



CONSTITUTIONAL CHANGES, EXPLANATORY NOTES, FEBRUARY 2020

The Constitution is being updated to modernise and reflect current statutory requirements for the Constitutions of incorporated associations. The Recommended Changes and Rationale for changes is summarised below. Many of the changes are being made to make the Constitution consistent with the Model Constitution prepared by the New South Wales Department of Fair Trading.

Section ref	Recommended Change	Rationale
Part I 1b	Updated date – Assoc Act	Act revised in 2009
Part I 1 c	Updated date - Regulation	Regulation revised in 2016
Part I 2	Rules to Constitution	Consistency
Part I – Objects	New addition – recommended by Model Constitution	Recommended requirement
Part I – Powers	New addition – recommended by Model Constitution	Recommended requirement
Part II – Members	New addition – recommended by Model Constitution	Recommended requirement
Part II – 4 Membership classifications	Added in student, social members to recreational members, removed honorary members	Relevancy
Part II - 5 Membership	Consistent with above clause; removes approval by the Committee	Simplification
Part II – 6 Application for Membership	Updated the process of membership application, approval and housing of member details	Current process which uses on-line application, payment and processing, linked to on-line member database
Part II – 7, 8, 9, 10, 11 Appointment of members	Removed	The process is not current. There is no Committee Approval process
Part II – 12 Election of Honour Members	Removed	Not relevant
Part II – 13 Notification to Applicants for Membership	Removed	Not relevant
Part II – 14 Adult Member Rights	Rights updated and added in codes of conducted	Updated and outlined codes of conducted by Tennis governing bodies



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Part II – 15 Junior Member Rights	Right updated and simplified. Removed references b.	Updated and outlined codes of conducted by Tennis governing bodies
Part II – 16 Weekday Member Rights	As above. Added in that they can be on the committee and hold office	As above
Part II – Student Member Rights	Added to reflect member classifications. They need to show proof of study. Can be on the committee and have 1 vote	
Part II – Recreational Member Rights	Change from Social to Recreational. Can use facilities at a cost. No vote at the AGM. Can't be on the Committee	
Part II – 13 Life Member Rights	Change from Honorary to Life Member Rights. Simplified	
Part II – 14 Cessation Membership	Added in (d)	
Part II – 16 Resignation of Membership	Updated to be Model Constitution practices	
Part II – 17 Register of Members	Updated to be the Model Constitution practices.	
Part II – 19 Fees and Subscription	Updated title to Fees. Updated pro-rata and date due. Updated fees waived for office holders	Make relevant
Part II – 20 Members in Arrears	Updated – suspension if fees are not paid with in 30 days, grace period	
Part II – 21 Leave of Absence	Simplified	
Part II – 23 Resolution of Disputes	New – per Model Constitution	Compliance



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Part II – 24 Disciplining of Members	Updated to Model Constitution	
Part II – 25 Right of Appeal of Disciplining Members	Updated to Model Constitution	
Part III – 26 Powers of Committee	Added in (d)	
Part III – 27 Composition of Membership Committee	Changed title from Constitution and Membership. Amended number of ordinary members, and term of members	Relevancy
Part III – 28 Election of Committee Members	Change title – inserted Committee	
Part III – 29 Secretary	Updated	Modernised and relevance
Part III – 30 Treasurer	Updated	Modernised and relevance
Part III – 31 Competition Secretary	Updated	Modernised and relevance
Part III – 33 Casual Vacancies	Updated per Model Constitution	Modernised and relevance
Part III – 35 Committee Meetings and Quorum	Updated minimum meetings to at least 6 times a year. Updated quorum from 6 to 4 members	
Part III – 36 Circular Resolution of Committee	Added in per Model Constitution	Modernised
Part III – 37 Appointment of Association Members as Committee Members to Constitute Quorum	Added in per Model Constitution	Modernised
Part III – 38 – Use of Technology at Committee Meetings	Added in per Model Constitution	Modernised



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Section ref	Recommended Change	Rationale
Part III – Sub-committees, social subcommittee, ladies weekday subcommittee	Removed	Modernised
Part IV – 41 Annual General Meetings – Holding	Updated to Model Constitution	Modernised
Part IV – 42 Annual General Meetings – Calling of and business	Updated to Model Constitution	Modernised
Part IV – 45 Quorum of General Meetings	Changed from 10 to 8	
Part IV – 49 Special Resolution	Updated to Model Constitution	Modernised
Part IV – 50 Voting	Updated to Model Constitution	Modernised
Part IV – Appointment of Proxies	Updated to Model Constitution	Modernised
Part IV – Weekday Members Annual Meeting	Removed	Relevance
Part IV – 52 – Use of Technology at Meetings	Added	Modernised
Part IV – 57 Distribution of Property on Winding up of Association	Added as per Model Constitution	Modernised
Part IV – 58 Change of Name, Objects and Constitution	Added as per Model Constitution	Modernised
Part IV – Common Seal	Removed	Modernised
Part IV – 59 Custody of Books	Updated to include Treasurer	Modernised
Part IV – 60 – Public Officer	Added	Modernised
Part IV – 62 Service Of Notices	Updated as per Model Constitution	Modernised



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Section ref	Recommended Change	Rationale
Part IV – Surplus Property	Removed	
Part IV – Club Colours	Removed	Not relevant – belongs in a Brand Style Guide
Part IV – Order of Play	Removed	Not relevant
Part IV – Annual Tournament	Removed	Not relevant
Part IV – Weekend Visitors	Removed	Not relevant
Part IV – Weekday Member Play	Removed	Not relevant
Part IV – 62 Public Officer	Updated per Model Constitution	Required and for compliance
Part IV – 65 Auditor	Updated per Model Constitution	Modernised
Part IV – 66 Application of Income	Updated per Model Constitution	Modernised
Part IV – 67 Common Seal	Updated – don't have a common seal. Alternative is 2 signatures	Modernised
Part IV – 68 Indemnity	Added per Model Constitution	Modernised
Part IV – 69 Executive and Staff	Added per Model Constitution and for any future structure changes	Modernised
Part IV – 70 Custody of Books	Updated per Model Constitution	Modernised and relevant
Part IV – 71 Rules and Policies	Added to reference supporting policies that the Committee and Club is governed by	Modernised and relevant