

**LANSDOWNE LAWN TENNIS CLUB**



**CONSTITUTION OF  
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**Valid from 1 January 2019**

## **Constitution of Lansdowne Lawn Tennis Club**

### **1. NAME OF CLUB**

- a. The Club shall be called “Lansdowne Lawn Tennis Club”. The primary object of the club shall be the promotion of Lawn Tennis, but shall also include sporting and social activities for the benefit of its members.

### **2. CONSTITUTION OF THE CLUB**

- a. The Club shall consist of a Committee and the following Membership categories: Senior, Family, ,Veteran, Junior, Intermediate, Country, Associate, Overseas, Life, Honorary member, Honorary Life Members or any other category of membership which the Committee may choose to introduce from time to time. The management of the Club shall be in the hands of the Committee.

### **3. TRUSTEES**

- a. The property and assets of the Club shall be vested in four Trustees for such purposes as the members of the Club may by resolution from time to time appoint, and they shall be indemnified against risk and expense out of the Club property and by the general body of members for the time being. The Trustees shall remain in office for an initial term of 10 years or by earlier resignation or until removed by resolution of a General Meeting. A Trustee can elect to serve a second term of 10 years if so desired by putting themselves forward at the next General Meeting. At the end of the second term, the Trustee shall retire from this role. This rule to become effective from 1 January 2019. No more than two Trustees should retire at the same time, there should be an orderly rotation to ensure continuity of knowledge within this Club.
- b. The Trustees shall be elected at a General Meeting from amongst the Members of the Club, and on a vacancy occurring a new Trustee shall be elected not later than the following Annual General Meeting. Any Trustee who shall cease to be a member of the Club shall be deemed to have vacated his/her Trusteeship. The Trustees shall be, along with the other officers, ex-officio members of the Committee and shall be entitled to attend and vote at Committee Meetings.
- c. A person nominated, as Trustee must be proposed by two members each of a minimum ten years standing and seconded by a person who at that time is an Officer of the Club. Such member duly nominated may then go forward for election at an Annual General Meeting.
- d. The names of all persons proposed as Trustees of the Club shall be displayed, with the consent of the proposed Trustee, in a conspicuous place in the Club premises for at least two weeks before the election.
- e. The Trustees shall have the power to buy, sell, lease, mortgage or pledge any Club property and shall deal with the assets and property of the Club as directed by a resolution of an Annual or Special General Meeting, of which any entry in the minute book signed by the Chairperson shall be conclusive evidence.
- f. The President and Honorary Treasurer shall meet formally with the Trustees at least twice annually to review matters relevant to the role of the

Trustees and additionally as may be requested by the Trustees from time to time.

4. MEMBERSHIP

- a. The maximum of Full Members in any year shall be 680 unless otherwise determined by the members at any Annual General Meeting or Special General Meeting. A candidate for full membership must be 18 years of age on the 1<sup>st</sup> January of the subscription year at date of application to membership. Full Members of the Club are those entitled to attend and vote at any General Meeting, namely Senior, Family, Veteran, Intermediate, Country, Associate, Life and Honorary Life Members.

5. SENIOR MEMBERS

- a. The Committee shall have the power to admit as a Senior Member any person aged 18 or over on the 1<sup>st</sup> January of the subscription year, who has been proposed and seconded by two full members each of whom, has been a member for not less than two years.
- b. Any member who is not eligible for any other category shall be deemed to be a Senior Member.

6. FAMILY MEMBERSHIP

- a. Those applicants who are Parents or Guardians (not more than two) and his, her or their children who are under 17 years of age on the 1<sup>st</sup> January of the subscription year or in full time education, to a maximum of 23 years of age shall be eligible for Family Membership.
- b. Those members who are entitled to Family Membership and are over 18 years of age shall be deemed to be Full Members.
- c. Any Applicant who is applying for Family Membership but is in a single-parent family is entitled to a 50% discount on their subscription fees, joining fees and any applicable levies.

7. VETERAN MEMBERS

- a. A full member, who has held full membership for a minimum of 20 years and has reached retirement, may, if the committee so permits, continue as a Veteran member from the 1<sup>st</sup> of January succeeding the year they reach the national retirement age.
- b. Veteran members shall be deemed to be Full Members.

8. JUNIOR MEMBERS

- a. The Committee shall have the power to admit as a Junior member any candidate aged 7 years and over and under 18 years on the 1<sup>st</sup> January of the year of application for membership duly proposed by two Members one of which must be a Full Member, each of whom shall have been a member for not less than one year.
- b. The maximum number of Junior members in one year will be determined by the Full Members at the Annual General Meeting held in the previous year.
- c. Junior Members shall have the right to attend General Meetings and Special General Meetings but shall not have the right to vote or hold office.

