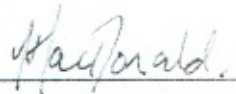


Attached marked "A" is a true copy of the Constitution/Rules of POMPALLIER LAWN
TENNIS CLUB INCORPORATED adopted on the 13th day of November 2019.

PRESIDENT
NATHAN MACDONALD

Signature 

SECRETARY
CHRISSE COBB

Signature 

COMMITTEE MEMBER
CRAIG SQUIRE

Signature 

"A"
RULES

Of
POMPALLIER LAWN TENNIS CLUB INCORPORATED
(founded 1965)

1. **THE NAME** of the Club shall be **POMPALLIER LAWN TENNIS CLUB INCORPORATED**, hereinafter referred to as ("the Club")
2. **THE CLUB** shall consist of
 - a. All persons who are members of the Club at the date of the adoption of these rules, and
 - b. All persons who shall hereafter become members in accordance with the provisions of these rules
3. **THE COLOURS** shall be green and white
4. **THESE RULES** shall replace the former rules of the Club and the amendments to these rules and the former rules are hereby rescinded. Any dispute and matter arising before the coming into force of these Rules shall be determined in accordance with the new Rules
5. **THE OBJECTS** of the Club are
 - a. To foster promote control and advance the game of Lawn Tennis and the playing of same
 - b. To promote and encourage other sporting and cultural interests of members, the interest and welfare of the Club (introducing and holding of social functions for members of the Club), and to do anything conducive to attaining these objects, whether they be conducted a the Club's premises or at other venues
 - c. To Provide, maintain and improve existing facilities, to acquire new facilities, equipment, licences and permits necessary when required to promote the objects of the Club, and in particular without limiting the generality of this object, to buy or otherwise acquire, sell, improve, arrange, develop, exchange, lease, let, rent, mortgage, change, dispose of or otherwise deal with any real and personal property of all kinds, or any interest therein, and to invest, deal with, or turn to account all or any part of the Club's property or rights as may be considered advisable for the carrying out of the objects of the Club any part of the Club's property or rights as may be considered advisable for the carrying out of the objects of the Club
 - d. To borrow or raise or secure the payment of money in such manner as the Club shall think fit, charged upon all or any of the Club's property,

both present and future, and to control and dispose of the funds and property of the Club

- e. To affiliate, amalgamate, join or co-operate with any body or persons (whether incorporated or not) having objects (whether primary or ancillary) compatible with those expressed in this constitution
- f. To take such other steps in pursuance of these Rules as may from time to time be deemed expedient or necessary to promote and/or protect the interests of the Club
- g. **To promote excellence, integrity and commitment to Mercy values in all organisational and sporting endeavours including to:**

Respect for Human Dignity

- **acknowledge the unique qualities and gifts of each person**

Service

- **contribute to the tennis community of New Zealand**
- **give our best for ourselves and for others**
- **be welcome and hospitable**
- **share our talents and abilities**

Compassion

- **show understanding to each other**
- **respect and care for our environment**

Justice

- **act with honesty and integrity**
- **show fairness with others**
- **take responsibility for our actions**
- **stand up for what is right and good**

and to enhance the Catholic character of the Club through the enactment of these Mercy values

- h. Generally, to do by all lawful means such acts, matters, or things as may be incidental or conducive to the attainment of all or any of the above stated objects

6. MEMBERSHIP OF THE CLUB

- a. Categories of Membership

- i. **Senior Membership** – Ladies and gentlemen over the age of eighteen years on the 31st day of December in the financial year in which the application for membership is made may be admitted as full playing members termed Senior in accordance with the Rules and by-laws of the Club. Senior members shall be entitled to full playing rights and may exercise voting rights in accordance with the Rules and by-laws of the Club
- ii. **Non-Playing Membership** – Ladies and gentlemen may be admitted as Non-playing members in accordance with the Rules and by-laws of the Club, at the Committees' discretion but shall have no playing rights and no voice in the management of the club
- iii. **Limited Membership** – Ladies and gentlemen may be admitted as Limited members with restricted playing rights and restricted rights to use of Club facilities in accordance with the Rules and by-laws of the Club at the Committees discretion. Limited members shall have no voice in the management of the Club. There may be more than once category of Limited Membership (e.g. Midweek Members)
- iv. **Junior Membership** –
 1. Ladies and gentlemen under the age of eighteen years on the 31st day of December in that Club financial year in which the application for membership is made may be admitted to the Club as playing members termed Juniors
 2. Every junior member may continue as a Junior member during each Club financial year in which as at the 31st day of December he or she shall be under the age of eighteen years
 3. Junior members shall have no voice in the management of the Club and shall be subject to the by-laws of the Club with regard to play
 4. There may be more than one category of Junior Member based on age as at the 31st day of December in the relevant Club financial year
 5. Each such category may be different playing rights and/or privileges attaching and have different subscriptions e.g. Intermediate Members
- v. **Life Members** – Members of the Club may be admitted to Life Membership on the recommendation of the Committee, in recognition of distinguished and valuable service rendered by such members to the Club and, except only in exceptional circumstances, rendered over a period of years

