



THE CONSTITUTION & RULES OF ESSEX TENNIS

also known as

The Essex County Lawn Tennis Association / Essex County LTA / ECLTA

Essex is defined as: The County of Essex and the London Boroughs of Barking & Dagenham, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest and the Unitary Authority of Southend-on-Sea and Thurrock.

1) TITLE

The Association shall be called: 'Essex Tennis'.

2) OBJECTS

The objects of Essex Tennis shall be:

- a) To advance and safeguard the interest of all aspects of the game of Lawn Tennis in the County of Essex and to uphold the Rules of Lawn Tennis and the Rules, Regulations and Disciplinary Code of the Lawn Tennis Association [LTA] and to make, alter, maintain and enforce the rules and regulation for the control of the game in the County.
- b) To employ the funds of Essex Tennis for the purpose and objects of Essex Tennis and in the best interests of Lawn Tennis in Essex.
- c) To invest any part of such funds as shall not be required immediately in such manner as may be considered appropriate and to charge all or part of any such investments to secure the repayment of any advance of money made to Essex Tennis.
- d) To as appropriate, arrange/regulate/sanction, Tournaments, Competitions and Events including the Essex Leagues, to develop tennis throughout the County and to make, alter, maintain and enforce rules and regulations in connection therewith.
- e) To deal with such matters as may be referred to it by the Lawn Tennis Association or organisations that are members of Essex Tennis.

3) CONSTITUTION

- a) Essex Tennis is constituted by these rules as a non-profit making Members Organisation. [details with regard to this are in rule 4] Essex Tennis registers and/or affiliates to the Lawn Tennis Association. Resignation from the LTA may only occur following a recommendation from the Council confirmed at a General Meeting of Essex Tennis.
- **b)** For the avoidance of doubt the funds and assets of Essex Tennis shall belong solely to the Advantage Essex Members.
- c) Whether during the continuance of Essex Tennis or on its dissolution any surplus assets or funds of Essex Tennis may only be distributed between Advantage Essex Members.
- d) Any such distribution of surplus assets or funds of Essex Tennis shall be made between the said qualifying Advantage Essex Members in proportion to the amounts paid by them to Essex Tennis or its forerunners, in membership/registration fees over the previous 5 years. The 5 year calculation of the total annual amounts paid shall be capped each year to a maximum amount of £2,500 for each Advantage Essex Member.
- e) Essex Tennis shall organise and suitably administer, for its supporters, a Patrons Club.
- f) All members of the Executive Committee, the Council, other Committees or Sub-Committees shall be indemnified out of the assets of Essex Tennis against all losses or liabilities, reasonably incurred by them on behalf of Essex Tennis, in the proper execution of their duties.
- g) Essex Tennis may retain Member's and Member Organisation's records on a computer database in accordance with the 'Data Protection Act 1998 and any amendments thereto.

4) MEMBERSHIP CATEGORIES

- a) Places-To-Play [P2P's] These will be those organisations, that have registered through the LTA as a 'Place To Play and paid the appropriate fee.
- b) LTA Directly Registered/Affiliated These will be those organisations that have registered with and paid fees directly to the LTA.
- c) Advantage Essex
- d) Corporate
- e) Patrons Plus
- f) Patrons
- g) VIP
- h) Other Organisation

If practical it is a condition of membership of Essex Tennis that the above Membership Categories and any person using their facilities shall if appropriate:

- i) Be bound by and subject to both the Rules of Essex Tennis and the LTA Rules and Disciplinary Code [as in force from time to time].
- ii) Accept that the Essex Tennis Council 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 set out in i) above.
- iii) Not use their membership of Essex Tennis to endorse or imply endorsement of any product or service, nor use its name in any advertisement or prospectus.
- iv) Keep (in accordance with 4 (a) to 4 (g)) an up to date membership list. This list will include members' names and addresses together with details of an individual's membership category and subscriptions paid. This information shall be provided on request to the Secretary of Essex Tennis.
- v) Fully complete and return all forms requesting information to the Membership Secretary or other designated person by the due date.
- vi) Pay their membership fees by the due date.
- vii) Comply with the current Disclosure and Barring Service [DBS] legislation and any amendments made thereto.