- d. The rights and privileges of Junior Members shall be expressed in the Bye Laws in force from time to time.
- e. Families who have 3 or more children who are Junior Members of the club, irrespective of whether the parents are members or not, will be entitled to a 40% discount on the subscription fee for the 3<sup>rd</sup> and each subsequent child.

#### 9. INTERMEDIATE MEMBERS

- a. Persons who are over the age of 18 years and under 30 years on the 1<sup>st</sup> January of the year of application for membership shall be described as Intermediate Members.
- b. This category is applicable to those persons not already included in the Family Member category.
- c. Intermediate members shall be deemed to be Full Members.

#### 10. COUNTRY MEMBERS

- a. Any person who has within the life of their current membership been a full paying member for at least one year and is not ordinarily resident within a radius of 35 km from the Club shall be eligible for Country Membership.
- b. Country Members shall be deemed to be Full Members.

#### 11. ASSOCIATE MEMBERS

- a. Full Members who no longer play tennis but wish to remain involved with the Club may be proposed to the Main Committee for consideration for Associate Membership. Associate Members must fulfil all of the following criteria:
  - (i) Have held full membership of the club for a period of 20 years;
  - (ii) No longer play tennis;
  - (iii) Have no less than 3 current Full Members to propose their application for Associate Membership; and
  - (iv) Gain a majority vote from the Main Committee to accept the application.
- b. If any of the named proposers are members of the Main Committee then they shall not be eligible to vote on the application.
- c. Associate Members shall be deemed to be Full Members except for the right to play tennis or to introduce visitors to play tennis in the Club.
- d. Any Associate Member who wishes to change to any other membership category must make application stating their reasons to the Main Committee.

#### 12. OVERSEAS MEMBERS

- a. The Committee shall have power to place all Members who reside outside Ireland for a minimum of nine months of the subscription year on an Overseas Members List on application to the President in writing. Such Overseas members shall be liable to pay one half of the Country member's subscription and other charges each year. Such an

Overseas Member on a temporary visit to Ireland may use the Club premises at any time.

- b. The committee shall have the power to allow admittance as members to foreign nationals on limited tours of business in Ireland to become members on such terms as the Committee see fit, provided such membership does not extend for more than one calendar year.
- c. Overseas members shall have the right to attend General Meetings and Special General Meetings but shall not have the right to vote or hold office.

### 13. LIFE MEMBERS

- a. Life Members at the date of the adoption of these Rules shall be deemed to be Full Members for life without payments of any further annual fee(s), levies or other charges of any kind.
- b. Any Life Member admitted to membership after the adoption of these rules shall be deemed to be full members for life without payments of any further annual fees but will be liable to pay levies or charges.

### 14. HONORARY MEMBERS AND HONORARY LIFE MEMBERS

- a. The Club at a General Meeting may upon the unanimous recommendation of the Committee elect Honorary Members for a specified period and Honorary Life members in recognition of their services to the Club or to the game of Lawn Tennis or by reason of such person having attained such special distinction in any other sphere that in the opinion of such General Meeting, it is desirable in the interests of the Club to elect such person as an Honorary member or Honorary Life Member. Honorary members shall not have the rights of Full members.

### 15. PAYMENT OF SUBSCRIPTION, LEVIES, AND OTHER CHARGES

- a. The subscription year commences on the 1<sup>st</sup> January of each year. Anybody who has not paid their subscription by the 31<sup>st</sup> January in any year will be deemed to have allowed their membership to lapse and their name may be posted on the notice board of the Club. Anyone who has allowed their membership to lapse will only be readmitted after payment of the subscription owing and if the subscription owing is not paid by the due date membership will be deemed to be terminated and any application for renewed membership from any person so affected will have to be processed through the procedure for new members. This provision does not apply if a pro rata payment scheme for the subscription owing has been agreed with the Club. The committee shall have the power to spread, waive, or otherwise adjust subscriptions and other amounts owing, where circumstances clearly warrant it. Anyone who has not paid their levy, levies, or any other charges by the due date (as determined by the Committee) in any year will be deemed to have relinquished their membership.
- b. Members elected after the 1<sup>st</sup> April, in any year may enjoy the rights of membership for the balance of that year on payment of the Full Entrance Fee, levy or levies or charge or charges and on a pro-rata monthly basis of the annual fee for that particular year.

- c. The Subscription and any other levy and levies or charge or charges and the entrance fees for each category of membership shall be such sums as the Members may determine at the Annual General Meeting preceding the start of the subscription year.
- d. All subscriptions shall be payable to Lansdowne LTC.
- e. The Committee shall have the power to offer reductions in membership for marketing reasons or such other reasons as the Committee decides.