- vi. **Family Memberships** – Are to be available to
1. Any single Lady or single Gentleman who is over the age of eighteen years on the 31st day of December in the Club financial year in question, or
 2. Couples consisting of a Lady and a gentlemen one of whom is over the age of eighteen years on the 31st day of December in the relevant Club financial year **and** who are then either married or living in a stable de facto relationship of at least two years duration, **together with**, in respect of each such single person or couple –
 3. A child or children, numbering not more than three in aggregate, who shall in each case
 - a. Be under the age of eighteen years on the 31st day of December in the relevant Club financial year, and
 - b. Be issue of or adopted by such single person or be issue of or adopted by on or both of such couple
 4. For the purposes of Family Memberships, each and every one of such family members who is over the age of 18 years as at the 31st December in the relevant Club financial year shall be deemed to have and enjoy all the rights and privileges and to be subject to all those restrictions attaching to Senior membership provided however that in case that a couple (as defined in subclause 6.1.6. (b)) is part of any Family Membership then they may between themselves exercise only one vote at general meetings of the Club, although they may both serve as officers of the Club or on the Committee, and
 5. Any such family member who is under the age of 18 years as at 31st December in the Club financial year in question shall be deemed to have and enjoy all the rights and privileges and to be subject to all those restrictions attaching to Junior membership
- vii. **Committee Membership** – Members of the Committee may be awarded a Senior membership for the year in which they sit on the Committee, in recognition of valuable service rendered to the Club.
1. Committee Memberships can only be granted for one season at a time
 2. The Senior membership subscription can either be fully or partly waived

3. Recommendation of a Committee Membership shall be decided by the Committee and submitted to the next Annual General Meeting of the Club. A ballot of members present at the meeting shall be taken on the recommendation, and a 66.6% majority of those present and voting shall be required for the membership to be granted
- viii. **Honorary Membership** - Members of the Club may be awarded a Senior membership on the recommendation of the Committee, in recognition of a valuable service rendered by such members to the Club
1. Memberships can only be granted for one season at a time
 2. The Senior membership subscription can either be fully or partly waived
 3. Recommendation of an Honorary Membership shall be decided by the Committee and submitted to the next Annual General Meeting of the Club. A ballot of members present at the meeting shall be taken on the recommendation, and a 66.6% majority of those present and voting shall be required for the membership to be granted

b. Admission to Membership (other than Life Membership)

- i. Any person wishing to become a member of the Club shall submit to the Secretary of the Club an application for membership in the form and on the then current terms as prescribed by the Committee
- ii. The Secretary shall place all applications for membership before the next Committee Meeting for consideration by the Committee
- iii. New members shall be admitted to membership by resolution of the Committee which may at its sole discretion, accept, defer or reject any application for membership. The Committee shall not be required to give any reason for rejecting or deferring any application for membership. The admission of new members may be subject to one or more conditions (which may include payment of a joining fee and/or the annual subscription) as the Committee shall in its absolute discretion choose to impose
- iv. The Committee shall not be required to admit any persons to membership in order of the date of their respective applications for membership or in any particular order, and the Committee shall be free to exercise its discretion in the best interests of the Club to give priority to any particular class of members or age group in establishing its criteria for

admission of new members and may give priority to any particular person or persons and in every such case without being bound to give any reason for do doing