5) MEMBERSHIP APPLICATIONS [are subject to be eligibility criteria, details available from the County Office]

- a) Places-To-Play [P2P's] must apply directly to the LTA, [details available from the County Office or direct from the LTA]
- **b)** LTA Directly Affiliated must apply directly to the LTA, [details available from the County Office or direct from LTA]
- c) Advantage Essex must apply to the Essex Tennis Office, they must be registered with the LTA under a) or b) above [Corporate and VIP Membership automatically gives Advantage Essex status without out the need for LTA registration]
- d) Corporate must apply to the Essex Tennis Commercial Chair [details available from the County Office]
- e) Patrons Plus must apply to the Essex Tennis Commercial Chair [details available from the County Office]
- f) Patrons must apply to the Essex Tennis Membership Secretary [details available from the County Office]
- g) VIP must apply to the Essex Tennis Commercial Chair [details available from the County Office]
- h) Other Organisation must apply to the Essex Tennis Membership Secretary [details available from the County Office]

6) MEMBERSHIP BENEFITS

a) Places-To-Play

- i) Will be entitled to LTA benefits [details available from the County Office or direct from the LTA]
- ii) Will have the right to attend, speak and vote at Essex Tennis General Meetings [see rule 13 & 14]

b) LTA Directly affiliated

- i) Will be entitled to LTA benefits [details available from the County Office or direct from the LTA].
- ii) Will have the right to attend, speak and vote at Essex Tennis General Meetings [see rule **13 & 14**]

c) Advantage Essex-

- i) Will be entitled to LTA benefits [details available from the County Office or direct from the LTA]
- ii) Will be entitled to AE significant benefits [details available from the County Office]
- iii) Will have the right to make proposals at Annual General Meetings [see rule 13 & 14]
- iv) Will have the right to attend, speak, and vote at Essex Tennis General Meetings [see rule **13 & 14**]

d) Corporate

- i) Will automatically become Advantage Essex Members [with no LTA benefits]
- ii) Will be entitled to benefits as agreed with the Essex Tennis Commercial Chair.
- iii) Will be able to have a website linked to that of Essex Tennis.
- iv) Will receive email invitations to attend major County Events e.g. County Finals Days.
- v) Will be offered identification as a supporter of the County in appropriate publications
- vi) Will be offered Corporate Identification on appropriate team clothing.
- vii) Will have the right to attend, speak and vote at Essex Tennis General Meetings. [see rule 13 & 14]. Relevant papers will only be sent upon request.

e) Patrons Plus

- i) Will be entitled to benefits as agreed with the Essex Tennis Commercial Chair.
- ii) Will receive email invitations to attend major County Events e.g. County Finals Days etc.
- iii) Will be offered identification as a supporter of the County in appropriate publications.
- iv) Will have the right to attend and speak at Essex Tennis General Meetings [see rule **13 &14**] Relevant papers will only be sent upon request

f) Patrons

- i) Will be entitled to benefits [details available from the County Office] as agreed by The Council.
- ii) Will receive email invitations to attend major County Events e.g. County Finals Days etc.
- iii) Will have the right to attend and speak at Essex Tennis General Meetings [see rule **13 &14**] Relevant papers will only be sent upon request.

g) VIP

- i) Will automatically become Advantage Essex Members [with no LTA benefits]
- ii) Will be entitled to benefits as agreed with the Essex Tennis Commercial Chair.
- iii) Will be able to have a website linked to that of Essex Tennis.
- iv) Will receive email invitations to attend major County Events e.g. County Finals Days etc.
- v) Will be offered identification as a supporter of the County in appropriate publications
- vi) Will be offered Corporate Identification on appropriate team clothing.
- vii) Will have the right to attend, speak and vote at Essex Tennis General Meetings [see rule 13 **& 14**] Relevant papers will only be sent upon request.

h) Other Organisation

- i) Will be entitled to benefits [details available from the County Office]
- ii) Will have the right to attend and speak at Essex Tennis General Meetings [see rule **13 & 14**] Relevant papers will only be sent upon request.

7) MEMBERSHIP RESIGNATIONS

Any Member wishing to withdraw from Essex Tennis shall give written notice to the Membership Secretary at the County office.