#### 16. ADMISSION OF MEMBERS

- a. The Candidates for Membership must be duly proposed and seconded by members of the Club and the proposer must have been a member for not less than two years. If the appropriate subscription and Entrance Fee is not received by the date of the next Committee meeting, the application shall not be considered.
- b. No person shall be allowed become a member, Honorary Member, Life Member or Honorary Life Member of the Club or be relieved of the payment of the regular entrance fee, subscription, levy, levies, or any other charges as are applicable, unless agreed by the Committee.
- c. The names of all persons proposed as members of the Club shall be displayed in a conspicuous place in the Club premises for at least two weeks before their application is considered and an interval of not less than two weeks shall elapse between the nomination and election of such proposed members.
- d. Each application shall be considered at the next Committee meeting. Each such application shall be determined by vote of the Committee. One adverse vote in three shall exclude the candidate from membership.

#### 17. CHILD PROTECTION POLICY – CHILDREN’S OFFICERS

- a. The Club is fully committed to safeguarding the wellbeing of its members. To that end the Club expects that each individual member of the Club shall at all times show respect and understanding for the rights, safety and welfare of all members, adults and children, and to conduct themselves in such a manner that conforms with the principles of the Club and the guidelines contained in the Code of Ethics and Good Practice for Children’s Sport in Ireland (Irish Sports Council). The Club shall make such version of the said Code as shall from time to time be in force available on its Website.
- b. The Committee shall ensure that there are at all times two persons, one male, one female, who shall be the Club’s Children’s Officers. The Club’s Children’s Officers shall be entrusted with the care and protection of Junior Members in their dealings with the Club and with the care and protection of other children permitted to be on the Club Premises from time to time.
- c. At least one of the Club’s Children’s Officers shall be a Committee Member or Officer of the Club.

- d. An allegation of child abuse shall be referred to statutory authorities and dealt with as per the process under Tennis Ireland Guidelines for Safeguarding Children.

#### 18. OFFICERS OF THE CLUB

- a. The President and Vice President shall be elected at General Meetings of the Club. The President and Vice President shall retire annually and shall be eligible for re-election, but no person shall hold office of President for more than two consecutive years or Vice President for more than three consecutive years. To qualify for election to the office of President and/or Vice President such person must have completed five years as a Full member of the Club and have served on the Committee at any time.
- b. The Club, at a General Meeting, shall elect Honorary Treasurers (not more than two) who shall retire annually and shall be eligible for re-election but no person shall hold the office of Honorary Treasurer for more than four consecutive years.
- c. If two Honorary Treasurers are elected, one shall be the Subscription Treasurer. To qualify for election to the office of Treasurer/s, a person must have completed two full years as a Full Member of the Club.
- d. The Honorary Treasurer(s) of the Club for the time being will have charge of the finances of the Club and shall keep correct accounts and books showing the financial affairs and receipts and disbursements of the Club.
- e. The accounts of the Club shall be closed on the September 30<sup>th</sup> in each year and shall be prepared by the Honorary Treasurer(s) or the Club's accountants not later than November 20<sup>th</sup> with draft accounts submitted to the Committee to review, prior to the examination by the Honorary Auditors elected at the previous general Meeting.
- f. The Club, at an Annual General Meeting, shall elect a Men's Captain, Men's Vice-Captain, a Ladies Captain, a Ladies Vice-Captain all of whom shall hold office until the next Annual General Meeting but no person shall hold the office of Captain or Vice-Captain for more than two consecutive years. To qualify for election as Men's Captain, Men's Vice Captain, Ladies' Captain or Ladies' Vice Captain, such person must have completed two years as a Full member of the Club.

#### 19. THE COMMITTEE

- a. The Committee, at a General Meeting, shall be elected for one year by the General body of members and shall be subject, to re-election annually as set out hereunder. The outgoing President may at his/her discretion become a Member of the Committee for the year after holding office.
- b. The President, out-going President, Vice President, Honorary Treasurer(s), Trustees, Club Captains and Vice-Captains shall be the sole ex-officio members of the Committee.
- c. In addition to the ex-officio members, six Full Members of the Club shall serve on the Committee as ordinary committee members. To qualify for membership of the Committee a person must have completed two years as a Full Member of the Club.

## 20. RETIRAL OF COMMITTEE

- a. It shall be obligatory for two Full Members of the elected committee (other than ex-officio members) to retire at each Annual General Meeting. In the absence of such voluntary retirements the two members having the longest continuous service must retire compulsorily. Any member (other than an ex-officio member) who has four years continuous service must retire automatically notwithstanding that two other members retire voluntarily.
- b. Members retiring under this Rule shall not be eligible to serve on the committee until the next following Annual General Meeting.
- c. The membership of the committee to retire in each year shall as appropriate be those who have been in office for the longest continuous period but, as between those who became members of the committee on the same day, retirement shall (unless such members otherwise agree among themselves) be determined by lot, provided that an elected member of the Committee shall at any time become an ex-officio member thereof, no period spent as such ex-officio members shall be reckoned in calculating his/her length of service for the purpose of this Rule.

