

Whitecraigs Tennis, Squash and Fitness Club Constitution



Name of Club

1. The Club shall be called WHITECRAIGS TENNIS, SQUASH AND FITNESS CLUB (formerly “WHITECRAIGS LAWN TENNIS AND SPORTS CLUB”) and the Club premises are situated at 22 Roddinghead Road, Whitecraigs, Glasgow, G46 6TN.

Objects

2. The objects of the Club shall be the promotion of the games of Tennis, Squash, Racketball and Fitness; and the promotion of any other game or sport provided that the facilities required for such games or sports shall not be to the permanent detriment of the existing facilities provided for the games of Tennis, Squash, Racketball and Fitness; and the promotion of any tournaments, fetes, or other entertainments, and generally any other form of activity which will assist in fostering and maintaining the sporting and social side of the Club.

Membership

3. The membership shall consist of:

- a) **Senior Members** who shall have attained the age of twenty-six years, shall be entitled to use the full facilities of the Club, including the right to play Tennis, Squash and Racketball and use the Gym.
- b) **Gym Members** shall be entitled to use the full facilities of the Gym and the Club but shall have no right to play Tennis, Squash or Racketball and must have attained the age of fourteen years but shall have no voting rights. They must be accompanied by a coach, trainer or parent until they reach 16.
- c) **Student Gym members** (who shall be aged 16 to 25 and be in full time education) will have the same entitlement as Gym members.
- d) **Honorary Members** (who shall have been Senior Members for at least ten years and who may be elected in the Sole discretion of the Management Committee in the light of the merits of each application) shall be entitled to use the full facilities of the Club but shall have no right to play either Tennis or Squash or Racketball or use the Gym unless over 60 years of age and shall have no voting rights.
- e) **Squash Members** shall be entitled to use the full facilities of the Squash Courts (with the right to play Racketball) and the facilities of the Club but shall have no right to play Tennis nor use the Gym (except where the appropriate additional fee has been paid to use the gym) and shall have no voting rights.
- f) **Country Members** (who shall be a Senior Member and who have their Principal residence out with a fifty-mile radius from the Club) may be admitted in the sole discretion of the Management Committee.
- g) **Intermediate Members** shall be persons who have attained the age of nineteen years, and who have not yet attained the age of twenty-six years, by the date of the Annual General Meeting of the Club in the year during which they attain the age of twenty-six years, shall, at the discretion of the Management Committee, have access to all facilities of the Club, but shall have no voting rights.
- h) **Student Members** shall be persons who have attained the age of nineteen years, and who have not yet attained the age of twenty-six years, by the date of the Annual General Meeting of the Club in the year during which they attain the age of twenty-six years, shall, at the discretion of the Management Committee, have access to all facilities of the Club, but shall have no voting rights.
- i) **Off Peak Members** shall be entitled to use the facilities of the Club but will be restricted to playing Tennis, Squash and Racketball and use of the gym only between the hours of 9a.m. to 4p.m. Mondays to Fridays, and between the hours of 5p.m. to 10p.m. on Saturdays and Sundays but shall have no voting rights.

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- j) **Social Members** shall be entitled to use the facilities of the Club but shall have no right to play either Tennis, Squash or Racketball or use the Gym and shall have no voting rights.
- k) **Family membership** is also available comprising of one or two Senior Members and all children aged 18 and under or still in full time education if over 18 but under 26 living at the same address. Only the Senior Members within the family membership will have voting rights.
- l) **Committee Senior Member** shall be elected on to the management committee and have the same voting rights as a Senior Member.

Only Senior, Junior, Intermediate and Student Members are eligible to play team tennis for the Club .

The Committee may define a **Corporate Membership** and shall have power to make such charges as they shall deem appropriate for entrance fees, subscriptions, use of the Club, its facilities and the Tennis, Squash and Racketball courts and Gym and voting rights, if any, associated with such Corporate Membership

4. The various classes of members shall be limited respectively to such number as may from time to time be fixed by the Management Committee, hereinafter referred to as "The Committee". At no time shall the number of Honorary Members exceed fifteen per cent of the number of the Senior Members.

5. Any person who desires to become a Member of the Club must apply via the Club website membership page or in such form as the Committee may from time to time determine. By completing online membership, a member agrees to register with the club database "Clubspark" and read and comply with the terms and conditions of that membership including the Club's codes of conduct and policies.