8) MEMBERSHIP FEES

Essex Tennis & LTA fees may include Affiliation Fees, Registration Fees, Subscriptions Fees, Court Fees, Player Levies, Entry Fees, Competition Fees and any other fees etc. as deemed appropriate.

- a) Places-To-Play Fees Fees and the payment date will be set by the LTA
- b) LTA Directly Affiliated Fees Fees and the payment date will be set by the LTA
- c) Advantage Essex Fees The basis and the amount of the fees shall be agreed at the Essex Tennis AGM or other appropriate forum. The payment date will be the same as 8) a)
- d) Corporate Fees- The amount and the payment date shall be agreed with the Essex Tennis Commercial Chair
- e) Patrons Plus Fees- The amount and the payment date shall be agreed with the Essex Tennis Commercial Chair.
- f) Patrons Fees- The amount and payment date shall be agreed by The Council or other appropriate forum.
- g) VIP Fees and the payment date shall be agreed with the Essex Tennis Commercial Chair
- h) Other Organisation Fees Shall be agreed with the Membership Secretary and/or the Council

9) NON-PAYMENT OF FEES

In the event of any monies due remaining unpaid after the due date the Executive Committee may withdraw membership and benefits and may take such other action as they think fit. Non-payment within 28 days of the due date may invalidate any member's cover under the LTA insurance scheme.

10) NOTICES

Essex Tennis, using the last known contact details that they have available of the intended recipient, may communicate any information, notice, or documentation etc., by post, by personal delivery, by electronic communication, or by making it available on a website and notifying the intended recipient of its availability. Non receipt, through accidental omission, shall not invalidate any process or proceedings etc. that were dependent upon the receipt of the communication.

11) ANNUAL GENERAL MEETINGS NOMINATIONS PROPOSALS & VOTING etc.

Only Advantage Essex and Council members may make AGM nominations and Proposals [see rule**11b]**

a) An Annual General Meeting of Essex Tennis shall be held in London or Essex within eight months of the financial year-end and it shall be held not earlier than 6pm on a weekday. The Secretary shall give Members 12 weeks advance notice of the date. The accidental omission to give notice of a Meeting, to any person entitled to attend, shall not invalidate the proceedings of that meeting.

b) Nominations for Council membership and Other Proposals

- i) Members of the Council, Committees or other appointments are not required to belong to Members Organisations.
- ii) Proposals relating to financial matters may only be made by the Council.
- iii) Advantage Essex Members, in accordance with rule 11 c iii may make Nominations for Council, except for the President, Vice Presidents and Life Vice Presidents; they may also make proposals. Only Advantage Essex Member Tennis Clubs may make nominations for Area Representatives and Nominations for area representatives must be made by clubs

from within their relevant area. These nominations and proposals have to be made in writing or by email to the Secretary 8 weeks prior to the AGM.

iv) The Council may make proposals and they may also make any nominations in accordance with rule **11 c iii** except for area representatives.

c) The Ordinary Business of an Annual General Meeting shall be:

- i) To receive the Report of the Council
- ii) To receive the Treasurer's Statement of Accounts for the previous financial year.
- iii) To elect the President [who shall normally not hold office for more than three consecutive years], Vice Presidents, Chair, Secretary, League Secretary, Treasurer, Competitions Chair, Assistant Secretary, Seniors Co-ordinator [Men's], Seniors Co-ordinator [Ladies], Membership Secretary, Performance Officer and a maximum of twelve Area Representatives; Tennis Essex Areas and the number of representatives is as follows:

Essex Tennis Area	That part of Essex Tennis under the jurisdiction of:	Number of representatives
Area A	The London Boroughs and Epping Forest DC	Maximum of 3
Area B	The Unitary Authority of Southend-on-Sea and Thurrock	Maximum of 3
Area C	Brentwood and the area of North-West Essex	Maximum of 3
Area D	Chelmsford and Colchester Area and the remainder of Essex	Maximum of 3

They shall commence taking office seven days after the AGM unless a later date be decided by the Secretary, or in his/her absence the Chair. This later date shall not be more than eight weeks after the AGM. These individuals shall be known as the **ELECTED COMMITTEE.**

iv) To elect an appropriate individual and/or corporate body to undertake an independent review of the accounts, who shall not be a member of the Council.

d) All other business transacted at an Annual General Meeting shall be deemed Special Business.

e) Notice, Agenda and Papers.