## 21. NOMINATIONS FOR OFFICERS OF THE CLUB AND FOR THE COMMITTEE

- a. Nominations for Officers of the Club and for the Committee must be made to the President of the Club in writing at least fourteen days before the date of the Annual General Meeting. Such notices of Nominations, duly proposed and seconded by two Full Members, shall be posted on the Club Notice Board at least six days prior to the date of the Annual General Meeting except that the names of two Candidates for membership of the Committee may be individually proposed and seconded at the Annual General Meeting by members of the Club present at the meeting. If more than two Members are so proposed and seconded, a preliminary secret ballot shall be taken at the meeting to determine which two of those nominated at the meeting shall contest the election.
- b. If there are less than six members nominated for the committee fourteen days before the date of the General Meeting, the extra number as shall be required to provide up to a total of eight candidates for the election may be proposed and seconded at the General Meeting. In this instance also, if more than the permitted number of Members are so proposed and seconded from the floor, a preliminary secret ballot shall be taken at the meeting to determine which of those Members nominated at the meeting shall contest the election.

## 22. VOTING RIGHTS

- a. A secret ballot shall be taken at the Annual General Meeting if there are more nominations than there are vacancies to be filled. Such ballot shall be conducted in secret, but voting papers containing a lesser number of votes than there are vacancies shall be invalid. Co-opted Members of the Committee shall retire at the next Annual General Meeting following the date of their co-option, but shall be



eligible for election at the Meeting. The Chairman of the General Meeting shall appoint two scrutinisers.

- b. All voting shall be by secret ballot with the determination of the winners of any ballot being given to the General meeting without the actual number of votes so cast for any candidate being disclosed to the members. Notwithstanding this provision, any candidate seeking election to any Committee or Sub Committee shall be entitled to a full breakdown of the votes cast in the election for such candidate to such Committee or Sub Committee for which he or she were so nominated for election.
- c. The right to vote at any General Meeting shall be afforded to Full Members only.

### 23. DUTIES AND POWER OF COMMITTEE

- a. Seven members of the Committee shall form a quorum. The committee shall have power to co-opt members to fill any vacancies which may occur through death or resignation. The Chairman at all General Meetings and committee meetings shall have a deliberate as well as a casting vote.
- b. The Committee shall have power from time to time to appoint and remove such personnel/employees, as they consider necessary at any time for the due management of the Club.
- c. The business and affairs of the Club shall be managed by the Committee and any other Sub Committee, which shall have power to fill any vacancies which may occur during the season in its body, to make Bye Laws, to administer the funds, to appoint such Sub-Committees as it shall think fit, and to do all such acts in furtherance of the objects of the Club as it may think fit subject to prior approval of a two thirds majority of members present at a General Meeting for the expenditure for which borrowing is required, and the securing of the repayment of any such sum or sums by mortgage or charge upon the whole or any part of the property and assets of the Club. The Committee shall not, however, be entitled to expend a sum in excess of €28,540 on capital projects in any year without convening a General Meeting and getting the approval of a two-thirds majority of the members present and voting. The said sum to be increased each year in the same proportion as the percentage increase in the Consumer Price Index in the immediate preceding year, starting from 1<sup>st</sup> January 2019.
- d. The Committee shall endeavour in each year, where the financial affairs of the club permit, to place to the credit of a Sinking Fund (established with a separate and distinct Bank Account) a sum of money not less than 5% and not greater than 20% of the Annual Receipts from entry fees and subscriptions from the previous financial year, which Sinking Fund can only be used for Capital expenditure purposes of the Club of a Development nature.
- e. The sub-committee or person having responsibility for the management of the Bar shall be obliged to prepare and supply to the Honorary Treasurer, the Main Committee and the Trustees monthly trading accounts which should include a statement of assets and

liabilities, a suppliers' listing, details of turnover and gross profit margins, such accounts to be supplied within ten weeks of the end of each quarter of the financial year, but the end of year accounts for the bar should be completed by the 17<sup>th</sup> November. The Sub-Committee or persons having responsibility for the running of Club discotheques and social events shall be obliged to prepare and supply to the Honorary Treasurer, the main Committee and the Trustees trading accounts showing details of receipts and outgoings. These should also be supplied within ten weeks of the ending of each quarter.