6. On the successful completion of the online membership, new Members will be required to familiarise themselves with the Club Constitution and Byelaws and Rules of the Club as displayed on the club notice boards or by request of a copy from the office manager. The appropriate entrance fee and annual subscription is payable within ten days of application and until payment of the full amount due is made, a new member shall not be entitled to any of the privileges of Membership. Failing payment within the said ten days, the admission in the opinion of the Committee, may be cancelled. On payment of the appropriate entrance fee and annual subscription, the Member thereby submits himself to the Constitution, Bye Laws and Rules of the Club, and on these conditions alone is entitled to the privileges of Membership.

7a. The Committee shall have power to accept as Mini Tennis Associates such a number (as the Committee shall decide from time to time in their sole discretion) of boys and girls who have attained the age of four years on the date of the AGM of that year, and who have not yet attained the age of ten years, on payment of the appropriate subscription. The subscription for the Mini Tennis Section shall be as agreed at the Annual General Meeting each year. Mini Tennis Associates shall be entitled to play only Mini Tennis, at such times and on such conditions as the Committee in their sole discretion shall decide and not Tennis, Squash or Racketball. On attaining the age of ten years a Mini Tennis Associate shall lose this status, and all privileges pertaining to the Associateship, but, at the sole discretion of the Committee may then proceed to Junior Associateship (aged 10-18) on the conditions stated in sub-section (b) hereof.

7b. The Committee shall have power to accept Junior Associates boys and girls who have not yet attained the age of nineteen years, on payment in advance of the appropriate entrance fee then in force and annual or direct debit subscription. Junior Associates shall be entitled to play Tennis, Squash or Racketball at such times and on such conditions as may be regulated from time to time by the Committee.

7c A Junior Associate on attaining the age of nineteen years, shall cease to be a Junior Associate and shall transfer to Intermediate Membership, or Student Membership for so long as they are in full time education. An Intermediate Member on attaining the age of twenty six years shall cease to be an Intermediate Member or Student Member and shall be entitled to become a Senior Member (subject to provisions of paragraphs 5 and 6) on payment of the appropriate entrance fee then in force (subject to such moderation as may be made in terms of paragraph 11) and annual subscription, under deduction of the entrance fee then in force for an Intermediate Member and any subscription already paid as an Intermediate Member or Student Member in the financial year (as defined in paragraph 26) in which he or she attained the age of twenty six years.

8. Ladies or Gentlemen temporarily resident in the area may in the discretion of the Committee be eligible for Temporary Associateship for a period not exceeding one year on payment in advance of such subscription as may from time to time be fixed by the Committee. Applications for admission to Temporary Associateship shall be made and dealt with in terms of paragraphs 5 and 6 hereof. Temporary Associates shall not be entitled, without the consent of the Committee, to take part in the Club Competitions or to introduce visitors.

9. Junior and Temporary Associates and Intermediate Members on admission submit themselves to this constitution and the Bye-laws and Rules of the Club. They shall be subject to the authority of the Committee and may have their privileges summarily modified, suspended or withdrawn without reason given. The number of Junior and Temporary Associates and Intermediate Members admitted and the conditions of their admission shall, as may from time to time, be fixed by the Committee.

10. Only Senior Members, who have paid their first year's annual subscription in full either by single payment or 12 months of continuous direct debits, shall have right to, or interest in the property of the Club, liability for its obligations and a voice in its management and be entitled to vote at any meetings of the Club. All other membership categories including Honorary members shall be entitled to attend all general meetings of the Club but shall have no right to vote at any such meetings.

Entrance Fees and Subscriptions

11(a) The annual subscription rates and the annual subscription rates set for subscriptions paid by Direct Debit shall be agreed at the Annual General Meeting or a General Meeting called in accordance with paragraph 29. each year.

(b) The Committee shall have power to make such charges as they shall deem appropriate for entrance fees and for entrance fees and for late payment of subscriptions, and for the use (by Members and Visitors) of the Tennis, Squash and Racketball Courts and use of the Gym.