c. Admission to Life Membership

- i. Any member on the recommendation of the Committee may be elected a Life Member of the Club in recognition of distinguished and valuable service rendered by such member to the Club which, except only in most exceptional circumstances, shall have been rendered over a period of years
- ii. The recommendation of the Committee shall be submitted to the next Annual General Meeting of the Club. A ballot of members present at the meeting shall be taken on the recommendation, and a 66.6% majority of those present and voting shall be required for the person recommended to become elected
- iii. Any member elected a Life member shall, following his or her election and during his or her lifetime, be entitled to enjoy all the privileges of the Club including the right to vote as an Ordinary member without payment of subscription and the right to be elected to office

d. Compliance with Rules

- i. Any person becoming a member of the Club shall thereby impliedly undertake to comply with these Rules and any by-laws of the Club
- ii. All members of the Club while on the premises of the Club or while engaged in the playing of tennis representing the Club shall behave in a responsible and seemly manner and in accordance with the accepted standards of good sportsmanship and shall not behave in a manner that could adversely prejudice the reputation of the club or bring the game of tennis into disrepute
- iii. All members shall strictly observe the Rules and by-laws of the Club and the lawful decision and/or instructions of the Committee and the lawful and reasonable instructions of every office or Committee member
- iv. The Committee shall be responsible for enforcing the rules of the Club and shall have the power to impose penalties on members who breach the Club Rules – including, but not limited to, the imposition of fines and the requirement of reimbursement of damage

- v. Without in any way limiting its said powers the Committee shall have the following specific powers
 - 1. The power to expel members who breach the Club Rules in which case the expulsion shall be in accordance with and subject to Rule 6.5.3. of these Rules
 - 2. The power to suspend some or all of a member's membership rights for such period as the Committee thinks fit
 - 3. The power to suspend members rights to play Interclub, Club Championship events and Club Tournaments on such terms as the Committee thinks fit
 - 4. The power to impose of fines and/or require reimbursement of damage or loss
- vi. Before exercising any of its powers pursuant to the Rules the Committee shall notify the member who has allegedly acted in breach of the Rules of the following matters
 - 1. Full particulars of the complaint
 - 2. The time and place of the meeting at which the complaint will be considered
 - 3. The member's right to attend the meeting and to make submissions in writing in the absence of an appearance
 - 4. Where the complaint involves a junior member the notice shall in addition be sent to the member's parents who shall also be entitled to attend the meeting or make representations in writing in the absence of an appearance
- vii. Any member who is affected by any decision of the Committee in relation to any alleged breach of the Rules shall be advised of the decision of the Committee either at the meeting or as soon after the meeting as possible may conveniently be
- viii. The committee shall have the power to appoint a Sub-Committee to adjudicate on matters involving breaches of the Club Rules and in the event of a Sub-Committee being appointed for this purpose then all reference to "Committee" in Rules shall apply mutatis mutandis to the Sub-Committee

- ix. A right of appeal shall exist from any decision of the Committee to an Appeal Committee comprising not less than three and not more than five of the following persons
 - 1. Past President of the Club,
 - 2. Life Members of the Club,
 - 3. The President of the Club or his nominee,
 - 4. The Hon Lawyer to the Club (not being a Committee member)
 - 5. Nominees of the President who shall not number more than three

- x. The Following Rules shall apply to appeals
 - 1. Notice of intention to appeal must be given in writing to the Club Secretary within 10 business days from the date of notification of the decision to the member concerned. Otherwise the decision of the Committee or Sub-Committee (as the case may be) shall be final and binding in all aspects
 - 2. The Secretary shall forthwith arrange for the appointment of the Appeal Committee and for the time and place of the appeal hearing
 - 3. The members of the Appeal Committee shall each be entitled to one vote. The Appeal decision shall be based on a majority vote. If voting is tied then the decision of the Club Committee shall stand
 - 4. Any decision of the Appeal Committee shall be final and binding in all respects and there shall be no further right of appeal

e. Suspension and Termination of Membership

- i. **By resignation** – A member may withdraw from the Club by tendering his or her resignation in writing to the Secretary, provided that all monies owing by the resigning member to the Club have been paid

- ii. **For non-payment or subscription** – The Committee may remove from membership any member who, after the due date set by the Committee, is in arrear with his Annual Subscription, provided that the member so in arrear shall be given at least fourteen clear business days' notice in writing by

the Secretary or Treasurer of an intention to bring the member's default to the attention of the Committee. Such notice shall be deemed to have been properly given if sent by post to the last known address of the member

iii. **By expulsion** – Any member who

1. Commits a breach of these Rules or of the by-laws of the Club, or
2. Refuses or fails to observe and comply with any lawful decision or instruction of the Committee, or
3. Refuses or fails to observe and comply with any lawful and reasonable instruction of any officer of the Club, or
4. Whose conduct whether on Club premises or elsewhere is in the opinion of the Committee such as to render him unfit to be a member

may be suspended by the Committee from membership and shall be rendered liable to expulsion by the Committee in terms of and subject to the relevant provisions of Rule 6.4.