- f. Any Member of the Club entrusted with Club funds shall be under an obligation to forward same to the Honorary Treasurer or lodge to the Club Bank Account(s) without delay. Any delay in excess of thirty days must be explained to the Committee by the member involved.
- g. The Committee, except in the case of fraudulent acts, shall be indemnified against risk and expense out of the Club property and by the general body of Members for the time being.
- h. Trustees and Committee Members shall not gain directly or indirectly from Contracts entered into with the Club.

#### 24. HONORARY AUDITORS

- a. Two Honorary Auditors, who shall be qualified accountants, shall be elected at the Annual General Meeting. They shall not be members of the Committee or Officers of the Club.

#### 25. ANNUAL GENERAL MEETING

- a. The Annual General Meeting shall be held each year before December 16<sup>th</sup> on a date to be fixed by the Committee for the purposes of electing the Officers of the Club, the Committee of the Club and the two Honorary Auditors, of receiving the report of the Honorary Secretary, of considering the Annual Statement of Accounts and the Honorary Treasurer(s) and Auditors Report thereon and transacting any further business permitted by the Chairman. At least three weeks notice of the date of the meeting must be furnished to all members with the right to vote and shall state the agenda to be placed before the meeting.

#### 26. SPECIAL GENERAL MEETING

- a. The Committee may at any time convene a Special General Meeting of the Club, subject to at least one week's notice of the date of such meeting being furnished to all members with the right to vote, such notice to specify, in the form of a resolution or resolutions the business which it is intended to submit to such Meeting, and the discussion at such Meeting shall be confined to such business. Such a meeting shall be convened by the Committee, whenever the Committee receives a requisition in writing to that effect but within one month of receipt of such requisition, signed by at least forty existing members with the right to vote, of the Club, provided that such requisition states distinctly the business to be submitted for discussion to such meeting.

## 27. MOTIONS FOR AGM AGENDA

A Member with the right to vote shall be entitled to have a motion placed on the Agenda of the Annual General Meeting provided that:

- a. The motion is seconded by another Member with the right to vote, and
- b. Notice of the motion is transmitted in writing to the President, together with the names of the proposer and seconder between the 1<sup>st</sup> day of September and the 15<sup>th</sup> of November, preceding the Annual General Meeting in order that the Committee may have the opportunity of considering the subject matter of the motion.
- c. No motion may be proposed at a General Meeting other than motions specified in the Notice convening the Meeting or motions which under the Rules are to be dealt with at the Meeting, or such as arise directly from the subject under discussion or are in the nature of amendments, riders or addenda to such motions. It shall be open, however, for any member at such Meeting to move the adjournment thereof or any vote of thanks, condolence or congratulations without notice.
- d. In case any General Meeting is adjourned for a period of seven days or more, any motion may be dealt with at such adjourned General Meeting notwithstanding that notice thereof was not given or posted in accordance with the first paragraph of the Rule, if such notice is given to the Club Administrator in writing at least six days before the date of such adjourned Meeting and posted on the Club Notice Board at least six days prior to that date.
- e. Thirty-five members entitled to vote shall be a quorum for all General Meetings.

## 28. DISCIPLINARY PROVISION

- a. A member of the Club may be the subject of disciplinary proceedings in the event of an alleged breach of the Club Constitution or Bye-Laws, or alleged misconduct, on or off the Tennis Courts or an allegation of bringing the Club into disrepute.
- b. The Disciplinary Sub Committee of the Club shall be appointed by the Committee each year and shall comprise one member of the Committee and two other Full Members, all of whom shall be nominated by the President. The members of the Disciplinary Sub Committee shall appoint one of their number to preside as Chairperson of the Disciplinary Sub Committee and another to act as Secretary of the Disciplinary Sub Committee. If an event or allegation as described in **Rule 28 (a)** occurs, the Committee shall write to the member concerned, advise him/her as to the nature of the allegation, and advise that the matter is to be addressed by the Disciplinary Sub Committee of the Club.
- c. The Disciplinary Sub Committee shall have power to direct that an investigation be carried out as further outlined in this **Rule 28 (d)**. To that end, it may appoint two or more persons who are members of the Committee or of the Club to investigate the matter and, in so doing, shall take account of gender and age balance appropriate to the person involved and the complaint. The investigators shall have power to investigate the matter, which may include interviewing the

complainant(s), if any, and any witnesses, and the taking of written statements from them. Copies of any written statements shall be furnished to the member under complaint. The investigators may then interview the member under complaint and put any allegations and complaints etc. to him/her for a response and may take a note of the response and/or a written statement from the member. The member under complaint shall be advised in advance of the interview that he/she shall have the right to be accompanied by a friend, parent or guardian at any such interview. If the member concerned fails or refuses to attend the interview, the investigation may proceed to conclusion regardless.