These shall be sent to the Officers and other members of the Council, and to Secretaries or representatives of Members, Organisations and individuals entitled to attend, at least 7 days prior to the meeting date. Such notice shall specify the date, time and place of the meeting and shall include the agenda with the names of persons standing for election in accordance with rule **11 c iii**. A copy of the Annual Report of the Council and the Treasurer's Statement of Accounts shall also accompany it. The accidental omission to give notice of the meeting, to any person entitled to attend, shall not invalidate the proceedings of that meeting.

f) Attendance and Voting.

See rule (13 &14)

g) The Chair.

The Chair shall take the chair, and in his/her absence, the meeting shall elect its own Chair. The Chair's decision on all matters regarding the conduct of the meeting is final.

h) Amendments.

The Chair may, at his or her discretion, permit amendments to be put forward at the AGM. Any Member representative whose organisation is entitled to make an AGM proposal or Councillor may put forward an amendment. Every amendment to a proposal shall be proposed and seconded. In the event of there being more than one amendment to any proposal, the last amendment shall be the first voted upon, and if carried shall become a substantive proposal. If an amendment is not carried, the amendment (if any) immediately preceding it shall be next voted upon, and if carried shall become a substantive proposal and so on. In the event of no amendment being carried the original proposal shall be voted upon.

i) Quorum.

No business other than the formal adjournment of the meeting shall be transacted unless a quorum is present, and such quorum shall consist of not less than twenty persons present who are entitled to vote.

j) Voting.

Every nomination or proposal shall be decided by a show of hands, unless prior to any vote being taken, the Chair shall decide otherwise. Only those present are entitled to vote in accordance with rule **(13 & 14)**. If there is an election where the number of nominations exceeds the number of vacancies, each person shall only vote for as many candidates as there are vacancies and if any person votes for more or less candidates than there are vacancies, their vote shall not or be counted. All ordinary business shall be decided by a bare majority of the votes properly recorded, but all other/special business shall need a two-thirds majority [of those voting] for the proposal to be carried. Where a decision by a bare majority only is required and there is an equality of votes, there shall be a second count, and if upon such second count there again be an equality of votes, the Chair shall have the casting vote.

12) EXTRAORDINARY GENERAL MEETINGS PROPOSALS & VOTING etc.

- a) An Extraordinary Meeting of the Essex Tennis may be held by the Council whenever it considers it appropriate.
- b) An Extraordinary Meeting of the Essex Tennis shall be held within eight weeks after the receipt by the Secretary of a requisition in writing to that effect by five or more Member Organisations who are Advantage Essex Members. Every such requisition shall specify the business for which the meeting is to be convened and shall be accompanied by an appropriate proposal. No other business shall be conducted at such meeting. In the event that any of the proposals is not agreed, no requisition for an Extraordinary General Meeting to consider the same proposal, or a proposal in like terms convening the same subject, shall be submitted within a period of two years of the rejection. NB: This does not preclude the proposal being proposed again at an AGM

c) Notice, Agenda and Papers.

These shall be sent to the Officers and other members of the Council, and to Secretaries or representatives of Members, Organisations and individuals entitled to attend, at least 10 days prior to the meeting date. Such notice shall specify the date, time and place of the meeting and shall include the agenda. The accidental omission to give notice of a Meeting to any person entitled to attend shall not invalidate the proceedings of that meeting.

d) Attendance and Voting.

See rule (13 & 14)

e) The Chair.

The Chair shall take the chair, and in his/her absence, the Meeting shall elect its own Chair. The Chair's decision on all matters regarding the conduct of the meeting is final.

f) Amendments.

The Chair may, at his or her discretion, permit amendments to be put forward at the EGM. Any person present and entitled to vote] may put forward an amendment. Every amendment to a proposal shall be proposed and seconded. In the event of there being more than one amendment to any proposal, the last amendment shall be the first voted upon, and if carried shall become a substantive proposal. If an amendment is not carried, the amendment [if any] immediately preceding it shall be next voted upon, and if carried shall become a substantive proposal. In the event of no amendment being carried the original shall be voted upon.

g) Quorum.

No business other than the formal adjournment of the meeting shall be transacted unless a quorum is present, and such quorum shall consist of not less than twenty persons present and entitled to vote.

h) Voting.

