet shall resume his seat.
6. Except in Committee, no Member other than the proposer of a motion or an amendment shall speak to it until it has been seconded. A motion or amendment lapsing for want of a seconder shall not be recorded in the Minutes.
7. A motion or amendment before the Chair shall not be withdrawn except by its mover and by leave of the meeting. No motion shall be withdrawn while any amendment is under discussion or after any amendment has been adopted.
8. A motion or amendment before the Chair may be reworded by the mover subject to leave of the meeting.
9. Except in Committee, no member shall speak more than once to any question, except that the mover of a motion (but not of an amendment) shall have a right of reply, which reply shall close the debate.
10. A Member moving a motion or amendment shall be deemed to have spoken to it. A member seconding a motion or amendment without speaking to it may reserve his right to speak to it subsequently.
11. When an amendment is before the Chair discussion shall be confined to that amendment. No further amendment shall be proposed until the amendment before the Chair has been disposed of.
12. The Chairperson shall, as far as practical, call on speakers for and against a motion or amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment, and there is no member wishing to argue the opposite view or, in the case of a Motion, to move an amendment, the motion or the amendment shall (subject in the case of motion to the mover's right of reply) be put without further debate.
13. No member when speaking shall be interrupted unless called to order when he 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.
14. 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 as follows: "Shall the ruling of the Chairperson stand?" The only person entitled to speak on the question shall be the mover of the question and the Chairperson and then the question shall be put.
15. On an equality of voting, the Chairperson shall declare the question resolved so as to maintain the status quo.

16. A member who has not already participated in the debate may at any time, whether another speaker has the floor or not, move, "That the question now be put" which motion, if accepted by the Chair shall be put without amendment or debate. The Chairperson shall have absolute discretion to accept or refuse the motion. The mover may also of his own volition put the question if he feels that adequate discussion has taken place. In either case the mover of a motion shall retain his right of reply. If an amendment is before the Chair, the closure motion shall be deemed to close the debate on the amendment only.

17. A member may at any time move, "That the speaker be no longer heard" or "That the speaker be heard for a further limited period only". Such motions shall be put without amendment or debate. No other motion, except the closure motion or a motion dealing with the speaker's time, shall be moved while a speaker has the floor.

18. During the discussion of a motion (but not of an amendment) a Member who has not already participated in the debate on the motion may move, "That the question be not now put". This motion shall be open to debate and shall be debated together with the original motion. If carried, the original motion shall not be dealt with further. If lost, the original motion shall be put forthwith, subject to the mover's right of reply. The motion may be foreshadowed while an amendment is before the Chair, but in no case shall it be put until all amendments have been disposed of.

19. A member may move "That the debate (or meeting) be now adjourned". Discussion shall be in order, but only amendments as to time and/or place shall be permitted. The motion shall take precedence over other business before the Chair except points of order.

20. Standing Orders (1) to (19) or any of them, may be suspended by a majority of those present. A motion to this effect shall be open to debate.

21. No member shall reflect on the vote of a meeting, except on a motion for the rescission of any resolution previously adopted. No member shall reflect on a Clause of the Constitution or a Standing Order, except on a motion (of which due notice was given) to amend or repeal such Clause.

22. Notwithstanding anything herein before contained, any decision made by a validly constituted meeting shall not be void by reason only of a departure from these Standing Orders which were not detected until after the decision has been made.

23. Any matters not dealt with in these Standing Orders shall be directed in accordance with the Standing Orders in practice in the Legislature of the State of Western Australia.

Approved at UWATC AGM 12/06/2022

Laurence Upston

Chair person



13/06/22

Michael Rathmann

Secretary