- iv. Upon any person ceasing for any reason to be a member of the Club his name shall be struck off the register of members and the reason therefor shall be entered in the register of members and signed by the Secretary. The member so expelled shall nevertheless remain liable for all moneys subscriptions levies and liabilities whatsoever due or accruing due by him to the Club prior to the day on which he was suspended
- v. No member suspended or ceasing to be a member as foresaid shall have any right of action against the Committee, any Officer, any Committee Member or any member of the Club in respect of or arising out of such suspension or ceasing to be a member

7. OFFICERS AND COMMITTEE

- a. **Officers** – The Officers of the Club shall consist of a Patron, President, Club Captain, Secretary and Treasurer and may also include one or more Vice President and a Second Club Captain. The Officers of Secretary and Treasurer may be help contemporaneously by the same person. The number of Vice Presidents shall be not more than three
- b. **Patron** – The office of Patron shall be held by such person or persons as the Club elects at each Annual General Meeting. The office of

Patron shall cease to be held as aforesaid upon the death or resignation of the holder of the office for the time being, or if the Club shall resolve by Special General Meeting by a 66.6% majority of members present at such meeting

c. Committee –

- i. **Composition** – The Management of the Club shall be vested in the Committee, consisting of the President, Vice President(s) (if any), the Club Captain(s), the Secretary, the Treasurer and general Committee members, the numbers of who shall be determined by the Annual General Meeting but who shall not exceed 11. The immediate Past President shall be entitled to attend Committee meetings but shall have no voting rights
- ii. **Eligibility** – Only senior members who are not in arrears with their subscriptions and Life Members shall be eligible for election as Officers or Committee members
- iii. **Quorum** – A quorum of the Committee shall consist of 5 officers or members of the Committee personally present provided that the Committee may act by less than 5 officers and/or Committee members but only for the purpose of filling one or more vacancies in its number
- iv. **Chairperson** – The President, when present, shall preside at all meetings of the Committee, Failing his attendance within fifteen minutes of the time for commencement of the meeting, then one of the Vice Presidents (if any) shall chair the meeting. If neither the President or any Vice President is present within the aforesaid fifteen minutes, then a Chairperson shall be found from amongst those present and he shall preside for the whole meeting

The Chairperson of any meeting shall be entitled to a casting vote as well as a deliberative vote

- v. The Committee shall meet at such times as shall be necessary for the efficient transaction of business
- vi. The President may, at any time of his own motion, and the Secretary shall upon a requisition in writing of either the President or not less than five members of the Committee, convene a meeting of the Committee and give not less than two clear business days' notice thereof in writing to all members of the committee. If at any time the Secretary shall refuse or neglect to convene a meeting of the Committee within five business days after having received a requisition so to do as aforesaid, then the members of the Committee presenting the requisition may convene a meeting of the Committee by giving not less than three clear business days'