Every nomination or proposal shall be decided by a show of hands, unless prior to any vote being taken, the Chair shall decide otherwise. Only those present are entitled to vote in accordance with rule **13**. If there is an election where the number of nominations exceeds the number of vacancies, each person shall only vote for as many candidates as there are vacancies and if any person votes for more or less candidates than there are vacancies, their vote shall not be counted. All EGM proposals shall need a two-thirds majority [of those voting] for the proposal to be carried.

13) MEMBER'S REPRESENTATION, ATTENDANCE AND VOTING RIGHTS AT GENERAL MEETINGS FOR ADVANTAGE ESSEX MATTERS.

Only Advantage Essex Clubs and Councillors have the right to vote on these matters in accordance with Rule 14

14) MEMBER'S REPRESENTATION, ATTENDANCE AND VOTING RIGHTS AT GENERAL MEETINGS

- a) Registered Places-To-Play [P2P's] who are not Advantage Essex members are entitled to 1 representative who will have the right to speak and have 1 vote.
- b) LTA Directly Affiliated Clubs are entitled to 1 representative who will have the right to, speak and have 1 vote.
- c) Advantage Essex Members [except Corporate] are entitled to the following representation who are entitled to speak and vote:
 - i) 0 to 2 courts [excluding grass courts]
- 2 representatives/2 votes
- ii) 3 to 4 courts [excluding grass courts]
- 3 representatives/3 votes
- iii) 5 to 6 courts [excluding grass courts] 4 re
 - 4 representatives/4 votes
- iv) 7 to 9 courts [excluding grass courts]
- 5 representatives/5 votes 6 representatives/6 votes
- v) 10+ courts [excluding grass courts] 6 representatives/6 votes One representative shall cast all of their club's/organisations [and only their] votes.
- d) Corporate Members are entitled to 1 representative who will have the right to speak and have 1 vote.
- e) Patrons Plus are entitled to 1 representative who will have the right to speak but have no vote.
- f) Patrons are entitled to 1 representative who will have the right to speak but have no vote.
- g) VIP's are entitled to 1 representative who will have the right to speak and have 1 vote
- h) Other Organisations are entitled to 1 representative who will have the right to speak but have no vote.
- i) Essex Tennis Councillors [are those persons that are elected: at the AGM, or those appointed by Elected Committee or co-opted in accordance with these rules] are entitled to attend, speak and have one vote or alternatively they may vote as an Advantage Essex Members representative in accordance with c) above, in this event they lose their individual vote.
- j) The President and Vice Presidents are entitled to attend, speak and have one vote. [This also applies to Elected Committee meetings]
- k) Life Vice Presidents are entitled to attend, speak and have one vote. [This also applies to Elected Committee meetings and Council meetings]

15) MANAGEMENT

a) The Elected Committee

i) Those officers and area representatives elected at the AGM in accordance with rule 11 (c) (iii) [five members shall form a quorum] constitute the Elected Committee and are automatically elected to the Council. As soon as is practically possible after the AGM, they will appoint the following who will also become Members of Council: Lead Volunteer, Performance Chair, Commercial Chair, Men's and Ladies' Captains, Rules Officer, Junior Competitions Chair and Area Representatives Chair. They may also appoint a Communications Officer/Webmaster who shall not be a Member of Council. All those

appointed shall commence taking office immediately unless a later date be decided by the Secretary, or in his/her absence the Chair. This date shall not be later than four weeks after their appointment. The Elected Committee together with those appointed to Council in 15 (a) (i) shall, together with the LTA Councillor/s, Life Vice Presidents and those elected at the AGM form the **Council** of Essex Tennis.