12. The annual subscriptions shall be payable in advance or by direct debit, and if unpaid within one month of the due date as per their annual invoice shall be considered in arrears and liable for a late payment fee. The name of any member or Associate, who neglects to pay his /her subscription prior to the due date, may be posted in the Clubhouse. If the Subscription is still unpaid within two months of the due date, the Member or Associate shall, seven days after written notice from the Secretary cease to be a Member or Associate but shall remain liable equally with the other Members for all debts and obligations of the Club. Members or Associates who have lapsed in respect of payment of their subscriptions may, in the discretion

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of the Committee, be allowed to resume their membership or Associateship on payment of a modified sum (to be fixed by the Committee in their sole discretion) in the name of entrance fee.

13. Cessation of Membership or Associateship in terms of the foregoing paragraph shall not preclude the Committee from suing for and recovering any subscription unpaid by any Member or Associate.

14. No Member who is in arrears of his subscription shall be allowed to vote or take part in any discussion of any motion or question before the Club, or to participate in any of the privileges of the Club.

15. The Committee may make a refund or allow the cessation/suspension of the direct debit to a Member who becomes unable to use the Club for a substantial part of their membership year on account of injury, illness or departure from the local area. The amount and timing of the refund or cessation/suspension of the direct debit is at the sole discretion of the Committee.

Resignation of Members

16. Any Member or Associate wishing to resign must intimate his or her resignation to the Secretary in writing.

Withdrawing and Re-joining

17. Any Member or Associate, not in arrears of subscription having resigned may be readmitted within a twelve month period (subject to provision of paragraph 5 hereof) on payment of a re-joining fee, equivalent to three months of the desired membership level, plus the annual subscription eligible at the date of his or her application for re-admission. Should twelve months have passed at the time of requested readmission (subject to provision of paragraph 5 hereof), the three month re-joining fee will be waived.

Suspension and Expulsion

18. The Committee shall have power to suspend or expel any Member or Associate whose conduct appears to them to endanger or prejudice the character, interest or good order of the Club or who acts in contravention of its Constitution, Bye Laws and Rule. Any Member or Associate suspended or expelled shall have the right to appeal to a Special Meeting of the Club, whose decision shall be final. Notice of such appeal must be given to the Secretary within twenty-one days of such suspension or expulsion, otherwise the right will lapse. On receipt of such notice the Secretary shall call the Special Meeting (to which the provision of paragraph 28 and 29 hereof shall refer) within twenty days. An expelled Member or Associate shall forfeit all interest in the Club and its property and assets as at the date of expulsion by the Committee or on the date of appeal to a Special Meeting of the Club, if unsuccessful.

Office-Bearers and Committee

19. The Business and affairs of the Club shall be under the Management of the Committee, which shall consist of the President, Vice President, Secretary and Treasurer (who shall be Office-Bearers of the Club) the retiring President, ex officio and up to nine other Senior Members, or such other Members as the Committee may co-opt.

20. The Committee may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they may think fit, subject to the provision in paragraph 31 hereof. At no time shall there be an

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interval exceeding eight weeks between any two meetings of the Committee. Four Members of the Committee shall form a quorum.

21. The Office-Bearers and the Committee shall be elected at the Annual General Meeting of the Club. All Office-Bearers and three Members of the Committee shall retire annually, except that the President for the time being may hold office for either one or two years. The Committee Members to retire in each year shall be those who have been longest in office their last election. All retiring Office-Bearers and Committee Members are eligible for re-election or for the election to the Committee in another capacity.

22. In the event of a Committee Member retiring at any time prior to the expiry of his or her appointment in terms of paragraph 21 hereof, the Committee may co-opt another Member of the Club to fill the vacancy. This appointment shall subsist only until the date of the expiry of the appointment of the retired Committee Member or the date of the First Annual General Meeting after the retirement, whichever date is the earlier. In the event of an Annual General Meeting intervening, an election will be held to appoint a Member of the Club to serve the unexpired portion of the retired Committee Member's term. The Member who was co-opted by the Committee to fill the vacancy is eligible to contest this election.

23.(a) Nominations for the Office-Bearers and Committee Members must be in the hands of the Secretary, signed by at least two Senior Members of the Club, not later than seven days before the Annual General Meeting, and when received shall be posted on the Notice board in the Clubhouse. At least one month's previous notice shall be given on the said Notice Board of the last day for receiving nominations.

(b) In the event of the number of nominations of Members for election to the Committee intimated in terms of the immediately preceding paragraph not being sufficient to fill the vacancies then occurring in the Committee, it shall be competent at the Annual General Meeting to nominate additional Members of the Club to fill such vacancies. In the event of the number of nominations received in terms of this and the immediately preceding paragraph then being in excess of the number of vacancies occurring, and a vote resulting, such vote shall be confined to the nominations made at the Annual General Meeting.

