

**CONSTITUTION**  
**of**  
**LOMOND PARK LAWN TENNIS CLUB**  
**Adopted at AGM November 2015**

Name of Club

1. The Club shall be called "Lomond Park Lawn Tennis Club".

Purposes

2. The main purposes of the Club are to provide facilities for and to promote participation in the amateur sport of lawn tennis in Edinburgh.

Rules of Play

3. The rules of play shall be the rules of Lawn Tennis as approved by the Lawn Tennis Association (the "LTA").

Membership

4. Subject to Article 27, categories of membership, eligibility and rights as regards voting and holding office of each category, from time to time, shall be determined by the members in General Meeting and the maximum number of members (if any) in each category shall be fixed by the Committee from time to time.
5. Each member agrees as a condition of membership:
  - 5.1. to be bound by and subject to this Constitution and the rules of the Club (as in force from time to time).
  - 5.2. to be bound by and subject to the LTA Rules and Disciplinary Code.
6. Article 5 confers a benefit on the LTA and, subject to the remaining provisions of this Article, is intended to provide third party rights to and to be enforceable by the LTA at its option and in its sole discretion. No amendment, variation, or revocation may be made to the terms of Article 5 without the prior written consent of the LTA. The identity of each member shall be notified to the LTA by the Club in accordance with the LTA's directions from time to time. Such notification shall, with effect from the date of such notification, constitute intimation of, and shall entitle the LTA to enforce, the third party rights referred to above in respect of the period both before and after such intimation. For the avoidance of doubt, the members do not intend that any term of this Constitution, apart from Article 5, should be enforceable by any person who is not a party to this agreement.

7. Subject to the following sentence of this Article 7, the Committee may terminate the membership of any person, or impose any other sanction they determine to be appropriate, in connection with the breach of any condition of membership set out in Articles 5.1 and 5.2 above. The Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal or removal may be made to the members.

### Management

8. The Office Bearers of the Club shall be a President, Vice-President, Secretary and Treasurer, who shall be elected at the Annual General Meeting and who shall normally hold office for at least two years.
9. The affairs of the Club shall be managed by a Committee consisting of the Office Bearers, the men's team captain, the ladies' team captain, junior convenor(s) and up to six other members. The team captains shall be elected annually at the Annual General Meeting and the other members who shall be elected at the Annual General Meeting will normally serve on the Committee for at least two years.
10. The Committee shall have power to fill any vacancies occurring in their number during the year.
11. Four members shall form a quorum for the Committee.
12. The Committee shall meet on the requisition of the President or at the request of three members of the Committee.
13. The Committee may delegate any part of its duties (except the election of members) to one or more Sub-Committees, which may be composed of any members of the Club. The Secretary shall notify each member of Committee of any meeting of the Committee at least seven days before such meeting, unless urgent circumstances require shorter notice.
14. The President shall be Chairman of the Committee. In the absence of the President at any meeting of the Committee the Chairman shall be elected from amongst those present. In the case of equality of votes the Chairman of the meeting shall have a second and casting vote.
15. The Committee shall elect two members of the Club to serve on the Board of The Trinity Recreation Club (2004) Limited. It is expected that at least one of these members will be the President or Vice-President unless circumstances otherwise require.
16. The Club agrees that each member of the Committee will be required, as a condition of election or appointment, to agree to be bound by and subject to these rules, the LTA Rules and the Disciplinary Code, such agreement to contain an express acknowledgement that: (i) the

agreement confers a benefit upon the LTA; (ii) the agreement creates third party rights in the LTA's favour; (iii) both or one of the LTA and/or the Club can enforce any breach at its/their option and in its/their sole discretion; (iv) the agreement may not be varied, amended or revoked without the prior written consent of the LTA; and (v) the identity of each member of the Committee shall be notified to the LTA by the Club in accordance with the LTA's directions from time to time and that such notification shall, with effect from the date of such notification, constitute intimation of, and shall entitle the LTA to enforce, the third party rights referred to above in respect of the period both before and after such intimation.

### Coaches and Players

17. The Club agrees that all unlicensed and unregistered coaches and, so far as reasonably practicable, players and other persons using the facilities of the Club will be required, as a condition of such use, to agree to be bound by and subject to these rules, the LTA Rules and the Disciplinary Code, such agreement to contain an express acknowledgement that: (i) the agreement confers a benefit upon the LTA; (ii) the agreement creates third party rights in the LTA's favour; (iii) both or one of the LTA and/or the Club can enforce any breach at its/their option and in its/their sole discretion; (iv) the agreement may not be varied, amended or revoked without the prior written consent of the LTA; and (v) the identity of each person to whom such agreement relates shall be notified to the LTA by the Club in accordance with the LTA's directions from time to time and that such notification shall, with effect from the date of such notification, constitute intimation of, and shall entitle the LTA to enforce, the third party rights referred to above in respect of the period both before and after such intimation.