- d. If investigators are appointed to carry out an investigation, they shall report to the Disciplinary Sub Committee following the interviews with the complainant(s), the witnesses, and the member under complaint as soon as practicable. If it determines that the allegation is sustained, the Disciplinary Sub Committee may suspend the member concerned for a definite stated period from the use of the Club facilities and privileges or may request the member concerned to resign. It shall direct the Secretary of the Disciplinary Sub Committee that its decision be conveyed forthwith in writing to the member concerned. Should the member concerned fail to resign within seven days of delivery of the notice to resign, the Disciplinary Sub Committee shall have power to expel the member concerned and shall direct the Secretary of the Disciplinary Sub Committee that a further notice be sent to the member concerned expelling the member from the Club. If the members of the Disciplinary Sub Committee find that the allegation is not sustained, they shall direct the Secretary of the Disciplinary Sub Committee to send notice of this finding as soon as practicable to the member under complaint, the complainant(s) (if any) and the witnesses.
- e. The members of the Disciplinary Sub Committee shall determine the procedures for considering the evidence in relation to the allegation in accordance with the fair procedures law then prevailing, and the member under complaint shall have no automatic right to an oral hearing at the meeting of the Disciplinary Sub Committee or to be legally represented thereat. The Disciplinary Sub Committee shall act on the majority vote in arriving at its decisions.
- f. Where, in the opinion of the Committee, an allegation against a member is particularly serious, it shall have power to suspend the member concerned from the use of the Club facilities and privileges pending final resolution of the matter by the Disciplinary Sub Committee and/or Disciplinary Appeals Sub Committee notwithstanding that an investigation directed by the Disciplinary Sub Committee may already have begun. Its decision to suspend shall be conveyed forthwith in writing to the member concerned.
- g. If a member is convicted of a criminal offence which is likely in the opinion of the Committee to bring the Club into disrepute, then the Committee may suspend the member from membership for a stated period or expel such member notwithstanding that the Disciplinary Sub Committee may already investigated the matters given rise to the conviction.

- h. Any member expelled in accordance with these rules or otherwise ceasing to be a member of the Club shall forfeit all such rights to or claims upon the Club, its property and funds, as he/she would have had by reason of membership.

## 29. RIGHT OF APPEAL

- a. A member against whom an allegation has been upheld (with or without sanction) by the Disciplinary Sub Committee may, within seven days of delivery of the Disciplinary Sub Committee's ruling, appeal to the Disciplinary Appeals Sub Committee by letter in writing to the President stating the grounds of appeal.
- b. The members of the Disciplinary Appeals Sub Committee shall be appointed by the Committee and shall comprise one member of the Committee and at least two other Full Members, all of whom shall be nominated by the President. Neither an investigator (if any) of the allegation, nor any member of the Disciplinary Sub Committee may be a member of the Disciplinary Appeals Sub Committee. The members of the Disciplinary Appeals Sub Committee shall appoint one of their number to preside as Chairperson of the Disciplinary Appeals Sub Committee and another to act as Secretary of the Disciplinary Appeals Sub Committee.
- c. The appeal shall be determined as soon as practicable by the Disciplinary Appeals Sub Committee which shall determine the procedures for considering the appeal in accordance with the fair procedures law then prevailing. The member under complaint shall have no automatic right to an oral hearing at the meeting of the Disciplinary Appeals Sub Committee or to be legally represented thereat. Its decision in the matter shall be final. It may uphold, vary, or quash, the decision of the Disciplinary Sub Committee, and shall, for the avoidance of doubt, have power to suspend or to expel a member. The Disciplinary Appeals Sub Committee shall act on a majority vote in arriving at its decisions. It shall direct the Secretary of the Disciplinary Appeals Sub Committee that its decision be conveyed forthwith in writing to the member, complainant and witness(es) concerned.

## 30. MINUTES

- a. Minutes shall be made in proper books of all Resolutions and proceedings of main Committee and subsidiary Committees and every Minute signed by the Chairman who will preside at the Meetings at which such minutes are read shall be sufficient evidence of the matters therein contained.

## 31. VISITORS

- a. The Committee and Members may introduce visitors for the purpose of playing on any day. The names of the Member and of his or her visitors must be registered in the Visitor's Register and a sum be decided upon, from time to time, by the Committee, must be paid to the Bar Manager or if the Bar Manager or other member of staff are not present, to a member of the Committee or Sub Committee present

at the time, for each visitor introduced prior to play. No Visitor may be introduced to the Club any more than 7 times in one 12 – month period. The Committee shall have the right to suspend or vary the Rule and also to refuse admission to any visitor, without assigning any reason.