notification thereof in writing to all other members of the Committee

- vii. **Exclusion of Committee Member** – Should any member of the Committee fail to attend four consecutive meetings of the Committee without giving a reason for his or her absence which shall be acceptable to the Committee, or if any member of the Committee shall become incapable of acting in his office or position, then the Committee shall have the power to declare such Committee member's position on the Committee vacant
- viii. **Casual Vacancies** – The Committee may at its discretion fill such vacancy in such manner as the Committee may think fit
- ix. **Sub-committees** – The Committee may appoint Sub-committees for special events or purposes, and such Sub-committees may appoint persons who are not members of the Club but whose particular knowledge, position and/or ability may be of advantage to the Club in carrying out such event or purpose provided however that at least one member of the Sub-committee must be an ordinary Senior member of the Club. The Committee may at any time and from time to time alter the composition of any Sub-committee, and the duties and powers of such Sub-committee shall be limited in such manner as the Committee shall specify. All Sub-committees shall report to the Committee and their decision or recommendation shall be subject to confirmation by the Committee unless full power to act has been delegated to a Sub-committee by the Committee in any particular case
- x. **Power to Hire & Fire** – In particular and without derogation from its general powers the Committee shall have the power to engage control and dismiss the Club's servants and paid officials and all such administrative powers as may be necessary to effect the purpose of the Club
- xi. **Resolution in Lieu of Meeting** – A resolution in writing signed by all members of the Committee shall be as valid and effectual as if it had been passed at a meeting of the Committee duly convened and held. Any such resolution may consist of several documents in like form each signed by one or more members of the Committee
- xii. **By-Laws** – The Committee shall have the power to make, amend or repeal such by-laws as they shall from time to time think expedient for the improvement of management and well-being of the club, provided however that such by-laws are not inconsistent with these Rules. Such by-laws shall be binding upon the members of the Club until repealed by the

Committee or set aside or varied by a resolution of a general Meeting of the club

- xiii. **General Powers** – Without prejudice to the general powers of the Committee it is hereby expressly directed that the Committee shall be entrusted with and may exercise and perform the following powers and duties
1. To purchase or acquire for the Club and sell, lease or otherwise dispose of any real or personal property or any rights or privileges which the Club shall decide to purchase or acquire at such prices and generally upon such terms and conditions as they think fit and to give and execute mortgages over the lands purchased or acquired for the balance of purchase monies upon such terms and conditions as the Committee shall think fit
 2. To purchase, construct and maintain buildings, fences, machinery and other works as they may consider necessary for the use of the Club and to lease and accept leases of any land easements'- or tenements and to purchase, let or sell lands or any interest therein for such term and upon such rental as they shall think fit
 3. To borrow or raise money upon mortgages of the real or personal property of the Club, or any part or parts thereof or upon debentures or mortgage debentures charging the whole or any part of the assets of the Club and to execute mortgages to secure such debentures or mortgage debentures or to borrow money from bankers or other persons with or without security
 4. To enter into all such negotiations, contracts and agreements in the name on behalf of the Club as they consider expedient for the purposes of the Club
 5. To invest the funds of the Club on real or personal property in such manner as they think fit
 6. To acquire such licences or permits as may be necessary from time to time
 7. The Committee shall have the power to make arrangements for holding matches, tournaments or other competitions including the imposition of a charge for the admission of non-members to the grounds and to provide cups and other prizes for competition and to reserve courts as may be required on any occasion as the Committee in their discretion think proper

8. The Committee shall have power to make arrangements for the hiring of the Club Rooms and/or lands for private functions

xiv. **De-Facto Committee Members** – The committee may co-opt up to four members as de-facto Committee members. Such persons shall have the right to attend and speak at Committee meetings but shall not have the right to vote. The Committee shall have the right to exclude De-Facto Committee Members for any particular agenda item. Examples of De-Facto Committee Members are

1. Appointed Club contractors – i.e. Club Manager or Club Coach
2. Junior Members
3. Limited Members

d. **Term of Office** – All the officers of the Club (except for the Patron) and the other elected and appointed members of the Committee shall hold office from the time of their election or appointment until the announcement of the result of the election of incoming officers and other elected members of the Committee at the next Annual General Meeting unless they shall have sooner resigned or died or been expelled from Club membership

8. SECRETARY

- a. The Secretary shall attend and take Minutes of all meetings and record the same in the Minute Book of the Club. He or she shall read all communications and other papers, shall issue notices of all meetings when required, and shall conduct the correspondence of the Club
- b. He or she shall prepare a report to be read at the Annual General Meeting and submit the same to a Committee Meeting for approval prior to such Annual General Meeting. He or she shall furnish the President or Presiding Officer with particulars of all business to be transacted at any Committee Meeting and shall within seven days after he or she ceases to hold office deliver to his or her successor all books, papers, documents and writings and all property belonging to the Club in his or her custody, possession or control

9. THE FINANCIAL BUSINESS OF THE CLUB

- a. **The Financial Year** of the Club shall commence on the 1st day of September in each year and end on the 31st day of August in the following year
- b. **The Treasurer** shall present the following to each regular meeting of the Committee