24. (a) The Committee shall conduct the whole general business of the Club and shall exercise the fullest powers in regard to the management, including the appointment of Sub-Committees and the conveners thereof.

(b) The President and Secretary shall be ex officio Members of the Sub-Committees.

(c) The General Committee shall have power to make, alter and repeal all such Bye-Laws and Rules as they may deem necessary or expedient or convenient for the proper conduct and management of the Club. All such Bye-Laws and Rules, and alterations thereto, shall be deemed to be sufficiently intimated when communicated by e-mail and posted on the Notice Board in the Clubhouse and shall be binding on every Member and Associate.

(d) Any deed, Instrument or other Document of which the Club is party shall be sufficiently executed on behalf of the Club if it is signed by any two of the Office-Bearers or in the absence of two office bearers one Office-Bearer and any convenor, who is also a senior member of the Club, for the time being.

(e) The Treasurer or Secretary for the time being shall, on receiving the instructions of the Committee to do so, be empowered to represent the Club in any litigation.

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(f) No member of the Club shall be at liberty to make any disbursements or incur any liability whatsoever in the name of or on the behalf of the Club without the authority of the Committee.

(g) The Committee shall have relief from the Members of the Club for all obligations undertaken by them on behalf of the Club.

25. The Treasurer shall prepare a Statement of Accounts made up to the 31st December in each year, showing his intromissions with the funds of the Club, which Statement shall be submitted by the Treasurer, together with his Report thereon, at the Annual General Meeting. An independent examination of these statements shall be performed by suitably qualified accountants independent of the management committee who shall be appointed for ensuing year at each Annual General Meeting.

26. A Patron and an Honorary President, who shall be persons who have performed outstanding services to the community, or to Tennis or Squash or Racketball, or to the Club, shall be appointed at the Annual General Meeting each year, but they shall not by virtue of office have any voice in the management of the Club.

27. The Annual General Meeting of the Club shall be held in the months of February or March (the place and date of the Meeting to be fixed by the Committee) when a Report by the Committee of Management on the activities of the Club in the preceding year, together with the Treasurer's Report and Accounts for the year ending 31st December preceding shall be submitted.

28. The Committee shall have power to call Special Meetings of the Club and also shall be bound to call such Meetings within twenty days of receiving a written requisition signed by at least ten per cent of the Senior Members on the roll and stating the business to be considered.

29. At least seven days notice of all General and Special Meetings of the Club shall be given by the Secretary to all Senior Members of the Club. Notice shall be deemed to be given when communicated by e-mail and posted on the Notice Board in the Clubhouse. At all General Meetings of the Club, fifteen Senior Members shall form a quorum and at all Special Meetings called by requisition in terms of paragraph 28 hereof, thirty Members shall form a quorum.

30. At all meetings of the Club and at all Committee Meetings, the President, whom failing the Vice-President, shall take the Chair. Failing both, the Meetings shall elect a Chairman. At all Sub-Committee Meetings the Convenor shall take the Chair. The Chairman shall have a casting vote, as well as a deliberative vote at all Meetings of the Club, the Committee and Sub-Committees.

Club Licence

31. The sale and supply of alcoholic liquor in the Club premises shall be governed by the following regulations:-

(a) The sale and supply of alcoholic liquor in the Club premises shall be managed by a Bar Committee led by the Bar Convenor and any other members of the Club co-opted to the Bar Committee by the President or in his absence the Committee.

(b) No Member of the Committee or Bar Committee and no manager or servant employed in the Club shall have any personal interest in the sale of alcoholic liquor therein or in the profits arising from such sale.

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(c) Alcoholic liquor shall only be sold or supplied in the Club premises to:-

(i) Members and Temporary Associates of the Club aged 18 and over who have paid their subscriptions for the year during which they use the premises.

(ii) Visitors, subject to the provisions of paragraph 31(h).

(iii) No alcoholic liquor shall be sold or supplied in the Club to any person under 18.

(d) The Bar Committee shall, subject to the approval of the Committee, fix the prices at which alcoholic and non-alcoholic liquor shall be sold in the Club premises.