### 32. EXCISABLE LIQUOR

- a. No Member of the Committee, Manager, Bar Manager, or person employed by the Club shall have any personal interest in the sale of excisable liquors therein or in the profits arising from such sale.
- b. No visitor to the Club shall be supplied with excisable liquors on the Club premises unless upon the invitation and in the company of a member of the Club and such Member shall, upon the admission of the visitor to the Club premises, or immediately upon such visitor being supplied with such liquor, enter the name and address of such visitor in a register which shall be kept in the Club pavilion for that purpose and which shall record the date of each visit.
  - i. Subject to the exception specified in the sub-paragraphs (ii) and (iii) of this Rule, no excisable liquor shall be supplied for consumption on the Club premises to any person (other than a member of the Club lodging in the Club premises) or be consumed on the Club premises by any person (other than a member of the Club) at any time on Christmas Day ; on any other day as specified hereunder, outside the times so specified in respect of it;
    - a. St. Patrick’s Day: between 12.30 p.m. and 12.30 a.m. on the following day;
    - b. The 23<sup>rd</sup> December; if it falls on a Sunday, between 10.30 a.m. and 11.30 p.m.
    - c. Christmas Eve between 10.30 a.m. and 11.30 p.m.
    - d. The eve of any public holiday (other than Christmas Eve);
    - e. If the eve falls on a week day between 10.30 a.m. and 12.30 a.m. on the following day, or
    - f. If it falls on a Sunday between 12.30 p.m. and 12.30 a.m. on the following day;
    - g. Any other Sunday (except a St. Patrick’s Day which falls on a Sunday); between 12.30 p.m. and 11.00 p.m.
    - h. Any other Monday, Tuesday, Wednesday or Thursday between 10.30 a.m. and 11.30 p.m and
    - i. Any other Friday or Saturday between 10.30 a.m. and 12.30 a.m on the following day.
  - ii Nothing contained in the registration of Clubs’ Acts (1904 – 2000), or contained by virtue only of Section 7 Sub-Section (i) of the Intoxicating Liquor Act, 2000 and Section 10 of the Intoxicating Liquor Act, 2003 or by virtue only of the last preceding rule shall operate to prohibit the supply for consumption of the Club premises of excisable liquor;

- a. On Christmas Day, between 12.00 mid day and 10.00 p.m.
- b. On any other day, for one hour after the expiration of any period in respect of that day during which it is lawful for the Club, to supply any excisable liquor for consumption on the Club's premises, if in each case the excisable liquor is:
  - i. Ordered by or on behalf of that person at the same time as a substantial meal is so ordered;
  - ii. Consumed by that person during the meal or after the meal has ended;
  - iii. Supplied and consumed in the portion of the Club's premises usually set apart for the consumption of meals; or
  - iv. Paid for at the same time as the meal is ordered.
- iii. No excisable liquor shall be sold or supplied for consumption outside the premises of the Club except to Members of the Club.
- iv. No excisable liquor shall be sold or supplied to any person under 18 years of age.
- v. Any provisions which are contained in this Constitution which are not in conformity with any statutory provisions contained in the Registration of Club's Act, 1904 to 1995 shall be deemed to be null and void. No Rule of the Club with the exception of the Rules relating to the supply of intoxicating liquor on the Club premises shall be altered, rescinded or added to without the consent of at least two thirds of the members present and entitled to vote at any General Meeting of the Club. All rules contained in the Club's constitution, which relate to the supply of intoxicating liquor on the Club's premises, may be altered by the committee so as to conform with the Registration of Clubs Acts, 1904 to 1995 (as may be amended from time to time).
- c. The Club shall not, on the Club's premises:
  - i. Supply or permit any person to supply intoxicating liquor:
    - a. To a drunken person; or
    - b. To any person for consumption by a drunken person;
  - ii. Permit a drunken person to consume intoxicating liquor;
  - iii. Permit drunkenness to take place on the Club's premises; or
  - iv. Admit any drunken person to the Club's premises.
- d. The Club shall not allow a person (not being a Licensee) to:
  - i. Purchase intoxicating liquor for supply to or consumption by, a drunken person on the Club's premises; or
  - ii. Supply intoxicating liquor to a drunken person on the Club's premises.