### Financial

18. The Club's financial year will run from 1st October to 30th September and accounts for that period shall be submitted to the Annual General Meeting. The Club shall require proper books and accounts to be kept and the Treasurer shall produce at the Annual General Meeting an audited Statement of Income and Expenditure for the financial year together with an audited balance sheet as at the close of that year.
19. All the property, effects and funds of the Club however and whenever derived shall be applied solely towards the promotion of the objects of the Club and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Club. All surplus income or profits are to be reinvested in the Club. No surpluses or assets will be distributed to members or third parties.

20. The Treasurer shall operate an authorised account for all transactions of the Club. Payments up to an amount agreed by the Committee shall require the signature of the Treasurer only. Above that amount the signature of the Treasurer and the President or the Secretary shall be required.
21. The Club shall have the power to borrow with the agreement of the members in General Meeting. Any such borrowing shall be a liability on all members of the Club.

#### General Meetings

22. The Annual General Meeting shall be held prior to 31st December to confirm the Minutes of the previous Annual General Meeting and any Special Meetings, to consider the Secretary's report and the audited accounts for the financial year, to elect relevant Office Bearers, the Team Captains and relevant members of Committee and any other items of which due notice has been given.
23. A Special General Meeting may be called at any time by the Committee or by requisition in writing to the Secretary by not less than seven members setting forth the business proposed.
24. All General Meetings whether Annual or Special shall be called by circular sent to each member not less than fourteen days prior to the date of the meeting stating the business to be transacted thereat. Any member wishing to propose a resolution at a General Meeting shall send a copy thereof to the Secretary at least seven days before the Meeting.
25. Ten members shall form a quorum for any Annual or Special General Meeting. The voting shall be by simple majority of those present and voting except in so far as otherwise provided in these Rules.
26. The Chairman shall have a deliberative and a casting vote. The Chairman of any Annual or Special Meeting shall be the President. Failing him/her, the Chairman of the meeting shall be elected by a majority of those present and voting.

#### Membership

27. Membership of the Club shall be open to anyone interested in the sport on application, regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, except as a necessary consequence of the requirements of tennis. The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating. The Club committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the club or sport into

disrepute. Appeal against refusal or removal may be made to the members.

### Bye-Laws

28. The Committee shall have the power to make or alter any of the bye-laws of the Club as may be found necessary. All members shall be bound by the bye-laws in force for the time being. Notice of any such alterations shall be displayed on the notice board in the Clubhouse.
29. Members shall on request be furnished by the Secretary with a copy of the Constitution of the Club.

### Subscriptions

30. Entry fees and subscriptions for the ensuing year shall be approved at the Annual General Meeting. Any subsequent change during the year shall be approved at a Special General Meeting. Subscriptions shall be paid annually on or before 1st April. No member whose subscription is in arrears shall be entitled to make use of the Club.
31. All members failing to pay subscriptions by 1st April are no longer members of the Club until such time as the subscription is paid in full and any late fee as determined from time to time by the Committee has been paid.
32. Any member acting in the Committee's opinion in contravention of the Constitution or bye-laws or whose conduct is considered as bringing discredit on the Club may be expelled or disciplined by a vote of two thirds of the Committee. Notice of intention to consider a motion for expulsion or disciplining shall be intimated to the member concerned together with details of the allegations against him/her seven days before the Committee Meeting at which it is to be considered and the member shall be entitled to attend the Committee Meeting and to make representations. The decision of the Committee shall be final
33. The colours of the Club shall be blue, yellow and white.

### Dissolution

34. The Club may be dissolved by a resolution passed by a majority of not less than two-thirds of the members present and voting at an Annual or Special General Meeting. Such a motion shall be subject to the consent of the Directors of The Trinity Recreation Club (2004) Limited. Such a Meeting shall appoint a Committee to wind up the affairs of the Club and should give general directions as to the disposal of any assets within the scope of Article 19. If upon the dissolution of the Club there remains after satisfaction of all its debts and liabilities any money or other property whatsoever the same shall be given or transferred to another registered CASC, a registered charity or the sport's governing body for use by them in related community sports.

35. The foregoing shall be the Constitution of the Club and shall not be altered or added to except at an Annual or Special Meeting. The consent of two thirds of the members attending and voting and consent of The Trinity Recreation Club (2004) Limited shall be required for any alteration to the Constitution of the Club. Notice of all proposed alterations to the Constitution of the Club must be given in writing to the Secretary at least twenty-eight days prior to the meeting at which they are to be proposed. The Secretary shall forthwith give notice to The Trinity Recreation Club (2004) Limited. Notices of any proposed alteration or dissolution shall be inserted in the circular calling the meeting.
36. In the event of there being any conflict between any of the Constitution and bye-laws of the Club and the rules of the LTA then the Constitution and bye-laws of the Club shall prevail.