(e) The permitted hours for the sale of alcoholic liquor shall be those authorised by or in terms of the Licensing (Scotland) Act 2005 or any statutory modification or re-enactment thereof. Declaring that the General Committee may by Bye-Laws regulate the hours for such sale within the provisions of the said Act.

(f) Members and Temporary Associates shall pay every expense they incur at the Club premises before leaving, and no account shall be opened by, or credit allowed to any Member or Temporary Associate.

(g) Visitors shall not be supplied with alcoholic liquor in the Club premises unless on the invitation and in the company of a Member or Temporary Associate (subject to the provisions of paragraph 8 hereof) who shall, on the admission of such visitor to the club premises, enter his or her own name and the name and address of the visitor in the Visitor's Book which shall be kept in the premises for this purpose, and which book shall show the date of the visit. It is provided, that a Member or Temporary Associate may not introduce any visitor who has been expelled or suspended from the Club unless otherwise agree by prior approval of the Committee.

(h) The Bar Committee shall have power, subject to the approval of the Committee, to employ such servant or servants as are required for the purpose of the supply and sale of alcoholic liquor in the Club premises. Should there be any cause for complaint against any Club servants so employed, Members or Temporary Associates are to make their complaint in writing to the Convenor of the Bar Committee.

(i) Neither the Committee, the Bar Committee, nor the Club nor any person connected with it shall be responsible to any member, Temporary Associate, Visitor, Guest or any other person for the loss of any or other property or valuables in the Clubhouse or grounds.

(j) The Bar Committee shall be responsible for the control of stock and the maintenance of such records relating to the purchase and sale of liquor as may be required by the Committee.

Property

32. The heritable property belonging to the Club shall be vested in the President, Vice President, Treasurer and Secretary for the time being as Trustees acting for and on behalf of the Club, and any deeds and writing on behalf of the Club shall be sufficiently executed if signed by the Trustees, or by any two of them. The Club may acquire or dispose of land or buildings by purchase, feu, lease, or excambion, and may borrow for the purpose of the Club on the security of its property by Standard Security, Bond Assignment in Security,

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Bill, Floating Charge, Debenture or otherwise as necessary and the Committee shall take the necessary steps to have the various authorised transactions carried through.

33. The property, effects and monies of the Club shall, after providing for all the debts and obligations of the Club, belong to the Senior Members equally during Membership, but the right to interest of each such member in the nett assets shall be personal and limited to himself and shall expire with his Membership and shall not be assignable or arrestable or pass to his executors.

Liability of Members

34. A majority of Members present at any Meeting of the Club, of which due to notice has been given, shall have power from time to time to assess the whole of the Senior Members for payment equally of such sum as may be considered necessary to liquidate the obligations of the Club, and such members failing to make payment of their shares within one month after the date of notice intimating payment of the same shall cease to be Members of the Club, and their names to be struck off the Roll of members, but they shall notwithstanding remain liable for their shares of the said assessment and for the debts and obligation of the Club generally.

Dissolution of Club

35. The Club shall not be dissolved except by Resolution passed at a Meeting called in terms of paragraphs 27, 28, 29 and 30 hereof, at which there must be present at least three fourths of the Senior Members of the Club, and the Resolution shall not be carried unless upon a motion supported by at least seven eighths of those present.

Alteration of Constitution

36. No alterations shall be made on the foregoing Constitution except at the Annual General Meeting or at a Special General Meeting called for the purpose, and the notice calling such Meeting shall state the alterations proposed to be made, and no such alteration shall take effect unless it is supported by two thirds majority of those present. At all Special General Meetings of the Club, fifteen Senior Members shall form a quorum. Any Senior Member desiring to move an alteration upon the Constitution at an Annual General Meeting must intimate the terms of his motion to the Secretary in writing no later than 21 days prior to the date for such Meeting. The Committee shall have power to call a Special General Meeting by the Secretary giving at least 7 days notice to all Senior Members of the Club. Notice shall be deemed to be given when communicated by e-mail and posted on the notice Board in the Clubhouse.

37. Postal votes (including by email), in order to be valid must be in the hands of the Club Secretary/Office before the commencement of the meeting at which the vote to which they relate is to take place and clearly indicate the Voting Member's intention. This applies to all meetings called in accordance with paragraphs 27, 28, 29, 35 and 36.

37. The use of the masculine gender in this constitution shall be deemed to include throughout the feminine gender.

Reprinted after the Annual General Meeting Thursday 25 March 2021.