b) The Council

- i) Shall manage the affairs of Essex Tennis in accordance with the Constitution, Rules and Objects.
- ii) Shall appoint two Councillors to serve on the Executive Committee as soon as is practically possible after the AGM and as soon as possible after the meeting of the Elected Committee, following the procedure defined in iii) below.
- iii) The election procedure shall be managed by the Secretary or by the Chair or Treasurer if the Secretary is unavailable and shall comprise the following parts:
 - (a) Nominations to a maximum of two nominations per council member is allowed and can only be made by a Council Member; self-nomination is allowed
 - (b) Following the nomination process the Secretary will notify Council of the Councillors that are available for election notifying them of the last date for votes to be cast.
 - (c) Voting will be by E-mail, each Councillor who votes must vote for two persons. In the event of a tie in the first instance the Chair of Essex Tennis shall have a casting vote, or in their absence this shall be the Treasurer.
 - (d) The Secretary will announce the result of the election procedure as soon as possible after the final date for casting votes.
 - (e) Following their election the two elected councillors shall take office immediately unless a later date be decided by the Secretary, or in his/her absence the Chair. This date shall not be later than four weeks after their appointment.
- iv) Shall appoint and authorise other Committees and personnel as they deem appropriate giving them terms of reference. Usually these personnel nominations should be made by the Chair of the appropriate committee
- v) May make AGM nominations for The President, Vice Presidents and Life Vice Presidents
- vi) Shall decide all questions of eligibility of persons nominated to serve on the Committees or Council.
- vii) Shall decide all matters relating to the Management of Essex Tennis.
- viii) Shall decide all questions as to the right of representation, attendance or voting at General Meetings.
- ix) Shall decide all questions and disputes between members sent to them for a decision [reserving the right to refer any matter to the LTA or elsewhere as deemed appropriate].
- x) Shall organise and administer The Patrons Club and to confer upon them such privileges as may be determined from time to time.

c) The Competitions Committee

Shall be responsible for the day to day management of the County's Competitions. The Competitions Committee, shall consist of the Competitions Chair, the League Secretary, and other such appropriate members who shall be appointed at the League AGM. This Committee shall be responsible for the administration and the playing rules and regulations of the Essex Leagues and other appropriate County Competitions.

d) The Executive Committee

Shall be responsible for the day to day management of Essex Tennis, which shall consist of the Chair, Secretary, Treasurer, Lead Volunteer, Commercial Chair, Performance Chair, Chair of the Area Representatives Committee, Junior Competitions Committee Chair and LTA Council Members together with the two Council members elected by the Council as per b) iii The Essex Tennis Executive Officer will be invited to attend all or relevant parts of the Executive Meetings. The Executive Committee shall decide such matters as are necessary on a day to day basis, they shall consult as is appropriate and regularly report to the Council. All the decisions of the Executive Committee personnel shall be subject to ratification by the Council.

e) Ex Officio Members.

The Chair, Secretary and Treasurer shall, ex officio, be members of the Competitions Committee and all Sub-Committees

f) Voting rights at Council, Competition, Executive and other Committees. Voting rights shall be one vote for each member of the committees, with the Chair, if appropriate, having the casting vote.

g) Co-opting.

Committee Chairs may recommend for co-option additional members or replacements to their respective Committees, who shall have the same voting rights as the previous occupants and in line with other existing committee members. The names of those appointed or co-opted must be notified within 21 days to the Secretary and agreed by Council.

16) DISCIPLINARY PROCEDURE

- a) A Disciplinary Sub-Committee of at least three persons, one of whom shall be designated as Chair, shall be appointed by the Council.
- b) All disciplinary complaints from Member Organisations and individuals must be received in writing by the Secretary of Essex Tennis within 14 days of the incident. The Disciplinary Sub-Committee will consider any complaint over a disciplinary matter referred to it by the Secretary of the Essex Tennis, the Executive Committee, the Competitions Committee or the Council. Any organisation or individual against whom a complaint has been received shall, within 28 days of that notification being received by the Disciplinary Committee, be provided with a summary of that complaint and shall be invited to make a written representation in answer to it. A personal hearing will be offered or may be required if the matter is considered to be of sufficient seriousness. Any written representation or request for a personal hearing must be made within 21 days of the notification of the complaint. Where no request for a personal hearing or no written representation has been received within the prescribed time, the matter will be considered taking into account any evidence that is available. The Committee shall have the power to deal with any organisation or individual by expulsion, suspension, infliction of penalties or otherwise as it may think proper.

17) COUNTY FACILITIES

All users and specifically unlicensed/unregistered coaches [if any] will be deemed to agree to the LTA's Rules and Disciplinary Code as a condition of any arrangement whereby they use or work at those facilities.

18) COUNTY PLAYING AWARDS

These shall be determined by the Council of Essex Tennis.