- i. Statement of Financial Position
 - ii. Statement of Financial Performance
 - iii. Current Creditor and Debtor Schedule
- c. **The Treasurer** shall prepare the following for presentation and adoption to the Annual General Meeting of the Club
 - i. Annual Statement of Financial Position
 - ii. Annual Statement of Financial Performance
 - iii. Asset Register
- d. **The Treasurer** shall collect all monies payable to the Club and his or her receipt shall be a sufficient discharge therefor and all such monies shall forthwith be paid into a banking account in the name of the Club
- e. **All accounts for payment** shall require the express authorisation of the Committee except only for accounts to the value of less than \$250.00 which the Treasurer and/or the Club Manager shall have sufficient authority to pay without reference to the Committee
- f. **Bank accounts** shall be opened and/or closed by resolution of the Committee and shall be conducted in accordance with the direction of the Committee
- g. **All cheques** or withdrawal receipts drawn upon any Club bank account shall be signed by any two of the then President, Vice Presidents (if any), Treasurer, Secretary or the Club Manager. Cheques and other negotiable instruments for the credit of the Club shall require the endorsement of the Treasurer and any one of the other members of the Committee or the Club manager. The Treasurer may operate a Petty Cash Imprest Account in such manner and for such sum as the Committee shall from time to time determine.
- h. **Payment of Members** – No member shall receive any profit or emolument from the funds or from transactions of the Club save and except only for professional services rendered at the request of the Committee

10. GENERAL MEETINGS OF THE CLUB

- a. **The Annual General Meeting** shall be held not later than 3 months after the Financial Year End and at such time and place as shall be decided by the Committee. The business of the Annual General Meeting shall be the election of Officers and the Committee for the forthcoming year, the receipt and adoption of the Annual Report and

financial accounts, and any other business of which due notice shall have been given to the Secretary not less than fifteen business days immediately prior to the date of such meeting

- b. **Nominations** – All candidates for election as Officers or Committee members of the Club must be notified to the Secretary of the Club not less than 10 business days prior to the date fixed for the Annual General Meeting provided that in the event of there being insufficient nominations to fill the available positions for officers and committee members nominations may be received at the Annual General Meeting
- c. **Special General Meeting** – The Committee may at any time and shall on the requisition of any 15 financial Senior Members of the Club, stating the business for which it is required, convene a Special General Meeting for any specific purpose. No business shall be transacted at any Special General Meeting except that for which the meeting has been called. In such event of such a meeting being convened pursuant to a members' requisition as aforesaid, then such meeting shall be held not less than one calendar month from the date of receipt of such requisition
- d. **Notice of Meetings** – Notice of any Annual or Special General Meeting specifying the object of such a meeting shall be posted to all financial members at their last known address, or emailed to their last known email address, at least 20 clear business days prior to the date fixed for the holding thereof. In the event of the Secretary refusing or neglecting to convene a duly requisitioned Special General Meeting, the members signing the requisition may themselves convene the meeting in the manner herein specified
- e. **Decisions** – At all General meetings of the Club each senior member present in person or by proxy shall be entitled to one vote. In the case of an equality of votes the Chairperson of the meeting at the time of voting shall have in addition a second or casting vote
- f. At any such meeting a declaration by the Chairperson that a resolution has been carried by a particular majority or lost or not carried by a particular majority shall be conclusive
- g. **Chairperson** – At all General Meetings the Chairperson shall be the President of the Club and failing him a Vice President of the Club (if any) and failing him/her of the Club Captain or one of them if there be more than one. If none or the President or any Vice President or any Club Captain shall be present within fifteen minutes after the time appointed for the holding of the meeting or if any or all of such persons although being present shall nevertheless be unable or unwilling to act as Chairperson, a Chairperson shall be chosen from among those present and he may preside for the whole meeting

- h. The accidental omission to give notice of a meeting of the non-receipt of notice of a meeting by any member shall not invalidate the proceedings at any meeting
- i. **Quorum** – The Quorum of all General Meetings (whether Annual or Special) shall be 15 members with voting rights – who are present in person or by proxy
- j. **Voting rights and Conducting of Voting** – Voting rights may be exercised only by members who are, at the time of voting, either Financial Senior Members or Life Members of the Club or their duly authorised proxies, and for ordinary business voting be by voice or on a show of hands or, if requested by any one member, by such other method as the meeting may decide
- k. **Proxies** – All proxies shall be in writing, be in form approved by the Committee, be signed by the Member giving same and shall be lodged with the secretary or President prior to the commencement of the meeting to which it relates