- e. The Club shall not permit disorderly conduct to take place on the Club's premises.
- f. The Club shall not allow a person:
  - i. Purchase intoxicating liquor for delivery to or consumption by a person under the age of 18 years; or
  - ii. Deliver intoxicating liquor to such a person.
- g. The Club shall not subject to Sub-Section (i); Sub-Section (ii) and Sub-Section (iii) hereof allow a person under the age of 18 years to be in the bar of the Club premises at any time.
  - i. It shall not however be unlawful for the Club to allow a child who is accompanied by his or her parent or guardian to be in the Club's licensed premises between 10.30 a.m. (12.30 p.m. on a Sunday) and 9.00 p.m.
  - ii. Sub-Section (i) does not apply in relation to a child where it appears to the Club that the child's presence in the Club's licensed premises could reasonably be regarded as injurious to his or her health, safety or welfare.
  - iii. It shall not be unlawful for the Club to allow a person who is aged at least 15 years but under the age of 18 years to be in the Club's licensed premises between 10.30 a.m. (12.30 p.m. on Sunday) and 9.00 p.m.
  - iv. It shall not be unlawful for the Club to allow a child who is accompanied by his or her parents or guardians or a person who is aged 15 years but under the age of 18 years to be in the bar on the occasion of a private function at which a substantial meal is served to persons attending the function.
  - v. This section does not apply in relation to a person under the age of 18 years who:
    - a. Is passing through the Club's licensed premises solely for the purposes of entering or leaving another part of Club premises; or
    - b. Is employed in the Club's licensed premises in accordance with Section 38 of the Intoxicating Liquor Act, 2003.
- h. The Club shall not allow a person who is aged at least 18 years but under the age of 21 years to be in the Club's licensed premises between 9.00 p.m. and 10.30 a.m. on the following day (12.30 p.m. if the following day is a Sunday) if the person does not produce an age document to the Club's Bar Manager or staff.
  - i. For the purposes of this section "age document" means a document containing a photograph of the person in respect of whom it was issued and information that enables the age of the person to be determined and being one of the following documents relating to a person referred to in that section:



- a. An age card referred to in Section 40 of the Intoxicating Liquor Act, 2003;
  - b. A passport;
  - c. An identity card issued by a Member State of the European Communities;
  - d. A driver's license; and
  - e. A document issued by a body and in a form prescribed by Regulations by the Minister for Justice and Equality.
- ii. A person referred to above shall not be in the bar of the Club's licensed premises between the times referred to in that sub-section while not having with him or her an age document.

### 33. CHANGE OF RULES

- a. The Committee from time to time, in order to comply with legislation may alter or add to the Rules and, save for the purpose aforesaid, no other rule of the Club shall be repealed or altered nor new rules made except at a General Meeting and written notice of the proposed change must be sent to the President with names of proposer and seconder attached at least seven days previous to the meeting called for its consideration. Rules properly brought before a General Meeting may only be altered, abrogated or added to by the vote of two-thirds of the Members present and voting.

### 34. BYE LAWS

- a. The Committee is empowered to make and from time to time alter such Bye Laws for the Management of the Club, as they may consider necessary. Every member, visitor or other persons using the Club premises shall be subject to and must comply with all Bye Laws then in force. Such Bye Laws shall be posted on the Club notice board.

### 35. CURRENT MEMBERS

- a. That all those who are listed on the Website as being members, in the various categories, of Lansdowne Lawn Tennis Club as of the date of the Special General Meeting are hereby deemed to be members, in the various categories listed, of Lansdowne Lawn Tennis Club irrespective of any breaches, inadvertent or otherwise, of the rules of the club that may have occurred in the past relating to their election or continuing membership.

### 36. INCOME AND PROPERTY

- a. The income and property of the Club shall be applied solely towards the promotion of its main object(s) as set forth in this constitution. No portion of the clubs income or property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members of the club. No officer shall be appointed to any office of the association paid by salary or

fees, or receive any remuneration or other benefits in money or money's worth from the club. However, nothing shall prevent any payment in good faith by the association of:

- i. Reasonable and proper remuneration to any member of the club (not being an officer) for any services rendered to the club;
- ii. Reasonable and proper remuneration to any member of which a member or officer of the club is a Director or Shareholder, for any services rendered to the club;
- iii. Interest at a rate not exceeding 5% per annum on money lent by officers or other members of the club to the club;
- iv. Reasonable and proper rent for premises demised and let by any member of the club (including any officer) to the club;
- v. Reasonable and proper out-of-pocket expenses incurred by any officer of the club in connection with their attendance to any matter affecting the club; and
- vi. Fees, remuneration of other benefit in money or money's worth to any Company of which an officer may be a member holding not more than 100 part of the issued capital of such Company.

### 37. WINDING UP

- a. If upon the winding up or dissolution of the club there remains after the satisfaction of all its debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the club. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the club. The club or clubs to which the property is to be given or transferred shall prohibit the distribution of its or their income or property among its or their members to an extent at least as great as is opposed on the club under or by virtue of Clause 36 hereof. Members of the club shall select the relevant club or clubs at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object.

### 38. ADDITIONS, ALTERATIONS OR AMENDMENTS

- a. No addition, alteration or amendment shall be made to or in the provision of this constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

### 39. KEEPING OF ACCOUNTS

- a. Annual audited accounts shall be kept by the club and made available to the Revenue Commissioners on request.