

Membership

Question Section 3.5.c. seems to imply that people can sign up for a membership via an online system, but as a club we do not have the ability to decline them (for whatever reason).

Answer The Member Management System that it references is the system that your club operates. You have the ability to design that how you see fit. You can write this clause how you want to align with the mechanism that you have for receiving, considering and responding to membership applications. If the club does not yet have an online Member Management System, then Rule 3.5.c can be amended with the optional text in the guidance notes:
b. upon the individual receiving confirmation of their application from the Member Management System or approval of the application by the Committee.

Question Section 3.11.f. states 12 months. In earlier versions it was 2 months. Can you please outline the reason for variation.

Answer An individual casual member is classed as someone who wants services for less than 2 months. If a casual makes a booking via say, Book-a-Court, they will then appear on your membership register for the period of 12 months. After which in the back end of the system (e.g. Clubspark), they will drop off if they have not signed up to be a member or use any other product or service.

Question What is the definition of an *Individual Casual Member*?

Answer The Club Constitution Guidance notes covers this off, it states:
Individual Casual Members are individuals who have the right of Access to any Tennis Courts and Associated Facilities of the Club to play Tennis, as per the product they have purchased – for example, a Book-a-Court session, including on a one-off, casual, fixed period or irregular basis, and other rights, as specified in this Constitution. Individual Casual Members do not have the right to vote at General Meetings.

TNZ will develop a 1-pager on what an Individual Casual Member is and how it can work practically at a club and with an Member Management System e.g. Clubspark.

Question What is the minimum number of members? The Act has a minimum requirement, but does not seem to be stated in the Club Constitution template anywhere....?

Answer The Act requires a minimum of 10 members, but the TNZ constitution requires 20 members if you are a new club. Existing members (e.g. existing Clubs) who will transition over can have a minimum of 10. The reason for new Clubs requirement to have 20 or more is related to Club viability.

Officers

Question What is the difference between Officers and Committee members? Is there a difference? Refer Clause 4.

Answer Per Clause 20. Definitions and Interpretation of the Club Constitution template: Officers and Club Officer means President, Committee Members [insert other positions that are in a decision-making role e.g. CEO, General Manager, Club Manager] and Officer means any one of the Officers.

Question What happens if our Coach is a paid contractor and is also on our committee? Clause 4.3 seems to disqualify them. It's hard-to-get people on our committee, so how is this going to work?

Answer This clause is not mandatory, but it is best practice.
In detail, there is not prohibition in the new Act to have employees/contractors as members of a board/committee. It was recommended that it is good practice due to the inherent conflicts of interests that may arise. This is exacerbated if there is more than one employee/contractor on the board/committee.
If a Club elects to have an employee/contractor on its board/committee, then it will need to ensure that any potential conflicts (real or perceived) is noted and well managed.
For example, if the board/committee was making a decision about the coach's contract, the coach should step aside of that deliberation and any decision making relating to it.

Question What is the definition of an Officer under the Act?

Answer An officer is defined under the Act as a member of the committee, or a person who is occupying a position in the society that allows them to exercise significant influence over the management or administration of the society (for example, a treasurer or chief executive).
Appendix 2 of the guidance notes outlines the duties of an Officer under the Act.

Question Can a Secretary be ex-officio? In other terms, can this function be carried out by a third party, as in, can we contract it out?

Answer Yes, the functions of this role can be contracted out and if so, they would not be on the board/committee as an Officer.

Question Do Officers details need to be updated on the Incorporated Societies Register each year?

Answer Yes, this is correct.

Purpose, Capacity and Powers

Question Does TNZ still have a code of conduct?

Answer Yes TNZ does. You can view it here: <https://tennis.kiwi/assets/SAFE-Pages/General-Code-of-Conduct.pdf>.

It is referred to in the Club Constitution template under section 2.1.e. While it is not specifically referenced, you can tweak it and refer to a Code of Conduct should you wish.

Multi-Sport Clubs

Question Does the template accommodate multiple sports e.g. tennis and squash?

Answer Not specifically, but TNZ and Squash NZ are working closely on this. Squash has someone in their team working on the merger of the two club templates currently. The tennis one is more complex, so Squash NZ are using the tennis one as the basis and bringing the squash bits across. TNZ expect to see a draft any day now. It is not envisaged there will be much back and forth, so TNZ should be able to get this out to those racquet clubs soon after receiving it.

TNZ suggests that dual sport Clubs with Squash should wait for this template.

TNZ is also happy to facilitate any conversations between Clubs and Squash NZ as needed.

Member Management System (MMS)

Question Clause 3.10 requires TNZ to approve our member management system e.g. Clubspark, what is the process for this?

Answer You can engage directly with Chris Mundell on this via chrism@tennis.kiwi

Question Who owns Clubspark? It is owned by TNZ?

Answer No, it is a third-party provider. TNZ has an agreement with them to provide TNZ Clubs a subscription service which TNZ picks up the costs of. Clubs are welcome to choose other providers, but as Clubspark is free for Clubs and it automatically connects with the National Database, it is our preference.

People

Question Section 9 is all about a Club Manager. What happens if we don't have one?

Answer This section is optional and can be removed if not relevant for your Club.

Legal / Regulatory / Insurance

Question What happens if a Club passes a constitutional that does not align with their RTO and/or TNZ? Do Clubs need to submit their draft constitutions for 'approval' prior to voting it in?

Answer Technically if this was the case, then the Club would be in breach of its member obligations (if affiliated) and there would need to be a discussion with the relevant parties. You don't have to pass your Constitution by your

RTO prior for 'approval', but they would likely be happy to review and provide any feedback as needed.

Question Do we need to include any details of members and their rights to access any data/information that we hold on them?

Answer This is covered under the Privacy Act 2020 and while it is not specifically included in the templates, Clubs are welcome to include a reference to that if they wish.

Question Are any Clubs considering indemnity insurance?

Answer Clause 11.5 of the Club Constitution template covers off that the club has the power to do that should it wish to take out insurance. This would be a decision that a board/committee would need to discuss and decide itself.

Question Is there any reason we can't just add the relevant bits to our current constitution?

Answer Unfortunately no. The new Act is far more prescriptive, and we've endeavoured to keep our templates as short as we could and compliant, but your new constitutions will be longer than what everyone has currently. We've worked hard on trying to get consistency through the layers of constitutions – Clubs, RTOs (Regional Tennis Organisations), LTPs (Local Tennis Partners) and Tennis NZ etc.

Question What happens if a club does nothing?

Answer If a Club does not re-register with a compliant constitution prior to 6 April 2026, they would be removed from the Incorporated Societies Register and therefore cease to exist.

The Club would also then not be connected with the wider tennis system in New Zealand and by default, be unaffiliated to their RTO and therefore TNZ.

Practically, this would mean that while they would not pay affiliation fees, they would not receive any of the support or benefits from the TNZ system. This would also affect their ability to apply for funding and their committee members would be personally liable, including financially, as an unincorporated society.