11. ANNUAL SUBSCRIPTION

- a. The Annual Subscription applicable to all categories of members (including sub-categories) shall be in each case such amount as the Committee shall in its discretion determine provided however that the Subscriptions for Limited Members, Junior Members and Non-Playing Members shall be, in each case, less than the subscription for Senior members, and
- b. The Subscriptions when fixed shall be levied and shall be payable by members at such time or times as the Committee shall determine
- c. The Committee shall have discretion to offer discounts for prompt payment or rebates or reduced subscriptions in cases of hardship or to any particular class of member if it deems it to be in the best interests and/or in the spirit of the Club
- d. The Committee shall have the right to impose levies on members in addition to the subscriptions provided
 - i. The power may be exercised only once in any financial year
 - ii. The amount of the levy shall not exceed 66.6% of the senior membership subscription for the financial year
 - iii. The levy shall be payable by Senior Members only provided that where, in case of Family Memberships, such Family members include two Senior Members, then only one of them shall be levied

12. COMMON SEAL

The Common Seal of the Club shall be in a form approved by the Committee and shall be kept in the custody of the Secretary. The Common Seal shall be affixed to any deed or other document requiring execution by the Club under Seal only in pursuance of a resolution by the Committee and together with any one of the Secretary, the President or a Vice President (if any)

13. AFFILIATION TO NEW ZEALAND TENNIS ASSOCIATION THROUGH THE AUCKLAND TENNIS ASSOCIATION

The Rules of Lawn Tennis shall be those adopted by the New Zealand Tennis Association (or its Successor). Every member of the Club will pay his affiliation fee to the Association as fixed from time to time by the Association, and every member shall be bound by the Rules and Regulations of the said Association

14. ALTERATIONS TO RULES AND BY-LAWS

- a. The Rules of the Club may be altered, added to or rescinded only at an Annual General Meeting or at a Special General Meeting of the Club called for the purpose, and then only if the motion to alter, add or rescind the Rules is passed with a 66.6% majority of those personally present in person, or by proxy, and entitled to vote
- b. The notice convening such Annual General Meeting or Special General Meeting shall set out in full the purport of the intended alteration, addition, rescission or other amendment
- c. No such alteration, addition or rescission of the rules shall be approved if it affects either the pecuniary profit clause or the winding up clause

15. WINDING UP

- a. A majority of the members of the Club at a meeting convened for the purpose may (provided that all liabilities of the Club have been duly discharged) resolve that the Club be wound up as from the date to be named in such resolution
- b. Such resolution shall before it takes effect be confirmed at a subsequent General Meeting called for the purpose and held not earlier than twenty five business days after the date on which the resolution to be confirmed was initially passed
- c. The surplus funds and property of the Club shall be transferred to some worthy sporting body with similar objects to those of the Club as the General Meeting shall resolve by Resolution passed before the

winding up or dissolution takes effect and failing such restoration shall be disposed of in such manner as the Roman Catholic Bishop of the Diocese of Auckland, a corporation sole, may by writing under his hand appoint, provided however that in any such case

- i. Trophies shall be returned to the donors thereof if the donors express the desire to have such trophies returned to them, and
- ii. The members may not otherwise participate in any such surplus

16. INTERPRETATION

- a. In these Rules words importing the masculine gender shall be deemed to include the feminine and words in singular form shall include the plural
- b. Any question relating to the interpretation of these Rules or any regulation or by-law hereunder shall be settled, by a Lawyer appointed to adjudicate the said question by the Committee and his decision is final
- c. **Financial Member** – For the purpose of these Rules any member who is not in arrears with his subscription in accordance with these Rules shall be deemed to be a financial member
- d. **Business Day** means and includes any day of the week other than
 - i. Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day, New Zealand's anniversary day and provincial anniversary day as observed at the place where the property is situated, and
 - ii. A day in the period commencing with the 24th day of December in any year, and ending with the 5th day of January in the following year

A Business Day shall be deemed to commence at 9.00am and to terminate at 5.00pm

- e. Headings are for convenience only and do not aid construction